Freedom from Domination

A Foucauldian Account of Power, Subject Formation, and the Need for Recognition

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ABSTRACT

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Michel Foucault is criticized for offering an account of power that leaves no room for the freedom of individuals. This dissertation will provide an account of freedom that is compatible with Foucault's descriptions of the operation of power and its role in the constitution of the subject. First, I clarify Foucault's own distinction between power and domination, the conflation of which has been the primary source of criticism of his social theory. With this distinction in hand, I address the apparent break in Foucault's middle and late periods, which, respectively, describe human beings as constituted by power on the one hand and as having the reflective critical capacities necessary for self-transformation on the other. I then explore Foucault's criticism of the modern concept of autonomy, which he believes to be inherited from the Enlightenment and, more specifically, Kant. Finally, I argue that Foucault does not dispense with the concept of freedom as autonomy altogether, but instead must embrace a concept of social freedom, similar to that which is found in contemporary recognition theory.

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Introduction

The mainstream Anglo-American philosophical tradition has only recently begun to break away from an unfortunate caricature of Michel Foucault's accounts of power and subject formation in which life in contemporary Western society is a state of perpetual domination from which individuals are helpless to escape. But for many Foucault scholars, this caricature is startling and even bizarre. In the first place, this pessimistic view is contradicted by Foucault's own politically engaged life. Furthermore, it seems unlikely that Foucault would dedicate such time and care to writing about domination and freedom only to declare that the former is inescapable and the latter an impossible ideal.

The problem, as I see it, stems from confusion regarding Foucault's use of the terms 'power', 'domination', 'resistance', and 'freedom'. This confusion is no doubt fueled by Foucault's own lack of clear, systematic definitions of these terms. Moreover, Foucault devotes significantly more time to the discussion of domination than he does to the discussion of freedom in modern contexts. His most notable analyses of freedom focus on the ancient Greek ethics of the care of the self, on the one hand, and a criticism of the Enlightenment concept of autonomy, on the other. Readers are therefore left to speculate as to what freedom from modern forms of domination could be on Foucault's account.

While the guiding question of this dissertation is "What is Foucauldian freedom?," the related terms, 'power', 'domination', and 'resistance' must be defined and distinguished from their use in other well-known contexts. This work is done not only for the sake of entering into contemporary debates in Foucault scholarship, or to put Foucault into conversation with other contemporary social philosophers, but because a

rehabilitation of Foucault's works will provide useful conceptual tools for the real work of social criticism.

Chapter 1 begins by defining two senses of 'Foucauldian power'. On one level, power is an emergent property of interactions among individuals in which one action motivates another. On the broader societal level, 'power' refers to the systematic self-organization of behavior that arises from these interactions and, in turn, reinforces particular behaviors. In other words, power helps to establish norms that serve to explain and justify the ways in which some actions motivate others. Power, as the ways in which we influence each other by reference to a norm, is therefore a ubiquitous fact of social life.

All too often, 'domination' has been taken to be synonymous with 'power' on Foucault's account. No doubt the persistence of this conflation – which stems from works like *Discipline and Punish* and *The History of Sexuality Vol. 1* – has contributed to the longevity of the Foucault caricature that life in contemporary Western society is perpetual domination. However, Foucault clarifies in later works that domination is a subset of power relations. Domination is a state in which asymmetrical power relations have become fixed, whereas power relations generally considered are mobile, reversible, and fluid.

Thus far, this discussion of power and domination has been abstract and schematic. While Chapter 1 helps to fill in some of the details by the use of concrete examples, Chapter 2 sheds further light on the concept of power by examining the relationship between power and the subject. The relationship in question is that of constitution.

The subject is constituted by power in two senses. In the first place, the subject is constituted by power insofar as a subject is the kind of being that can be responsive to normative frameworks and social strategies for organizing behavior. This is a conceptual claim that a subject is only a subject when considered within relations of power, as a member of society (as opposed to, say, as a biological entity). But the more interesting and more important sense in which the subject is constituted by power is captured in a set of interdependent ontological and psychological claims – that power categorizes individuals, makes their actions intelligible, and attaches them to their identities. In other words, what subjects are, what they take themselves to be, and how they relate to themselves are largely the products of the power relations in which they have been socialized. Naturally, the kind of subject produced by power will vary depending on the forms of power that operate in different historical contexts.

With these basic definitions in hand, Chapter 2 begins to address two senses of 'freedom' that Foucault has been accused of denying: agency and autonomy. In the first place, it has been argued that Foucault's middle period genealogies of the mid- to late-1970s rule out the subject's choice of action because actions are prescribed by power. I argue instead that agency is in fact presupposed by Foucault's accounts of power and the subject. Conceptually, if subjects are the kinds of things that can be responsive to social norms, then there must be a set of available possibilities for their actions in order for the norm to play any meaningful role in shaping those actions. Furthermore, Foucault's works are rife with examples of agents interpreting norms and deliberating about how best to act in light of them.

Although the concept of autonomy is introduced in Chapter 2, it is more fully explored in Chapter 3. Here, I distinguish the Enlightenment concept of autonomy – of which Foucault is critical – from a broader sense of autonomy as self-direction. Foucault demonstrates the ways in which an Enlightenment concept of autonomy has restricted our understanding of ourselves as subjects and even led to new forms of domination that often go unnoticed. Perhaps the most important Foucauldian insight on this point is that the Enlightenment concept of the autonomous subject leaves no room for the thought that subjects are historically constituted and therefore may be constituted differently in different historical contexts. More succinctly, the Enlightenment concept does not recognize itself as the product of a particular configuration of power and knowledge. Therefore, I argue that Foucault's works are designed to detach us from this Enlightenment concept of ourselves, to prompt us to reconsider what we are as subjects, and to open a space for new possible relationships between the subject and power. In this way, Foucault promotes a kind of freedom of imagination, a freedom to imagine "the possibility of no longer being, doing, or thinking what we are, do, or think."[1]

However, states of domination will not be dismantled through the freedom of imagination alone. Freedom of imagination is not yet enough to fill the role of the kind of socially embedded autonomy that could serve as a more adaptable notion of freedom, applicable in and responsive to differing social contexts. What we need is a concept of autonomy that also makes reference to the conditions of both its own *formation* and *realization* in the world. With such a concept, we will have provided for Foucault a definition of freedom that refers not only to a capacity of the subject but to a state of the

[1] Michel Foucault, "What Is Enlightenment" in *The Essential Foucault*, ed. Paul Rabinow and Nikolas Rose (New York: The New Press, 2003), 54.

world. Only such a concept could serve as the proper opposite of 'domination' as earlier defined. It is at this point that Foucauldian insights direct us beyond Foucault to the Hegelian tradition that possesses just such a concept of autonomy.

In particular, Axel Honneth has expanded Hegel's concept of recognition as a way to fill the gap between the autonomous will and the world in which that will is to be realized. I argue that the concept of recognition plays a crucial, though implicit, role in Foucault's analyses of power and the subject. Before we begin to see the ethical role that recognition could play for Foucault, it is important to draw out the role of the ontological concept of recognition, which I argue Foucault has unwittingly presupposed.

The ontological concept of recognition states that it is recognition that constitutes the subject and distinguishes the human subject from animals in the natural environment. Here, recognition is the social feedback that forms the psychological makeup and the practical identity of individuals. The idea that social recognition is constitutive of the formation of a practical identity is remarkably similar to the relationship that Foucault describes between power and the subject. What's more, the Hegelian idea that we have a *need* for recognition plays an explanatory role for Foucault. It is this need that explains how power is able to get a hold on us and to attach us to the identities by which we are recognized. It is the need for recognition that drives us to conform to the same norms as those to which our peers adhere and to value what they value.

In addition to helping to explain some of the phenomena Foucault describes, the ontological concept of recognition can also help to temper some of Foucault's more radical statements about resistance. Foucault has been criticized, for example, for calling for a radical desubjectivation of the subject. Such a desubjectivation would amount to a

rejection of any socially recognized identity on the grounds that such identities are inherently dominating.[2] The need for recognition in order to achieve the status of full-fledged personhood explains and justifies the intuition we may feel that this is too radical an ideal, perhaps even an impossible ideal. Instead, such Foucauldian statements as, "we must refuse what we are"[3] should be recast in light of the concept of recognition as a call to rid ourselves of *these* identities, to give ourselves license to experiment with others.

With the ontological concept of recognition then already implied, it is not a far leap to imagine that Foucault's works leave room for an ethical concept of recognition as well. On an ethical concept of recognition, to recognize a subject with respect to a particular feature (e.g. as an autonomous subject) is not only to admit that s/he has this feature, but also to positively appraise h/er for having it. Ethical recognition is linked to freedom on Honneth's account in virtue of the fact that our autonomous wills are not realizable in the world without reference to the autonomous wills of other subjects. Put simply, it is mutual recognition that ensures the cooperation necessary for the realization of social freedom. Honneth therefore concludes that "freedom bears the institutional structure of an interaction, for it is only by recognizing their mutual dependency that individuals can achieve their respective aims."[4] Such a link between freedom and interaction is wholly appropriate to the Foucauldian framework that takes both power and domination to be emergent properties of interactions. We can retain the spirit of

[2] Judith Butler rightly notes that such a view is problematic on Hegelian grounds in Judith Butler, *The Psychic Life of Power: Theories in Subjection* (Stanford: Stanford University Press, 1997), 20.

[3] Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 216.

[4] Axel Honneth, *Freedom's Right: The Social Foundation of Democratic Life*, trans. Joseph Ganahl (New York: Columbia University Press, 2014), 46.

Honneth's observation while translating it into Foucauldian language by saying that freedom is the state that emerges from successful acts of resistance.

Acts of resistance, then, are acts that aim to expand the borders of acceptable, socially recognized forms of subjecthood or ways of life. The state of freedom that is brought about by acts of resistance is one in which individuals possess and exercise socially embedded autonomy insofar as they not only possess their freedom of imagination, but are also recognized and legitimated in translating their imaginings into conduct.

That such definitions of 'freedom' and 'resistance' may appear anarchic or narcissistic is perhaps not unexpected, as these are criticisms often leveled against Foucault's views. However, we should not be put off by these ideas before we have discovered the role they are to play in an ethical and political theory. Recall that domination, as a state in which asymmetrical power relations have become fixed, does not rely on any particular configuration of social institutions. Instead, there is a danger, according to Foucault, that any set of institutions and social norms may promote states of domination. He says that we must perform a constant checking of our present historical circumstance, to continually ask ourselves if we have failed to notice the development new forms of domination.[5] Indeed, with this thought Foucault can also help to inform recognition theory by noting the potential dangers of too limiting a set of possible identities deemed worthy of recognition. For this reason then, Foucault cannot himself prescribe new systems of institutions that would ensure our freedom, but must instead insist on a metaethico-political openness principle that allows for this constant checking

[5] Foucault, "The Subject and Power," 209 and Michel Foucault, "On the Genealogy of Ethics" in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 231-2.

to be performed not only in the minds of philosophers and social critics but also at the real borders of our ways of life. Hence we can make sense of Foucault's enigmatic statement that "ethics," as a way of life, "is a practice of freedom."[6] These concepts of resistance and freedom need not amount to an "anything goes" kind of ethics or politics, but instead serve to combat social stagnation and promote change in the direction of increasing the recognition of groups at risk for marginalization.

[6] Michel Foucault, "The Ethics of the Concern for the Self as a Practice of Freedom," in *Foucault Live,* trans. Phillis Aranov and Dan McGrawth, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 434.

Chapter 1:
Power and Domination

The genealogical works of Michel Foucault's "middle period," roughly from 1970 to the late 1970s, are primarily concerned with providing what he calls "an analytics of power."[1] Such a study rethinks traditional conceptions of power – as a commodity, as residing in the form of the law, as prohibition, etc. Though Foucault is not concerned with providing a "theory of power," that is, a metaphysical account of what power *is*, he is interested in examining the variety of technologies and points of application of power – how and where power functions.[2] I take it that in denying that he provides a 'theory' of power, Foucault intends to reject two related ideas about what constitutes a theory. In the first place, Foucault is clear that he does not provide a metaphysical concept of power in the sense of describing an ahistorical form of power that operates apart from its particular, historically variable instances. Secondly, we must avoid the thought that what is at stake is a purely theoretical discussion of power, abstracted from the reality of political struggle and the practical motivation for said discussion. To reject the label of 'theory' is not to strip the concept of power of its critical force, but instead to focus on the analytic[3] of power insofar as this involves inquiry into the everyday modes of power's operation.

Across his genealogical works, Foucault contributes to this analytics of power by way of concrete examples of power's operation and negative descriptions that contrast his

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[1] Michel Foucault, *The History of Sexuality: Vol. 1*, trans. Robert Hurley (New York: Vintage Books, 1990), 82.

[2] Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977-1978*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2007), 1.

[3] I take Foucault to be using this term in roughly the same sense that Heidegger writes of the existential analytic of Dasein, which takes as its starting point Dasein's everyday modes of being.

model of power with traditional characterizations. While, on almost any reading, the most significant impact of Foucault's account of power is to change the conceptions we take for granted, his account is unfortunately easily misunderstood. Foucault is criticized for giving an analysis of power that is too one-sided and pessimistic, as well as for discounting the role of individuals in creating and perpetuating dominating imbalances of power. In what follows, I hope to provide an alternative interpretation of Foucault's analytics of power that would make it maximally plausible while remaining faithful to Foucault's own writings on the matter. Such an endeavor will demonstrate that Foucault is only describing one sense of the term "power" – a largely new sense in that the form of power he describes has gone relatively unnoticed. I will demonstrate that other kinds of power – e.g. judicial power, power to accomplish a task, the power one person has over another, etc. – are not ruled out by Foucault's account. Rather, he chooses to focus on the particular concept of power that he finds most dangerous precisely because it can operate surreptitiously. Discovering what's right in his account is of the utmost importance because this "Foucauldian power" shapes individuals and societies, often by means of an internally inconsistent logic of its operation as well as in ways that are inimical to common values, such as a right to privacy and control of our own minds and bodies.

Though most of Foucault's writing about power takes the form of either negative description or examples of power's operation, there are moments when a positive account is attempted. A thorough treatment of Foucault's analytics of power will coherently incorporate all three of these elements. In reconstructing the account, we will find that what I am calling "Foucauldian power" is, at the most general level of description, the

self-organization of behavior. I begin by looking at Foucault's later works, particularly the essay "The Subject and Power," which serves as the afterword to Dreyfus and Rabinow's 1982 collection, *Michel Foucault: Beyond Structuralism and Hermeneutics.* It is in this later work that Foucault gives positive descriptions in response to the question, "How is power exercised?" First constructing an account of what power is will help to make sense of his remarks about what power isn't. In particular, this will clarify his most explicit early descriptions of power that are found in texts from 1975-6 at the heart of his genealogical period, most notably, *The History of Sexuality Vol. 1*. Throughout, care will be taken to ensure that this interpretive work at the abstract level does not conflict with Foucault's analyses of concrete examples of the operation of power. Taking these two works as starting points will reveal a coherent interpretation of power that spans the course of his genealogical and ethical writings.

Methodologically, looking across Foucault's works to find a common concept of power may appear to be in tension with a fact that I have already acknowledged, namely, that Foucault avoided explicitly undertaking such an endeavor himself. I have already claimed that each of Foucault's works of the genealogical period explores the operation of power in a different context, and what's more, the later works (of which "The Subject and Power" is a part) introduce new forms of power previously unmentioned in Foucault's middle period. However, the aim of my interpretive project is not to provide the theory of power that Foucault avoids for practical and political reasons. Instead, my aim is to clear away the confusions that arise from interpretations that take any one of Foucault's works to be providing just such a theory. It is that sort of interpretive project that has led, for example, to the idea that we are all in an inescapable state of domination,

or to the idea that there is a radical break between Foucault's middle and late periods that makes them incommensurable. My own interpretive project relies on some of the few statements that Foucault makes about the general concept of power, especially the general claim that power is historically variable. Rather than providing an ahistorical theory of power and its operation, I seek out the qualities of family resemblance that enable Foucault to continue speaking in terms of power while respecting differences across historical contexts. In addition to the general claim that the operation of power takes a variety of forms, there are a number of features that appear across historical contexts, e.g. the self-organization of behavior, a relationship between power and the norm, and an element of strategy. It is these common features that allow us to see the breadth of Foucault's concept of power, to understand the relationship between the middle and late periods of his work, and to clarify the concept of domination for which we seek an opposing concept of freedom.

So, to begin with the general description of power found in "The Subject and Power," we are told that power should be thought of in terms of government, in the broadest sense, designating "the way in which the conduct of individuals or of groups might be directed." Foucault makes the further remark that we should note the dual meaning of "conduct" – as both a verb meaning "to lead others" and a noun meaning "a way of behaving."[4] Power leads the actions of individuals; it is not applied directly to individuals, but to their actions. A relationship of power is defined as "an action upon

[4] Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 220-221.

action, on existing actions or on those which may arise in the present or future."[5] As power only exists when one action shapes another, power is not a commodity; it is not something that people *have*, rather it is something that happens in interaction. Furthermore, the sense in which one action shapes another should not be thought of in terms of necessitation, but instead, in terms of motivation. Power, then, is a way of directing the actions of individuals and groups through a field of possibilities, and it arises at the point at which one action motivates another.

However, power is not present in every interaction among individuals; to say so would spread the notion of power too thinly. For example, I might decide on a nice spring day to go read in Central Park. After a while, I find my reading disturbed by children playing noisily nearby. Wanting to continue my work in peace, I decide to leave. The actions of the children have certainly influenced my action of leaving, but this is not an example of the operation of power. What distinguishes this interaction from a relation of power is that it does not enter into an action-guiding system of regularities. On the one hand, when I sit down to read in Central Park, there is no expectation that my chosen location will remain quiet, nor any rule, either implicit or explicit, which says that it should. On the other hand, there is likewise no such rule against my reading in Central Park. In this case, neither the children playing nor my leaving enters into a system in which any of us are led to believe we should behave differently. What is most important in distinguishing this example from cases in which power is operating is that power is normatively action guiding.

Foucault is careful, in this later work, to distinguish a variety of ways in which this guiding of actions can take place. One way is certainly via verbal communication.

[5] Ibid., 219.

We can be asked, commanded, persuaded, or verbally threatened into a way of behaving. Such communicative actions are part of discourse, which is, roughly, a system of relations between signs, objects, and subjects. However, relations of power do not only emerge out of discourse. In fact, it is arguable that in his genealogical period, Foucault is more interested in non-discursive relations of power. This might include something like the arrangement of desks in a classroom, whether the teacher is standing or sitting, etc. Such non-discursive elements influence the perceptions and subsequently the behavior of both student and teacher, as for example the teacher standing may implicitly carry more authority and discourage misbehavior, as does the traditional arrangement of desks in rows so that each student can be monitored. Such relations of power are sometimes quite subtle and may even go unnoticed. On the other hand, coercion by physical force – where it enters into a system of regularities – is a relation of power that is both non-discursive and obvious. Such obvious cases of the emergence of power are not the focus for Foucault. Instead, he chooses to describe relations of power that arise subtly and are reinforced socially, as in the case of following norms of behavior.

Foucault is particularly interested in putative norms that are not explicitly codified, but nonetheless widely accepted. The earlier example of the arrangement of chairs in a classroom may be guided by one such norm. Hubert Dreyfus discusses a similar kind of norm, that of "distance standing."[6] Consider the appropriate distance to maintain from your interlocutor when having a conversation. There is no explicit rule about how close is too close, yet there is widespread agreement in the behavior of individuals within a culture regarding the appropriate distance. As Dreyfus says, "the

[6] Hubert L. Dreyfus, *On the Internet*, 2nd ed. (New York: Routledge, 2009), 107.

sense of appropriate distance was passed on to us by our parents and peers who didn't know that they had the practice. They just felt uneasy and backed away when we stood too close and moved closer when they felt we were too far away, and now we do the same."[7] There are strong social norms that govern distance standing practices; they are even quite fine-grained, as Dreyfus points out that the norm changes depending on with whom you are speaking (standing closer to loved ones, farther from someone with a cold), where you are speaking (standing closer when whispering in a library), etc.[8] These cases demonstrate how detailed and refined the norms surrounding distance standing practices actually are. And yet, Dreyfus is also quite right that these norms were reinforced by people who "didn't know that they had the practice." These practices, for the most part, go completely unnoticed until someone violates the norm. If speaking to a "close talker", we may even back up throughout a conversation, only noticing that we've done so when we find ourselves in a different part of the room. Foucault is most interested in the operation of power in cases such as these, when actions enter into a system of regularities that guides our actions through the use of an accepted, yet implicit, norm.

We should take care for a moment to be precise about the role of norms. According to Foucault, the norm is defined by its role in legitimizing power.[9] As a "rule of conduct,"[10] the norm recalls Foucault's emphasis on the double meaning of *leading* actors through a field of possible *behaviors*. The norm is not itself an action, but a

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[7] Ibid.

[8] Ibid., 108.

[9] Michel Foucault, *Abnormal: Lectures at the Collège de France, 1974-1975*, trans. Graham Burchell, ed. Valerio Marchetti and Antonella Salomoni (New York: Picador, 2003), 50.

[10] Ibid., 162.

principle that helps explain and justify the ways in which some actions shape others. Additionally, the norm serves to impose "functional regularity" within a population, as it categorizes actions as either "normal" or "abnormal".[11] The norm operates both on the level of "discipline" encouraging the "normal" behavior of individuals and on the level of "regulation" which pertains to the maintenance of a healthy population.[12] Thus, though not an action itself, the norm prescribes both the ways in which actions "should" shape other actions and the categorization of these actions.

This brief sketch of the norm helps us to see that there is a logic to the operation of power; it can be rationalized, both in the sense of offering justification and in the sense of being understood. In recognizing that there is a logic behind power, we stumble upon Foucault's most persistently maintained characterization of power as always involving an element of strategy. The concept of strategy is explicated in "The Subject and Power" as a response to the question raised above as to the means of power's operation. Here, Foucault considers "situations of confrontation – war or games" as a specific relation of power that brings to light three different understandings of "strategy":

1) a means to an end
2) consideration of the thoughts of "the other"
3) a procedure to deprive "the other" of his means of combat.[13]

All three of these possible meanings of "strategy" require further explanation, and looking to Foucault's early descriptions of power can help make sense of how they might

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[11] Ibid.

[12] Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-1976*, trans. David Macey, ed. Mauro Bertani and Alessandro Fontana, English Series ed. Arnold I. Davidson (New York: Picador, 1997), 253.

[13] Foucault, "The Subject and Power," 224-5.

pertain not only to explicit struggles, but to relations of power more generally. In the first place, using the framework of strategy found in the later works helps to uncover particular features of the operation of disciplinary power found in the middle period. At the same time, the examples found in the middle period provide more concrete content with which to understand better the description of power as strategy in the later works.

It is only the first sense of strategy that Foucault says is generally applicable to power relations. Considering strategy as a means to an end reinforces the idea that power has an aim. Foucault emphasizes this feature of power when he says that it is always "intentional,"[14] that is, power always has an object, an action that it seeks to modify. The idea that power has an aim should be understood on both the individual and societal levels. On the level of interactions between individuals, it is easy enough to imagine that I have a goal in mind when I act in such a way as to produce a specific response from you. However, Foucault's main interest in power is at the broader social level, on which the actions of multiple subjects result in a systematic effect on the actions of others, or even their own actions. Foucault describes the strategy of power on this level as "the totality of the means put into operation to implement power effectively or to maintain it."[15] Here, he echoes his earlier remarks in *The History of Sexuality Vol. 1*, in which he says that "power" "is the name that one attributes to a complex strategical situation in a particular society."[16] On this societal level, then, we can still speak of power having an

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[14] Foucault, *The History of Sexuality Vol. 1*, 94.

[15] Foucault, "The Subject and Power," 225.

[16] Foucault, *The History of Sexuality Vol. 1*, 93.

aim – the aim of preventing incest, or sex between minors, or sex outside of marriage, to take a few examples from *The History of Sexuality Vol. 1*.

Although in such cases power may be said to be intentional, it is also, on this level, "non-subjective," which is to say that although there may be a distinct aim, that aim does not necessarily belong to anyone in particular.[17] The sum total of relations of power may add up to a clear, systematic effect on the societal level without any individual actors *intending* (in the colloquial sense) to produce such an effect, and often even without their considering the fact that such an effect is being produced. "The logic is perfectly clear, the aims decipherable, and yet it is often the case that no one is there to have invented [tactics of power], and few who can be said to have formulated them…"[18] Note, however, that it is only "often the case" that power is anonymous, and that this does not rule out that there are individual actors employing tactics for their individual aims; but even when such actors employ deliberate tactics, it is rarer still that any of them should know what the sum total of their effects of power will be on the broader societal level.[19] Foucault does not rule out instances of individuals deliberately acting in such a way as to exercise power over others; rather, he chooses to emphasize that on the societal, and indeed, even on the individual level, power may be non-subjective, for example, as can be seen in the case of following a norm by rote without attending to the effects it may have on the actions of others. The systematic effects of power are rarely deliberate.

[17] Ibid., 94.

[18] Ibid., 95.

[19] See Ian Hacking, "The Archaeology of Michel Foucault" in *Historical Ontology* (Cambridge, MA: Harvard UP, 2004), 81.

Understanding that the effects of power most often do not arise by design elucidates the definition of power with which we began: the *self*-organization of behavior. The logic of power's operation, the deciphering of clear aims when one action motivates another, is not given prior to the actions themselves. Rather, relations of power can find support in one another "forming a chain or a system," or they can contradict one another and become isolated.[20] What we often think of as forms of "Power" with a capital P – "a group of institutions and mechanisms that ensure the subservience of the citizens of a given state…a mode of subjugation which, in contrast to violence, has the form of the rule…a general system of domination exerted by one group over another…" – are "only the terminal forms power takes."[21] And what's more, Foucault reminds us to be nominalistic about power in this sense; "Power" is just the name we give to the patterns that emerge out of local power relations.[22]

Because regularities emerge in the ways that actions motivate other actions, relations of power "constitute their own organization."[23] Norms or conventions, the power of the state, systematic domination, etc. emerge when there are discernible patterns in relations of power; "no strategy could achieve comprehensive effects if it did not gain support from precise and tenuous relations serving, not as its point of application or final outcome, but as its prop and anchor point."[24] Inversely, localized and isolated relations

[20] Foucault, *The History of Sexuality Vol. 1*, 92.

[21] Ibid.

[22] Ibid.

[23] Ibid.

[24] Ibid., 99.

of power cannot be generalized "without entering into an overall strategy."[25] Finally, once a stable pattern appears in relations of power, which crystallize in the terminal forms of "Power" such as those just mentioned, these patterns become "self-reproducing."[26] There emerges a positive feedback loop between actions and the norm (or any of the forms of "Power") in which the norm is strengthened by actions that conform to it, and these actions are thereby more easily encouraged by that strengthened norm. In its terminal forms, "Power" is "the concatenation that rests on [the mobility of force relations] and seeks in turn to arrest their movement."[27] Power on the societal level, rather than the level of one action shaping another, is the overall, systematic result of those interactions. These actions organize themselves by producing repetitions and patterns. When Foucault says that power is non-subjective, then, it should be understood that the systematic effects of power are not the deliberate result of individuals, but the product of the self-organization of actions motivating actions.

The characterization of power as being non-subjective apparently creates problems for Foucault's second meaning of 'strategy'. The idea that power always involves strategy as "the consideration of the thoughts of 'the other'" suggests that actors always act to shape the actions of others in a deliberate manner, but this contradicts the above interpretation of power being non-subjective. The contradiction disappears, however, when we recall the fact that Foucault does not mean for the second and third interpretations of strategy to be generally applicable to relations of power, merely to

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[25] Ibid.

[26] Ibid, 93.

[27] Ibid.

those that have become relations of struggle. These are those rare cases in which the effects of power are deliberate. However, all relations of power involve strategies of struggle *in potentia*,[28] and it seems that elements of these further notions of strategy can be found even when there is no deliberate struggle.

Though the use of the term 'consideration' suggests deliberation on the part of the actor – misleadingly in the most general discussion of relations of power – there is nonetheless a logic to power's operation that requires adapting to the response of the other. For example, Foucault's genealogical works examine at length what he calls "technologies of power," which are mechanisms or procedures that are set apart by their aim of encouraging certain ways of behaving and discouraging others. For example, the giving of grades in school is a technology of power insofar as "rank in itself serves as a reward or punishment."[29] The examination not only describes the level of achievement of the student, but, more importantly, it serves to punish inadequate performance and reward diligence. Without suggesting that they are the product of any particular designer, such technologies of power are well tailored to their goals. Technologies of power recall the dual use of "conduct" insofar as the behavioral response of those who are to be led informs how they can be led.

When Foucault describes the brilliant efficiency of disciplinary technologies of power, we can see that there is something calculated, or at least calculable, about the responses people have to such technologies. Foucault describes the great increase in the efficiency of power as an increase in effects with diminishing costs, "not to punish less,

[28] Foucault, "The Subject and Power," 225.

[29] Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan, 2nd, ed. 1975 (New York: Vintage Books, 1995), 181.

but to punish better...to insert the power to punish more deeply into the social body."[30] Disciplinary power focuses, at least in part, on the control of behavior via the control of ideas.[31] In the 18th century, the use of physical force generally, and punishment via the spectacle of the scaffold in particular, gave way to an emphasis on training and correction. Disciplinary power creates a catalogue of people according to their individual characteristics – in the direction and magnitude of their deviation from the norm – in an effort to reduce gaps between individuals and homogenize society. Disciplinary power is "normalizing" insofar as its aim is not merely to stamp out but to correct deviant behavior in conformity with the norm. Disciplinary power works in part because the responses of individuals are both trainable and predictable. It is only because the grade produces a certain response in students, only because they have been convinced of its importance, that the procedure of examination is an effective technology of power. There is this sense, then, in which the operation of power requires consideration of the thoughts of the other whose actions it seeks to modify.

This more abstract sense of "consideration" of the other can also lead us to a broader interpretation of the third type of strategy – depriving the other of the means of combat. Again turning to disciplinary power, we can see that the increasing efficiency of its mechanisms implies that few relations of power actually turn into relations of struggle; there is less of an effort to resist these technologies of power because they are subtle and often masked.[32] The examples of the operation of power from *Discipline and Punish*

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[30] Ibid., 80-82.

[31] Ibid., 102.

[32] Foucault, *The History of Sexuality Vol. 1*, 86.

regarding the soldier or the factory worker show us that disciplinary power breaks down the body into its constituent parts, considering every movement, creating docile bodies and pliable subjects who comply with the aims of power. The pedagogical examples from this work show us that power invades the very thoughts of the other, creating thoroughly "normalized" subjects who do not even recognize the potential for resistance or consider that there may be danger in this normalization. As briefly mentioned earlier, normalization is the process by which individuals are assessed and categorized in terms of their distance from the norm (imposing an order on multiplicity)[33] to thereby bring them closer to that norm in the effort to create a society that, if not homogenous and free of 'abnormals', at least has procedures that would neutralize and hopefully correct them. Normalization, then, is a process that exploits the intersection of norms of disciplinary power that is applied to the individual and norms of regulatory power that is applied to a population.[34] Normalized individuals habitually conform to ways of behaving that are condoned or encouraged socially. This conformity by routine indicates a sense in which the other may be deprived of the means of combat insofar as normalization discourages h/er from even recognizing that a struggle exists *in potentia*. This is perhaps one of the reasons Foucault finds danger in powers of normalization; individuals do not realize that they have any means of combat because they do not think they are at war.

Even though the three meanings of strategy that Foucault describes strictly apply only in cases of explicit struggle between two parties, we can see that elements of each of the senses of strategy are present in relations of power in general. Though in "The Subject and Power," Foucault is careful to say that not all relations of power have the

[33] Foucault, *Discipline and Punish*, 148.

[34] Foucault, *Society Must be Defended*, 253.

form of war or games, the description of power as involving war-like strategy had been a major theme of his earlier works. *Discipline and Punish* describes power as the "overall effect" of the "strategic positions" of the parties in a relation of power.[35] *The History of Sexuality Vol. 1* emphasizes power's relationship to conflict in describing power as a "multiplicity of force relations."[36] Though the emphasis on war, force, and conflict may be overstatement or rhetorical hyperbole on Foucault's part, nonetheless Foucauldian power is appropriately analyzed in terms of strategy. Foucault's emphasis on the war-like nature of power relations serves to dislodge the belief that strategy is not involved when relations are peaceful. As power is a way of shaping behavior and emerges only when one action shapes another, it contains at least the strategic elements of intentionality and a decipherable procedure for achieving its aim.

Finally, we should be careful to distinguish what I have been calling 'Foucauldian power' from other senses of the term 'power'. Foucault himself distinguishes what he calls 'power' from the idea of a "capacity," that is, "that which is exerted over things and gives the ability to modify, use, consume, or destroy them."[37] Power, in Foucault's sense, emerges at the point of interaction between individuals, and is therefore distinct from the notion of a capacity or aptitude for the manipulation of *things*. Although Foucault's notion of power is broad in covering a wide range of social interactions that we don't usually think of as instances of power, it is narrow insofar as Foucault does not limit himself to discussing the forms of "Power" that typically come to mind, e.g. state power, or the power of large corporations, nor is he concerned with notions of power as

[35] Foucault, *Discipline and Punish*, 26.

[36] Foucault, *The History of Sexuality, Vol. 1*, 92.

[37] Foucault, "The Subject and Power," 217.

capacity, or of power as a commodity that can be exchanged like (or with) money, or as a measure of energy, or even the exertion of brute physical force, though certainly any or all of these kinds of power may be appropriate topics of discussion within a given context. Foucault *is* interested in how actions motivate actions within the social realm even when such motivation is not deliberate, and it will be important to bear in mind this specific sense of power as we move forward.

Now that we have some idea of what Foucauldian power is, we can examine some of the ways in which it has been criticized. Particularly on the basis of his descriptions of power in his genealogical works, perhaps the most general line of criticism against Foucault's account of power is that it is too pessimistic. As Foucault notes that power is inherent in social groups, that it exists whenever actions shape actions related to a norm, one might come to believe that we are always at the mercy of this abstract, subjectless power. Indeed, in a sense this must be true, for Foucault asserts that, "power is 'always already there', that one is never 'outside' it," that there can be no escaping it.[38] But what I hope to show is that this does not mean that we are always in a state of *domination*. Power, "which is not in itself a bad thing," can be more or less dangerous depending on the degree to which it allows for a multiplicity of power relations.[39]

The criticism that Foucault's account of power entails that we are always in an inescapable situation of domination rests on a conflation of the terms 'power' and 'domination'. Foucault's own works invite such a conflation, as he often describes

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[38] Michel Foucault, "Power and Strategies" in *Power/Knowledge*, trans. Colin Gordon, ed. Colin Gordon (New York: Pantheon Books, 1980), 141.

[39] Michel Foucault, "The Ethics of the Concern for the Self as a Practice of Freedom," in *Foucault Live,* trans. Phillis Aranov and Dan McGrawth, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 447.

power in war-like terms, as we saw in his descriptions of the strategy involved in explicit struggles and his emphasis that some degree of war-like strategy is at work in every relation of power. We've already touched on the hyperbole of Foucault's early genealogical descriptions of power, as we saw that in *The History of Sexuality Vol. 1*, he calls power "the multiplicity of force relations."[40] Such a description may carry with it connotations linked to the use of physical force or coercion. Although rhetorically effective in provoking worry about the effects of power, such descriptions may mislead his readers into drawing the conclusion that all power is insidious or dominating. We should keep in mind that "force" can also denote an action that changes the direction of an object, which may serve as a metaphor for the direction of actions that takes place within relations of power.

The conflation of the terms 'power' and 'domination' is even more understandable when we see that Foucault's own genealogical works do at times present the terms as interchangeable, or at least fail to explain how they are being used. For example, in *Discipline and Punish*, Foucault shifts seamlessly from discussing "the power exercised on the body" to "its effects of domination"[41] and asserts that the new disciplines of the 17th and 18th centuries "became general formulas of domination."[42] As *Discipline and Punish* contains no explicit distinction between power and domination, it is all too easy to come away with the impression that *all* relations of power have effects of domination or that disciplines are *nothing more* than formulae for domination. Indeed, these are the interpretations put forth by many of Foucault's detractors, but I will

[40] Foucault, *The History of Sexuality Vol. 1*, 92.

[41] Foucault, *Discipline and Punish,* 26.

[42] Ibid., 137.

demonstrate that such generalizations about the inherently dominating character of power are unwarranted, that instead, Foucault all along had in mind a distinction between power and domination that he only later makes explicit.

Criticisms of Foucault's account of power that turn on the idea that power is domination seem to come in two forms – those that assert that such a claim is simply false, and those that worry about the consequences of such an account for critical social theory. Responding to these criticisms will require the use of the distinction between power and domination found in Foucault's later writings. Since the concept of strategy establishes a continuity in Foucault's earlier and later accounts of power, the distinction between power and domination should be accommodated by the earlier works as well, even if only implicitly. This continuity will help to make sense of his early pessimistic descriptions of power with their conflation of terms and to counter the objections that rely on this conflation.

Charles Taylor raises the objection that "Foucault's analyses are terribly one-sided," which we will see amounts to a claim that Foucault's "power" is just a marker for locating domination in all social practices.[43] Taylor says that the weakness of Foucault's account lies in failing to recognize the positive aspects of disciplinary power; "Foucault has missed the ambivalence of these new disciplines. The point is that they have not served only to feed a system of control. They have also taken the form of genuine self-discipline that have made possible new kinds of collective action characterized by more egalitarian forms of participation."[44] It seems, then, that Taylor's objection considers two

[43] Charles Taylor, "Foucault on Freedom and Truth," *Political Theory* Vol. 12, No. 2 (May 1984), 164.

[44] Ibid.

things lacking in Foucault's account: genuine self-discipline and the egalitarian forms of participation it has made possible. What Taylor has in mind when he says that the new disciplines have led to genuine self-discipline is complicated, and as it pertains to the way in which individuals are shaped by power, the discussion of this aspect of his objection will be reserved for Chapter 2. That said, we are now in a position to see that Foucault does not rule out the more egalitarian forms of participation that Taylor finds lacking in his account. But before arguing that Foucault does not deny the ambivalence of disciplinary power, I should like to examine a moment of tension in Taylor's objection that can help us to better understand Foucault's perceived one-sidedness.

When Taylor discusses the "one-sided" analysis of "these new disciplines," he explicitly states that he is thinking of *Discipline and Punish* and *The History of Sexuality Vol. 1* as the paradigm cases for his argument, for it is in these texts that Foucault most explicitly discusses the majority of disciplines listed by Taylor, "the barracks, the hospital, the school, the factory."[45] However, Taylor himself notes that, "by their very nature they lend themselves to the control of some by others. In these contexts, the inculcation of habits of self-discipline is often the imposition of discipline by some on others. These are the loci where forms of domination become entrenched through being interiorized."[46] In identifying these disciplines as a prime source for the internalization of potentially dominating norms, Taylor as much as concedes Foucault's point; disciplinary power tends toward control of both the individual and the populace, and as discipline becomes the pervasive power arrangement, ever more areas of life become controlled.

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[45] Ibid., 159.

[46] Ibid.

But even as Foucault's chief concern is to bring to light modes of domination that often remain hidden, he by no means denies the ambivalence of power relations in general. Even in *Discipline and Punish*, Foucault notes that as the bourgeoisie became the politically dominant class, there was at the same time, "the establishment of an explicit, coded, and formally egalitarian juridical framework, made possible by the organization of a parliamentary, representative regime."[47] Again in this same work, when Foucault describes the change in penal severity from torture to imprisonment, he does not deny that there is a quantitative change in the intensity of the punishment, which may indeed be more humane by some measure of humanity. Given our liberal values of equality and dignity, these formal codes and changes in practices of punishment may signal genuine progress.[48] However, Foucault's aim is to show us that punishment did not *merely* undergo a change in the level of intensity, but that "these changes are accompanied by a displacement of the very object of the punitive operation."[49] The power to punish is no longer applied to the body, but instead to the "soul" – the character and habits – of those it now seeks to correct more than condemn. Foucault's concern is not with the quantitative change in the degree of cruelty in our practices of punishment; instead his focus is on the qualitative change toward new forms of cruelty brought about with a rise in disciplinary power. Foucault's project is to show us what we did not see before; it is not to say that there is no truth in the ways in which we typically characterize these phenomena. We should not think that Foucault's early occasional conflation of

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[47] Foucault, *Discipline and Punish*, 222.

[48] Although, as we know too well, egalitarian participation that is merely formally coded is not enough to guarantee that participation is egalitarian in practice. Foucault's criticism cuts deeper, however, to point to ways in which the values of humanism inspire new forms of domination.

[49] Ibid., 16.

"power" and "domination" amounts to the claim that all power is dominating, nor even to the more restricted claim that disciplinary power is inherently and irreparably dominating. The claim, rather, is that even as these formally egalitarian codes of conduct were formed, even as punishment became more humane, "the development and generalization of disciplinary mechanisms constituted the other, dark side of these processes"[50] precisely because of the efficiency with which they lend themselves to the control of some by others, as noted by Taylor.

Thomas McCarthy, too, is concerned about the one-sidedness of Foucault's account of power, as he asserts that it leaves us "no hope of arriving at an adequate account of social integration if the only model of social interaction is one of asymmetrical power relations."[51] Though McCarthy's notion of "adequacy" here is ambiguous, I see no problem in granting him that a model of social interaction in which all relations are asymmetrical would exclude important arrangements of cooperation and mutual consideration. But surely this cannot be the only type of social interaction available to us. As we've already seen, not every social interaction will come under the heading of 'Foucauldian power', only those that pertain to a system of regularities that itself has the aim of guiding behavior related to a norm. Foucault is also emphatic in a late interview that there are relations of power that are not pernicious as he exclaims, "We all know that power is not evil!"[52] Foucault proceeds from this statement to give examples of symmetrical relations of power. Love and passion as well as pedagogy, if removed from

[50] Ibid., 222.

[51] Thomas McCarthy, "The Critique of Impure Reason: Foucault and the Frankfurt School" in *Ideals and Illusions: On Reconstruction and Deconstruction in Contemporary Critical Theory* (Cambridge, MA: MIT Press, 1991), 58.

[52] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," 447.

the pitfalls of "the pedagogical institution," consist in "a sort of open-ended strategic game where the situation may be reversed."[53] Foucault's description of power as involving an element of strategy does not rule out symmetrical relations such as those that occur in cooperative actions. The first two types of strategy discussed above, a means to an end and considering the thoughts of the other, are still seen in relations of cooperation, while the third, depriving the other of the means of combat, if seen at all, must be in a much weaker form. I emphasize that this should not worry us, as Foucault is clear that the three senses of strategy only come together in situations of explicit struggle. In a cooperative situation, there is no foe to explicitly combat. Nevertheless, there may still be disagreement even within a cooperative relationship, in which case we would consider the most effective means for pulling the other party toward our way of thinking. Just as we reconsidered the notion of "depriving the other of the means of combat" in cases of normalization – in which there is no means of combat for one who does not see there is a fight – we can reconsider it here with respect to relations of cooperation in which we attempt to persuade the other party in accordance with our goals, in a sense urging them not to use their means of combat, rather than depriving them of it.

These objections to Foucault's account of power, that it is one-sidedly negative or that all power relations are problematically asymmetrical, cry out for a distinction to be made between a general notion of Foucauldian power and something more insidious. We need a term that picks out just those power relations that are irreversibly asymmetrical and toward which we should feel no ambivalence. Foucault calls this 'domination'.

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[53] Ibid.

> One sometimes encounters what may be called situations or states of domination in which the power relations, instead of being mobile, allowing the various participants to adopt strategies modifying them, remain blocked, frozen. When an individual or social group succeeds in blocking a field of power relations, immobilizing them and preventing any reversibility of movement by economic, political, or military means, one is faced with what may be called a state of domination.[54]

In general, then, power relations are "mobile, reversible, and unstable."[55] The level of domination at work in a society should be judged on a spectrum according to the degree of reversibility of power relations. Foucault even uses McCarthy's own language to distinguish between relations of power and states of domination when he describes the latter as cases in which, "power relations are fixed in such a way that they are perpetually asymmetrical and allow an extremely limited margin of freedom."[56] It should now at least be clear that Foucault is not claiming, as McCarthy asserts, that there can be no model of social interaction beyond asymmetrical relations of power. At this point, we can say that it is only dominating power relations that are asymmetrical and fixed. Power relations in general allow for high degrees of flexibility and reciprocity.[57] Again, we should recall that not every social interaction will be an instance of Foucauldian power because many social interactions do not confront a normative system that guides behavior.

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[54] Ibid., 434.

[55] Ibid.

[56] Ibid., 441.

[57] Note that I take 'reciprocal' to be the most appropriate contrast to 'asymmetrical'. This is in order to avoid the potential for misinterpreting the term 'symmetrical' as implying a static state of equality. Though it may be the case that at any one moment in a relationship of power the relationship is asymmetrical, a broad view of the interaction over time can reveal equilibrium reached in the relationship of power. Such equilibrium will be achieved if the parties involved in the interaction are constantly changing places with respect to who has the dominant strategy. 'Reciprocity' seems to capture better than 'symmetry' the idea of give and take, of reversing the positions of strategic advantage.

Here, the domain appropriate to power relations has been carved out and the subset of dominating power relations has been distinguished by their degree of stasis, but there is one further distinction that must be made with respect to the term 'domination'. There are many ways in which this word can be understood, and it is important to see that Foucault has a specific sense of the term in mind. Foucault's genealogies are primarily concerned with states of domination as conceived of in terms of relations of power and both discursive and non-discursive structures that have become static; his concern is for social forms of power that limit the possible actions of individuals and operate at least in part through the actions of those individuals. When Foucault writes about domination in this sense, he considers it distinct from forms of domination that use brute physical force to coerce the actions of individuals. In particular, *Discipline and Punish* reveals the contrast between these two forms of domination as Foucault discusses the historical transition from forms of punishment (and power more generally) that operated on the body (e.g., public torture) to forms of punishment that operate via the correct training of "the soul," (e.g. prisons viewed as correctional facilities). Although this is not to say that there is nothing in common between these two forms of domination – after all, they both aim at controlling the behavior of individuals – they may require very different forms of resistance. We have already noted the fact that Foucault's works on power primarily analyze the social, circulatory forms that power takes and the ways in which these forms can become dominating, so it is this sense of domination that I will be considering in the search for a concept of freedom that opposes it. Though Foucault is not ruling out other forms of domination, he finds the most cause for concern in these socially reinforced, and often unnoticed, forms of domination.

With the distinction between specifically Foucauldian power and domination in hand, it's now possible to say more about the occasional conflation of these terms in Foucault's genealogical works. In these middle works, Foucault's main interest is in specific relations of power – powers of normalization – that serve to homogenize individuals in conformity with a norm through the use of disciplinary and regulatory power. Because they seek to create a stable, homogenized society, Foucault finds danger and philosophical interest in powers of normalization. These power relations can be called "technologies of domination" for the simple reason that their aim is dominating.[58] If domination is a state in which power relations have become static and irreversible, then powers of normalization may be equated with *technologies* of domination insofar as this stasis is what they attempt to bring about. Since powers of normalization aim to "fix" the behavior of individuals in conformity with the norm, in both senses of correcting and cementing behavior, they may be called technologies of domination. It is my claim that if Foucault has conflated the notions of power and domination in his genealogical works, it is because the power relations he found to merit discussion have domination as their aim, not because all relations of power are inherently dominating.

Having at least refuted the objection that Foucauldian power is nothing but domination, there are still problems left to face from those who claim that Foucault's account of power hinders projects of social criticism. Firstly, Nancy Fraser argues that, "Foucault writes as though oblivious to the existence of the whole body of Weberian social theory with its careful distinctions between such notions as authority, force,

[58] See Foucault, *Discipline and Punish*, Part III, Chapter 2, "The Means of Correct Training."

violence, domination and legitimation."[59] Fraser's argument is that Foucault is, at the very least, bracketing the questions of whether and how the exercise of power, or even domination, may be legitimate, and she worries that he may be ruling out the possibility of asking such questions at all. Fraser is at least partially correct. Foucault does not provide us with a robust normative theory of his own – one that would serve as a nuanced guide for judging the legitimacy or illegitimacy of particular arrangements of power.[60] Instead, he has a rough guideline, that at some point along a spectrum of reversibility, power relations become so fixed as to be dominating. In fact, because relations of domination are themselves power relations, there can be no systematic way of drawing an absolute line between power and domination. Foucault does get slightly more specific in claiming that, "a system of constraint becomes truly intolerable when the individuals who are affected by it don't have the means of modifying it."[61] From this statement, we can infer that it is at least worth trying to change a dominating system of power relations when it is so static that it requires change to come either from outside or from those within the system who are in the dominant position of strategic advantage. However, such a system of domination is extreme, and surely it might be worth resisting before power relations have become so cemented, when those who are affected by it still have the means to resist. Foucault does not pinpoint the degree or form of domination that

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[59] Nancy Fraser, *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989), 32.

[60] Although Fraser suggests a number of normative frameworks that may potentially be implicit in Foucault's criticisms, I demonstrate in Chapter 3 that Foucault criticizes particular arrangements of power by their own lights as well as by appeal to a common set of values (and by comparison to other potential values we might hold), albeit that such a set will be historically contingent. Chapter 4 further argues that the idea of a need for recognition is implicit in Foucault's account and can serve as an additional normative standard by which to judge relations of power.

[61] Michel Foucault, "Sexual Choice, Sexual Act" in *Foucault Live: Interviews 1961-1984,* trans. James O'Higgins, ed. Sylvère Lotringer (New York: Semiotext(e), 1996), 327.

justifies resistance. Rather, as Foucault himself describes the project of his genealogical works,

> It is the reality of possible struggles that I wish to bring to light…It is absolutely true that when I write a book I refuse to take a prophetic stance, that is, the one of saying to people: here is what you must do – and also: this is good and this is not. I say to them: roughly speaking, it seems to me that things have gone this way; but I describe those things in such a way that the possible paths of attack are delineated.[62]

Marking out the paths of possible resistance is a reasonable project, but we must still be careful to ensure that the possibility of this resistance itself has not been ruled out by Foucault's account of power. This is the final criticism to consider. As stated by Charles Taylor,

> The Foucaultian thesis involves combining the fact that any set of institutions and practices form the background to our action within them, and are in that sense irremovable while we engage in that kind of action, with the point that different forms of power indeed are constituted by different complexes of practice, to form the illegitimate conclusion that there can be no question of liberation from the power implicit in a given set of practices.[63]

In arguing that Foucault does not draw this "illegitimate conclusion," it is important to delve deeper into what Taylor calls "the Foucaultian thesis." Foucault does assert that some arrangement of social institutions and practices will always "form the background to our action within them." Indeed, this assertion is made with dramatic flair in his

[62] Michel Foucault, "Clarifications on the Question of Power" in *Foucault Live,* trans. James Cascaito, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 261-2.

[63] Taylor, "Foucault on Freedom and Truth," 174.

statement that there is no "outside" to power, a statement that, if taken out of context, may mislead us into accepting Taylor's objection.[64]

When Foucault says that there is no outside to power, he is speaking of power most generally; as people living in a society, we are never uninfluenced by the accepted norms, institutions, and practices of that society. However, societies may be widely variant with respect to these features, which Foucault calls the "complex strategical situation in a given society" – that is, the overall organization of power relations in a society. Although Foucault would assert that we can never remove ourselves from *every* arrangement of power, this does not entail that we cannot remove ourselves from or alter particular arrangements of power as Taylor suggests.

Foucault writes about sites of resistance precisely because "the power implicit in a given set of practices" is unstable, mobile, reversible. We can see that one of the distinguishing features of domination is that, in it, power relations are frozen or immobile. Power more generally then, is vulnerable to change. Still one might wonder if Taylor's objection can't be narrowed. We might think that despite the fact that power relations are generally flexible, situations of domination are inescapable. This would be equally problematic for Foucault's account, as his goal is to point out the paths of attack for precisely those ways in which we are dominated by power without even noticing. However, we must go back to our description of domination and realize that there are still options for resistance even in such a state. Although there are but a few drastic options available in the most extreme cases of domination, we should note that such domination is rarely pervasive, that is, it rarely pervades every sphere of life or set of power relations in which all individuals find themselves. As far as Taylor's objection goes, there can be

[64] Foucault, *The History of Sexuality Vol. 1*, 95.

no doubt that Foucault would reject such a deterministic thesis as to rule out the possibility of our liberation from a given dominating set of social practices.

I have, at this point, clarified Foucault's account of power, as picking out the particular domain of social interactions that relate to the systematic guidance of behavior and identified domination as a description of power relations that have become static, allowing for reversal only by extreme measures. Further exploration of the relationship between power and the subject is now needed in order to clarify the concept of freedom that is the appropriate contrast to domination in Foucault's sense and to see what resources the subject has to be an agent of resistance and to undertake h/er own deliberate self-transformation in opposition to domination.

Chapter 2:
The Constitution of the Subject

When Foucault discusses means of resistance to domination, he rarely speaks of individual agents as the sources of this resistance. For Foucault, it is the constitution of the subject that is in need of explanation, so he cannot take for granted capacities of the subject – e.g. the exercise of reason – that might be a constant well to draw from in resisting domination. Instead, Foucault looks for unconventional sources of resistance, such as discursive structures[1] and isolated communities that fall outside of the particular power/knowledge regime to be resisted.[2] Because Foucault focuses more on sites of resistance than on capacities for resistance, there is a great deal of confusion about what the relevant notions of domination and resistance are supposed to be. This confusion has led some to claim that individuals cannot be sources of resistance on Foucault's account. For example, there are those who claim that the freedom implicated in talk of resistance is either the agency or autonomy of the subject and that Foucault denies that the subject has any such capacities.[3] In order to understand the sense of freedom Foucault has in mind when he speaks of resistance, we must move beyond the abstract idea of domination found in Chapter 1 to examine the effects of domination on the subject. This chapter will argue against the idea that domination and resistance refer exclusively to the status of an individual, e.g. as having agency or autonomy. Although agency and

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[1] Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-1976*, trans. David Macey, ed. Mauro Bertani and Alessandro Fontana, English Series ed. Arnold I. Davidson (New York: Picador, 1997), Chapter 1.

[2] Michel Foucault, *Herculine Barbin*, trans. Richard McDougall (New York: Pantheon Books, 1980).

[3] See Linda Alcoff, "Feminist Politics and Foucault: The Limits to a Collaboration" in *Crises in Continental Philosophy*, ed. Arleen B. Dallery, Charles E. Scott, with P. Holley Roberts (Albany: State University of New York Press, 1990), 71. See also, Thomas McCarthy, "The Critique of Impure Reason: Foucault and the Frankfurt School" in *Ideals and Illusions: On Reconstruction and Deconstruction in Contemporary Critical Theory* (Cambridge, MA: MIT Press, 1991), 43-82.

autonomy may be important for the possibility of resistance, Foucault's claims that we are dominated do not amount to claims that either a) we have no agency or b) our autonomy has become nothing more than a tool to be used against us by power. I intend to dispel such criticisms by taking a closer look at the relationship between power and the individual qua subject in Foucault's works.

The first step toward this goal should then be to define the relevant notion of the individual. The individual who stands in relations of power to other individuals, institutions, etc. is what Foucault calls 'the subject'. The subject is constituted by relations of power in two senses. Firstly, to constitute can mean to characterize or define. A pawn is constituted by the game of chess insofar as a pawn is only a pawn within the context of the game of chess. This amounts to a conceptual claim in the case of the subject: a subject is only a subject when considered within relations of power. More loosely, a subject is an individual qua member of society (as opposed to a biological entity, for example). A subject is the kind of thing that can be responsive to normative frameworks and social strategies for organizing behavior. This sense of the word 'constitute' provides a stipulative definition that picks out the subject relevant to Foucault's analyses. The second sense in which subjects are constituted by power is more complicated and more interesting. 'To constitute' can also refer to giving organized existence to a thing, to build or establish. In this sense, we arrive at a set of interdependent psychological claims about the subject: power constitutes subjects by categorizing individuals, making their actions intelligible, and attaching them to their identities. In other words, the ways in which individuals understand and relate to themselves are largely products of the specific power structures in which they are

socialized. These two senses of the word 'constitute' are related insofar as the former conceptual definition spells out the conditions necessary for the latter psychological claims.

Before saying anything more specific about the mechanisms by which subjects are constituted, it will be helpful to consider some of the difficulties facing such a task. Recall that Foucault emphasizes in a number of works that he never intended to provide a general theory of what power is.[4] Instead, each of his works examines only a specific type of power and the mechanisms of its operation. Since mechanisms of power constitute subjects, we should expect that different forms of power constitute subjects differently. It is this key point that I believe has been overlooked in the secondary literature on Foucault's account of the subject, resulting in a widespread belief that Foucault's different accounts of the relationship between power and the subject are incompatible with each other. While Foucault's genealogical period focuses on powers of normalization that produce the subject, his later ethical period focuses on possibilities and procedures of self-transformation by which the subject constitutes itself. Indeed neither picture is wholly plausible on its own, but reading the two periods together provides a richer, more nuanced account of subject formation that is also much less radical than either provides on its own. So, the next steps will be to examine the most seemingly contradictory of these accounts and to look for the methodological principles and theoretical claims that can unify them.

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[4] E.g. Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977-1978*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2007), 1.

The Normalized Subject

The most extreme account of power's hold on the subject comes from *Discipline and Punish*, a first reading of which leaves the impression of a whole society of individuals who are nothing more than cogs in a machine. In this work, Foucault emphasizes the roles of training, surveillance, and correction in order to point out the similarities between pedagogical institutions, factories, and prisons. Each of these institutions steps in at a different point in the constitution of subjects to ensure that society extracts from them the maximum of their capacities. The very same mechanisms of power are used in each of these institutions to create and maintain docile, productive, orderly, disciplined individuals.

Surveillance and judgment are the tools of disciplinary power. Surveillance allows individuals to be categorized. Consider, for example, the school. What does each student do? Which students are sitting quietly? Who hasn't done their homework? Lists are made; students are individuated by their conduct. But surveillance isn't enough for training or correction. What Foucault calls a 'normalizing judgment' must be made.[5] In disciplinary power, a norm is established prior to the evaluation of existing individuals.[6] The norm sets the standard for the optimum behavior of individuals. All of this surveillance and cataloguing is then compared to the optimum so that the normalizing judgment measures an individual's deviation from the norm. Steps are then taken to reward those who have met the standard and to punish those who have not.

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[5] Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan, 2nd, ed. 1975 (New York: Vintage Books, 1995), 181.

[6] Michel Foucault, *Security, Territory, Population*, 63.

With the need for reward and punishment we encounter the examination, which is implemented in a variety of contexts: pedagogy, psychology, factory work, prisons, etc. The examination is "at the centre of the procedures that constitute the individual as effect and object of power."[7] It combines the arts of surveillance and normalizing judgment. As discussed in Chapter 1, the examination is brilliantly efficient because it measures the aptitude of the subject and this measurement immediately serves as either reward or punishment. The examination tells you at once both what kind of person you are – a lazy worker, a criminal, a "C" student – and how far you are from being the person you ought to be – productive, obedient, an "A" student. Thus, disciplinary power is both individualizing and totalizing. It creates individual identities by categorizing behaviors and attempts to homogenize these individuals by reducing the gaps between them.

With disciplinary power, we go beyond the mere behaviors of individuals to make judgments about their nature or their character. This fact is brought to light by Foucault's genealogy of the techniques of punishment. With the shift from public torture to imprisonment, "one no longer touched the body, or at least as little as possible, and then only to reach something other than the body itself."[8] Increasingly, the character and habits of individuals, more than actions alone, became the concern of penal practices. Psychiatric expertise, criminal anthropology, and the discourse of criminology "provide

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[7] Foucault, *Discipline and Punish,* 192.

[8] Ibid., 11, 16.
Here Foucault can be seen to start with a Nietzschean account of punishment as a way to breed an animal with the right to make promises and to extend this genealogy into modern forms of punishment. Foucault's genealogy, culminating in the process of "subjection" only seems to further support Nietzsche's belief that the soul itself is a fabricated concept, stitched together through memory and punishment, and finally all but universally accepted as the human sciences arise to study the doer behind the deed.

the mechanisms of legal punishment with a justifiable hold not only on offences, but on individuals; not only on what they do, but also on what they are, will be, may be."[9]

The rise of disciplinary power brings an immense shift in the nature of individualization, which is also traced genealogically in *Discipline and Punish* in parallel with practices of punishment. Whereas the feudal regime catalogued individuals by reference to kinship relations and performance of deeds (noble or ignoble), discipline individualizes by surveillance, examination, and comparison to the norm.[10] Disciplinary power individualizes by what Foucault calls 'subjection', or the production of truths regarding the internal nature or character of the individual.[11] Subjection exploits a belief that there are deep and hidden truths to discover about an individual's character; with sufficient insistence that such deep secrets are the keys to our identities, one can actually produce the secrets one seeks. As evidenced by the changes in the penal system, it is no longer the deeds that are at the heart of investigation, but the doer behind them. Subjection does not only take place in the realm of punishment, but in other domains as well. We have already seen this subjection in the example of pedagogy above, as students' characters are thought to be revealed by their performance. Subjection also

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[9] Ibid., 18.

[10] Ibid., 193.

[11] Foucault, *Security, Territory, Population*, 184.
Note that there is much confusion in the secondary literature between the uses of 'subjection' and 'subjectivation', and often they are taken to be interchangeable. However, As *Security, Territory, Population* makes clear, subjection (assujettissement), is this specific mode of identifying hidden truths within the individual as the relevant material for subject formation. Subjectivation (subjectivation) is a more general term used to describe one's motivation for following an ethical code or set of guidelines, e.g. because one recognizes oneself as part of a group that accepts the code; because one recognizes oneself as having responsibility for maintaining a tradition; because one wants to give a certain style to one's life so that it "answers to criteria of brilliance, beauty, nobility, or perfection." There is at least one place in *The History of Sexuality Vol. 2* in which Foucault uses 'assujettissement' to refer to this broader notion. However, the overwhelming trend in that volume is to use 'subjectivation'. Quotations from Michel Foucault, *The History of Sexuality Vol. 2: The Use of Pleasure*, trans. Robert Hurley, (New York: Vintage Books, 1990), 27.

occurs in the domain of sexuality. Especially illustrative is the shift from ancient codes of conduct, in which sodomy was merely a category of actions, to 19th-century homosexuality, which characterized a mode of being for individuals.[12] What's more, the shift to conceiving of homosexuality as a way of being brought with it the belief that sexuality was the deep secret of our identities, as though knowing that the individual is a homosexual provides thorough knowledge of the individual h/erself. So in sexuality as well as pedagogy and criminality, we find "a new specification of individuals" involving the simultaneous discovery and production of their inner natures.[13]

It is the increasing tendency to view human beings as a potential object of scientific knowledge, not only biologically but psychologically, that has enabled an increase in subjection. In the process of subjection, perhaps even more than in other processes of subject formation, knowledge and power are mutually reinforcing. Power encourages the collection of information regarding individuals on which the knowledge of the human sciences is built. But at the same time, the knowledge of the human sciences provides power with its justification and specifies the nature of the information to be collected.[14] Foucault emphasizes this mutually dependent relationship between power and knowledge when he describes the disciplinary power that blossomed in the 18th century as "a type of power…that can only function thanks to the formation of a

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[12] Michel Foucault, *The History of Sexuality: Vol. 1*, trans. Robert Hurley (New York: Vintage Books, 1990), 43.

[13] Ibid., 42-3.

[14] Foucault, *Discipline and Punish*, 125.

knowledge that is both its effect and also a condition of its exercise."[15] The individual, then, fits into this complex web of power/knowledge as both its "effect and object."[16] The individual is produced by this power/knowledge regime at the very moment it is studied as its object. It is with the emergence of the human sciences that "various concepts have been constructed and domains of analysis carved out: psyche, subjectivity, personality, consciousness, etc."[17] This construction of identities by the production of truths internal to the individual is the mode of individualization specific to disciplinary power.

So we see that the examination – as the paradigmatic mechanism of disciplinary power – constructs individuals and makes their actions intelligible by describing deviations from the norm in terms of, at least quasi-scientific, classifications and explanations. But there are other mechanisms by which individuals become attached to these identities and come to recognize them as their own. It is not enough merely to produce third personal identifications of individuals. The subject must be tied to an identity in order for identification to have any bearing on h/er behavior. Foucault even goes so far as to say that the subject simply is a relationship one has to oneself.[18] It is the nature of this relationship that is constituted by relations of power.

The relationship of self to self established by disciplinary power is one of self-surveillance. By Foucault's description, schools, hospitals, factories, and prisons are all

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[15] Michel Foucault, *Abnormal: Lectures at the Collège de France, 1974-1975*, trans. Graham Burchell, ed. Valerio Marchetti and Antonella Salomoni (New York: Picador, 2003), 52.

[16] Foucault, *Discipline and Punish*, 192.

[17] Ibid., 29.

[18] Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981-1982*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2005), 230 and 252.

modeled on Bentham's infamous Panopticon, in which prisoners are compelled to monitor their own behavior even in the absence of a prison guard.[19] Foucault describes the Panopticon as the reverse of the dungeon.[20] Whereas the dungeon held prisoners hidden away in darkness, the Panopticon is organized so that prisoners may be constantly visible. The cells that contain individual prisoners, so as to isolate them from each other, are arranged in a circle around a central guard tower. The cells are backlit so that each prisoner is fully visible at all times from the position of the tower. The guard within the tower, however, is hidden from the view of the inmates. This creates a situation in which it actually becomes unnecessary for any guard to be present in the tower. The threat of surveillance becomes enough to motivate prisoners to surveille themselves.

> Hence the major effect of the Panopticon: to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its action; that the perfection of power should tend to render its actual exercise unnecessary.[21]

In these panoptic institutions, the relationship of power is internalized by the subject. The student, patient, worker, or inmate who is caught in this panoptic configuration "inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection."[22] In a society modeled on the Panopticon, individuals are taught to be vigilant with regard to their own inner natures and the potentially deviant behavior motivated by them. In reading these descriptions by

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[19] Foucault, *Discipline and Punish*, 207.

[20] Ibid., 200.

[21] Ibid., 201.

[22] Ibid., 202-3.

Foucault and recognizing them as being at least partial descriptions of the society in which we do find ourselves, we are presented with an image that is even more frightening, even more insidious than the fictional Big Brother. It seems that Foucault would have us believe that our own situation is worse than a totalitarian regime governed by an all-seeing dictator. In a regime of disciplinary power, no such authority is necessary. We surveille ourselves.

In the Panopticon, the relationship of self-surveillance is especially vigilant with respect to criminal impulses. But in other contexts, it is not always such impulses that we look for in self-examination. In addition to establishing the relationship one has to oneself, power delimits the aspects of the individual that are relevant to subject formation. Power/knowledge regimes, such as that of the human sciences, determine what we ought to look for when we introspect (which can itself take a variety of forms, one of which is self-surveillance). Whether criminal impulses, deviant sexual desires, or temptation toward sin, to take a few examples, power/knowledge regimes tell us what kinds of truths about the subject will be produced by subjection.

Foucault provides several concrete examples of practices that give the individual a particular relationship with h/erself. Both the religious act of confession and psychiatric evaluation have in common this search for inner truths with which the individual identifies. But because they have different goals in mind, these practices identify different aspects of the individual as the material of subject formation. Foucault's 1974-75 lectures in *Abnormal* provide the clearest illustration of the transformations in the focus of subjection.

Early in its development in the 19th century, modern psychology was concerned with childhood sexuality. If an adult was delinquent, the delinquency could likely be traced to early masturbation. There was a tendency to explain nearly every deviation from the norm in adulthood by reference to childhood masturbation, which was eventually expanded in the second half of the 19th century into the notion of perversity more generally.[23] Over time, with the rise of psychoanalysis, childhood sexuality was replaced by the instincts as the focus of inquiry.[24]

Even prior to the development of psychiatry and its search for the hidden truths of childhood sexuality, there was the practice of Christian confession with its own concerns about sex. In confession, too, we see changes with respect to the aspects of the subject that merit investigation. In the 12th and 13th centuries, confession as the "examination of conscience" became more or less codified.[25] From this point on, the examination proceeded via reference to "the Ten Commandments, the seven deadly sins…the commandments of the Church, the list of virtues, and so forth."[26] Nevertheless, the features of the subject that were deemed relevant to this examination changed over time. For example, in the 17th century there was a shift in the information to be gathered around the sin of lust.[27] Prior to the 17th century, the questions in confession were aimed at discovering the nature of the relationships involved in the lustful act. The new system of questioning concerns, not relationships, but the sensation and desires of the body of the

[23] Foucault, *Abnormal*, 62 and 32.

[24] Ibid., 133.

[25] Ibid., 175.

[26] Ibid.

[27] Ibid., 186.

penitent. "The old examination was essentially the inventory of permitted and forbidden relationships. The new examination is a meticulous passage through the body, a sort of anatomy of the pleasures of the flesh."[28]

In these examples alone we find at least four aspects of the individual that have been used for subjection: childhood sexuality, instinct, relations to others, and bodily pleasure. We can see, then, that there are various ways to construct a subject, that different power/knowledge regimes construct subjects differently, and that the very same practices (of confession and psychiatric examination) can be used to produce different relationships of self to self depending on the relevant material of subjection.

Practices of subjection, like confession and psychiatric evaluation, are insidious because they have a tendency to make the subject feel liberated by the very processes that tie h/er to an identity constructed by relations of power. Both of these practices rely on what Foucault calls "the speaker's benefit."[29] The beliefs that, for example, sex is taboo and that power is generally repressive create a delight in speaking about the inner sexual desires that appear subversive to the repressive regime.[30] The speaker's benefit even contributes to our continued desire to characterize power as repressive.[31] But Foucault would show us that it is actually an artifice of power to make people believe that speaking the truth about themselves is liberating, and that 'truth' is opposed to 'power'.[32] Disclosing the deep hidden truths of our identity doesn't liberate us from repressive

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[28] Ibid.

[29] Foucault, *History of Sexuality Vol. 1*, 6.

[30] Ibid., 7.

[31] Ibid., 6.

[32] Ibid., 60.

power; it is rather to buy into the very assumptions on which disciplinary subjection relies. In fact, "it is an immense labor to which the West has submitted generations in order to produce men's subjection: their constitution as subjects in both sense of the word."[33] These senses of 'subject' are, in Foucault's words, "subject to someone else by control or dependence, and tied to his own identity by a conscience or self knowledge."[34] Though these definitions of 'subject' do not appear until the late essay "The Subject and Power," it is significant that Foucault still uses the notion of conscience that was so important to the practice of confession discussed in his earlier genealogical works. In this conscience we can see reinforced once again the idea that the subject is a relation one bears to oneself – a relation of self-surveillance with respect to hidden truths in the case of disciplinary forms of power.

What these works provide, then, is a bleak picture of subjects who monitor their own activities based on an understanding of themselves that is wholly fabricated by forces external to them. The subject participates and even encourages h/er own subjection because it is experienced as pleasurable due to a naïve belief in the power of the truth to set us free. But in painting this bleak picture, Foucault hopes to bring us to the recognition that the disciplinary model of the subject is not the only possible configuration of subjectivity. He further urges us to dislodge from our minds the mistaken opposition between power and truth that sustains our desire to participate in our own subjection. The following passage is indicative of both of these motivations in Foucault:

[33] Ibid., 60.

[34] Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 212.

> The individual is no doubt the fictitious atom of an 'ideological' representation of society; but he is also a reality fabricated by this specific technology of power that I have called 'discipline'. We must cease once and for all 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. The individual and the knowledge that may be gained of him belong to this production.[35]

The individual is fictitious insofar as both the very concept of the subject and the individual subjects created are products of a particular historical context. According to Foucault, there is nothing universal about our constitution as subjects.[36] But the individuals produced by configurations of power are real, they really exist within their historical context, and they do have a relationship to themselves that makes them the kind of subjects that they are. The statement that "the individual and the knowledge that may be gained of him belong to this production" by power helps cement in us, Foucault's readers, the realizations that our current concept of the subject is only one of many possibilities and that our power/knowledge regime encourages us to constitute ourselves as disciplinary subjects. Coming to these realizations may be the first step necessary for resistance to such power structures.

But one thing I wish to emphasize in this chapter is that the constitution of *disciplinary* subjects is particular to *disciplinary* power structures. These apparently dark descriptions of subject formation only apply to a relatively short period of human history in the West. Foucault's later works on the ancient Greek notion of "care of the self" focus instead on practices of self-mastery and self-transformation. Such practices appear

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[35] Foucault, *Discipline and Punish*, 194.

[36] Michel Foucault, "An Aesthetics of Existence" in *Foucault Live,* trans. John Johnston, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 452.

entirely contrary to his accounts of disciplinary subjection in the genealogical period. However, this contradiction is immediately erased when we simply keep in mind the fact that different power/knowledge regimes constitute subjects differently.

The Subject of Self-Transformation

Turning to the works of Foucault's ethical period will draw out the tension between subjects constituted by power and subjects capable of self-transformation. Foucault's interest in Greek and Greco-Roman culture focuses on "arts of existence" as linked to the care of the self. The phrase "arts of existence" refers to "those intentional and voluntary actions by which men not only set themselves rules of conduct, but also seek to transform themselves, to change themselves in their singular being, and to make their life into an *oeuvre* that carries certain aesthetic values and meets certain stylistic criteria."[37] We should note the drastic differences between this description of subject formation and those descriptions found in the genealogical period.

In the ancient Greek care of the self, subject formation is both intentional and voluntary. In discipline, by contrast, subject formation seems to go on behind the backs of subjects. Disciplinary power forges a relation between the subject and itself whether or not the subject is aware that the process is taking place; the question of whether the process is voluntary doesn't even arise. Furthermore, in the ancient Greek arts of existence, subjects give themselves rules of conduct; the rules or norms are not prescribed in a code of conduct external to the subject, as in disciplinary power. Finally, the very goal of subject formation is different in the arts of existence and discipline. Rather than seeking to create docile, productive, obedient subjects, the arts of existence have an

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[37] Foucault, *The Use of Pleasure*, 10-11.

aesthetic criterion for successful constitution of the subject. The goal was to give a style to one's life in which "one could recognize oneself, be recognized by others, and in which even posterity could find an example."[38]

By way of highlighting the element of individual choice in the arts of existence, the second and third volumes of *The History of Sexuality* stress a difference between these practices and code-based moralities. In volume two, we are told that in classical thought, as opposed to the Christian pastoral, "the demands of austerity were not organized into a unified, coherent, authoritarian moral system that was imposed on everyone in the same manner."[39] Rather, "with the exception of a few precepts that applied to everyone," moral standards "were always tailored to one's way of life, which was itself determined by the status one had inherited and the purposes one had chosen."[40] So although there were still certainly limitations on one's constitution as a subject – the few universal precepts and the duties corresponding to status – there was a high degree of flexibility with regard to the form one gave to one's life.

Ancient Greek ethics, according to Foucault, revolved around finding a style of life that was best suited to one's own aims. So ancient ethics "takes the form, not of a tightening of the code that defined prohibited acts, but of an intensification of the relation to oneself by which one constituted oneself as the subject of one's acts."[41] In fact, rather than focusing on prohibitions, moral reflection concerned itself precisely with those areas

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[38] Foucault, *Aesthetics of Existence*, 451.

[39] Foucault, *The Use of Pleasure*, 21.

[40] Ibid., 60.

[41] Michel Foucault, *The History of Sexuality Vol. 3: The Care of the Self*, trans. Robert Hurley (New York: Vintage Books, 1990), 41.

of life in which one had the most liberty.[42] Subject formation became a tekhnē, a work that one performed on oneself to achieve perfection in relation to one's goals. If it is the aim of such a tekhnē to give style to one's life in such a way as to mark it as truly one's own, then, "if there were not precisely this freedom of the subject making use of his tekhnē according to his objective, desire, and will to make a beautiful work, then there would be no perfection of life."[43]

Unification

These references to freedom, liberty, style, and choice should be striking after the account of disciplinary subjection, which contained no mention of such features or capacities of the subject. But what is even more striking is that Foucault's later works argue that freedom is present wherever there is power, which of course means discovering a kind of freedom even in disciplinary power. However, reading freedom back into the works of Foucault's genealogical period is not as difficult as it may first appear. Since both the genealogical and ethical periods describe power in terms of strategy, both periods must accommodate the distinction between power and domination that comes out of this characterization of power. What is crucial for unifying Foucault's seemingly contradictory accounts of subject formation is that this description of power in terms of strategy relies upon the freedom of the subject as agent.

"When one defines the exercise of power as a mode of action upon the actions of others" – just as I did in Chapter 1 to bring out the role of strategy – "one includes an important element: freedom. Power is exercised only over free subjects, and only insofar

[42] Foucault, *The Use of Pleasure*, 23.

[43] Foucault, *Hermeneutics of the Subject*, 423-4.

as they are free."[44] It becomes clear that the sense of freedom that power presupposes must be agency when we recall that subjects are constituted by power insofar as subjects just are the kinds of things that can be responsive to norms. Being responsive to norms means that subjects must be faced with a field of possible actions. The norm can only guide subjects to one action over another if there is a choice in action. Put another way, it is the subject's agency that enables the effects of power. What we must therefore understand is that the subject is free in its choice of action even in disciplinary regimes of power. More will have to be said about how this agency relates to the kind of freedom that will serve as the opposing concept of domination, but for now, it's already becoming clear that the middle and late periods are connected by shared concepts. Both periods accommodate the distinction between power and domination by characterizing power in terms of strategy and presupposing the agency of the subject.

In addition to these consistent concepts of power, domination, and agency, there are further methodological and theoretical considerations that help to create a general schematic account of the subject that underpins both the middle and late periods of Foucault's writing. First let's look at some methodological clarifications made by the later Foucault. As his work matured, it became clear to him that the subject, in one form or another, had been his focus all along.[45] Foucault eventually came to catalogue his works in terms of three axes of experience: truth/knowledge, power, and the subject.[46] His earliest works from the archaeological period tend to focus on the formation of

[44] Foucault, "The Subject and Power," 221.

[45] Foucault, "The Subject and Power," 209.

[46] Foucault, *The Use of Pleasure*, 4.

knowledges and the discursive formations that specify the historically contextualized conditions for making truth claims. The middle-period genealogies that we have examined then identify power as central to the development of both knowledge and the subject. Finally, the late ethical works look at the relationship one has to oneself as the basis for constitution and recognition of oneself as a subject. Though each of these periods explores a different axis, Foucault acknowledges their interdependence.[47] He further clarifies that all three axes have in common the analysis of a different mode of subject formation:

> I would like to say, first of all, what has been the goal of my work during the last twenty years. It has not been to analyze the phenomena of power, nor to elaborate the foundations of such an analysis. My objective, instead, has been to create a history of the different modes by which, in our culture, human beings are made subjects. My work has dealt with three modes of objectification which transform human beings into subjects.[48]

These "modes of objectification" are ways in which one can think of oneself as a subject. The three modes to which Foucault here refers are:

1. the subject as the object of the human sciences
2. normalized subjects (mad/sane, sick/healthy, criminal/ "good boys")
3. the product of self-constitution[49]

Each of these modes of objectification corresponds to one of the three axes of Foucault's works. The truth/knowledge axis examines the subject qua object of the human sciences; the power axis examines the subject constituted by powers of normalization; and the

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[47] Michel Foucault, *The Government of Self and Others: Lectures at the Collège de France 1982-1983*, trans. Graham Burchell, ed. Arnold Davidson (New York: Palgrave Macmillon, 2010), 42.

[48] Foucault, "The Subject and Power," 208.

[49] Ibid., 208.

subject axis examines technologies of the self by which subjects can effect their own self-transformation.[50] These axes of experience should not be viewed as independent of one another. The three periods of Foucault's works corresponding to these axes appear contradictory if each is intended to be a general theory of subject formation. Yet the late Foucault is clear that there are always overlaps in the influence of these axes and that no process of subject formation is ever as one-sided as his analyses.[51] Even to label a particular power/knowledge regime as disciplinary or regulatory is potentially misleading. It's not as though there were never disciplinary practices prior to the 18th century; it's just that disciplinary power reached a new height and prominence at this time.[52] So too with the axes along which Foucault studies the subject; though they are almost always all present in some degree, we may characterize some periods as relying more heavily on powers of normalization and others on practices of the self. These methodological clarifications lead to two important theoretical claims.

First, we can make more precise the idea that different periods constitute subjects differently. The mode of subjection will depend largely on both the primary power/knowledge regime in place and the relevant notion of the subject to be produced (an ethical subject, a subject of true discourse, etc.). The second theoretical point to be drawn out of Foucault's methodological considerations is this: not only are subjects constituted differently in different historical contexts, but it is also the case that each individual subject is constituted differently by reference to a different axis of experience.

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[50] Michel Foucault, "On the Genealogy of Ethics" in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 237.

[51] Foucault, *The Government of Self and Others*, 42.

[52] Foucault, *Security, Territory, Population*, 7.

My relationship to myself as an object of the human sciences need not be the same as my relationship to myself qua ethical subject. Foucault makes explicit this internal differentiation of subjects within a single individual when he says that the subject

> is not a substance. It is a form, and this form is not primarily or always identical to itself. You do not have the same type of relationship to yourself when you constitute yourself as a political subject who goes to vote or speaks at a meeting and when you are seeking to fulfill your desires in a sexual relationship.[53]

So all three axes of experience will be relevant to subject formation in any given power/knowledge regime. Depending on the historical context, these axes may create domains of subjectivity within the individual that reinforce or contradict each other. There is not just one way to constitute subjects in general, and each individual subject may even be constituted as a multiplicity of subjects. We may finally conclude from this that all three periods of Foucault's work can be brought together under the heading of "a history of thought," which he describes as, "an analysis of what could be called focal points of existence in which forms of a possible knowledge, normative frameworks of behavior for individuals, and potential modes of existence for possible subjects are linked together."[54]

<u>Individuals, Agents, and Autonomous Subjects</u>

With this general discussion of Foucault's account of the subject behind us, we can begin to address the objections briefly mentioned earlier. As was the case with criticisms of Foucault's account of power, these objections to his account of subject

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[53] Michel Foucault, "The Ethics of the Concern for the Self as a Practice of Freedom," in *Foucault Live,* trans. Phillis Aranov and Dan McGrawth, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 440.

[54] Foucault, *The Governement of Self and Others*, 3.

formation come in two broad types: those that take issue directly with what Foucault has said about the subject (e.g., that it is false), and those that worry about what this account means for our ability, as individuals, to resist dominating forms of power.

In the first category of objections, there are those who claim that Foucault has eliminated the very concept of subjectivity. Jürgen Habermas, for one, argues that what Foucault calls "individualizing power" is misleading. Though we know that there are different ways to individualize subjects, we should still take care to acknowledge Habermas's point that, at least in disciplinary modes of individualization, the techniques are merely *numerically* individualizing. Habermas' criticism is that disciplinary individualization does not allow for individualism conceived of as a subjective space of interiority in which individuals may differ from each other. Instead, individuals are "mechanically punched out" by powers of normalization, and therefore, despite being numerically distinct, individuals are identical in their relationship to themselves.[55]

Such an account of individualizing power would certainly seem contrary to our own experience of the ways in which we differ from other individuals. It would also have worrying implications for our ability to resist dissatisfying power structures if indeed power thoroughly forms even our feelings of repression and oppression according to its own aims. But I take it that Habermas is greatly oversimplifying Foucault's account of disciplinary subjection. Even if every individual stood in the same position with respect to relations of power, this claim about the internal contents of the minds of individuals would not necessarily follow. Moreover, we should recall that Foucault does not say we are all in the same relations of power, which are complex, varied, and

[55] Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. Frederick G. Lawrence (Cambridge, MA: MIT Press, 1990), 292-3.

perpetually in flux. There are at least three reasons to believe that Habermas is mistaken about the disciplinary process of individualization.

First, we have already seen that each historical context individualizes some subjects more than others. Recall the change we saw in the ways subjects were individualized from feudal regimes to the disciplinary regimes of the 18th century. These modes of subject formation tie some individuals more strongly to their identities than others. In a feudal society, the more powerful and privileged are more individualized, more distinguished from the group as a whole. In a disciplinary society, by contrast, it is the child more than the adult, the mad more than the sane, the delinquent more than the well-behaved, who is most individualized.[56] So disciplinary power individualizes the abnormal more than the normal. Individuals who deviate from the prescribed norms of disciplinary power must be thoroughly specified in their individual modes of deviation in order to be targets of the most effective means of correction. Certainly the internal character of those who deviate will not only differ from those of the docile and obedient, but from each other as well. The disciplinary mode of normalization strives for homogeneity precisely by making these differences useful.[57]

Second, we should recall the ways in which even a single individual is constituted as a multiplicity of subjects corresponding to different contexts, to different axes of experience. Given that each individual is not one but many subjects, there is all the more opportunity to take up a variety of relations to self. Some of these relations may fall closer to the norm than others. In a disciplinary regime, one may be more individualized

[56] Foucault, *Discipline and Punish*, 193.

[57] Ibid., 184.

as a political subject, less as a sexual subject, according to one's degrees of conformity to the norms of these different contexts.

Finally, Foucault often emphasizes power's reliance on the existence of a variety of social roles. Such roles correspond to the self-conceptions of those who hold them, and they play a part in the effective functioning of power. Take for example the priests of *Abnormal* and their role in the early formation of powers of normalization. The priest must have very particular internal qualities if he is to be effective. These qualities include "zeal" – love or desire for the role he plays in the salvation of others; "holiness" – a constant vigilance with respect to his own acts and desires; and he must be trained with particular knowledge – he must know how to interpret the desires and actions of his parishioners as well as what penance is appropriate to their circumstances.[58] Contrast these internal qualities of the priest with those of the penitent. The penitent has no relation to the salvation of others; s/he is not vigilant with respect to h/er actions and desires (as one becomes a penitent after one has sinned); and s/he does not have the requisite expertise and interpretive abilities to prescribe h/er own penance. Similar contrasts can be seen in other examples as well, as with the teacher and student, the psychiatrist and patient, and the guard and prisoner. Indeed there is even a greater variety of social roles than this, as we see other roles within the family, for example, that fall outside of this schema of authority. Each of these social roles requires a different relation to oneself. In particular they require recognition that the duties proper to such a role are one's own. Although Habermas is right that powers of normalization encourage conformity to a norm of *behavior*, they do so largely by exploiting a variety of relations to self and others.

[58] Foucault, *Abnormal*, 178-80.

Though we may not all be cast from the same mould, one could still be deeply concerned by the level of conformity in behavior that is achieved by powers of normalization. Thomas McCarthy has just such concerns. His objections still fall under the first category directed against the account of the subject, but rather than claiming Foucault has eliminated subjectivity itself, McCarthy argues that he has eliminated the subject's agency. We will have to examine McCarthy's argument carefully to see what is entailed by his notion of agency and whether or not Foucault has eliminated it from the subject.

McCarthy appears to be most troubled by the claim that the individual is "merely 'one of the prime effects of power'," a quotation he emphasizes more than once.[59] But to say that the individual is one of the prime effects of power is not yet a clear statement against agency. It's possible to read this claim as being akin to Habermas's criticism that our individual subjective experiences are made the same by relations of power, or it may be to claim that Foucault denies our responsibility for our thoughts and actions.

But it's not a claim Foucault made. It is true, as we have seen, that Foucault asserts that power shapes individuals. However, Foucault never said that we are *merely* effects of power; this is McCarthy's addition. Indeed, Foucault is often explicit that individuals are more than the mere effects of power, "they are never the inert or consenting targets of power; they are its relays. In other words, power passes through individuals. It is not applied to them."[60]

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[59] McCarthy, "The Critique of Impure Reason," 56 and 59.

[60] Foucault, *Society Must be Defended*, 29-30.

So what does McCarthy have in mind here that could be a reasonable criticism of Foucault? He makes two further remarks that suggest that his real concern is with the ability of subjects to consider and choose their own actions. McCarthy's first remark emphasizes the apparent contradiction between Foucault's genealogies and his later works featuring "active agents," so we should begin by examining more closely the role given to agency in these two periods.[61]

Let's consider again the potentially contradictory images we get of the subject in Foucault's genealogical and ethical periods. On the one hand, I could reassert that there is a common account of the relationship between power and subject formation to be found if only we abstract from the particulars of any given power/knowledge regime. On the other hand, I must grant McCarthy that different power/knowledge regimes can form very different kinds of subjects. However, part of the project of unifying the two later periods of Foucault's works involved demonstrating that freedom, conceived of as choice in action, was an integral part of the genealogical period (and disciplinary power) all along. And, as a matter of fact, one of McCarthy's criticisms of Foucault in his middle period is that he unwittingly presupposes agency at the same time that he denies it. McCarthy's own examples serve as a good starting point for making the case that power/knowledge regimes do not dictate the particular actions we take. He even argues that we must exercise our own judgment in complying with the norm. McCarthy notes the role of the prisoners of the Panopticon, who must be "competent" and "active" in order to follow the rules laid out for them.[62] Further, it occasionally happens that, in

[61] Ibid., 70.

[62] McCarthy, "The Critique of Impure Reason," 58.

cases where conformity is not unconscious or habitual, following a rule or conforming to a norm requires an agent to judge when and how to apply the rule or norm and to choose whether to act in accordance with or defiance of that rule or norm.

Indeed, examples of interpretation and choice on the part of individuals are abundant in Foucault's middle works. *Discipline and Punish* describes the roles of a variety of experts – the judge, inspector, doctor – who examine subjects, assess their specific circumstances, and decide what is to be done with them. Ian Hacking further notes that as far back as the archaeological period, Foucault leaves room for the decisions of individual agents. Although Foucault says that power is anonymous, this does not mean that individuals have nothing whatever to do with the functioning of power.[63] As Hacking clarifies, it is often individuals who set up directives according to their own aims. It's just that none of them knows what kind of power all of these directives will add up to.[64] The overall power structure unfolds without the planning of any individual and takes on a life of its own. This self-organization of power is, as we have seen, the basis for Foucault's focus on the analysis of power relations absent the reference to the actions of particular agents.

McCarthy's criticism of the account of the subject in the genealogical period relies on there being a contradiction between the subject constituted by power and the subject capable of self-transformation found in the ethical period. But in fact, the project of unifying the two periods is only strengthened by McCarthy's claim that there is agency

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[63] Foucault, *History of Sexuality Vol. 1*, 94-5.

[64] See Ian Hacking, "The Archaeology of Michel Foucault" in *Historical Ontology* (Cambridge, MA: Harvard UP, 2004), 82.

implicit in the genealogies. His claim is only an objection if we assume that Foucault had intended to eliminate agency and inadvertently failed to do so.

This assumption is at the heart of McCarthy's further criticism that Foucault does not wish to supplement an account of agency with an account of anonymous power, that instead his project is one of replacement.[65] McCarthy, I believe rightly, notes that a "commonsense view requires agency and structure to be equally basic," but goes on to say that Foucault has rejected such a balance.[66] But this can't be Foucault's aim. Even as early as the forward to *The Order of Things* (1970), Foucault states that he does not think it is wrong to give a history – in this case the history of science – in terms of the actions of individuals – scientists.[67] Rather, it is simply that the perspective of particular agents is the standpoint most typically adopted, and Foucault believes there to be much more going on in the cultural background to shape the course of science than even the scientist is aware of. This suggests to me that Hacking is right about the implicit inclusion of the acts of individuals in Foucault's account of power. The switch to talking about anonymous power is a methodological change of focus, not a denial of the agency of individuals. We must recall at this point that to say that power produces subjects is to say, on my reading of Foucault, that it shapes the ways in which individuals understand and relate to themselves. Such a claim says nothing about which agentive capacities subjects have or how they came to have them. In short, I think it's clear that Foucault's concern about domination is not about whether individuals can be agents. But if it's not

[65] McCarthy, "The Critique of Impure Reason," 57.

[66] Ibid.

[67] Michel Foucault, Forward to the English Edition, *The Order of Things,* Vintage Books Edition, 1973 (New York: Random House, 1970), ix-xiv.

agency that is at stake in Foucault's discussions of domination, then the question is what kind of freedom is present for subjects of the ethics of the care of the self that is lacking in disciplinary power/knowledge regimes.

McCarthy may be asking a similar kind of question when, in addition to his concern about "active agents," he raises the objection that Foucault leaves no room for autonomy in his pronouncement of the death of Man. McCarthy suggests that Foucault rules out the very thing he needs, that is, a notion of autonomy that is "consistent with both the social dimensions of individual identity and the situated character of social action."[68] So McCarthy's concern goes beyond worries about agency; if agency is not the relevant notion of freedom for resistance, then perhaps it is autonomy, a concept with obviously Kantian connotations.

In responding to McCarthy's objection, we should be clear about what the death of Man entails. It is the concept of "Man" utilized and propagated by the human sciences that Foucault finds troubling. This concept involves a dual conception of the subject as both the transcendental ground for all knowledge and the empirical object of knowledge. Quite apart from his perhaps contentious arguments that man as the object of knowledge is in perpetual tension with man as the foundation of knowledge, one reason for Foucault's skepticism concerning the concept of Man is its inclusion of a transcendental component. Foucault is outspoken about his rejection of such transcendental notions of reason and autonomy untouched by socialization.[69] Talk of "the death of Man" itself serves as a reminder that the concept of "Man" is a construct of a particular historical

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[68] McCarthy, "The Critique of Impure Reason," 48.

[69] More will be said on this topic in Chapters 3 and 4.

context. As Ian Hacking puts it, "Foucault said the concept of man is a fraud, not that you and I are nothing."[70]

Now this description of the death of man involving Foucault's rejection of the transcendental may already appear to grant McCarthy's point that autonomy is missing in Foucault's account. But we should notice that even McCarthy's description of autonomy is not the transcendental Kantian concept. By taking seriously the need for a concept of autonomy that is consistent with the "social dimensions of individual identity," McCarthy moves toward a concept of socially embedded autonomy that Foucault may very well endorse.

Amy Allen argues for such a concept of autonomy in Foucault's works by reminding us that the configurations of power in which we are constituted as subjects are our "historical a priori," and as such, delimit the conditions of possibility for being a thinking subject.[71] These conditions are binding whether we like it or not because we can't reject them without surrendering our ability to perform intelligible actions (much in the same way that we would fail to make intelligible utterances if we did not conform to at least some linguistic conventions). However, this is only to say that discursive structures set limits on thought and action, *not* that they prescribe a particular content for our thoughts and actions.[72] This distinction is crucial insofar as it entails that we can choose our actions, but that their meaning is dependent on the discursive structure in which they are performed. Again by comparison to linguistic meaning, one can choose to

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[70] Hacking, "The Archaeology of Michel Foucault," 86.

[71] Amy Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008), 38.

[72] Ibid.

utter any words, but if one wishes to be understood, one must be mindful of the meanings that the linguistic community will attach to those words. Yet, an adequate notion of socially embedded autonomy will have to include not merely the ability to deliberate and choose among possible options, but also to reflect upon the limitations of these possibilities themselves.

The notion of socially embedded autonomy will be further explored in Chapter 4. But for now, it's worth saying that not everyone would grant that Foucault has even such a socially embedded autonomy in mind. Linda Alcoff, for one, argues that Foucault's account of our formation as subjects renders our subjectivity the primary source of our domination, which would then make autonomy the unattainable opposite of that domination.[73] Indeed, on Alcoff's reading, it may seem that our subjectivity is so thoroughly formed in the service of a particular power/knowledge regime that nothing we do can be considered genuinely our own. Such a line of thought appears to be the basis of the objection to Foucault's work by Charles Taylor that we briefly encountered in Chapter 1. Taylor's concern is that Foucault has ruled out any form of "genuine self-discipline" by emphasizing the ways in which our work on ourselves serves systems of power.[74] It is not hard to see why Taylor and Alcoff share this concern about the surreptitious use of our subjectivity to dominate us. We have only to look to Foucault's own words to show us that self-constitution never occurs outside of relations of power. Even if we say that "the subject constitutes itself in an active fashion through practices of the self, these practices are nevertheless not something invented by the individual

[73] Alcoff, "Feminist Politics and Foucault," 72.

[74] Charles Taylor, "Foucault on Freedom and Truth," *Political Theory* Vol. 12, No. 2 (May 1984): 164.

himself. They are models that he finds in his culture and are proposed, suggested, imposed upon him by his culture, his society, and his social group."[75] The individual does not work on h/erself in isolation from all cultural influence. Recall that one of the things power picks out is the feature or features of the subject that are relevant to introspection and subject formation.

But to take this to mean that our self-constitution is necessarily dominating is surely too extreme. These worries belonging to Alcoff and Taylor rely on the assumption that any self-relation formed within relations of power cannot be in the interest of the subject itself. To say that the features deemed relevant to subject formation are constructed within a historical context is to say that they are not universal or fundamental features of some transcendental subject. It is not to say that any way of understanding what a subject is involves domination, coercion, or lies. Insofar as we constitute ourselves as subjects at all, this must take place within a social system, for the subject just *is* an individual qua member of society. We saw in Chapter 1 that the inability to escape all relations of power does not amount to the inability to escape domination. There is no reason to assume that being constituted as a subject in relations of power automatically entails a system of domination.

So there are two reasons to believe that subjectivity is not inherently dominating. First, this distinction between power and domination is crucial to avoiding the claim that any social undertaking is a form of domination. And secondly, we have Foucault's examples of self-constitution from the ancient Greek ethics of the care of the self in which he goes as far as to "strongly emphasize" that forms of introspection do "not lead

[75] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," 440-441.

to the constitution of oneself as an object of analysis, decipherment, and reflection," but instead, "involves the subject looking closely at his own aim."[76]

There is at least the potential for non-dominating structures of subjectivity. But this potential does not mean that we, here, now are not in fact dominated by the structure of our subjectivity. It strikes me that this could be Alcoff's only real concern with Foucault's account of the subject. But if this is the claim that she, and perhaps Charles Taylor, wishes to make, then it is not an objection. I take it that the genealogical works are intended for the very purpose of showing us ways in which we were previously unaware of our own domination. If our subjectivity can be a source of domination because autonomy itself is shaped by power, then autonomy per se cannot be the concept of freedom that opposes domination.

Indeed, Foucault would have us rethink the very concept of the subject and its autonomy that have enabled the domination perpetrated by disciplinary power. If the problem is that we are, as a matter of historical fact, too attached to a concept of the subject that dominates us, then the question should be what we can do to detach ourselves from this concept in order to use our subjectivity in ways that are inimical to dominating power structures.[77] To this end, Foucault says that the intention behind his writing is to describe the histories of our conceptions of ourselves in such a way as to reveal the points at which resistance is possible;[78] he wants "to learn to what extent the effort to think

[76] Foucault, *Hermeneutics of the Subject*, 222.

[77] In *The Government of Self and Others*, we encounter the idea that the philosopher's role has traditionally been to "speak the truth to power" in such a way as to be a "physician," to diagnose and cure some cultural pathology (Foucault, *Government of Self and Others*, 234-5). We can note an interesting thread here, too then, from Nietzsche to Foucault in the tradition of viewing philosophy as a therapeutic enterprise.

[78] Michel Foucault, "Clarifications on the Question of Power" in *Foucault Live,* trans. James Cascaito, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 262.

one's own history can free thought from what it silently thinks, and so enable it to think differently."[79] This quotation establishes a complex relationship between history, thought, and freedom that will be explored in Chapter 3.

[79] Foucault, *The Use of Pleasure*, 9.

Chapter 3:
The Critical Project

This chapter is primarily concerned with establishing the connection between thinking one's own history and the ability to think differently. Since Foucault explicitly links the ability to think differently to a genealogical investigation of our historical situation, a study of the genealogical project itself is in order. This study will proceed by addressing three common positions taken with respect to the question of whether and how there can be a normative aspect to the genealogical project.

Foucault is often charged with having done away with the normative resources with which we could offer a criticism of power/knowledge regimes.[1] This assumption seems to be shared by proponents of Foucault and his detractors alike. Roughly, it seems that there are three positions commonly occupied in the Foucault literature on this point. On the one hand, it is argued that Foucault's genealogies are purely descriptive, that he is not engaged in offering evaluations of power or distinguishing legitimate from illegitimate forms of power. On the other hand, Foucault is accused of "cryptonormativism," that is, of tacitly making normative claims that he then either fails to acknowledge, or perhaps worse, explicitly disavows.[2] Those who believe there is a normative component to Foucault's genealogies then fall into two categories. There are those who assert that he is employing the principles of what Nancy Fraser calls the "standard modern liberal normative framework" (and that he is not entitled to do so).[3]

[1] See, for example Nancy Fraser, *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989) and Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. Frederick G. Lawrence (Cambridge, MA: MIT Press, 1990).

[2] Habermas, *The Philosophical Discourse of Modernity*, 276.

[3] Fraser, *Unruly Practices*, 19.

And there are those who argue that he is employing a new or different set of principles (which are insufficiently elaborated for the purpose of social criticism).[4]

None of these positions does justice to the Foucauldian project. I will argue that the genealogical works contain both descriptive and normative threads that, respectively, demonstrate the historical contingency of our current model of the relationship between the subject and power and undertake an internal criticism of that model. Foucault's ethical period, then, describes a different model of power and a different concept of the autonomous subject. While Foucault does not offer this model as an alternative for which we should strive, it is crucial – if we discover something distasteful about our current model – that we should at least in principle be able to think differently. In short, the genealogical project of "thinking one's own history" should create the detachment necessary in order to "think differently."

Genealogy as Critique

In his late works, Foucault describes the common project of his oeuvre as that of constructing "a historical ontology of ourselves."[5] Such a project aims to discover and describe how we came to be what we are as subjects and the limits and constraints of what we are as a result of these processes. Further light can be shed on the notion of a historical ontology of ourselves by examining Foucault's relationship to Kantian critique and the project of Enlightenment.

Foucault most explicitly links himself to a kind of Kantian project in his essay, "What Is Enlightenment?" According to Foucault, the question "*Was Ist Aufklärung?*" is

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[4] Fraser, *Unruly Practices*, 18.

[5] Michel Foucault, "What Is Enlightenment" in *The Essential Foucault*, ed. Paul Rabinow and Nikolas Rose (New York: The New Press, 2003), 53.

still relevant today, firstly because philosophers have failed to dispense with it since Kant wrote his essay of the same name; "from Hegel through Nietzsche or Max Weber to Horkheimer or Habermas, hardly any philosophy has failed to confront this same question, directly or indirectly."[6] Elsewhere, Foucault identifies himself with this same philosophical lineage for whom the question of Enlightenment is central. Foucault identifies with Kant's "Was Ist Aufklärung?" because it connects "a reflection on history" with the present moment in which the author is writing and does so for the sake of examining what we call knowledge.[7] The thread that connects Foucault to his self-identified philosophical lineage is precisely this emphasis on the significance of historical context to present philosophical inquiry.

Indeed, Foucault asserts that the central question of Kant's conception of Enlightenment is "what difference does today make with respect to yesterday?" In this question there is an attitude toward the present that strongly links Foucault's project to that of Kant. This attitude involves the idea that today must be understood in relation to the history that led to it, as well as the idea that reflection on today can motivate a particular philosophical task – whether that task is Kant's dare to us to use our reason or Foucault's historical ontology of ourselves.[8] This attitude, which Foucault calls "the attitude of modernity" is "a philosophical ethos that could be described as a permanent critique of our historical era."[9] As a "permanent critique," the philosophical ethos that connects Foucault to Kant, Nietzsche, the Frankfurt School, etc. is that of continually

[6] Foucault, "What Is Enlightenment?," 43.

[7] Ibid., 48.

[8] Immanuel Kant, "Was Ist Auflärung?" in *The Politics of Truth*, ed. Sylvère Lotringer (Los Angeles: Semiotext(e), 2007).

[9] Foucault, "What Is Enlightenment?," 51.

asking what is different about today. This permanent critique involves, on the one hand, the ever-renewed project of taking stock of the present; for Kant this took the form of recognizing our immaturity with respect to the use of reason. On the other hand, it involves a "limit attitude"; for Kant this took the form of recognizing the limits of our knowledge and the limits that our use of reason cannot go beyond. Foucault's historical ontology of ourselves is similarly concerned with a diagnosis of the present on the one hand and an assessment of limitations on the other.

Foucault's limit-attitude, however, is directed toward uncovering the limits that we may transgress. We must try to discover, in what is presented as rational and necessary, that which is arbitrary and contingent. It is this project that has led scholars like Amy Allen to claim that Foucault's critique of Kant is "immanent rather than total…a critique of critique itself, a continuation-through-transformation of that project."[10] Foucault suggests such a reading when he says that, "the point, in brief, is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible crossing-over."[11] Foucault identifies this new limit-attitude of modernity as particularly well-articulated by Baudelaire, for whom, "the high value of the present is indissociable from a desperate eagerness to imagine it, to imagine it otherwise than it is, and to transform it not by destroying it but by grasping it in what it is."[12] The historical ontology of ourselves allows us, not to uncover the truth of who we are, but to discover

[10] Amy Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008), 24.

[11] Foucault, "What Is Enlightenment?," 53.

[12] Ibid., 50.

ourselves as constantly in-production; the task of "modern man" is to invent himself.[13]

Historical Contingency

Because Foucault's project is a historical ontology of *ourselves*, his inquiries will attempt to reveal "what is not or is no longer indispensible for the constitution of ourselves as autonomous subjects."[14] The descriptive component of Foucault's work is the construction of this historical ontology of ourselves. As an ontology, it seeks to describe the subject. Yet, despite the perhaps misleading use of the term 'ontology', this description is not of a metaphysical, ahistorical subject. Rather, the emphasis on *historical* ontology tells us that the present concept of the subject and modern forms of subjectivation are historically contingent. Revealing the historical contingency of the concept of the subject is the first step necessary in detaching ourselves from this concept and discovering what is no longer indispensible for our constitution as subjects.

The historical ontology of ourselves is therefore a kind of Kantian critical project, akin not to the *Critique of Pure Reason*, but to "Was Ist Aufklärung?" in which critique involves taking stock of the present and uncovering limits. Foucault's descriptive project is critical in both of these senses as it exposes the historical conditions of possibility for subject formation. This project should be understood as transcendental in a very limited sense, which is better understood by entering into a well-known debate between Béatrice Han and Gary Gutting.

As discussed in Chapter 2, Foucault claims that subjects are always constituted within a power/knowledge regime. Han takes this to be a metaphysical claim and offers a

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[13] David Owen gives a similar account of the "historical ontology of ourselves" in David Owen, *Maturity and Modernity: Nietzsche, Weber, Foucault and the Ambivalence of Reason* (New York: Routledge, 1994), 141.

[14] Foucault, "What Is Enlightenment," 52.

criticism of Foucault by his own lights in asserting that "the existence of a coextensive relationship between knowledge and power is not simply a historical given, but a *structural invariant*," that power-knowledge "appears here as a metaphysical entity" of the kind genealogy "sought to combat," and that it "reintroduc[es] the same essentialist perspective that [genealogy] had attempted to render untenable."[15] Such a reading of the concept of the power/knowledge regime is, as Han argues, in conflict with the stated aims of the genealogy and undermines the idea that Foucault is searching for *historical* conditions of subject formation. However, a careful examination of the concept of power/knowledge will demonstrate that Han's understanding of it is far more robust than what Foucault had in mind.

Looking at Foucault's descriptions, of disciplinary power for example, we can see that he makes three kinds of claims about power. There are empirical causal claims about how disciplinary power arose, e.g. that the formation of the Prussian army and the invention of the rifle enabled a particular kind of training of the body. There are empirical generalizations about the way power works, e.g. that it tends to conceal itself.[16] And then there are conceptual claims, e.g. that *some* power/knowledge regime is necessary for the formation of the subject. If any of these sets of claims could be seen as problematically transcendental, it is the last of the three. However, there are several

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[15] Béatrice Han, *Foucault's Critical Project: Between the Transcendental and the Historical*, trans. Edward Pile (Stanford: Stanford University Press, 2002), 142-3. Emphasis in original.

[16] Michel Foucault, *The History of Sexuality: Vol. 1*, trans. Robert Hurley (New York: Vintage Books, 1990), 86. Specifically, Foucault says that it is to power's tactical advantage to conceal itself because "power is only tolerable on condition that it mask a substantial part of itself." However, that this is an empirical generalization is clear enough from the distinction Foucault makes between disciplinary power – which acts surreptitiously – and sovereign power – which acts conspicuously, and indeed, the more conspicuously the better. That power is tolerable only when it is, at least in part, concealed, can be seen as the conclusion drawn from the fact that sovereign power became intolerable [see, e.g. Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan, 2nd, ed. 1975 (New York: Vintage Books, 1995).].

reasons to believe that Han's characterization of power/knowledge involves too strong a notion of the transcendental.

There are many different senses in which a claim can be transcendental. But Foucault's statements about power are not transcendental in any sense that is stronger than that of uncovering historical conditions of possibility. First of all, the claims Foucault makes about power/knowledge regimes are not transcendental in the sense of being a priori claims; they are based on his own rigorous historical studies. The generality of the claim that subjects are formed in power/knowledge regimes comes out of the historical studies themselves; the generality stems from an examination of the particulars. Secondly, power/knowledge regimes are not ahistorical; the power/knowledge regime is not a structural invariant as Han claims. There is no free-floating metaphysical entity "the power/knowledge regime" above and beyond any of its historical manifestations. Foucault emphasizes that 'power' and 'knowledge' must be given very specific historical content and warns us that, "no one should ever think that there exists *one* knowledge or *one* power, or worse, *knowledge* or *power* which would operate in and of themselves."[17] Han acknowledges as much when she says – in her reply to Gutting's review of *Foucault's Critical Project* – that the conditions of possibility for subject formation identified by Foucault are "limited in their extension, historically relative and thus variable."[18] Interestingly, in her book itself, Han states that the concept of the power/knowledge regime found in the genealogical period plays the same role that the concept of the historical a priori did in the archaeological period. And

[17] Michel Foucault, "What is Critique?" in *The Politics of Truth*, ed. Sylvère Lotringer (Los Angeles: Semiotext(e), 2007), 60.

[18] Béatrice Han, Reply to Review of *Foucault's Critical Project* by Gary Gutting, 4. http://privatewww.essex.ac.uk/~beatrice/Gutting%20_answer_%202003-05.pdf

this historical a priori is distinct from a structuralist notion precisely because it is neither "universal" nor "invariant."[19]

Finally, Foucault instructs us to understand power/knowledge not as a metaphysical entity, but as "an analytical grid."[20] As a methodological tool, power/knowledge picks out the elements that are pertinent to Foucault's analyses. It has the strategic benefit of "preventing the perspective of legitimation from coming into play as it does when the terms knowledge (*connaissance*) and domination are used."[21] Foucault's claims about power/knowledge regimes are therefore transcendental only in the sense of spelling out the historical conditions of possibility for subject formation. Though they are not at the same level of description as the empirical claims for which there are counterexamples, his use of the term 'power/knowledge regime' is best understood as a lens that allows us to see features of our social world that had hitherto gone unnoticed.

Since the methodological concept of the power/knowledge regime serves as a grid of analysis for any given set of historical conditions for subject formation, it is a formal element of that analysis. The general notion of the power/knowledge regime does not provide the substantive content for any of the historically particular forms that power/knowledge takes. Instead, the schematic use of power/knowledge brings to light the historically specific conditions of subject formation in particular historical contexts, including what Foucault calls "problematizations."

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[19] Han, *Foucault's Critical Project*, 45.

[20] Foucault, "What is Critique?," 60.

[21] Ibid.

Foucault uses this term to describe the process by which concepts became problems, or central questions for us. The most concrete descriptions of problematizations and their relationship to Foucault's own work occur in *The History of Sexuality Vol. 2* and *Fearless Speech*. In the latter, he describes "the process of 'problematization'—which means: how and why certain things (behavior, phenomena, processes) became a *problem*."[22] He goes on to say that a problematization is "an answer" that "appears as a reply to some concrete and specific aspect of the world."[23] His own works identify and analyze this process of problematization.[24] As early as *The Order of Things*, Foucault describes his work as uncovering the "conditions that make a controversy or problem possible."[25]

The problematization then, is already a product of the past. This is perhaps even more clear from statements we find in *Discipline and Punish* and *Abnormal*, in which Foucault discusses respectively "the problematization of the criminal behind his crime" and "the problem of the instincts" as the condition that enabled the general application of psychiatric power both inside and outside of the asylum.[26] In these cases we can see that the problematization is the object that is believed to hold the answers to a question. In asking what explains the crime, the 18th century created the problematization of the character or nature of the criminal. In probing the psychological motivation for an

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[22] Michel Foucault, *Fearless Speech*, ed. Joseph Pearson (Los Angeles: Semiotext(e), 2001), 171. Emphasis in original.

[23] Ibid., 173.

[24] Ibid., 171.

[25] Michel Foucault, *The Order of Things*, Vintage Books Edition, 1973 (New York: Random House, 1970), 76.

[26] Foucault, *Discipline and Punish*, 227 and Michel Foucault, *Abnormal: Lectures at the Collège de France, 1974-1975*, trans. Graham Burchell, ed. Valerio Marchetti and Antonella Salomoni (New York: Picador, 2003), 134 and 139.

agent's actions, the instincts were problematized. In searching for the key that unlocks the secret of our sexual identities, the 19th century produced the problematization of desire. Problematizations, in short, are sites of inquiry into the subject that promise to deliver answers about the nature of the subject's identity. The historical ontology of ourselves, then, is generated by examining the problematizations that make up the relevant material for subject formation so that we may then ask whether any of these problematizations are indispensible for our constitution as subjects.

It is sometimes supposed that Foucault's own method of inquiry is a form of problematization. It may even be tempting to say that Foucault problematizes the concept of the power/knowledge regime.[27] However, I wish to argue against the ascription of the term 'problematization' to Foucault's methodology in order to keep distinct two very different sets of aims. Both Foucault's descriptive project and his understanding of the term 'problematization' can be further clarified by an examination of their differences.

We should emphasize, first of all, the strategic function of the genealogies. Historical problematizations are sites of inquiry that underpin particular power/knowledge regimes, such as disciplinary power, biopower, or an ethics of the care of the self. These problematizations do not arise from the work of a single individual, but rather, like the operation of power discussed in Chapter 1, are the culmination and coadunation of various, often disparate, practices. To classify Foucault's own method as problematization overlooks the fact that the genealogies are a single agent's act of

[27] Cf. Colin Koopman, *Genealogy as Critique: Foucault and the Problems of Modernity* (Bloomington: Indiana University Press, 2013). Koopman argues, in particular, that Foucault's genealogies are problematizing, which he opposes to "vindicatory" or "subversive," in order to argue that they are normatively neutral.

resistance. They are not an attempt to make power/knowledge the new key to our secret identities; rather, the genealogies aim to release us from the hold that our own power/knowledge regime has on our conceptions of ourselves as subjects.

But perhaps the more crucial difference is that these historical problematizations already presupposed particular aspects of the subject as the relevant material for the constitution of their identities. Foucault's investigations, by contrast, undermine the idea that *any* of these conceptions of the subject are natural, necessary, or self-evident. While a problematization identifies a specific source of a subject's identity, the analytical grid of power/knowledge does not pick out an aspect of the subject as the relevant material for subject formation. Instead, it allows problematizations to show up as objects of analysis. Nevertheless, there is a clear connection between *historically particular* power/knowledge regimes and our formation as subjects. Foucault urges us to look at these power/knowledge regimes, with their own problematizations, in order to reveal the contingency of such regimes and such ways of conceptualizing our own subjectivity. The project of exposing the contingency of our ways of thinking is an element in Foucault's transformed Kantian project of determining limits that we may transgress.

By shifting the focus to power/knowledge, Foucault reveals that the contingency of past problematizations rests on their status as discourses. To problematize desire is at the same time to produce the discourse of sexuality as a way of making sense of desires and the behaviors they inspire. One might argue that desire is nothing new; but to say that desire was problematized in the 19th century is not to claim that desires didn't exist until that time. It's to say that desire as the key to our sexual identities was an idea that emerged in a particular configuration of power/knowledge in the 19th century, replacing

the medieval Christian problematization of the flesh. But then it may be tempting to say that the discourse of sexuality tracks 'the truth' in some way, that Freud 'discovered' sexuality in the same way that Newton discovered gravity; and the fact that gravity was discovered at a particular historical moment does not make the truth of gravity historically contingent. It's not something we can do away with. So what is different in the case of sexuality? Or the instincts or a criminal nature for that matter?

These problematizations are contingent precisely because they exist at the level of discourse. Insofar as sexuality is a discourse, it is a way of speaking and behaving; it doesn't exist in the absence of this speech and behavior in the sense that gravity exists whether or not we have discovered it. The mere fact that desires exist is not enough to make them the key to our sexual identities any more than did the existence of the flesh or pleasures during the eras of their problematization before the problematization of desire. Although Foucault has very little to say about the metaphysics of the subject, it would be easy enough for him to allow that there are determinate features of human beings – that we have desires may be among them – but that these features radically underdetermine the cultural concepts that we take to define our identities. Foucault's project of describing problematizations and identifying them as particular discourses then allows him to expose their contingency.

Genealogy's ability to reveal historical contingency is one important focus of the essay, "Nietzsche, Genealogy, History." It is here that Foucault introduces the idea that genealogy "opposes itself to the search for 'origins'," where the idea of the 'origin'

indicates an essential nature or a unified foundation.[28] Where Foucault clearly identifies a deep connection with Nietzsche's work is in the idea that "genealogy does not resemble the evolution of a species and does not map the destiny of a people."[29] It does not map a destiny because there is a clear rejection of the idea of a telos to history.[30] But even without the idea of a telos, genealogy is not in the business of tracings evolutions, as is most evident in the structure of Nietzsche's *On the Genealogy of Morals*. The three essays contained in this work focus on different factors that all come together in the formation and reinforcement of modern 'slave' morality: the rise of Christian culture, the pre-historical use of punishment as repayment of debt, and an asceticism that is not linked to any particular time.

Though none of Foucault's works is so ambitious as to give a general genealogy of morals, the same weaving together of disparate threads can be seen in his specific genealogies, e.g., of punishment, abnormality, and sexuality. Taking *Abnormal* as an example, we can see that Foucault exposes the ways in which practices of confession have been co-opted by the field of psychoanalysis, but for very different purposes. Rather than seeking forgiveness for sin, the psychoanalytic patient seeks her identification as 'normal' and means to correct what is 'abnormal'. It is by revealing the similarity of these practices that Foucault highlights the differences in their interpretations. Though Foucault identifies psychoanalysis as the heir to confession because both take sexuality as a central focus, it is not because psychoanalysis evolved

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[28] Michel Foucault, "Nietzsche, Genealogy, History" in *Language, Counter-Memory, Practice*, trans. Donald F. Bouchard and Sherry Simon, ed. Donald F. Bouchard (New York: Cornell University Press, 1977), 140.

[29] Foucault, "Nietzsche, Genealogy, History," 146.

[30] Ibid.

from confession.[31] Rather, a set of once-unrelated knowledges (medical, legal, familial) – no doubt driven by a general increase in the validity assumed of scientific knowledge – merged over a relatively short period of time resulting in the medicalization of abnormality.[32] Rather than tracing evolutions from a singular point, as genealogists, both Nietzsche and Foucault embark on a search for descent that "disturbs what was previously considered immobile; it fragments what was thought unified; it shows the heterogeneity of what was imagined consistent with itself;" it disrupts unifying interpretations by showing the disunity of the elements that make up our modern practices.[33]

One of the ways in which genealogy accomplishes this disruption is by creating what Foucault calls a "counter-memory."[34] A counter-memory is opposed to what Foucault calls "traditional history," that is, the kind of history that weaves a coherent narrative, recognizes elements of the past in the present, and creates a unified foundation for our values and practices. A counter-memory unearths the overlooked elements of history that cannot be integrated into such projects. Whereas Nietzsche attempted to construct a counter-memory on a grand scale and toward an ambitious goal by reviving the values of the classical empire against the weight of 1800 years of Christian morality,

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[31] Foucault does employ the term "evolution" in his genealogies. However, when he does so it is because he is tracing local and specific evolutions, such as that of the practice of Catholic confession (Foucault, *Abnormal*, 184) or the control of sexuality in Catholic school education (Foucault, *Abnormal*, 232). The broader topics of his works, such as the problematization of abnormality, are not characterized as evolutions, but as a series of episodes identifying the different forms this problematization has taken.

[32] Foucault, *Abnormal,* 41.

[33] Foucault, "Nietzsche, Genealogy, History," 147.

[34] Foucault, "Nietzsche, Genealogy, History," 160.

Foucault's genealogies provide a more modest counter-memory in the form of fine-grained histories of modern practices.

Though it is only in "Nietzsche, Genealogy, History" – written just before he made the switch from archaeology to genealogy – that Foucault discusses the idea of a counter-memory, echoes of this idea can be found at the midpoint of his genealogical period in the 1975-6 lecture course, *Society Must be Defended*. It is in this work that Foucault describes the critical force of what he calls the "*insurrection of subjugated knowledges*."[35] He goes on to explain that by "subjugated knowledges," he has two things in mind. The first is very much like what he had earlier described in the idea of a counter-memory. Subjugated knowledges are, on the one hand, "the historical contents that have been buried or masked in functional coherences or formal systematizations" and which "allow us to see the dividing lines in the confrontations and struggles that functional arrangements or systematic organizations are designed to mask."[36] On the other hand, there is a second sense in which Foucault would have us understand subjugated knowledges. They are local knowledges, "disqualified as nonconceptual knowledges, as insufficiently elaborated knowledges: naïve knowledges, hierarchically inferior knowledges, knowledges that are below the required level of erudition or scientificity."[37] These subjugated knowledges in the second sense are identified as the knowledge possessed by the psychiatric patient, the ill person, the nurse, or the doctor.[38]

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[35] Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-1976*, trans. David Macey, ed. Mauro Bertani and Alessandro Fontana, English Series ed. Arnold I. Davidson (New York: Picador, 1997), 7.

[36] Ibid.

[37] Ibid.

[38] Ibid.

It may not strike us as at all strange that Foucault should be interested in what is known by the psychiatric patient or the ill person, or generally by those who are most obviously the subjects of potentially dominating relations of power. Their position may indeed allow them to understand the operation of power and its mechanisms and techniques better than those who approach "the disciplines" from the perspective of their scientific validity. What is perhaps most interesting, though, is that subjugated knowledges also include those of the nurse and the doctor. Here we should understand Foucault not as referring to medical knowledge, but to everyday practical knowledge, the nuanced proficiency with which these experts are able to navigate in their roles. Such practical knowledge may well be below the level of articulation on the part of the expert and be as revealing of the real mechanisms of power as the knowledge possessed by their patients.

All of these local forms of knowledge serve to dispel the idea that the concepts and practices we take for granted form a non-contradictory, unified system that rests on a foundation that is firmer than the historically contingent merging of once-distinct elements. Casting doubt on the existence of a legitimate foundation for our concepts and practices at the same time that they are exposed as historically contingent provides the conceptual release necessary for us to be able to call these concepts and practices into question.

But then we are left with a further question. What is the status of these subjugated knowledges or Foucault's own counter-discourse that invites us to focus on power/knowledge as a new axis of inquiry? Do they merely produce more historically contingent discourses? Yes. But why are we inclined to say that Foucault's genealogies "merely" produce another discourse?

> We must make allowance for the complex and unstable process whereby discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it.[39]

Foucault suggests here that we should assess the value of his contribution in terms of its success as a strategy of resistance. On this point, Foucault makes the provocative suggestion that "truth is in the future."[40] While of course his genealogies must be evaluated in terms of the truth of the empirical claims they make, their real significance as a contribution to discourse will lie in what we make of them, in the paths of resistance that they open up for us.

In this suggestion that genealogy, insofar as it produces a new discourse, may be able to change relations of power, we already implicitly run into a project that is more than merely descriptive. To be sure, there is an important descriptive element to Foucault's works in the exposure of the historical contingency of any particular power/knowledge regime. Characterizing Foucault's genealogies as *purely* descriptive would even have the benefit of avoiding several problems, e.g. that Foucault commits the genetic fallacy or that he undermines his own normative claims (since he wouldn't be making any). But a purely descriptive reading of the genealogies creates problems that are even more serious than those it seeks to avoid.

Taking Foucault's project to be one of pure description once again ignores the strategic element of his work. The critical project is already set up as at least the

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[39] Foucault, *The History of Sexuality Vol. 1*, 101.

[40] Michel Foucault, "Truth is in the Future" in *Foucault Live Interviews 1961-1984*, ed. Sylvère Lotringer (New York: Semiotext(e), 1996).

preliminary undertaking necessary for a project that is political in nature. Foucault wants to find "the connections that can be identified between mechanisms of coercion and elements of knowledge" in order to delegitimize the practices by which we constitute ourselves as subjects.[41] He wants to show us that these power/knowledge ensembles "are not at all obvious in the sense that whatever habits or routines may have made them familiar to us, whatever the blinding force of the power mechanisms they call into play or whatever justifications they may have developed, they were not made acceptable by any originally existing right."[42] The point of the kind of critique that exposes contingency is to make us skeptical of the assumptions on which our accepted practices rest in order to break the force of habit that binds us to them.

This questioning of assumptions is yet another form of critique that Foucault identifies in Kant's "Was Ist Aufklärung?" As Foucault interprets Kant's call to cast off our immaturity, Kant is invoking a notion of critique as "the movement by which the subject gives himself the right to question truth on its effects of power and question power on its discourses of truth."[43] But going well beyond Kant, Foucault will invert the further link between the critique of reason and the legitimacy of power. As Foucault reads Kant, it is "once one has gotten an adequate idea of one's own knowledge and its limits, that the principle of autonomy can be discovered. One will then no longer have to hear the *obey*; or rather, the *obey* will be founded on autonomy itself."[44] Putting these two Kantian ideas together, we see that Kant had the optimistic idea that reason and

[41] Foucault, "What is Critique?," 59.

[42] Ibid., 62.

[43] Ibid., 47.

[44] Ibid., 49.

autonomy can help combat illegitimate uses of power. However, for Foucault, the investigation into the conditions and the limits of our constitution as subjects yields the striking revelation that reason and autonomy themselves are not divorced from their historical contexts. Foucault thereby performs an immanent critique of critique itself, undermining our recourse to autonomy as a stable foundation from which to question effects of power. Indeed, Foucault turns the relationship between obedience and autonomy on its head, as his middle period genealogies show us the ways in which our modern autonomy is formed out of our obedience, rather than discovering that the 'obey' is founded on autonomy.

The Internal Criticism of Modern Autonomy

The autonomous subject founded on the principle of obedience is linked, for Foucault, to the Enlightenment, humanism, and the human sciences. The subject as understood in these traditions is at once transcendental – the condition of possibility for knowledge and meaning – and empirical – the object of a body of knowledge. Foucault intends to demonstrate that such a concept of the subject has led to new forms of domination, even as the humanist project sought liberation through the invocation of human rights. At first blush, it might seem that such a demonstration requires adopting a standpoint other than that presupposed by these traditions. And to be sure, one of the most important methodological maneuvers of both Foucault's descriptive and normative projects is to detranscendentalize the subject. In another Kantian reversal, rather than taking the subject to be the condition of possibility for knowledge, we must explore the historically variable conditions of possibility for being a subject. This is Foucault's aim in taking power/knowledge as his analytical grid.

A successful application of this methodological tool would enable us to see that the transcendental subject itself, instead of serving as a philosophically robust foundation, turns out to be another symptom of a particular power/knowledge regime. Yet, Béatrice Han argues that Foucault himself cannot escape the standpoint of the transcendental subject. Han's argument on this point is structurally identical to her argument, earlier examined, regarding the transcendental nature of power/knowledge. Subjectivation, she claims, always necessarily has the same form, even if its historical contents vary dramatically.[45]

As we saw in Chapter 2, Han is quite right that Foucault describes common schematic elements that highlight particular features of historical forms of subject formation. 'Subjectivation' refers to the general procedures involved in subject formation. These procedures involve picking out some aspect of the subject as the relevant "ethical substance" – that is, some part of the subject must be the focus of subject formation. One may focus on acts, desires, the movements of the soul, the intensity of feeling experienced, or any number of alternatives involved in the process of determining ethical conduct. There must also be a way in which the individual recognizes her obligation to behave in accordance with a broad ethical system (or narrow moral code). This may also take a variety of forms, from recognizing oneself to be part of an ethical community that adheres to certain standards to seeking to provide an example of a beautiful life for posterity. There is an "elaboration of ethical work" – that is, what one must do in order to be a subject of a particular ethical system. And finally, there is a "telos of the ethical subject" – that is, the reason for engaging in ethical

[45] Han's Reply to Gutting, 7.

conduct, whether that's in order to become master of oneself, in order to achieve tranquility of the soul, or in order to achieve salvation in an afterlife.[46]

But just as Han overstated the case for a metaphysical transcendental reading of the power/knowledge regime, so too does she overstate the case with respect to subjectivation. In spite of the specificity with which Foucault describes the formal elements of subject formation, they nevertheless maintain the status of abstractions from historically manifest particular cases. To say that subjectivation requires a relationship between the subject and truth or a process of recognition may appear more contentful than the description of an abstract power/knowledge that we encountered in Han's earlier argument. But we must not forget that just as there is not *one* power or *one* knowledge, there is not *one* truth or *one* recognition. In his later works describing the transformations involved in the relationship between the subject and truth, Foucault is explicit about the fact that they were accompanied by "the transformation of the notion of truth itself."[47] The concept and process of recognition is less explicitly discussed by Foucault, but it is similarly clear that the relevant notion changes from one power/knowledge regime to another, not only with respect to who is being recognized (a moral subject, a subject of true discourse, a subject of knowledge) but also in terms of whose recognition matters (that of the subject h/erself, h/er friends, h/er community at large). We should therefore

[46] Michel Foucault, *The History of Sexuality Vol. 2: The Use of Pleasure*, trans. Robert Hurley (New York: Vintage Books, 1990), 27-28.

[47] Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981-1982*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2005), 191.

treat this abstract process of subjectivation in the same way we treated power/knowledge: as a methodological lens rather than a substantive metaphysical entity.[48]

Han, however, has another significant worry. Foucault often employs language that we associate with the standpoint of a transcendental subject. Especially when discussing subject formation in an ethics of the care of the self, Foucault acknowledges the important roles of freedom and reflection. Nancy Fraser, too, worries that Foucault is tacitly employing such concepts in his normative evaluation of modernity even as he attempts to reject them.[49] Fraser worries that Foucault implicitly appeals to the values of what she has called "the standard modern liberal normative framework."[50] This framework conceives of power as operating top-down, emanating from a sovereign and being imposed on individuals. It respects the rights and dignity of the individual sovereignty of subjects, and it adopts definitions of 'freedom' and 'liberation' as the opposite of the terms 'domination' and 'repression'. The idea that domination and repression are abuses of power also indicates that this framework contains a distinction between legitimate and illegitimate uses of power.[51]

Foucault, of course, must reject some of what goes into the standard modern liberal normative framework as spelled out by Fraser, if only because he does not believe that power in late modernity operates in a top-down fashion. But of course, Han and Fraser are both correct that Foucault often sounds like he's invoking the values of this modern liberal framework. It is at this point that we must distinguish between two

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[48] More will be said on the topic of recognition as a transcendental condition for subject formation in Chapter 4.

[49] Fraser, *Unruly Practices*, 19.

[50] Ibid.

[51] Ibid., 18, 26, 30, and 32-33.

different modes of criticism offered by Foucault. Although he does not subscribe to the "standard modern liberal normative framework" as *the* normative framework of social criticism, this does not preclude the possibility of an internal critique of modern values. At least one of the projects of the genealogies is to convince us, we modern Western readers, that by our own lights there is something troubling about the ways in which we relate to ourselves as subjects. While Foucault's descriptive project releases us from the feeling that our concept of the subject is natural or necessary, that is not enough to suggest that we ought to change it. We need a further normative evaluation that leaves us dissatisfied with the ways in which we relate to ourselves as subjects. Internal criticism creates just this sense of dissatisfaction and further motivates us to adopt new modes of subject formation.

The work of internal criticism proceeds by revealing that we are not achieving our own aims. For example, Foucault shows us that the language of "liberation from repression" has led to unnoticed forms of domination. Foucault believes that we still view ourselves as the products of repressive Victorian ideals, especially around the subject of sexuality. Furthermore, we are tantalized in modern society by promises of liberation from this repression. Foucault would have us see that the problem of repression as *silence* is not really present in modern Western society. Rather, there is abundant discourse on sexuality and on this idea of repression itself. Indeed, as discussed in Chapter 2, it is gratifying for us to define the relationship between sex and power in terms of repression. Again, "the speaker's benefit" relies on the idea that as long as

sexuality is taboo, speaking about it gives one a taste of liberation; it provides a sense of freedom that is just enough to quench one's thirst for freedom.[52]

But what this abundance of speech encourages is a proliferation of knowledge about deviant sexualities. It allows people to be categorized by their sexual pleasures in a way that calls for a normalizing judgment. This is taken to an extreme in a discipline like psychoanalysis in which one's speech about one's own sexuality serves as a site for the hold of an authority figure who can judge one to be normal or abnormal. Though the uncovering of the truth of one's sexuality was intended to liberate the subject, what it succeeded in doing was creating an ordered society of individuals capable of being categorized and normalized.

This internal criticism demonstrates that our invocation of an opposition between repression and liberation has failed to produce our liberation. But Foucault's problem with modern Western society is not exactly that we aren't really liberated. The problem is that when we use binary oppositions such as that of repression vs. liberation, we mask the way in which power really operates, and thereby perpetuate the ways in which we are actually dominated under disciplinary power/knowledge regimes.

Some of the work of internal criticism, then, will proceed by describing the ways in which the operation of disciplinary power is at odds with modern liberal values. For example, the description of a panoptic disciplinary society offered in *Discipline and Punish* should already make us uncomfortable with the idea that, through self-surveillance, we have become our own prison guards. But perhaps more needs to be said about the sources of this discomfort. If we adopt something like the standard modern liberal normative framework, one might suppose that illegitimate uses of power are those

[52] Foucault, *The History of Sexuality, Vol. 1*, 6.

that impinge upon the individual sovereignty of human subjects. Lives that are subject to strict scrutiny and an extreme degree of control by an other are deemed oppressive. Only in the prison, when one has broken the social contract and is in need of rehabilitation, do we accept a seizure of liberty.

But the prison looks like the factory and the schoolhouse. Inmates of all of these institutions are monitored and subjected to strict schedules that limit unstructured time. They are designed in such a way as to limit opportunities for delinquent behavior. Any other goals are at best secondary to this one. In the factory, the goal of productivity is ensured by strict surveillance. But worse than this is what becomes of the liberal ideal of education. If the liberal ideal is to promote the use of reason, individual sovereignty, the ability to be a good citizen who serves as a check on government power, then these goals are wholly in conflict with the actual surveillance and control imposed on students.

This elaboration of the sources of our discomfort in reading *Discipline and Punish* may be helpful insofar as it demonstrates Foucault's use of internal critique; he shows us that we are failing to meet our own liberal goals. But at the same time, this elaboration already overanalyzes and intellectualizes the reaction Foucault is trying to provoke from his readers. Even if you don't have a robust philosophical account of liberal values at the forefront of your mind, it's enough for you to think, "Surely our schools ought not look like prisons."

But in fact, it seems that at least one philosophically robust notion of autonomy leads to the opposite conclusion, that there is nothing wrong in a disciplinary society. Nancy Fraser takes up and extends the Habermasian idea that the internalization of an authority figure is necessary for the development of autonomy. The image is that of the

child who internalizes h/er parents' rules and norms and then grows up to have the critical capacities to reflect upon and assess their validity.[53] In an extension of this view, Fraser argues that in a perfectly disciplined society, the internalized norms "would not be experienced as coming from without. The members of this society would, therefore, be autonomous."[54] In the discussion of schools that look like prisons, I already conceded that we think power is used illegitimately when we are controlled by an other. But on Fraser's description of a perfectly disciplined society, we are controlled only by ourselves, and, she thinks, there can be no problem with that. Fraser claims that we are only uncomfortable with Foucault's description of such a society because it is written in such a way as to invite the genetic fallacy.[55] So Fraser says, "if that's discipline, I'm for it."[56]

Several questions arise from Fraser's criticism of Foucault. Do his works commit the genetic fallacy? Are the specific norms internalized during the formation of autonomous subjects really irrelevant for our evaluation of autonomy? Why should we accept that with the internalization of any set of norms there comes a point at which the subject inevitably becomes critically reflective? Amy Allen addresses these questions in response to Fraser and Habermas.

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[53] See Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, MA: MIT Press, 1990).

[54] Fraser, *Unruly Practices*, 49.

[55] Ibid., 50.

[56] Ibid., 49.

Allen first points out, and we should keep in mind, that Foucault is not merely critical of the concept of autonomy.[57] Indeed, at times there is implicit praise for the Enlightenment even with its concept of autonomy because, as we saw at the beginning of this chapter, it has promoted the project of "a permanent critique of our historical era" – Foucault's very own project. What concerns Foucault is the way in which he views Enlightenment autonomy (which is more or less the model Habermas has in mind) as inextricably linked to disciplinary power. Foucault's criticism does not cut across all concepts of autonomy, and even relies upon the idea that "autonomy is made up of contingent practices with a specific history."[58]

Nevertheless, Foucault is obviously critical of certain aspects of disciplinary power, and we must therefore question the historically specific form of autonomy that has enabled that kind of power. And in performing this inquiry, he is accused of committing the genetic fallacy. The idea behind the genetic fallacy is that features relevant to the origin of a belief, practice, theory, etc. are wholly irrelevant to the evaluation of the truth, legitimacy, or value of that belief, practice, theory, etc. Allen, in refuting this criticism, draws upon oft-neglected literature that demonstrates that not all genetic arguments are fallacious. She makes an important distinction between structural and historical accounts of autonomy; "structural accounts focus solely on an individual's current capacities…historical accounts, by contrast, focus not only on an individual's capacities for critical reflection, but also on the process by which the individual came to have the

[57] Amy Allen, "The Entanglement of Power and Validity: Foucault and Critical Theory" in *Foucault and Philosophy*, ed. Timothy O'Leary and Christopher Falzon (Malden, MA: Wiley-Blackwell, 2010), 87.

[58] Ibid.

desires (motives, values, beliefs) that she has."[59] For example, on a historical account of autonomy, it would be a violation of autonomy to brainwash a person into holding a particular set of beliefs.[60] Where Foucault extends the historical account is in examining not only how we come to have the beliefs and desires that we do, but also how we come to have our very capacity for critical reflection.[61]

Here Allen spells out two perspectives by which one might come to question the process of acquiring the capacity for critical reflection as well as potential problems with each perspective. On the "internalist" approach, one "asks what the agent would think were she to reflect on that causal history" by which she came to acquire the capacity for autonomy.[62] If Foucault adopts this approach, then he merely reveals the connections between power and autonomy and leaves it up to his readers what to make of this. Without being prescriptive, the internalist approach would seek to show individuals by their own lights that there is something worth criticizing in the process by which they came to have their capacities for critical reflection. The concern regarding this approach is that autonomy could be so malformed as to lead us to endorse the historical conditions in which we are formed only because we "have been so thoroughly disciplined by them."[63] Allen ultimately rejects this perspective, though I think she is too hasty in doing so. We have already seen that there is an element of internal criticism in Foucault's works, and indeed, he must be seen as adopting the internalist perspective when he states,

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[59] Ibid., 89.

[60] Ibid., 90.

[61] Ibid.

[62] Ibid.

[63] Ibid., 91.

"It is important to say how a certain regime functions, what it consists in, and to prevent a whole series of manipulations and mystifications. But the choice has to be made by people themselves."[64]

Allen argues instead for an externalist reading of Foucault in which he would seek to demonstrate that, "when measured by standards that are external to the perspective of individual agents, the crucial role that disciplinary power plays in the formation of subjects renders their putative autonomy suspect."[65] In the externalist approach, a third-person perspective is taken in asking whether the process by which the agent acquired h/er autonomy is legitimate.[66] The problem with such an approach is that, external to the perspective of the agent, it is difficult to specify "the conditions that constrain autonomy without arbitrarily labeling as non-autonomous those whose beliefs, values, and forms of life with which we happen to disagree."[67] Although Allen endorses the externalist reading of Foucault, she stops short of discussing what alternative standards Foucault might be employing. Nancy Fraser would argue that this is because no such alternatives can be found in Foucault. As she says, "I find no clues in Foucault's writings as to what his alternative norms might be."

Gary Gutting is at least more charitable to Foucault in acknowledging that the rejection of the "technical terms of idealist philosophy" need not mean that Foucault cannot employ terms like 'freedom' and 'reflection' as "everyday features of human

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[64] Michel Foucault, "Interview with Michel Foucault" in *Power: The Essential Works of Michel Foucault 1954-1984 Vol. 3*, trans. Robert Hurley et al. (New York: The New Press, 2000), 294.

[65] Allen, "The Entanglement of Power and Validity," 91.

[66] Ibid., 90.

[67] Ibid., 90-91.

life."[68] So we need not choose between Han, who thinks Foucault does employ the technical terms of idealist philosophy, and Fraser, who cannot find an alternative use for these terms. Foucault is keenly sensitive to the changing senses of the concepts of 'self', 'freedom', 'reflection', 'truth', etc. His works are devoted to tracing the histories of these very concepts and their transformations. It would be most uncharitable indeed to presume that he imports modern Enlightenment concepts back into the ancient Greek care of the self rather than acknowledging the fact that terms like 'freedom' have different meanings in these different contexts. This is why Gutting reminds us that, "in their everyday sense, freedom and reflection do not imply Kantian (or Sartrean) autonomy" and thereby leaves us with the apt and clever "metaphysical equivalent to Freud's famous reminder that sometimes a cigar is just a cigar."[69]

Although it may appear that Foucault leaves no room for autonomy at all, in fact his works show us only that autonomy as conceived in the Enlightenment is a sham. This form of autonomy is understood as the freedom of the subject who is bound only by principles derived from the use of h/er own reason. The humanist tradition that has adopted it has, contrary to its aims, led to an increase of domination. What is needed, therefore, is a reconception of autonomy and the Enlightenment framework that supports it. We can precisify the terms of Foucault's criticism of modern autonomy by returning to the comparison we made in Chapter 2 between subjects of disciplinary power and subjects of an ethics of the care of the self. As Béatrice Han suggests, "the Greek

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[68] Gary Gutting, "Foucault's Critical Project," review of *Foucault's Critical Project*, by Béatrice Han, Notre Dame Philosophical Reviews, May 1, 2003, http://ndpr.nd.edu/news/23402-foucault-s-critical-project/.

[69] Gary Gutting, "Foucault, Hegel, and Philosophy" in *Foucault and Philosophy*, ed. Timothy O'Leary and Christopher Falzon (Malden, MA: Wiley-Blackwell, 2010), 33.

model… plays the role of a simpler first matrix from which to evaluate *a contrario* modernity."[70]

Thinking Differently

It is sometimes supposed that Foucault is most interested in preserving freedom in the sense of negative liberty. And indeed, he has even had occasion to characterize critique itself as "the art of not being governed quite so much."[71] However, I believe that when we identify the kind of freedom at stake in the criticism of disciplinary power, we ought to focus instead on Foucault's question of "how not to be governed *like that*."[72] The problem with disciplinary power regimes is not, or not only, that they govern too much. They also govern in such a way as to limit a positive conception of freedom that we have all but forgotten in favor of theories of human rights.[73] In his works on the ancient Greek care of the self, Foucault emphasizes that this ethics was geared toward self-mastery or skillful self-management. Highlighting the ways in which the care of the self enabled the skillful management of one's own life renders visible, by contrast, the degree to which this self-mastery is lacking in a disciplinary power/knowledge regime. Here we have something like a combination of what Allen calls the internalist and externalist readings of Foucault's criticism of our autonomy. On the externalist reading, Foucault offers up a concept of freedom that we don't often employ for the purpose of social criticism, so it is an alternative standard of evaluation. On the other hand, Foucault

[70] Han, *Foucault's Critical Project*, 10.

[71] Foucault, "What is Critique?," 45.

[72] Ibid., 44. Emphasis in original.

[73] Notably, there is even a debate in the human rights literature as to whether positive rights should count as human rights at all, which only highlights the point that it is not Foucault who overemphasizes negative liberty, but the humanist tradition that has forgotten the significance of positive liberty.

does not exactly argue in favor of this alternative understanding of freedom. Instead, he shows us what it would look like, and takes the internalist approach of allowing his readers to judge whether or not it is an attractive alternative. In the move from detaching us from our concept of the autonomous subject toward enabling us to think differently, Foucault shows us that disciplinary power/knowledge regimes preclude this type of freedom as self-management, but leaves it to us to decide if that lack is problematic.

Recalling the discussion of ancient Greek ethics from Chapter 2, we have already seen that this ethics did not take the form of a codified, universal set of principles by which everyone was expected to live. And what's more, it did not take the form of a set of prohibitions, but instead called for sincere contemplation in the areas of life in which one enjoyed the most liberty. For example, we might compare the moralization of sexuality in Christianity as a contrary model. Traditional Christian morality, we know, prescribes and prohibits specific sexual acts. Sex takes place within a heterosexual, monogamous marriage, and for the purpose of procreation. All else is sinful. In the ethics of the care of the self, the regulation of sexual activity was based on one's particular circumstances. There was no prohibition against sex between men, for example, but one had to consider carefully one's role in this arrangement in order to ensure that one was not being overly submissive and thereby sacrificing the self-mastery that was the ethical goal of one's life.[74] The virtue of abstention, too, depended on one's personal goals. The athlete might renounce sexual pleasure in order to divert his energies

[74] Foucault, *The Use of Pleasure*, 204-225.

into his athletic pursuits, but abstention was not a virtue per se.[75] With respect to the ethics of sexuality, the Greeks employed the term "*chrēsis aphrodisiōn,*" which "referred to the manner in which an individual *managed* his sexual activity, his way of *conducting* himself in such matters, the regimen he allowed himself or imposed on himself…"[76] Recalling from Chapter 1 Foucault's definition of government as involving the dual meaning of 'conduct', the significance of *chrēsis aphrodisiōn* becomes clear. Its crucial elements are self-government and self-direction – not the self-government that comes from internalizing the gaze of an authority figure or a set of precepts, but the self-government that comes from an examination of one's aims and consideration of the best means of achieving them.[77]

Because the care of the self required that individuals make a careful study of their own specific aims and direct their actions in accordance with these aims, it was necessary that one be prepared to face any number of situations. Especially trying were those situations that might drum up temptation or in which one might be most liable to act immoderately or in a way that was contrary to one's own goals.[78] The sense of freedom involved in this self-government, then, is contrasted not with heteronomy but with

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[75] Ibid., 20. Nietzsche makes a similar point in *On the Genealogy of Morals* 3.8. Even as the third essay of this work denounces asceticism as an unhealthy turning inward of the instinct to cruelty, he praises the "chastity" of philosophers and athletes:
"There is nothing in this of chastity from any kind of ascetic scruple or hatred of the senses…it is rather the will of their dominating instinct, at least during their periods of great pregnancy. Every artist knows what a harmful effect intercourse has in states of great spiritual tension and preparation; those with the greatest power and the surest instincts do not need to learn this by experience, by unfortunate experience – their "maternal" instinct ruthlessly disposes of all other stores and accumulations of energy, of animal vigor, for the benefit of the evolving work: the greater energy then *uses up* the lesser." Friedrich Nietzsche, "On the Genealogy of Morals" in *Basic Writings of Nietzsche*, trans. Walter Kaufmann (New York: The Modern Library, 2000), 3.8.

[76] Foucault, *The Use of Pleasure*, 53. My emphasis.

[77] Foucault, *The Hermeneutics of the Subject*, 222.

[78] Ibid., 184.

enslavement, being a slave to oneself.[79] One had to be master of oneself to such a degree as to face a variety of circumstances with unwavering commitment to one's goals. Here we arrive at the important notion of "*paraskeuē*":

> the equipping, the preparation of the subject and the soul so that they will be properly, necessarily, and sufficiently armed for whatever circumstance of life may arise. *Paraskeuē* is precisely what will make possible resistance to every impulse and temptation that may come from the external world. *Paraskeuē* is what will enable one both to achieve one's aim and to remain stable, settled on this aim, not letting oneself be swayed by anything.[80]

The most important notion of freedom, then, in an ethics of the care of the self was to build a kind of *savoir-faire*, the ability to manage oneself skillfully in practical matters and to tailor one's approach to the varying conditions of need, status, time, and any other mélange of circumstances.[81] It is for this reason that the ancient Greeks problematized food, drink, sexual activities, etc.[82] The concept of regimen was vital for the production of this positive notion of freedom as self-mastery and preparedness. Again, regimen is not a set "of universal and uniform rules," but "a treatise for adjusting one's behavior to fit the circumstances."[83]

This notion of autonomy as self-direction in accordance with one's aims can be better understood by examining Nietzsche's "sovereign individual." This "emancipated individual" is contrasted with those who have been made uniform, regular, and calculable by "the morality of mores," that is, through the laws and customs of society. The

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[79] Ibid.

[80] Ibid., 240.

[81] Foucault, *The Use of Pleasure*, 91.

[82] Ibid., 13.

[83] Ibid., 106.

sovereign individual is emancipated precisely in the same sense that Foucault's self-governing individual is free from being a slave to himself or to circumstance. Nietzsche goes as far as to say that the sovereign individual's "mastery over himself also necessarily gives him mastery over circumstances."[84] But the most striking claim made by Nietzsche on this point is that the sovereign individual is "autonomous and supramoral (for 'autonomous' and 'moral' are mutually exclusive)."[85] In an obvious jab at Kant, Nietzsche notes the paradox of a position that touts the self-directedness of individuals in accordance with a universal moral law. For one thing, the law one gives unto oneself one could just as easily revoke. But more to the point, in Kant's moral philosophy, the will that provides the moral law is a universal will. It is a wholly impersonal will, and for that reason, it cannot properly be called *self*-government. The "self" that is the individual is not represented in the willing.

For Foucault, a socially imposed, universal moral code cannot be derived from universal reason, and that is because reason itself is not universal. This claim is not the obvious quibble that there may be deviant cases of reason – for example, in mentally ill individuals or in children who have not yet developed fully rational capacities. It is a stronger claim that reason itself is not impervious to the effects of historical circumstance. Foucault speaks of wanting to know how it is that certain historical forms of reason came to present themselves as reason itself.[86] The thought behind statements

[84] Nietzsche, *On the Genealogy of Morals*, 2.2.

[85] Ibid.

[86] Foucault, "Interview with Michel Foucault," 286.

like this one must be that there can be no rational set of principles that does not reflect a historical set of values.[87]

This thought is in part why Foucault cannot simply accept a structural account of autonomy, as Habermas does. It matters how we come by our capacity for critical reflection. And this further rules out an avenue of resistance that is proposed in Kant's "Was Ist Aufklärung?" In this essay, Kant urges us to cast off the immaturity of obedience to an authority figure and instead to use our reason to decide what we will and will not do. Because Kant's subject is both transcendental and empirical, the transcendental use of reason is free of influence from social conditions and can provide its own criticism of these conditions. However, Foucault rejects this conception of the subject as yet another symptom of a particular, contingent power-knowledge regime. He therefore has no recourse to invoke an unblemished reason against that regime. Instead, Foucault will focus on the ways in which being an empirical subject has led to new forms of domination, and he will not accept the Kantian way out by the use of reason.

We have already seen, in Chapter 2, that disciplinary power thrives on the knowledge gained in the human sciences. Its most important mechanism is the examination, applied in a variety of contexts in order to gain detailed knowledge of individuals and their degree of deviation from what is considered the optimum. With ever-increasing refinement, disciplinary power intervenes in the everyday conduct of individuals and tells them how they ought to be and how they ought to behave. Even the institutions of the modern liberal democratic state have taken on a more calculated and reflective sense of government, in which there is a conscious and deliberate calculation of

[87] If anything at all can be ahistorical, it may simply be the capacity to say "no". But this capacity of brute refusal can be ahistorical precisely because it can be unprincipled.

the most efficient means of conducting, directing, and monitoring the individuals of its population.[88] Disciplinary power, therefore, deprives us of the control of our own lives that was encouraged in the ethics of the care of the self. To be sure, there is self-government in disciplinary societies, but it is not the self-government that comes from a careful examination of one's aims and consideration of the best means of achieving them. Self-government in disciplinary societies is perhaps more properly characterized as self-surveillance. It comes from internalizing the normalizing judgment of an authority figure. The lack of freedom as skillful self-management should be seen not only as a criticism of our institutions but of our very way of conceiving of ourselves as subjects. It is viewing the subject as an object of knowledge for the human sciences that allows disciplinary power to get a hold on us and take over the control of our every day lives.

It is important to realize that it is not only the lack of skillful self-management that makes disciplinary power potentially unappealing. For the ancient Greeks, there was a purpose to this skillful self-management. It was intended to give a particular style to your life. Individuals who are maximally free in the sense of skillful self-management will have what Foucault calls a "special brilliance," and this in virtue of the fact that there is a deliberate structure manifest in their actions.[89] It is the style of one's life that will allow others to recognize you as the particular individual that you are.

Foucault says nothing by way of argument that we need or even desire this kind of recognition our particularity. However, when we consider the ways in which we are recognized as individuals in disciplinary power, there does seem to be something importantly missing. Disciplinary power is depersonalizing. It substitutes individuation

[88] Foucault, *Society Must be Defended*, 165.

[89] Foucault, *The Use of Pleasure*, 62.

for individuality, "as the measurement of the individual that it presupposes is effected to the detriment of the respect of the individuals themselves."[90] Rather than encouraging the particularity of individual styles of living, disciplinary power individuates precisely in order to homogenize. It homogenizes by turning each individual into a "case" that is an object of knowledge and an object of power.[91] The individual is both recognized and lost because all of this measuring of aptitudes and capacities is intended to encourage people to reduce the gaps between themselves and the optimum. Giving the student a D is both a measure of their performance and a punishment for having not performed better. Individuals are made regular, calculable, and ideally, uniform. Here, we can return again to Nietzsche's sovereign individual who is distinguished from his society of calculable, regular, uniform individuals who are "like among like" – the sovereign individual is "like only to himself."[92] In a society in which everyone is encouraged to behave in more or less the same way, individuality actually becomes a bad thing; it means you're not like everyone else, you're not normal.

What is missing then, is recognition of the value of one's particularity. As subjects of the human sciences, individuals are recognized as particulars by a specific set of properties. These properties depend on context, but all share the feature of being some form of measurement of the degree of deviation from a norm. We can look again at the helpful examples of the school and the factory. In the school, you are the person who got the 64% or the 98% on the exam. In the factory, you are the person who exceeded or failed to meet the quota, and by such an amount. In disciplinary power, we are points on

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[90] Han, *Foucault's Critical Project,* 122.

[91] Foucault, *Discipline and Punish*, 191.

[92] Nietzsche, *On the Genealogy of Morals*, 2.2.

a graph and are recognized as the sum of our properties. But there is an important property for which we are not recognized in disciplinary power, a recognition of a property that comes close to the kind of idiosyncratic recognition that was valued in the ethics of the care of the self and possessed by Nietzsche's sovereign individual. What disciplinary power/knowledge regimes fail to recognize is precisely the property of being-more-than-the-sum-of-one's-properties.

Though Foucault does not advocate returning to anything like an ancient Greek way of life, it is important that his modern Western readers feel the attractive force of a redefined positive sense of freedom and the value of recognition. If Foucault's goal is to make us rethink our concept of autonomy, then we must also rethink the conceptual structures that support it. Since it is the human sciences that have bolstered the modern concept of autonomy, we would need to see that there is another way of conceiving of human existence. I submit that Foucault chose the ancient Greek ethics of the care of the self as his focus because, rather than relying on a science of the human being, it centered on an "aesthetics of existence."

As briefly mentioned in Chapter 2, Foucault uses the phrases "arts of existence" and "aesthetics of existence" to describe these "intentional and voluntary actions by which men not only set themselves rules of conduct but also seek to transform themselves, to change themselves in their singular being, and to make life into an oeuvre that carries certain aesthetic values and meets certain stylistic criteria."[93] In a well-known interview with Dreyfus and Rabinow, Foucault asks rather cryptically, "But couldn't everyone's life become a work of art? Why should the lamp or the house be an

[93] Foucault, *The Use of Pleasure*, 10-11.

art object but not our life?"[94] These puzzling statements have led to the wealth of speculation and criticism that surround Foucault's interest in an aesthetics of existence. Foucault does not specify what these "important stylistic criteria" are that we should set for ourselves, and one may get the sense that an aesthetics of existence is a narcissistic enterprise or a superficial self-styling. In order to discover what is valuable in the idea of an aesthetics of existence, we should inquire as to why we might want to look to *aesthetics* as a way of life at all.

Johanna Oksala, in her own work *Foucault on Freedom*, provides a survey of the literature on the aesthetics of existence. She concludes that

> Foucault's ethics-as-aesthetics...represents an attempt to seek ways of living and thinking that are transgressive in the extent to which, like a work of art, they are not simply the products of normalizing power. The target of these practices is not primarily the aesthetically impoverished forms of experience, but rather modes of normalization.[95]

While I agree with Oksala that Foucault uses the idea of an ethics of aesthetics as a foil to a normalizing ethics – such as that found in disciplinary power – I think we must be more careful in understanding how that is accomplished. It's not at all clear that works of art are inherently transgressive or even that they are not the products of normalizing power, as Oksala states. When one considers the extent to which the artworld is governed by experts, the artist's need to procure funding for h/er projects, etc., it seems that works of art may be just as subject to normalizing tendencies as is our own subjectivity. Oksala is right about the usefulness of an aesthetics of existence not because works of art are by nature transgressive, but because conceiving of our lives in artistic terms provides an

[94] Michel Foucault, "On the Genealogy of Ethics" in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 236.

[95] Johanna Oksala, *Foucault on Freedom* (Cambridge: Cambridge University Press, 2005), 167.

alternative to the perspective of the human sciences. As Foucault tells us in his own words:

> My idea is that it's not at all necessary to relate ethical problems to scientific knowledge. Among the cultural inventions of mankind there is a treasury of devices, techniques, ideas, procedures, and so on, that cannot exactly be reactivated but at least constitute, or help to constitute, a certain point of view which can be useful as a tool for analyzing what is going on now – and to change it.[96]

In this attempt to divorce ethical problems from scientific knowledge, Foucault's middle period genealogies already make the first step of provoking our dissatisfaction with the concept of the autonomous subject founded on the human sciences. The later works, with their focus on aesthetics of existence, then help us to think outside of that framework with which we have become disillusioned. An aesthetics of existence is not an inherently transgressive idea; rather, it is, as a matter of historical contingency, the perfect foil for the scientism we've inherited from the Enlightenment. Foucault describes his own motivation in these terms when he notes that, "recent liberation movements … need an ethics, but they cannot find any other ethics than an ethics founded on so-called scientific knowledge of what the self is, what desire is, what the unconscious is, and so on."[97]

To the extent that the aesthetics of existence provides a non-scientific way of conceptualizing the subject, it continues the work begun by the exposure of historical contingency – to divorce us from the concepts we take for granted and expand our freedom of imagination. But if the recognition enjoyed by individuals in an aesthetics of

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[96] Foucault, "On the Genealogy of Ethics," 236.

[97] Ibid., 231.

existence is attractive, then there is a transgressive quality to conceiving of one's life as a work of art that extends beyond mere imagination and enters the realm of conduct.

To be sure, Foucault himself may be guilty of having an overly romantic view of the transgressive power of art and the artist. But we need not accept a general assertion that art and artists are by nature transgressive in order to glean the more plausible message that the freedom of imagination, alone, is not enough to combat states of domination. Considering what Foucault has to say not only about the ancient Greek aesthetics of existence but also about the role of art and the artist in modernity,[98] we can see that adopting a style by which one can be recognized is an important part of the effort to expand the borders of our concepts of the subject and power. The following chapter will further explore this need for recognition in order to arrive at the conclusion that Foucauldian freedom combines elements of a social concept of freedom with what I will call a general "openness principle."

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[98] See for example, Foucault's discussion of Baudelaire on art and the artist in modernity in "What Is Enlightenment?," 49-51.

Chapter 4:
Social Freedom

Desiderata

Combining Foucault's criticism of Enlightenment autonomy with his concepts of power and domination reveals a desideratum for the concept of Foucauldian freedom. That is, a Foucauldian concept of freedom must not confine itself to freedom of imagination or any other capacity of the individual subject. This is because the term 'domination' that 'freedom' would oppose already refers to the concrete interactions of subjects. Foucault goes so far as to link freedom with ways of life in two of his, perhaps most cryptic, statements on the topic. Foucault describes a two-way relationship between ethics and freedom in which ethics is "a practice of freedom" and "freedom is the ontological condition of ethics."[1] In the essay in which these statements appear, Foucault is clear that he means 'ethics' in the sense of *ethos* – "a mode of being for the subject, along with a certain way of acting, a way visible to others."[2] This chapter should be understood as an attempt to answer the question, On what concept of freedom could a way of life be a practice of the freedom that is its very condition of possibility?

Any notion of freedom that is limited to a capacity of the subject – such as imagination or self-legislation – cannot serve as the condition of possibility for ethics as a way of life without reference to the ways in which those capacities are both formed and exercised. Instead, a Foucauldian concept of freedom must take into account the social and material conditions of its own realization. Although it may strike us as initially

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[1] Michel Foucault, "The Ethics of the Concern for the Self as a Practice of Freedom," in *Foucault Live,* trans. Phillis Aranov and Dan McGrawth, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 434 and 435.

[2] Ibid, 436.

obvious that domination must refer to such a state of affairs and not merely to subjective capacities, a similar opposing concept of freedom has not typically been the focus of, for example, the liberal philosophical tradition. From Locke, Hobbes, Kant, etc. we receive concepts of freedom that focus on subjective capacities while bracketing consideration of the conditions necessary for the exercise of these capacities.[3] To see both that this is the case and that it is problematic, we can turn for a moment to Axel Honneth who distinguishes among three kinds of freedom, which he labels 'negative', 'reflexive', and 'social'.[4]

Negative freedom is roughly characterized as a lack of external impediment to the realization of one's aims.[5] In such a concept of freedom, the subject is free as long as its actions can be regarded as a matter of individual choice.[6] The problem with such a concept of freedom is that it does not include any reference to the manner in which the individual comes to make h/er choice; "instead, the causality of an inner nature…guides the subject's actions and choices 'behind its back'."[7] Not only is it the case that any aim the subject chooses to pursue is a valid choice deserving of pursuit unhindered by external impediment, it is also the case that internal impediments (e.g. fear or a lack of clarity about one's own intentions) cannot count as restrictions on freedom.[8] Although it may sound at times as if Foucault endorses such a concept of negative freedom – as

[3] Axel Honneth, *Freedom's Right: The Social Foundation of Democratic Life*, trans. Joseph Ganahl (New York: Columbia University Press, 2014), Part 1.

[4] Ibid.

[5] Ibid., 21.

[6] Ibid., 24.

[7] Ibid., 28.

[8] Ibid., 22.

addressed in the previous chapter – such a concept must be insufficient for his purposes given his insights regarding the social formation of our aims and desires.

The concept of reflexive freedom attempts to solve one of the problems of negative freedom, namely, the lack of reference to the manner in which the subject comes to have the aims it does. Reflexive freedom focuses on "the subject's relationship-to-self; according to this notion, individuals are free if their actions are solely guided by their own intentions."[9] A reflexively free individual is able to distance h/erself from h/er own whims and impulses in order to pursue aims that are the deliberate choice of h/er will. One of the most influential versions of reflexive freedom is, of course, Kantian autonomy in which subjects are self-governing according to self-imposed laws. But reflexive freedom can also take a form more similar to what we saw of the ethics of the care of the self. That is to say, reflexive freedom can consist in self-realization through a careful process of deliberation regarding one's own aims.[10]

Although the last chapter spent much time on the freedom of the ethics of the care of the self, it was not to say that this is the kind of freedom that can oppose the concept of Foucauldian domination. Rather, Foucault's discussions of the care of the self provoke us to reconsider our relationship to self and the very meaning of autonomy, which Foucault believes to have been overwhelmingly received in a narrowly Kantian sense. Neither concept of reflexive freedom – as autonomy or self-realization – is robust enough to elude the insidious forms of domination that Foucault thinks still pervade the otherwise seemingly liberal character of modern social life. To understand the failures of reflexive freedom, we have only to inquire into the means of realizing it. Honneth reminds us that

[9] Ibid., 29.

[10] Ibid., 32-34.

subjects "can only achieve self-determination once institutional relations within social reality offer opportunities to achieve [their] aims."[11] Whichever notion of reflexive freedom is at stake, it will "stop short of the conditions that enable the exercise of freedom in the first place; they artificially bracket out the institutional circumstances and forms that are crucial for the successful completion of the process of reflection."[12] Contrary to a Kantian or Enlightenment concept of autonomy, 'freedom' as the term opposing 'domination' cannot remain isolated in the realm of reason or even the realm of imagination that we found to be a crucial element of freedom in the previous chapter. Concepts of freedom that focus solely on capacities of individual subjects ignore both the social conditions for realizing freedom in the world and the historically contextual and social formation of autonomy itself. An appropriate concept of freedom must take into account both of these social dimensions of the realization of freedom.

The idea that the autonomy of individual subjects must be understood as a capacity that is socially and historically formed has been taken up by a number of philosophers writing on Foucault. In particular, Amy Allen argues persuasively that Foucault takes issue only with the Enlightenment concept of autonomy but leaves room in his own thought for a revised version, which assumes instead "the impurity of practical reason, its embeddedness in contingent, historically specific practices, and its rootedness in relations of power."[13] Allen also helpfully reminds us that Foucault himself claims autonomy as a goal when he sets out to discover, "what is not or is no longer

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[11] Ibid., 35.

[12] Ibid., 40.

[13] Amy Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008), 65.

indispensible for the constitution of ourselves as autonomous subjects."[14] For all the criticism of Kantian autonomy discussed in the previous chapter, Foucault still seems to take *some* concept of autonomy to be the kind of freedom at stake when he uncovers hitherto unnoticed forms of domination.

Allen's description of what I previously called 'socially embedded autonomy' strips Kantianism of its subject-centered transcendentalism and acknowledges that subjects' capacities are culturally constituted. This socially embedded autonomy that is presupposed by Foucault, on Allen's account, amounts to a more modest statement that the subject has the capacities for critical reflection and deliberate self-transformation. The problem, though, is that this version of socially embedded autonomy cannot serve as the concept of freedom that would properly oppose the Foucauldian concept of domination. If socially embedded autonomy of this kind is presupposed, then it cannot be what's missing in states of domination unless states of domination strip us of this capacity or render it ineffective. But we can clearly see that this is not the case. In Foucault's descriptions of the operation of disciplinary power, critical reflection and self-transformation become the very tools of domination as subjects monitor and correct their own behavior. Since the capacities of critical reflection and self-transformation can be utilized differently in different social contexts (as we saw in the previous chapter), the freedom we are searching for cannot merely refer to these capacities of the subject and, instead, must include reference to the social conditions in which these capacities are formed and in which they are to be realized.

[14] Ibid., 64. Quotation from Michel Foucault, "What Is Enlightenment?" in *The Essential Foucault*, ed. Paul Rabinow and Nikolas Rose (New York: The New Press, 2003), 52.

Allen herself takes issue with the concept of socially embedded autonomy that she discovers in Foucault's works, but for reasons other than those just stated. For Allen, the problem lies not in the concept of freedom itself; rather, she makes note of a problem she finds in Foucault's overall characterization of socialization that has important ramifications for the concept of socially embedded autonomy. Allen's criticism, put simply, is that Foucault has an underdeveloped account of non-strategic interpersonal relationships and intersubjectivity (though, crucially, she acknowledges that Foucault does not deny the very possibility of such relationships).[15] With her criticism, Allen reinforces the idea that subjects are dependent upon each other for the realization of their freedom and calls for a supplement to Foucault's analyses of power that would more explicitly address reciprocal, cooperative relations of power. Where Allen looks to Habermas and an account of communicative action to supplement Foucault's analyses of power, I suggest that we turn instead to the Hegelian concept of recognition. Although Allen convincingly weaves together Foucauldian and Habermasian insights, I will argue that the concept of recognition will both address Allen's concerns about non-strategic interpersonal relationships and have the added benefit of filling in explanatory gaps in Foucault's account of power as constitutive of the subject.

In recent years, Axel Honneth and Fred Neuhouser have sought to clarify and expand Hegel's concept of mutual recognition as a condition of possibility for a "social concept of freedom."[16] As Honneth describes it, this neo-Hegelian concept of recognition incorporates into the concept of freedom itself the conditions necessary for its

[15] Allen, *The Politics of Our Selves,* 48.

[16] Honneth, *Freedom's Right*, 44.

realization.[17] These conditions include other subjects who can promote or thwart the realization of a subject's will as well as the social institutions that form the background against which subjects are intelligible to each other. As Neuhouser formulates the concept of social freedom, it is a quality that can be predicated of both human subjects and the institutions to which they belong. Freedom can be predicated of social institutions insofar as those institutions serve as the ground in which the process of socialization endows the subject with certain capacities *and* as the space in which freedom is to be realized.[18] In Hegel's terminology, institutions that adequately instill such capacities and thrive on the expression of the freedom of their members are deemed "rational."

The concept of recognition, then, incorporates both of the social dimensions of freedom found to be necessary for a Foucauldian concept of freedom, namely in the conditions for both forming an autonomous will and realizing that will in the world. Furthermore, because recognition has both an interpersonal and an institutional component, it is well suited to addressing the forms of domination that arise on these two levels. Finally, and most importantly, because social freedom can be predicated of both subjects and institutions, it can serve as the form of freedom that is both practiced in ethics as a way of life and that serves as an ontological condition of ethics. This is because, as we will see, in the social concept of freedom, subjects exercise their freedom by contributing to their community through the expression of their particular ways of being and free institutions are the condition for this type of freedom insofar as they foster

[17] Honneth, *Freedom's Right*, 40-47.

[18] Fred Neuhouser, *Foundations of Hegel's Social Theory: Actualizing Freedom* (Cambridge, MA: Harvard University Press, 2000), 6.

the formation and expression of these individual ways of being. However, much more needs to be said about what the concept of recognition is and how it augments our concept of autonomy into a concept of social freedom before we can see that it is a suitable supplement to Foucault's account of power.

The Ontological Concept of Recognition

It is important to distinguish at the fore two related concepts of recognition. On the one hand, the ontological concept of recognition takes relationships of mutual recognition to be constitutive of individual identity. On the other hand, the ethical concept of recognition serves as a normative guide by claiming that the subject's freedom is dependent on relationships of mutual recognition. It is the latter ethical concept to which we must turn in order to construct an account of freedom that coheres with Foucault's accounts of power and the subject. However, first exploring the ways in which Foucault, perhaps unwittingly, presupposes the ontological concept of recognition will better establish the foundation for incorporating elements of the ethical concept of recognition in a concept of Foucauldian freedom.

To recognize a person, in the sense inspired by Hegel, is to assert that the person has a particular quality and to positively evaluate the person for having said quality. On the ontological interpretation of recognition, these acts of recognition are constitutive of our being persons in the first place.[19] There are a few ways we can interpret the idea that recognition is constituting, and they mirror the senses in which Chapter 1 described power as constituting the subject. In the first place, recognition serves as a criterion for picking out the kind of entity we have in mind when we speak of persons. Because acts

[19] Heikki Ikäheimo, "Making the Best of What We Are: Recognition as an Ontological and Ethical Concept" in *The Philosophy of Recognition: Historical and Contemporary Perspectives*, ed. Hans-Christoph Schmidt am Busch and Christopher F. Zurn (New York: Lexington Books, 2010), 346.

of recognition invoke a set of evaluative criteria, they distinguish persons "from other beings that they otherwise resemble in that, unlike those beings, these beings organize, or experience their world as organized, by values and social norms."[20] As in the discussion of power in Chapter 1, we are here interested in discussing human subjects insofar as they are responsive to social norms. Since power and recognition are concepts that refer to the social interactions of human subjects, both can form the basis of a conceptual definition of the subject. Just as Chapter 1 provided a conceptual definition of the subject as the kind of thing that can be responsive to relations of power, so too can we define the very same subject as the kind of thing that can perform and be subject to acts of recognition.

The ontological concept of recognition also serves, for Hegel, as a transcendental condition for self-consciousness. Without encountering an Other, the subject would experience what Honneth calls "a delusion of omnipotence" – in which it believes that all of reality is a product of its own conscious activity – as well as failing to conceive of itself as a member of a genus.[21] When the subject encounters another consciousness, both perform two acts of negation, on the Other and on themselves. I take this statement to mean roughly that each subject takes the Other to be an object, and in light of the realization that the Other has taken it to be an object, the subject objectifies itself as well. In this reciprocal relationship of negation and self-negation, both subjects gain a new facet of self-consciousness, which might be likened to what Sartre called "being-for-others." The subject comes to understand itself not as the omnipotent, world-creating consciousness it had previously been, but also as an object for the Other who is

[20] Ibid., 346.

[21] Axel Honneth, *The I in We: Studies in the Theory of Recognition*, trans. Joseph Ganahl (Malden, MA: Polity Press, 2012), 12.

recognized as another self-consciousness. In order to overcome the feeling of alienation from self that accompanies recognition of oneself as an object for the Other, the subject must reidentify with the consciousness of the Other. It is through their self-negating acts that the subject and the Other can encounter each other without viewing each other as mere objects.[22] Though Hegel's *Phenomenology of Spirit* is complex and metaphysically laden, there is an aspect of this thought that self-consciousness is dependent on recognition by the Other that we can appropriate on Foucault's behalf in addressing the following objection.

As noted in the previous chapter, Béatrice Han takes issue with Foucault's (albeit infrequent) use of the term 'recognition', in particular with the fact that he only uses the term to speak of a subject recognizing *itself* as thus and so. For example, in *The History of Sexuality Vol. 2*, Foucault describes the ways in which individuals came to recognize themselves as subjects of a sexuality linked to a system of rules and constraints,[23] and he describes his own methodological shift toward an analysis of the subject in terms of a search for "the forms and modalities of the relation to self by which the individual constitutes and recognizes itself *qua* subject."[24] Han generalizes this way of speaking in claiming that "recognition does not take place between two consciousnesses for Foucault, but from self to self."[25] If Han is correct that recognition, on Foucault's account, is limited to self-recognition, then she has identified a genuine problem with that account.

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[22] Ibid., 15.

[23] Michel Foucault, *The History of Sexuality Vol. 2: The Use of Pleasure*, trans. Robert Hurley, (New York: Vintage Books, 1990), 4.

[24] Ibid., 6.

[25] Béatrice Han, *Foucault's Critical Project: Between the Transcendental and the Historical*, trans. Edward Pile (Stanford: Stanford University Press, 2002), 163.

This way of formulating recognition as a relation to self, rather than a relation to others, entails that the formation of a subject's identity is undertaken freely by the subject itself.[26] Such an idea would signify a radical break with Foucault's middle period genealogical works – in which the subject is constituted socially within relations of power – by instead claiming that the subject is constituted by its own reflective choices.[27] Although I earlier argued that this is a false dichotomy, Han's claim that self-recognition makes *no* reference to an Other or to a social context would be incompatible even with the idea that we can reflectively constitute ourselves within the conceptual boundaries established by power, for 'power' itself already refers to a shared social context.

However, there are passages within the same work, *The History of Sexuality Vol. 2*, that complicate the idea of self-recognition. Rather than characterizing self-recognition as a freely chosen act on the part of the subject, Foucault speaks of subjects who "are *obliged*" to recognize themselves within various forms of sexuality[28] and of practices by which "individuals *were led*…to recognize… themselves…as subjects of desire."[29] He describes the project of the second volume of *The History of Sexuality* in terms of determining "how, for centuries, Western man *had been brought* to recognize himself as a subject of desire."[30] Such formulations implicate an Other, even in the relationship of self-recognition. To whom or to what are subjects obliged to recognize

[26] Ibid., 164.

[27] Ibid., 163.

[28] Foucault, *The Use of Pleasure*, 4. My emphasis.

[29] Ibid., 5. My emphasis.

[30] Ibid., 6. My emphasis.

themselves in various ways? By whom or by what were subjects led or brought to their self-recognition?

No doubt "power" is the Foucauldian answer to such questions, but we must further explicate the concept of power in the context of this discussion of recognition. As discussed in Chapter 1, power plays the psychological role of attaching an individual to h/er identity and the epistemological role of allowing individuals to be intelligible to each other. It was through the concept of problematization that we first encountered this idea that the subject is encouraged to examine, decipher, and recognize its own identity with respect to particular features (e.g. desire, sexuality, deviance, etc.). The problematizations by which we come to understand ourselves are the product of relations between power and knowledge in society. An act of self-recognition, as an act that affirms an aspect of one's identity, should therefore be understood as the result of power relations and problematizations that have led to the formation of that identity.

But to speak of relations of power already reminds us that we are never detached, isolated individuals; instead, we are always already embedded in a continual process of socialization. While Foucault's methodological appeal to anonymous power is helpful insofar as it puts the subject in the position of explanandum rather than explanans, it is also misleading insofar as a regime of power can only be sustained by the actions of individuals. We must recall that power emerges in interactions – among individuals or between individuals and social institutions – in which actions are motivated by appeal to prevalent norms and values of a particular society. Acts of recognition, then, are a species of power relation that encourage the expression of certain qualities in individuals. An act of self-recognition, which references prevailing norms and values, must be

parasitic on these prior acts of social recognition and the evaluative concepts of the historical a priori that enable those prior acts. Foucault notes as much when he says that even acts of self-constitution must occur within a social context.[31] Hegel's insight that recognition by the Other is a transcendental condition for the possibility of self-consciousness can be modified here to claim that recognition by the other is a condition for the possibility of the relationship of self to self that defines the subject.[32] Insofar as we are able sustain ourselves as subjects at all, we must be engaged in acts of recognition; in the context of discussing Hegel's theory, Axel Honneth refers to this fact as an "ontological need" for recognition.[33]

Although self-recognition is not the problem that Han makes it out to be, to claim that Foucault unwittingly presupposes an "ontological need" for recognition may raise problems of its own. Han asserts that Foucault's work "remains haunted by a pseudo-transcendental understanding of the subject, in which the structure of recognition, although experiencing different historical contents, nonetheless appears to function *in itself* as an unthematized *a priori*."[34] It's important to unpack Han's claim carefully. The implication here seems to be that because the *structure* of recognition is "an unthematized *a priori,*" Foucault cannot escape the standpoint of the transcendental subject – the very standpoint he sought to move away from by analyzing the constitution of the subject by power. But the crucial point that she concedes is that the "contents" of recognition are historically variable. As discussed in Chapters 2 and 3, the relationship of

[31] Foucault, "The Ethics of the Concern for the Self as a Practice of Freedom," 440-441.

[32] Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981-1982*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2005), 230 and 236.

[33] Honneth, *The I in We*, 13.

[34] Han, *Foucault's Critical Project,* 187.

self to self that forms the subject is constituted differently in different power/knowledge regimes according to different problematizations. In more than a trivial sense, subjects constituted within the ancient Greek care of the self are not the same subjects constituted according to the modern liberal tradition with its concept of autonomy inherited from the Enlightenment. It is not merely the self-conception of the subject that changes, but the relationship to self that *makes the subject what it is* that varies across these historical epochs. Foucault need not remove all traces of the transcendental in order to remain self-consistent; instead, his starting point must never be that of the transcendental subject. Even with the basic structure of recognition serving as a transcendental condition for being a subject of any kind, the subject remains in the position of that which is to be explained. As was the case in the previous chapter's discussion of power/knowledge, here we should understand that, for Foucault, the concept of recognition can provide a lens through which one can examine the historically particular conditions of subject formation.

While Hegel's original concept of recognition as the transcendental condition for self-consciousness is helpful in clarifying the nature of self-recognition, it is also transcendental in much stronger a sense than we need attribute to Foucault. In fact, Axel Honneth argues for the contemporary relevance of Hegel's theory of recognition by linking it to empirical research on the psychological development of the subject through object relations theory.[35] Although Foucault may be suspicious of even this maneuver, – embroiled as it is in many of the dubious anthropological commitments of the human sciences – nevertheless Honneth drives home the point that Hegel's theory can be

[35] See for example, Honneth, *The I in We*, Chapter 11 and Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts*, trans. Joel Anderson (Cambridge, MA: MIT Press, 1995), 68 and Chapter 4.

detranscendentalized, and he demonstrates the relevance of this theory in a contemporary Western historical context.

Amy Allen argues that Foucault historicizes Kant by replacing the categories with the historical a priori and that, in doing so, Foucault becomes much more Hegelian than Kantian.[36] I would here extend Allen's argument to say that much of the remaining Hegelian metaphysics can be historicized in order to better complement Foucault's analyses of power and the subject. For example, it is consistent with both Hegel's account of recognition and Foucault's descriptions of subject formation to say that, "recognition makes what it affects the kinds of beings they essentially are. In other words, somehow, through recognition new kinds of entities come into being."[37] But For Foucault, the entities (the subjects) produced through acts of recognition are historically variable. Once we understand the background values and norms by which we are recognized to be historically variable, we leave behind a problematically transcendental concept of the world-constituting subject and can instead focus on how the subject is constituted through acts of recognition.

As noted above and in Chapter 1, there is an important psychological component to the constitution of the subject by power. Although for Hegel the concept of recognition plays a fundamental metaphysical role in his philosophy of mind, so too does this concept play a psychological role as recognition provides the social feedback that helps to form our practical identities. The psychological constitution of the subject through acts of recognition becomes all the more apparent when examined in the context of Foucault's historicized account of subject formation as the creation of a relationship of

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[36] Allen, *The Politics of Our Selves*, 32 note 43.

[37] Ikäheimo, "Making the Best of What We Are," 344.

self to self. As Axel Honneth describes Hegel's use of the concept, recognition encourages the adoption of a self-conception by allowing the subject to identify with its own qualities.[38] This recognition can be bestowed upon the subject by other individuals or by institutions (e.g. in the recognition of the legal status of a person with various rights granted on the basis of that institutional status). According to Hegel, there are three major social institutions in which relationships of mutual recognition constitute some aspect of the subject's identity, both as a self-conception and as perceived by others. These institutions are the family, civil society, and the state. As Neuhouser succinctly describes,

> Through their participation in civil society and the family, individuals develop and express identities as distinct human beings and acquire and pursue specific interests that distinguish them from other members of society. As citizens of the state, on the other hand, individuals attain a universal existence in the sense that they gain an identity that is shared with all other citizens and learn to discern and be moved by the best interest of the whole, even though this may conflict with some interest they have by virtue of their particular positions within civil society or the situations of their own particular families.[39]

For our purposes, the details of Hegel's specific accounts of each of these institutions is not as important as the more general idea that the subject's identity is formed through interactions with other subjects within these institutions.

As we have seen, rather than praise these social institutions as that which creates and sustains our subjectivity, Foucault provokes us to be mistrustful of the ways in which we are constituted. These Foucauldian insights provide a valuable source of criticism for traditional recognition theory as well as potential problems in reconciling that theory with

[38] Honneth, *The I in We*, 75 and 81.

[39] Neuhouser, *Foundations of Hegel's Social Theory*, 43.

Foucault's more radical statements about detachment from dominating subjection. We must see, first, how recognition theory has associated the formation of our identities within social institutions with varieties of freedom enjoyed by subjects so formed. We will then be in a position to see how Foucault's accounts of power and subject formation complicate this picture of recognition as a wholly beneficial phenomenon. The terms of this debate can be well established by looking at the works of Axel Honneth and Judith Butler as representative of its two sides.

The Ethics of Recognition

Freedom and Identity

Hegel's concept of ethical life, to which Neuhouser and Honneth refer as "social freedom," is defined by Hegel as being with oneself in an other.[40] Although this formulation of the concept may seem puzzling, it is the key to understanding the relationship between individual identity and the community as a whole that enables the concept of social freedom to take its own conditions of possibility into account. Roughly, this idea of being with oneself in another amounts to a relationship of identification. In interpersonal relationships, one must be able to identify with other subjects in order to cultivate noninstrumental relationships that render the Other an extension of oneself rather than a threat to one's own freedom.[41] Recognition of one's particular identity in relationships of cooperation and the endorsement of mutual ends are necessary for the realization of the freedom of self-determination. On the level of the broader social order, recognition of one's universal status as an equal member of the community is necessary

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[40] G.W.F. Hegel, *Elements of the Philosophy of Right*, trans. H.B. Nisbet, ed. Allen Wood (Cambridge: Cambridge University Press, 1991), §7 Addition.

[41] A similar description of our "noninstrumental attachments" can be found in Neuhouser, *Foundations of Hegel's Social Theory,* 13.

for political freedom. One must be able to identify with the social institutions of which one is a member in order to endorse them as the products of one's own will.[42] In *Elements of Philosophy of Right*, Hegel details how such identifications take place within institutions of modern Western societies. However, for the purpose of providing a plausible normative supplement to Foucault's account of power, such details are not necessary or even desirable, as they risk slipping into context-transcendent claims about the structure of recognition and social freedom. Rather than determining how existing institutions may or may not realize the ideal of social freedom,[43] we should focus instead on clarifying the concept of social freedom itself and the ways in which it complements Foucault's investigations into the operation of power. Three features of social freedom are especially attractive from a Foucauldian standpoint.

The first point is practical – that social freedom is attractive not merely from the point of view of Foucault's analyses of power, but from the standpoint of a member of a modern Western society as well. It is important to see that social freedom is a realistic alternative concept within the live options that we might be able to endorse. Foucault is sensitive to the fact that through the process of socialization we become habituated to the operative concepts of our specific historical context and that our historical a priori sets limits on what is conceivable for us.[44] The very fact that power operates differently in different historical contexts implies that different strategies of resistance will be necessary in these contexts; as we saw with Foucault's interest in the arts of existence,

[42] Neuhouser, *Foundations of Hegel's Social Theory*, 6.

[43] In their own ways, both Neuhouser and Honneth have done considerable work along these lines. See Honneth, *Freedom's Right* and Neuhouser, *Foundation of Hegel's Social Theory*.

[44] Allen *The Politics of Our Selves*, 32-35.

resistance requires finding a conceptual schema that can appropriately oppose the concepts that serve domination in a particular society. The concept of social freedom is appropriate to a disciplinary context because it affords the subject recognition of h/er particularity. It is within our grasp because it relies on already familiar concepts of freedom. As Foucault notes, "it is part of the function of memory and culture to be able to reactualize any objects whatever that have already featured. Repetition is always possible; repetition with application, transformation."[45]

We have seen that Foucault believes we have inherited a Kantian concept of autonomy that focuses too much on a single concept of freedom as the freedom of the universal will, and this to the exclusion of concepts of freedom that allow for individual self-expression. What makes Hegel's concept of social freedom a plausible candidate for our endorsement is that it does not force a substitution of some wholly other form of freedom in the place of Kantian autonomy. Rather, Hegel's concept contains within itself three distinct notions of freedom so that individuals will still be afforded to some degree the freedom of non-interference, the freedom of self-determination and autonomy, and finally, the freedom of identification with an overarching social structure that gives birth to and allows them to express their particular identities. Because Hegel's concept of social freedom is an expansion of, rather than a replacement for, the Kantian concept of autonomy, it is the more likely that we modern Western readers will be able to perform a repetition with transformation of the latter concept in order to take social freedom on board.

[45] Michel Foucault, "Critical Theory/Intellectual History" in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*, trans. Alan Sheridan et al., ed. Lawrence D. Kritzman (New York: Routledge, 1990), 45.

The second attractive feature of social freedom – with its focus on recognition as constitutive of our identities – is that it can play an explanatory role in Foucault's own accounts of subject formation. Hegel claims, and Honneth empirically supports the idea, that the attainment of political freedom is dependent upon the freedom and successful identity formation of subjects within other primary institutional structures. From a psychological standpoint, Honneth demonstrates that "only the feeling of having the particular nature of one's urges fundamentally recognized and affirmed can allow one to develop the degree of basic self-confidence that renders one capable of participating, with equal rights, in political will-formation."[46] That is to say, on a practical level, the recognition gained in interpersonal relationships is a prerequisite to participation in the political arena; therefore, the whole of the social institutions present in a community must provide opportunities for this recognition and affirmation of particularity. Furthermore, Heikki Ikäheimo establishes the interdependence of these forms of recognition and their corresponding modes of freedom on the conceptual level. On his account, in order to be institutionally recognized, one must first be recognized interpersonally because, as he puts it, "there is no collective norm administration without the administrators forming a 'we' or collective coauthority by taking each other as coauthors and thereby attributing each other this status."[47] In other words, to be a person in the institutional sense of having rights is dependent on a prior interpersonal recognition of the subject as a legitimate "coauthority" for social and political determination because the recognition of

[46] Honneth, *The Struggle for Recognition*, 38.

[47] Ikäheimo, "Making the Best of What We Are," 349.

such coauthorities is itself a necessary condition for the very practice of the collective administration of norms.[48]

What is particularly interesting about these observations from Honneth and Ikäheimo is that they find expression in Foucault's description of his own methodology as he says, "one must analyze institutions from the standpoint of power relations, rather than vice versa, and that the fundamental point of anchorage of the relationships, even if they are embodied and crystallized in an institution, is to be found outside the institution."[49] Foucault's claims, addressed in Chapter 1, about the nature of power on the interpersonal and institutional levels are supported by the empirical and conceptual orders of priority established by Honneth and Ikäheimo. Recall that Chapter 1 described a kind of feedback loop between the localized and isolated relations of power between individuals and those discernible patterns of power that become systematized in institutions.[50] What Ikäheimo provides through his interpretation of Hegel's theory of recognition is an explanation of the mechanism by which this feedback loop becomes established and self-perpetuating.

Finally, and relatedly, the acknowledgment of the interdependence of forms of recognition and forms of freedom helps to ensure that the ideal of freedom considers all facets of social life – even those within which individuals act as particulars – because this concept of freedom does not confine itself to the universal freedom of Kantian autonomy earlier criticized for giving insufficient expression to the particular self. It has already

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[48] Ibid., 350.

[49] Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 222.

[50] Michel Foucault, *The History of Sexuality: Vol. 1*, trans. Robert Hurley (New York: Vintage Books, 1990), 99.

been implied that Hegel describes a variety of ways in which an individual can be recognized, each of which produces a different facet of the individual's identity. In particular, Hegel describes the formation of particular practical identities on the one hand, and universal identities – as say, a citizen or a person with equality under the law – on the other. In the formation of identity through recognition, Hegel can provide a more solid theoretical foundation for Foucault's remark about the varieties of self-relation that constitute one and the same individual as a political subject that is different from the subject who seeks to fulfill its sexual desires.[51] At the same time, Foucault's descriptions of the classification and individuation of subjects expand Hegel's own insights beyond the consideration of identity formation in ideal modern institutions. For example, Foucault's analysis of the ancient Greek care of the self includes not only the idea of creating an identity by which one can be recognized (in the Hegelian sense of 'affirmed'), but also the idea that the identity so cultivated will tie one to certain obligations within the community. The care of the self requires cultivating an *ethos* that "is also a way of caring for others…*Ethos* also implies a relationship with others, insofar as the care of the self enables one to occupy his rightful position in the city, the community, or interpersonal relationships."[52] By observing the different ways in which recognition operates in different historical contexts, Foucault demonstrates the variety of ways in which the particular and universal identities of individuals interact and inform one another.

[51] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," 440.

[52] Ibid., 437.

Many scholars have noted the potential tension between the subject qua particular individual and the subject qua universal moral and legal individual.[53] But this potential tension was not lost on Hegel. On the contrary, the different kinds of identities formed in the different institutions of recognition are the keys to solving the "problem of freedom" that arises from this tension.[54] According to Neuhouser "individuals can be brought to will and work freely for the collective good of the social groups to which they belong, insofar as doing so is at the same time a way of giving expression to a particular identity that they take to be central to who they are."[55] Honneth, too, describes the relationship between particular and universal identities as one in which "subjects with equal rights could mutually recognize their individual particularity by contributing, in their own ways, to the reproduction of the community's identity."[56]

But, as was known to Hegel, this characterization of the relationship between the individual and the institutions of the state is one-sided and insufficient to guarantee social freedom. Consider the relationship between the individual and social institutions in disciplinary power. In such a regime, individuals maintain disciplinary social institutions whether they conform to them or deviate from them. Indeed, the insidiousness of disciplinary power is that it thrives on what is phenomenologically experienced as deviance. The rebellious student only serves to reinforce the standards and hierarchies

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[53] Charles Taylor, *Multiculturalism and "The Politics of Recognition": An Essay* (Princeton: Princeton University Press, 1992) as cited in Ludwig Siep, "Recognition in Hegel's *Phenomenology of Spirit* and Contemporary Practical Philosophy" in *The Philosophy of Recognition: Historical and Contemporary Perspectives*, ed. Hans-Christoph Schmidt am Busch and Christopher F. Zurn (New York: Lexington Books, 2010), 119.

[54] Neuhouser, *Foundations of Hegel's Social Theory*, 13.

[55] Ibid.

[56] Honneth, *The Struggle for Recognition*, 90.

established by disciplinary power insofar as she still finds a place within that hierarchy, rather than questioning the very system of grades, attendance, pedagogical goals, etc. Social freedom, then, cannot be gained solely by the maintenance of social institutions. Rather, the institutions themselves must foster socialization in such a way as to provide recognition of the particularity of their individual members. As discussed at the end of Chapter 3, disciplinary institutions do not provide this recognition; they are designed to encourage conformity, to homogenize by measuring and reducing the gaps between individuals, to individuate rather than individualize. Hence, the interdependence of forms of recognition and forms of freedom becomes crucial insofar as it places a constraint on the kinds of institutions that will count as free and rational. Disciplinary institutions are criticizable from within a Hegelian framework on the grounds that they provide insufficient means of expression for subjects in their particularity.

Given that recognition theory is able to address at least some of the concerns raised by Foucault's analysis of disciplinary power, it seems that we are left with a rosy picture of recognition in which individuals are assured of their freedom through participation in free, rational institutions. Indeed, Hegel has been criticized as merely attempting to justify the status quo through a demonstration that the institutions of his own society in 19th-century Europe were in fact rational. However, by the very attempt to overcome the potential tension between particular and universal identities, Hegel admits the possible failure of social institutions to guarantee the successful recognition that would produce subjects who are fully socially free. Modern scholars such as Neuhouser and Honneth therefore take up the normative implications of Hegel's social

theory as a useful toolset for social criticism.[57] For example, Honneth discusses the ways in which the disastrous emotional consequences of failures of recognition can motivate social movements.[58] Interestingly, Foucault seems to acknowledge the same motivational force of failures of recognition as he notes the "series of oppositions which have developed over the last few years: opposition to the power of men over women, of parents over children, of psychiatry over the mentally ill, of medicine over the population, of administration over the ways people live."[59] What is noteworthy about Foucault's descriptions of such oppositions is that, without using the term, he clearly views them as struggles for recognition:

> They are struggles which question the status of the individual: on the one hand, they assert the right to be different and they underline everything which makes individuals truly individual. On the other hand, they attack everything which separates the individual, breaks his links with others, splits up community life, forces the individual back on himself and ties him to his own identity in a constraining way.[60]

In this passage, Foucault is describing the tension between the recognition of the particularity of the subject and the recognition of that subject as a valid and equal participant in the community – the very tension the concept of social freedom seeks to ease.

While Honneth focuses on the ways in which the feeling of failures of recognition can be motivating, Hegel's *Philosophy of Right*, to the contrary, intended to demonstrate

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[57] Neuhouser, *Foundations of Hegel's Social Theory*, 8. And Honneth, *Freedom's Right*, 8.

[58] Honneth, *The Struggle for Recognition*, Chapters 6 and 8.

[59] Foucault, "The Subject and Power," 211.

[60] Ibid., 211-212.

that the subjective sense that one is unfree may in fact be due to a limited understanding of what freedom ought to entail. Fred Neuhouser clearly articulates the distinction between subjective and objective freedom found in Hegel's work and, like Honneth, believes that a subjective lack of freedom can provide clues about defects in our social institutions. For social freedom to be actualized, it must contain both the objective component, "rational laws and institutions must furnish the basic social conditions necessary for realizing the freedom (in a variety of senses) of all individuals" and the subjective component, "it must be possible for all social members to affirm those freedom-realizing laws and institutions as good and thus to regard the principles that govern their social participation as coming from their own wills."[61]

With this distinction in mind, it seems that Foucault's aim is quite the opposite of Hegel's. If we characterize Foucault's project in these Hegelian terms, we can see that rather than hoping to demonstrate the rationality of modern social institutions and thereby reconcile us to them, Foucault seeks to prompt our dissatisfaction with our social institutions in the hope that we will no longer feel ourselves to be free once we fully grasp the meaning of social freedom. Just as Hegel had to redefine freedom in order to attempt the demonstration of our objective freedom, Foucault has to redefine freedom to demonstrate our objective domination. As earlier noted, disciplinary power allows us all the freedom of reflection, deliberation, and self-transformation that a reflexive concept of freedom would prescribe. It is only by redefining freedom as social freedom that we can see that recognition of the particularity of the individual is lacking in disciplinary power/knowledge regimes.

[61] Neuhouser, *Foundations of Hegel's Social Theory*, 6.

Thus far we have seen several reasons to think that the concept of social freedom with its emphasis on recognition is preferable to a concept of freedom as Kantian autonomy. The concept of social freedom considers the conditions necessary for its own actualization, and it takes seriously the ontological need for recognition as requisite for being a subject. But there is a further aspect of this concept that speaks in its favor. Recall that at the end of Chapter 3, I argued that Foucault leaves it to us his readers to decide whether it is problematic that disciplinary power denies recognition of the subject's particularity. Although he is not prescriptive, it is undeniable that Foucault's descriptions of the operation of disciplinary power are designed to make us feel, at the very least, uncomfortable. With the concept of social freedom, we are able to articulate the source of our discomfort at the thought that we are being made regular, calculable, like among like. That is because social freedom takes seriously another kind of need for recognition beyond the ontological. Neuhouser calls this "a spiritual need" that human individuals have "to experience themselves as belonging integrally to a greater social reality, a reality whose significance and being transcend their own particular projects and finite life span."[62] Although Foucault would be unlikely to endorse the idea that this is a *spiritual* need (for such a term is too metaphysically loaded), we can easily move away from that descriptor to claim instead that it is a psychological need, perhaps even a need that arose historically but of which we cannot now rid ourselves.[63]

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[62] Ibid., 16.

[63] On this point, Foucault might endorse something like the Nietzschean idea that there can be genuine human needs that are nevertheless historically constituted. In particular, Nietzsche mentions a need for meaning for our suffering as a "new need" in Friedrich Nietzsche, *The Gay Science*, trans. Walter Kaufmann. (New York: Vintage Books, 1974), §1.

Recognition as Domination

Though social freedom and the need for recognition can play important explanatory and normative roles as supplements to Foucault's account of power, it is this spiritual or psychological need for recognition that is at the same time the basis for a line of criticism of recognition theory. Judith Butler poses a deep challenge to the project of integrating recognition theory into a Foucauldian concept of freedom because she argues that this need for recognition is the source of our domination. In fact, Butler situates herself perfectly to criticize all that I have said thus far about both contemporary recognition theory and its applicability in a Foucauldian social theory: she establishes the need for recognition in psychoanalytic terms – very similarly to Honneth's own approach on the topic – and then argues *on Foucauldian grounds* that this need is systematically exploited to perpetuate our subjection. Butler's main concern is summarized as follows: "where social categories guarantee a recognizable and enduring social existence, the embrace of such categories, even as they work in the service of subjection, is often preferred to no social existence at all."[64] This observation that we accept and perpetuate subjugating identities because they guarantee our social existence is the basis of two criticisms, one leveled against Foucault and the other against recognition theory. Both criticisms threaten the project of integrating the concept of social freedom into a Foucauldian social theory.

In the first place, Butler uses recognition theory to criticize Foucault for taking insufficient account of the need for a socially recognized identity. She takes particular issue with Foucault's statement that, "maybe the target nowadays is not to discover what

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[64] Judith Butler, *The Psychic Life of Power: Theories in Subjection* (Stanford: Stanford University Press, 1997), 20.

we are, but to refuse what we are. We have to imagine and to build up what we could be to get rid of this kind of political 'double bind,' which is the simultaneous individualization and totalization of modern power structures."[65] If Neuhouser and Butler are correct that there is a need – spiritual or psychological – to have our identities socially recognized, then refusing such identities is psychologically damaging. If Hegel and Honneth are correct that recognition is necessary for being a subject at all, then refusing the identities by which we're recognized is psychological suicide. On Butler's interpretation of Foucault, he is careless in failing to realize the impossibility of refusing our identities. But if I am also correct that Foucault's account of subject formation presupposes a kind of recognition theory, then Butler's criticism would render his thought not merely careless but internally inconsistent.

With respect to the passage Butler chooses as exemplary of the problem she finds in Foucault, he thankfully tempers his language in such a way as to avoid the position that Butler is right to criticize. In the passage quoted above from "The Subject and Power," Foucault does not simply call for a refusal of *all* identity, but of a specific "*kind* of individuality" – that totalizing individuality of disciplinary power.[66] However, it would be disingenuous to claim that the fact that Butler has overstated the case with respect to *this* passage means that her criticism fails. In fact, we can bolster her argument by taking note of an interview in which Foucault expresses admiration for thinkers such as Bataille, Nietzsche, Blanchot, et al. for whom "experience has the function of

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[65] Foucault, "The Subject and Power," 216.

[66] Ibid. My emphasis.

wrenching the subject from itself, of seeing to it that the subject is no longer itself, or that it is brought to its annihilation or its dissolution. This is a project of desubjectivation."[67]

We can make a similar attempt to temper Foucault's statement here by putting this quotation in its context. In this interview, Foucault mentions these thinkers and their view of experience by way of contrast with the tradition of phenomenology, which focuses on quotidian experiences and "the sense in which the subject that I am is indeed responsible, in its transcendental functions, for founding that experience together with its meanings."[68] Foucault therefore admires thinkers who have contributed to dissolving this phenomenological concept of the subject by focusing on limit-experiences that strain our ability to remain a coherent meaning-giving subject. The refusal of identity in this case, then, might be viewed as a (rhetorically loaded) reiteration of Foucault's destabilization of the transcendental subject.

However, we mustn't be too hasty in attempting to interpret away the problem raised by Butler. The fact that Foucault uses the term 'desubjectivation' is undeniably problematic.[69] In the technical sense employed by Foucault, 'subjectivation' refers to the process of subject formation; not this or that form of subject formation as it occurs in a specific historical context, but the general process which has yet to have its historical contents filled in. If, in this interview, Foucault is using the term in his own technical sense then he does seem to call for just the kind of radical refusal of identity that we, with Butler, should oppose on conceptual and psychological grounds. By using a

[67] Michel Foucault, "Interview with Michel Foucault" in *Power: The Essential Works of Michel Foucault 1954-1984 Vol. 3*, trans. Robert Hurley et al. (New York: The New Press, 2000), 241.

[68] Ibid.

[69] Nor is this a problem in translation, as the original French word employed by Foucault is "dé-subjectivation."

psychoanalytic version of some of recognition theory's fundamental assumptions, Butler establishes a constraint that prevents us from following Foucault in his most radical visions of what resistance might entail. We must realize that there are limitations to the kinds of self-transformation that are possible within a Foucauldian social theory, namely, that we cannot dispense with our social identities altogether and must, instead, search for modes of subjectivation that are less dominating.

However, Butler's second criticism, of recognition theory itself, would cast grave doubt on the possibility of establishing such non-dominating forms of subject formation. Butler doesn't just claim that we must prefer subjugating forms of identification to the absence of all such identification; she further implies that *any* constitution of the subject through recognition must be dominating because recognition invokes pre-established norms and values beyond the subject's control. As Butler puts it,

> bound to seek recognition of its own existence in categories, terms, and names that are not of its own making, the subject seeks the sign of its own existence outside itself, in a discourse that is at once dominant and indifferent. Social categories signify subordination and existence at once. In other words, within subjection, the price of existence is subordination.[70]

If Butler were here using the term 'subjection' in the technical Foucauldian sense, then she would be articulating a version of his criticism of disciplinary power – that it produces subjects who must subordinate their particularity in order to achieve social recognition. However, the subjection of disciplinary power is not a result of the fact that social categories are part of the historical a priori that exists prior to the subject's constitution and beyond its control, as Butler suggests.

[70] Butler, *The Psychic Life of Power*, 20.

To make matters worse, it is not at all clear that Butler *does* have a technical Foucauldian sense of subjection in mind, as she seems to use the terms 'subjection,' 'subjectivation,' and 'subjugation'[71] interchangeably.[72] To see that Butler is speaking much more generally than the term 'subjection' might indicate, we need only see that she asserts, absent historical contextualization, that "to desire the conditions of one's own subordination is required to persist as oneself" because "one is dependent on power for one's very formation [and] that formation is impossible without dependency."[73] In passages such as these, Butler seems to take it for granted that power is domination, that subject formation is the same as subjection, and that dependency is the same thing as subordination.[74] Enough has been said in Chapter 2 to dispense with the idea that these concepts are conflated in Foucault's works, and I see nothing in the works of Hegel, Honneth, or Neuhouser to suggest that such equations exist in their versions of recognition theory either. The fact that we can distinguish between power and domination, subjectivation and subjection, dependency and subordination means that, in principle, recognition need not always result in subjection. Although the general criticism that recognition is pernicious gains no purchase on either Foucault's social theory or recognition theory, the more modest claim that an illusion of recognition can pacify resistance – as we've already touched upon in the case of disciplinary power – is a

[71] Not a Foucauldian term.

[72] For example, "No individual becomes a subject without first becoming subjected or undergoing "subjectivation" (a translation of the French *assujetissement* [sic.])." Butler, *The Psychic Life of Power*, 11. But as Chapter 2 explains, Foucault maintains a distinction between subjection (*assujettissement*) and subjectivation (*subjectivation*), of which Butler seems not to be aware.

[73] Ibid., 6.

[74] Amy Allen provides a similar reading of Butler's work in Amy Allen, "Recognizing Domination: Recognition and Power in Honneth's Critical Theory," *Journal of Power* Vol. 3 No. 1 (April 2010): 27.

reasonable concern. We must therefore take care to ensure that acts of recognition are genuine insofar as they not only involve a discourse of affirmation of particularity, but also provide the material conditions that serve to confirm that affirmation.[75]

But if we modify Butler's concern about the subordinating effect of recognition, it may cut deeper than she herself even realizes. What I take to be the greatest problem yet to be sufficiently addressed by recognition theory is the fact that genuine acts of recognition can perpetuate dominating power structures. Amy Allen raises this problem in explicitly Foucauldian terms as she asks, "does Honneth's account of power in terms of morally motivated struggles for recognition in the lifeworld actually do justice, as Honneth aims to do, to the insights of Foucault's analysis?"[76] Allen provides an example of the troubling role recognition can play in perpetuating gender stereotypes. We are to imagine Elizabeth, a five-year-old girl, who finds her parents' love expressed in statements that reinforce the values of beauty, obedience, and personal relationships rather than achievements.[77] Allen describes the effects of such acts of recognition in terms that resonate with Butler's (less nuanced) criticism:

> [Elizabeth] is receiving recognition (through the vehicle of parental love) and subordinating gender ideology in a single stroke. And because Elizabeth has been receiving love and gender subordination in a single stroke for as long as she has been alive, and for all that time has been unable to assess that gender ideology critically because she hasn't yet fully developed the requisite capacity for autonomy, she is likely to form a psychic attachment to those subordinating modes of femininity that may prove, in adulthood, quite difficult to shake.[78]

[75] See Honneth, *The I in We,* Chapter 5.

[76] Allen, "Recognizing Domination," 22.

[77] Ibid., 25-26.

[78] Ibid., 26.

The trouble for recognition theory is that the acts of recognition on the part of Elizabeth's parents are entirely genuine. They affirm real aspects of the child's identity, they afford her the approval of her community, and, as we know too well, conformity to gender stereotypes can have real material benefit while non-conformity can result in loss of opportunities.[79] We cannot, therefore, claim that Elizabeth is struggling against a failure of recognition; insofar as she has her individual identity recognized and is able to participate within her community, she is unlikely to feel the damaging emotional motivation to struggle at all. Nevertheless, the perpetuation of gender stereotypes is a form of domination as it teaches (primarily female) children that what makes them valuable is their confinement to specific roles and a lack of ambition to be recognized for qualities that are available candidates for recognition in other members of the community. Here Foucault can helpfully inform and modify recognition theory by acknowledging the dominating effects of such acts of recognition. To put it in Foucauldian terms, what enables us to determine that systematic acts of recognition such as those that reinforce subordinating gender identity are indeed forms of domination is that they establish fixed, asymmetrical ascriptions of value to individuals.

The Openness Principle

With this Foucauldian insight woven into recognition theory, we are in a better position to inquire into the conditions that make struggle possible even in such cases where a "psychic attachment" is formed to one's subordinating identity. There is an interesting point of intersection among Foucault, Honneth, and Butler in the idea that acts

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[79] For a thorough treatment of the idea that the example of Elizabeth carries all the markers of genuine recognition on Honneth's account see Allen, "Recognizing Domination," 30-31.

of recognition in the service of the prevailing power structure cannot completely account for what the subject is to become. As Foucault describes it, "the relationship between power and freedom's refusal to submit cannot therefore be separated…At the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom."[80] As a result of this recalcitrance on the part of the individual, the extension of power into ever more realms of life only serves to better define its limitations.[81] Honneth and Butler both seem to endorse the same kind of idea, as Butler describes the "inassimilable remainder" of the subject that "marks the limits of subjectivation" and Honneth claims that subjects may sense "inner impulses to act in a way that is hampered by the rigid norms of society."[82]

I would argue that this inassimilable remainder is inseparable from the freedom of imagination discussed in Chapter 3 as a necessary component of Foucauldian freedom. To see that the ability to conceive of alternatives outside of the paradigm of what is socially endorsed is a necessary addition to recognition theory, we have only to consider real historical struggles for recognition such as the civil rights and women's liberation movements. In order for marginalized groups to resist the rigid norms of society, they must have at least the freedom to imagine that they may one day win the struggle for recognition. Honneth makes a similar point[83] in *The Struggle for Recognition*, but goes further in claiming that the struggle itself can result in the reclamation of the self-respect

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[80] Foucault, "The Subject and Power," 221-2.

[81] Ibid., 225.

[82] Honneth, *The Struggle for Recognition*, 82.

[83] Ibid., 83.

that was lost by the denial of recognition.[84] Furthermore, the struggle for broad social recognition can itself provide recognition of a more limited scope. In identifying oneself as a part of a particular struggle, one gains the identity of a member of a group in which fellow members (if not society at large) can receive mutual affirmation of their needs, judgments, skills, etc.[85] Without being overly sanguine, we must not forget that real material changes in circumstance have been the result of such broad social movements and that some gain is made through the struggle itself prior to any resolution.

Where the case of Elizabeth warns us of the dangers of placing unequal constraints on the qualities that we may recognize in others, consideration of the benefits of the struggle for recognition reminds us that recognition is still a worthy goal. However, even such broad social movements may not be radical enough to capture the sense of the "inassimilable remainder" that Butler has in mind. After all, such social movements tend not to resist *all* social classification; rather, they expand existing classifications in important ways. Butler seems to suggest the more extreme idea that we ought to recognize even identities that entail the wholesale rejection of social categories and embrace the desubjectivation – for which she criticized Foucault – that amounts to "a willingness *not* to be."[86] Perhaps such a rejection can be found in modern movements that object to the binary classification of 'straight' and 'gay' or to the idea that there are two discrete genders. But even in such movements, the demand for these identities to be recognized requires that they be articulable, perhaps not within existing social categories,

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[84] Ibid., 164.

[85] Honneth, *The I in We*, 206-7.

[86] Butler, *The Psychic Life of Power*, 130.

but by broadening these categories and creating new ones.[87] Even in such movements, group members can identify with one another, if only by recognizing each other under the category of "those who reject existing categories." I would therefore soften Butler's point in asserting that the remainder that is inassimilable in a given set of social categories may provide the impetus to expand social categories and allow for new forms of recognition.

Foucault himself seems to call for an expansion of forms of recognition in passages such as that mentioned above in connection with Butler, that we must refuse the identities formed within disciplinary power/knowledge regimes if we understand those identities to be those which deny us the recognition of our particularity. He similarly appeals to us to shake off ready-made formulas of interpersonal relationships of love[88] and says that we "should relate the kind of relation one has to oneself to a creative activity," which, as I understand it, would call for imagining more and different opportunities for recognition.[89]

Once we understand that recognition is a Foucauldian goal and that expanding the varieties of recognition available in a given society requires struggle, we are able to make sense of Foucault's call for *resistance*. In Foucault's works, it is considerably more common to find him use the word 'resistance' (rather than 'freedom') in contrast to

[87] For example, the movement to reject the idea that there are two discrete genders has simultaneously called for the creation of a gender-neutral pronoun in the English language, thereby establishing a new mode of classification.

[88] Michel Foucault, "Friendship as a Way of Life" in *Foucault Live* trans. Phillis Aranov and Dan McGrawth (New York: Semiotext(e), 1989), 310.

[89] Michel Foucault, "On the Genealogy of Ethics" in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 237.

‘domination.’[90] Yet, I have not sought to define ‘resistance,’ instead choosing to focus on a concept of social freedom that would be the proper contrast to a Foucauldian concept of domination. But I have not overlooked the crucial role played by resistance in Foucault’s social theory. Prior to establishing the concepts of domination and freedom, it was not possible to determine what was in need of resistance or why we should resist. It is only now that we are able to give a definition of ‘resistance’ as a struggle for recognition that promotes social freedom. To return to the question with which I began this chapter, we can make sense of the idea that ethics is a practice of freedom insofar as ways of life that demand to be recognized become acts of resistance that promote the social freedom that then, in turn, becomes the condition of possibility for ethics via the constitution of particular identities that continue to demand recognition.

Recognition does, therefore seem to be a primary goal within Foucault’s social theory, and we have seen that the tacit acceptance of both the ontological and ethical concepts of recognition plays a variety of explanatory roles in his works. It is crucial that we realize, however, that Foucault’s commitment to a concept of social freedom via recognition does not necessitate the appropriation of the normative detail of Hegel’s, or even Honneth’s, social theory. That is to say, as discussed above and in Chapter 3, Foucault’s concept of subjectivation through recognition radically underdetermines both the features of the subject that should or will be recognized and what the specific

[90] See in particular, Michel Foucault, “Sex, Power and the Politics of Identity” in *Foucault Live,* trans. Phillis Aranov and Dan McGrawth, ed. Sylvère Lotringer (New York: Semiotext(e), 1989), 385-6.; Foucault, “The Ethics of the Concern for Self as a Practice of Freedom,” 441-2.; Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977-1978*, trans. Graham Burchell, ed. Arnold Davidson (New York: Picador, 2007), 259 and 266; Michel Foucault, “Power and Strategies” in *Power/Knowledge*, trans. Colin Gordon, ed. Colin Gordon (New York: Pantheon Books, 1980), 142.

demands for recognition in acts of resistance will entail. For Foucault, such matters cannot be settled a priori, or even in abstraction from historical context.

Foucault neither prescribes the specific qualities that ought to be recognized nor specifies the criteria for excluding certain forms of recognition. Because the normative principles of recognition must be worked out from within a given historical context, we should characterize Foucault's normative stance as that of a coupling of a general concept of social freedom with a metaethico-political openness principle committing us to acts of resistance that would attempt to push the boundaries of recognition so that we may affirm previously unimagined ways of life.[91] Realizing the extent to which forms of recognition are subject to historical change should enable us to be more flexible about adhering to specific categories within our own context. A principle of openness with respect to recognized ways of life forces us to challenge our own normative limits. Such a challenge can encourage experimentation with unconventional modes of identification. Furthermore, even those disinclined to such experimentation in their own lives will be better equipped to imagine a possible space of existence for those who appear to defy conceivable labels. The openness principle therefore serves as a foil for the kind of recognition found in disciplinary and normalizing relations of power in which there is an insistence on conformity to categories, even where those categories mark out and specify modes of deviation.

An openness principle may seem absurd if we take it to mean that all ways of life ought to be socially affirmed. Even more traditional contemporary recognition theory

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[91] Axel Honneth makes a similar point, as he says that, "by invoking an overarching principle of recognition, one brings a new, previously neglected value into play whose consideration compels us to broaden our evaluative horizon and thereby intensify or expand recognition." Honneth, *The I in We*, 89.

does not claim that all qualities of the subject must be recognized in order to ensure social freedom, that "the freedom of finding one's own destiny must be liable to general restrictions. But there can be social rules and institutions which leave more room for such a search than others."[92] Guided by a principle of openness with respect to granting recognition, our social rules and institutions will be more inclined to leave room for self-creation.

Furthermore, the thought that we ought to persistently resist the limitations of our social categories through a principle of openness is precisely the kind of "constant checking"[93] that Foucault would have us perform on our own historical contexts. A principle of openness with respect to relations of recognition and power relations more generally helps us to maintain vigilance with respect to the tendency of power relations to become cemented situations of domination. Openness to new forms of recognition facilitates an expansion of social freedom because, as Honneth states, "with every value that we can affirm by an act of recognition, our opportunities for identifying with our abilities and attaining greater autonomy grow."[94] A metaethico-political principle demanding new forms of recognition must be the primary ethical principle of Foucault's social theory because only societies guided by such a principle will be capable of realizing the social freedom in which institutions both constitute the particular identities of individuals and become *strengthened* by the expression of those identities.

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[92] Siep, "Recognition in Hegel's *Phenomenology of Spirit*," 117.

[93] Foucault, "The Subject and Power," 209.

[94] Honneth, *The I in We*, 83.

Concluding Remarks

The project of social criticism should both diagnose the central dangers of the present and help us to navigate a course toward progressive social change. In order to accomplish these aims, we need an account of power in all its complexity as well as a concept of freedom that can serve as our normative guide. While there can be little doubt that Foucault's accounts of power and subjection contribute to the former goal of social criticism, whether he contributes to the latter has been a source of much debate in the Foucault literature. The principal aim of this dissertation has been to demonstrate the strengths of Foucault's accounts of power and subject formation in terms of both of these goals of social criticism by examining what he means by 'power' and defining a concept of freedom that is compatible with his warnings about subjection.

However, it is sometimes believed that Foucault's account of power is incompatible with concepts of freedom that would help us to overcome the dangers revealed by the diagnosis of the present in terms of power. The belief in this tension between power and freedom creates a perceived division between thinkers such as Foucault and Butler on one side and Habermas and Honneth on the other. In my opinion, there are no winners in the debate between Foucault and critical theory as typically characterized. On the one hand, so the story goes, Foucault and Butler assert that freedom is impossible because our subjectivity is an inescapable source of domination. On the other hand, Habermas and Honneth are thought to rely on naïve and utopian ideas of the purity of autonomy and the impossibility of subordinating forms of recognition. My project contributes to the dissolution of this debate by demonstrating that no such

simplistic description of Foucault's work does him justice.[1] To this end, I argue that Foucault maintains an implicit commitment to much of the work of recognition theory in terms of the ontological explanation of our constitution as subjects through relations of power. We can therefore redescribe the concept of social freedom as found in recognition theory in terms compatible with Foucault's analyses of subjectivation.

The first step of my project, then, has been to clarify Foucault's account of power so that domination becomes only a subset of power relations more generally. Much of the criticism of Foucault's account of power stems from the conflation of the concepts of power and domination, resulting in the idea that if "power is everywhere" then there is no escaping domination.[2] However, as Chapter 1 made clear, 'power' is the more general term for the guiding of behaviors in social interactions, and it is only states of domination, a subset of power relations, that are negatively characterized as asymmetrical relations that have become difficult to reverse or render reciprocal.

With this distinction in hand, I examined Foucault's account of subject formation in the hope of carefully navigating a path between the reality of our subjection and the possibility of our freedom. While Foucault's analysis of subjection serves as an important caution against the dominating tendencies of our modes of identification, it should not be read as a wholesale rejection of the concept of subjectivity as inherently dominating. I argue that Foucault's genealogical period with its diagnosis of subjection is wholly compatible with, and indeed inseparable from, his ethical period with its

[1] Amy Allen similarly contributes to the dissolution of the so-called "Foucault Habermas debate" in a number of texts, perhaps most notably *The Politics of Our Selves.*

[2] Michel Foucault, *The History of Sexuality: Vol. 1*, trans. Robert Hurley (New York: Vintage Books, 1990), 93.

emphasis on self-transformation. Read as two sides of a coin, these periods of Foucault's work establish the terms in which we must understand the ethico-political struggle in which we constantly find ourselves as subjects of self-transformation embedded in identity-constituting relations of power.

I then turned, in Chapter 3, to Foucault's criticism of the Kantian concept of autonomy as taking insufficient account of the ways in which our subjective capacities are formed within processes of socialization. This chapter investigated more deeply Foucault's analysis of subjection in order to uncover the means by which we are dominated by our current relations to ourselves as subjects. Part of this investigation involved a comparison between the Enlightenment concept of autonomy and the ancient Greek concept of freedom as self-management. This comparison was offered in order to demonstrate the historical contingency of the Enlightenment concept of autonomy and to provoke the freedom of our imagination with respect to how we understand ourselves as subjects. Through this comparison, Foucault reveals that new forms of domination were allowed to flourish thanks to their adoption of a (roughly) Kantian concept of the subject and its autonomy. In doing so, he gestures toward attractive features of the ancient Greek ethics of the care of the self that we may wish to reclaim through a transformation appropriate to our own historical context.

One such feature is the recognition – in the sense of affirmation – of the particularity of the individual. In Chapter 4, I argue that the recognition that plays an explanatory role in Foucault's account of subjectivation also plays an ethical role in his criticism of the present age. Foucault describes contemporary power struggles in terms that resonate with Axel Honneth's descriptions of struggles for recognition and calls for

imagining new or different ways of life that would demand such recognition. It is Foucault's statements about ethics as a way of life that led me to consider the concept of social freedom found in recognition theory as a viable concept to supplement Foucault's account of power.

I argued that a roughly Hegelian concept of social freedom can make sense of Foucault's statements that freedom is a condition of the possibility for ethics and that ethics is a practice of freedom. This is because the concept of social freedom takes seriously the idea that the autonomy of the individual is both created and expressed within social institutions. Furthermore, the concept of social freedom adapted from Hegel in recognition theory takes recognition of the particularity of the individual to be an indispensible component of the exercise of freedom. Therefore, I argued, Foucault must adopt something like a historically contextualized version of the Hegelian concept of social freedom in combination with a metaethico-political openness principle that would call for the constant testing of the limits of recognition through acts of resistance.

Though I believe this union of Foucault and recognition theory provides fruitful insight for the project of social criticism, there are still theoretical questions left to answer another day. These considerations correspond to the two sides of social criticism: the diagnosis of present injustice and setting us on the path of progress. Both of these considerations stem from the position of the genealogist or social critic within h/er historical context. In the first place, we are left to wonder how the social critic is able to gain the necessary critical distance from h/er historical context in order to diagnose the problems that arise from the historical a priori in which h/er own subjectivity was formed. This concern can be read as a version of Nancy Fraser's worry that we could be

so thoroughly normalized as to be unable to grasp the dangers inherent in our own power/knowledge regime. The second concern pertains to how we are able to judge whether acts of recognition are subordinating, given that our normative standards are necessarily informed by our historical context. With this second concern we encounter the threat of relativism and risk being unable to make judgments across historical or cultural lines.

In addressing the second concern, evaluating acts of recognition may require us to turn, as Honneth suggests, to a concept of progress equipped with "a moderate value realism."[3] Whether Foucault can make room for any such value realism is debatable. Amy Allen states that there is at least room in Foucault's thought for us to take our own values, such as egalitarian reciprocity, to be universal as long we recognize the context dependence of the concepts of universality and context transcendence.[4] However, it's not clear to me that we can acknowledge this context dependence without thereby inviting back the specter of relativism. I would argue that Foucault's definitions of domination and power more generally do seem to suggest that he presupposes the universality of the value of mutual recognition. Given that recognition is understood as a condition of subject formation, it is an appropriate and perhaps unique value to uphold as universal. Furthermore, given his emphasis on the context dependence of the forms that even recognition must take, Foucault can only suggest a very general principle for assessing the dangers of the present age on the basis of recognition.

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[3] Axel Honneth, *The I in We: Studies in the Theory of Recognition*, trans. Joseph Ganahl (Malden, MA: Polity Press, 2012), 83.

[4] Amy Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008), 180.

I submit that it is the general openness principle that allows us to address both of the concerns regarding the historical situatedness of the social critic. In terms of the first worry, that the social critic cannot escape h/er own historical context, the openness principle with its call for the persistent testing of limits based on imaginative reconceptions of ourselves is befitting of Foucault's ethico-political stance that "everything is dangerous." This principle is the logical extension of Foucault's own position: "if everything is dangerous, then we always have something to do. So my position leads not to apathy but to a hyper- and pessimistic activism."[5] Social criticism guided by the openness principle can help to generate social change whatever the historical context.

But in evaluating the benefit of such social transformation, I take it as a positive feature of the openness principle, rather than a deficiency, that it prescribes no specific content to the form that struggles for recognition should or will take or to the forms of reciprocity and recognition that our social institutions ought to embody. The openness of the principle is befitting of Foucault's stance that "criticism is no longer going to be practiced in the search for formal structures with universal value."[6] It will only be through real acts of social resistance in the struggle for recognition that we will be able to determine the values that lead to genuine social progress with the openness principle providing "new impetus, as far and wide as possible, to the undefined work of freedom."[7]

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[5] Michel Foucault, "On the Genealogy of Ethics" in *Michel Foucault: Beyond Structuralism and Hermeneutics,* ed. Hubert Dreyfus and Paul Rabinow (Chicago: University of Chicago Press, 1983), 232.

[6] Michel Foucault, "What Is Enlightenment" in *The Essential Foucault*, ed. Paul Rabinow and Nikolas Rose (New York: The New Press, 2003), 53.

[7] Ibid., 54.

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