Foucault's Ethics of Power

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1. Introduction

Since Foucault's death in 1984, his interpreters have generally located his importance in his genealogical critiques and in his philosophy of power. On the one hand, Foucault performs genealogical critiques of the practices surrounding modern punishment and sex, and on the other hand, his genealogies alert us to the dangers of new forms of power. However, the exact nature of the relationship between his genealogical critiques and his views on power remains a matter of dispute, for Foucault neither expressly states a program of critique, nor clearly articulates an account of power. The purpose of this paper, then, is to establish the relationship between the critical force of Foucault's genealogy and his views power.

The paper is divided into four main parts. In the first part, I elaborate the prominent objection that the critical force of Foucault's genealogies is undermined by his notion of power. In the second part, I reconstruct Foucault's account of power in considerable detail, and clarify the 'strategical model' of power which informs his genealogical critiques. In the third part, I establish the critical force of his genealogy by distinguishing two stages of genealogical critique. Finally, I respond to the objection against Foucault and conclude that his account of power does not undermine his genealogical critiques, but rather provides them with radical critical force and ultimately leads to a novel reconceptualization of ethics.

2. The Case Against Foucault

Jürgen Habermas, Charles Taylor, and Michael Walzer all deny that Foucauldian genealogy is critical.[1] More specifically, they argue that Foucault's understanding of critique is contradictory, incoherent, and nihilistic primarily for reasons tied to his views on

power. Habermas, then, also speaks for Taylor and Walzer when he says that 'the entire weight of the problematic [of Foucault's critique] rests on the basic concept of power.'[2] In this section I simply want to elaborate the objections of each critic, focusing on the putatively problematic relationship between critique and power.

Habermas's position on Foucauldian genealogy and critique is introduced in his eulogy of Foucault, 'Taking Aim at the Heart of the Present,'[3] and elaborated in Lectures IX and X of *Der philosophische Diskurs der Moderne*.[4] Habermas's basic objection is that Foucault is guilty of a performative contradiction; as he concisely remarks in the eulogy, Foucault 'contrasts his critique of power with the "analysis of truth" in such a fashion that the former becomes deprived of the normative yardsticks that it would have to borrow from the latter.'[5] In *Der philosophische Diskurs der Moderne*, Habermas expands on this objection by distinguishing three constitutive claims. First, Habermas claims that Foucault's early archaeological analysis of discourses denies the possibility of objective, universal truth, and so amounts to relativism. Secondly, he claims that critique requires standards, and that standards ultimately derive their normative justification only from universals. Lastly, and this is the thrust of his objection, he claims that Foucault's late critique of certain forms of power is both illegitimate because its standards lack normative justification, and also contradictory because it presupposes an epistemic validity his analyses of discourses attempt to refute. In other words, Foucault's analyses of discourses render truth a function of regimes of power and consequently undermine his critique of certain forms of power simply because that critique has no recourse to normative standards the epistemic validity of which is not itself a function of power. Put simply, Foucault's attempt at critique is not only illegitimate and contradictory, but also hopelessly self-referential. Thus, Habermas concludes that Foucault adopts a position 'of arbitrary *partisanship* of criticism [and] cannot account for its normative foundations.'[6] In a word, Foucault ultimately fails to provide 'a normative justification for critique.'[7]

Like Habermas, Taylor argues that Foucault is guilty of a similar performative contradiction, but he draws a different conclusion from that contradiction than does Habermas. According to Taylor,

Foucault's genealogies 'seem to offer an insight into what has happened, and into what we have become, which at the same time offers a critique, and hence some notion of a good unrealized or repressed in history, which we therefore understand better how to rescue.'[8] Taylor suggests that two goods implicit in Foucault's work and in need of rescue are freedom and truth. However, Foucault is said to reject these two and all such goods; while 'Foucault's analyses seem to bring *evils* to light...he wants to distance himself from the suggestion which would seem inescapably to follow, that the negation or overcoming of these evils promotes a good.'[9] More specifically, Foucault's critique of power rejects both truth because each system of power 'defines its own variant of truth,' and also freedom because 'there is no escape from power into freedom.'[10] So given Taylor's claims that '"power" belongs to a semantic field from which "truth" and "freedom" cannot be excluded,'[11] and that Foucault's 'notion of power....[rejects] the correlative notions of truth and liberation,'[12] it follows that 'Foucault's position is ultimately incoherent.'[13] In short, Foucault's genealogical critique of specific forms of power simply makes no sense independently of the notions truth and liberation rejected by his account of power.

Walzer's objection to Foucault's genealogical critique draws out the extreme implications of Habermas's and Taylor's accusations of relativism, for Walzer argues that Foucault's relativism leads him to moral and political anarchism, and ultimately to nihilism. Walzer begins by making the now familiar point that for Foucault truth is a function of regimes of power. As Walzer puts it, Foucault 'believes that truth is relative to its sanctions and knowledge to the constraints that produce it.'[14] Consequently, Walzer continues, 'there would appear to be no independent standpoint...for the development of critical principles.'[15] This point about the validity of critical standards is also made by both Habermas and Taylor, but Walzer takes it farther. Walzer maintains that Foucault's lack of valid critical standards means that he can provide 'no principled distinction...between the Gulag and the carceral archipelagos,' a distinction Walzer rightly wants to preserve.[16] Moreover, because Foucault does not 'give us any way of knowing what "better" might mean,' Foucault's ostensible critique of certain forms of power and his call for resistance against certain

strategies of power are not reformatory or revolutionary, but rather morally and politically anarchistic. That is, because Foucault has no normative standards or commitments, his critique cannot be intended to somehow improve society, but instead attempts to abolish carceral society and the very notion of society as a system of institutions. Walzer then concludes that Foucault's radical abolitionism is nihilistic because unlike nineteenth-century anarchists for whom human subjects were liberated and edified by the absence of (political or economic) institutions, Foucault believes that human subjectivity is the product of practical and institutional systems of power such that after the elimination of those systems 'there will be nothing left at all, nothing visibly human.'[17] For Walzer, then, Foucauldian genealogy lacks normative standards of critique, and this lack condemns Foucault to relativism, anarchism, and ultimately nihilism.

To sum up, Habermas, Taylor, and Walzer contend that Foucault is a relativist, anarchist, and/or nihilist whose understanding of critique is contradictory and/or incoherent. Foucault does not and cannot provide a normative justification for any standard of critique, whatever that standard may be. Furthermore, all three critics attribute Foucault's lack of valid standards to epistemological problems endemic to his account of power; because truth is a function of power, there is no truth external to systems of power which can ground normative standards required to critique those systems and certain practices within them. Habermas, Taylor, and Walzer recognize the brilliance of Foucault's genealogies of power, punishment, and sex, but all three deny that those genealogies are critical. Whatever his intentions may be and whatever his rhetoric may suggest, Foucauldian genealogy is simply not critical.

3. Foucault on Power

In January 1976, only months before the publication of *La volonté de savoir*, Foucault delivered two untitled lectures at the Collège de France.[18] The topic of the first *'Cours'* is critique, the topic of the second is power, and as their juxtaposition suggests, critique and power are indeed fundamentally related. These lectures and Foucault's subsequent works make clear that genealogy

presupposes a certain account of power and critiques specific forms of power. Thus, the most pressing question about the critical force of Foucauldian genealogy concerns the account of power that informs it: according to Foucault, what exactly is power?

There is no denying that Foucault develops an account of power, and one preliminary point about his account is that it does not constitute a theory. In a 1983 interview, Foucault makes this point explicit; 'I am far from being a theoretician of power,' he insists, 'I am not developing a theory of power' (*DE* IV:451). Whereas a theory of power implies an ontology and would require an explanation of why power exists, Foucault's account of power is exclusively concerned with describing and analyzing how power functions. Furthermore, as Dreyfus and Rabinow observe, Foucault's account of power is in fact opposed to a theory of power.[19] Theories intend to be abstract and ahistorical explanations, while Foucault's account of power is relentlessly concrete and historical.

More substantively, Foucault's account of power consists of three parts: an analytics of power, a methodology of power, and a model of power.[20] First, Foucault performs an 'analytics of power [*analytique du pouvoir*]' in *Surveiller et punir* and the *Histoire de la sexualité*. His analytics of power consists of interpretative analyses of the conditions, strategies, mechanisms, and effects of power. Secondly, in the 1976 lectures and *La volonté de savoir* Foucault raises specific methodological concerns that guide his analytics of power. Lastly, in *La volonté de savoir* and 'The Subject and Power' Foucault articulates a model of power implicit in his analytics of power and anticipated by his methodological considerations about it. My task in the remainder of this section is to develop the second and third parts of Foucault's account of power in an attempt to illuminate the notion of power at the heart of his genealogical critique of punishment and sex.

Foucault's methodological concerns about his analytics of power are introduced in the 1976 lectures. In the first lecture, Foucault forms a taxonomy of influential conceptions of power and motivates his analytics of power by considering their inadequacies. According to Foucault, the two dominant conceptions of power are those of liberalism and Marxism. The liberal conception of

power sees power as a right that is possessed, used, and transferred like a commodity, while the Marxist conception of power sees power as forces of production which maintain relations of production and class domination. Foucault argues that both conceptions understand power solely in economic terms, and that where right is concerned they narrowly focus on the distinction between legitimate and illegitimate uses of power. Moreover, Foucault objects to the liberal-Marxist conception because its cumulative effect is to obscure or distort non-economic relations of power and certain oppressive forms of it.

Foucault is thus led to consider non-economic conceptions of power, those of Wilhelm Reich and Nietzsche. For Freud, Reich, and psychoanalytic theory generally, power is essentially repressive; power represses nature, desires, individuals, and classes. For Nietzsche, on the other hand, power is a force exercised in warfare against other hostile forces. Foucault, though, recognizes that Reich's and Nietzsche's conceptions of power are compatible insofar as repression is a consequence of war. Foucault then locates his own study of power in the tradition of Reich and Nietzsche, but at the end of the first lecture he expresses deep reservations about 'the repressive hypothesis' that he believes is central to both, and that he will in fact argue against in the forthcoming *La volonté de savoir*.

In contrast to the first lecture where he argues that liberalism, Marxism, Reich, and Nietzsche advance theories of power which mistakenly reify power,[21] Foucault begins the second lecture by revealing the object of his own study of power; 'The research that I have tried to follow, roughly since 1970-1971, has been concerned with the "how" of power' (*DE* III:175). Again, in opposition to these theories of power Foucault's analytics of power examines not 'what' power is, but rather 'how' power functions—the manifestations, mechanisms, strategies, and effects of relations of power. It is at this point that Foucault presents a list of five 'methodological precautions' that guide his analytics of the 'how' of power, and these precautions deserve our attention not merely because they clarify his analytics of power, but also because they anticipate his strategical model of power.

The first methodological precaution observed by Foucault's analytics of power is that it focuses on the extreme and local points of the exercise of power, rather than on the embodiment of power in political sovereignty as the authority of right. Secondly, his analytics operates not at the level of human interiority, of individuals' conscious intentions or decisions, but at the level of the effects of power on (the constitution of) subjects. Thirdly, power is not to be understood as a thing which some individuals or groups possess and wield to dominate others, but as that which produces individuals and forms groups. Fourthly, Foucault avoids a deduction of power from its center to its smallest effects, and instead studies the ascent of power from the history and techniques of its smallest mechanisms to more global mechanisms and forms of domination. Lastly, the study of power cannot be confused with or reduced to the ideology associated with various forms of power, but must consider the apparatuses of knowledge produced by power. 'In the study of power,' Foucault summarily concludes, 'we must renounce the model of power in *Leviathan*, namely its limited field of juridical sovereignty and State institutions. Instead, we must base our analysis of power on the techniques and tactics of domination' (*DE* III:184).

The most important feature of this list of precautions, that is, the feature that most clarifies Foucault's analytics of power and most anticipates his model of power, concerns the field of inquiry and the task that the list defines. Foucault's analytics of power is limited to neither the power of political institutions nor the powerlessness of individuals, but extends to and focuses on the detailed history of local relations of power which are ultimately responsible for more global forms of domination. The purpose of Foucault's analytics of power is to document the development of local power relations into new and hidden forms of domination, and he is able to do so because his analytics of power presupposes a model of power which challenges the conventional understanding of power, freedom, and domination. Foucault eventually articulates this model, but before we turn to it, two more methodological concerns remain.

While Foucault initially raises methodological concerns about his analytics of power in the 1976 lectures he addresses two addi-

tional concerns in Part Four of *La volonté de savoir*. First, Foucault points out that an analytics of power requires a 'determination of the instruments that will make an analysis of power possible' (*HSl* 109). Again, Foucault's analytics of power consists of interpretative analyses of power and delimits the field or domain on which such analyses are properly performed. In this remark, though, Foucault importantly adds that the analytics of power requires a certain conceptual apparatus in order to identify and analyze power, including its strategies, mechanisms, and effects. Moreover, Foucault's suggestion is that conventional notions about power, domination, violence, freedom, etc. are inadequate or in appropriate to the task. As we are about to see, the requisite apparatus is supplied by Foucault's strategical model of power, and, more immediately, the suggestion that conventional notions simply won't suffice is born out by his second methodological concern.

The second and last methodological concern expressed in *La volonté de savoir* introduces Foucault's strategical model of power. Foucault claims that an analytics of power, more specifically the conceptual apparatus essential to an analytics of power, can be developed 'only on condition that it frees itself from a certain model of power that I would call..."juridico-discursive"' (*HSl* 109). The basic presupposition of the analytics of power is that although the nature of power has changed fundamentally in the last four hundred years, the terms on which power is recognized and understood have not. Foucault argues that for certain historical reasons[22] we moderns are enthralled by the 'juridico-discursive' model of power, and this originally medieval model is defined by four notions about power. First, power is essentially a matter of (moral) rule or (juridical) law that is applied to individuals, and that establishes binary standards, namely the moral/immoral and the legal/illegal, to categorize their behavior. Secondly, power is hierarchical, it is most concentrated at the top (in the President, Pope, CEO, et.al.) and diminishes as it reaches the bottom (in the citizens, laity, workers, et. al.). Thirdly, power is a tool to be used, and its use is typically negative; power represses, prohibits, controls, and punishes. Lastly, the juridical-discursive model contains a correlative notion of freedom; freedom is understood as escape, as the licit or illicit transgression of law and so freedom from its power. On the juridi-

cal-discursive model, then, power is a manifestation of law that is applied from above to subjects who seek liberation from it.

Foucault argues that the juridical-discursive model is both inadequate and pernicious. It is inadequate because it cannot identify, much less account for, distinctly modern phenomena of power. Modernity, in other words, has gradually been penetrated by new forms and mechanisms of power that are inexplicable and even imperceptible on the juridico-discursive model. This model is also doubly pernicious for reasons tied to its inadequacy. First, Foucault contends that power is tolerable and successful only in proportion to its ability to hide its own mechanisms, and the juridico-discursive model is pernicious because it fails to capture and so effectively hides the (more subtle, effective, and insidious) forms and mechanisms of power in modern society. In addition to hiding forms and mechanisms of power that dominate us, the juridico-discursive model forestalls efforts to confront domination. The juridico-discursive model misinforms derivative models of domination making domination difficult to recognize, and even it recognized, resistance against domination is frustrated because the juridico-discursive model's attendant notion of freedom as escape misdirects efforts to end domination. Foucault aptly concludes his discussion of the juridico-discursive model of power by famously lamenting that we 'still have not beheaded the king' (*HSI* 117). Although we are still dominated by antiquated monarchical notions about power, Foucault is about to raise the guillotine.

In response to the inadequacy and perniciousness of the juridical-discursive model, Foucault articulates a 'strategical model' (*HSI* 135) of power that is presupposed by and implicit in his analytics of power and genealogical critique (of punishment, sex, and ethical subjectivity) in *Surveiller et punir* and the *Histoire de la sexualité*. On this model, power is not a possession to be wielded or an economic principle to be regulated, nor is power centralized in institutions from which it is negatively exercised on the powerless. Rather, for Foucault 'power' is an abbreviation for 'relations of power' (*DE* IV:719) and more specifically refers to 'a multiplicity of [heterogeneous] force relations' (*HSI* 121).

Foucault's concept of power is notoriously elusive, but I think it can be adequately captured by emphasizing five important points

which emerge in *La volonté de savoir* and in surrounding essays and interviews. The first point is that relations of power are 'local' and manifest in 'divisions, inequalities, and disequalibriums' (*HS1* 124) within a vast and complex 'network' of roles. For Foucault, we are the totality of our roles—there is no human essence—and our roles are socially situated such that they are constituted by their relation to other roles. Power, then, is a purely relational phenomenon between individuals (in their roles)[23] and manifests wherever there is inequality in the extent to which the participants' roles are aligned with other roles, for power is deployed through these alignments which Foucault calls '*dispositifs.*'[24]

Two examples may be helpful here. To take an example close to Foucault, prison guards are in relations of power with prisoners because the role of the former is constituted by alignments with numerous other roles—warden, prison doctor, parole board member, etc.—which as Foucault says 'swarm' the prisoners who lack such alignments. However, power is not a stable network because the alignments through which it is deployed are constantly shifting. Feuding prisoners may collectively protest prison conditions, or prisoners whose crimes were once sensationalized by the media may enlist journalists to expose the brutal and corrupt warden. To take a contemporary political example, the U.S. President is in a relation of power with 'ordinary' citizens not because the former is sovereign and the latter are his subjects, but because the office or role of the President is aligned with a vast network of other roles—senators, federal agents, foreign diplomats, etc.—which swarm the citizen who lacks such alignments. Still, congresspeople may stage a 'republican coup' or journalists may publicize a scandalous affair which prompts impeachment hearings. The juridico-discursive model of power, though, cannot adequately explain how 'the most powerful man in the free world' could come so close to being removed from his elected office because of consensual sex acts.

The second point, which follows from the first, is that power is not externally imposed on relationships, but is immanent in them. Power is not exercised on personal, occupational, economic, and political relations, but is already internal to them when and because power manifests in inequalities in the participants' personal, occupational, economic, and political roles.

The third point, which also follows from the first, is that 'power is everywhere' (*HS1* 122). Foucault has been roundly criticized because this well-known but little understood remark is said to render the concept of power meaningless by reducing all relations to power. His general point, though, is that power is everywhere in the sense that 'power is coextensive with the social body' (*DE* III:425). That is, human relations are everywhere, and all human relations are either relations of power or *potentially* relations of power. Thus, 'One is necessarily "inside" power, there is no "escaping" it' (*HS1* 126), because no relation can permanently exclude the divisions and inequalities in which power manifests. Furthermore, since power is a multiplicity of force relations, and since power is internal to human relations, the multiplicity of force relations corresponds to the multiplicity of (the divisions and inequities in) human relations. Consequently, power is at once everywhere and a multiplicity because its manifestations are dependent on (ubiquitous and diverse) human relations.

The fourth, more subtle point is that power reflects rational 'strategies' (*HS1* 122) which are both 'intentional and nonsubjective' (*HS1* 124). Local force relations evince a strategy in the sense that they possess the same logic, share a common 'objective' and 'effect,' and produce the same results. These strategies are intentional, then, because they intend a discernible and characteristic aim. However, Foucault insists that these strategies are not the result of individuals' (conscious or unconscious) decisions, which means that strategies are not conspiratorial; as he sarcastically remarks, there is no 'headquarters that presides over the rationality' of power (*HS1* 125). Rather, strategies of power are nonsubjective insofar as they are anonymous and operate independently of the particular people who wittingly or unwittingly participate in them. For example, in *Surveiller et punir* Foucault argues that prisoners, soldiers, and students are subject to complex bodily regimens which despite their vast differences exhibit a strategy to produce 'docile bodies.' This strategy is rational because it possesses a clear logic, intentional because its logic terminates in an intended effect, and nonsubjective because it is not the product of the creator(s) of the regimens and operates independently of the particular prisoners, soldiers, and students who participate in them.[25]

The fifth and final point is that power is not merely repressive, but essentially productive. The juridico-discursive model understands power as an instrument wielded against others such that the primary effect of power is to prohibit behavior and therefore repress individual or collective desire. But as Foucault recognizes, 'power would be very fragile if its only function were to repress' (*DE* II:757). Exclusively repressive power would be fragile simply because it could be easily recognized and directly confronted or covertly avoided. Foucault does not deny that power can be and is repressive, but he argues that power is essentially productive and derivatively repressive. That is, uniquely modern forms of power produce both (ethical and political) subjects who obey rules/laws, and also their desires that power is said to repress. Hence, the notion of repression is 'insidious' (*DE* III:148) because it blinds us to the fact that our subjection to the rule of law and our desires repressed by such subjection are actually the effects of power.[26]

According to Foucault's strategical model, power can thus be defined as a multiplicity of local and strategic force relations which are essentially productive. Importantly, this model does not discard, but rather subsumes the juridico-discursive model of power. Foucault's model can account for juridical power and its repressive effects as a subset of such relations. Moreover, the strategical model is superior to juridico-discursive model because it subsumes the latter, and because it can account for the productivity of power while the latter cannot.

Foucault's strategical model of power, again which undergirds his analytics of power and his genealogical critique, is refined in three regards in 'The Subject and Power.'[27] First, owing to a stronger conception of the subject, Foucault distinguishes four kinds of local human relations: relations of power, capacity, communication, and violence. Most importantly, Foucault clarifies relations of power as only relations in which an individual or a collective of individuals *acts* to modify the possible conduct or actions of another.[28] Power 'is a total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult...it is...always a way of acting upon an acting subject or acting subjects by virtue of their acting or being capable of action.'[29] This revised concept of power means not only that in-

equality is a condition of power, but also that the degree of in-
equality corresponds to the effectiveness of power. Moreover, this
refinement means that not all human relations are relations of power,
and this is true of relations of capacity, communication, and even
violence.

Because relations of capacity are 'exerted over [inanimate]
things' in order to 'modify, use, consume, or destroy them,'[30] rela-
tions of capacity do not modify human possibilities, and so are not
relations of power. Relations of communication, on the other hand,
are intersubjective linguistic or symbolic exchanges of informa-
tion, and while communication is a common element of relations
of power, relations of communication are not necessarily relations
of power.

Foucault claims that relations of violence are also not relations
of power; 'slavery,' he dramatically remarks, 'is not a power rela-
tionship when man is in chains.'[31] This claim seems paradoxical
because on the juridical-discursive model, power is a necessary
condition for violence and the forcible restriction of freedom rep-
resents an act of violence. Foucault, however, opposes power with
violence and this opposition turns on the presence or absence of
freedom. Freedom for Foucault is the ability to realize one possi-
bility among many; freedom is 'a field of possibilities in which
several ways of behaving, several reactions and diverse comport-
ments may be realized.'[32] As such, freedom is required by power
and precluded by violence. Relations of power modify possibili-
ties, and so presuppose and require freedom understood as a field
of possibilities. Freedom, Foucault says, 'is the condition for the
exercise of power,' and so 'must exist for power to be exerted.'[33]
Relations of violence, on the other hand, are defined by the ab-
sence of freedom, that is, by the elimination of possibilities, and so
are not relations of power. 'A relationship of violence,' Foucault
claims, 'acts upon a body or things; it forces, it bends, it breaks on
the wheel, it destroys, or it closes the door on all possibilities. Its
opposite pole can only be passivity.'[34]

Foucault's second refinement of his concept of power on the
strategical model concerns the body. According to Foucault, power
is corporal—power is inscribed on and invested in the body. 'Noth-
ing,' he says in a 1975 interview, 'is more material, physical,

corporal than the exercise of power' (*DE* III:756). However, in light of Foucault's more recent distinction between relations of power and relations of violence, it is clear that power does not act directly on the flesh; relations of power which act directly on the body as flesh, say physical coercion, eliminate freedom and therefore become relations of violence. So, for example, in *Surveiller et punir* the ghastly torture and execution of Damiens in 1757 for regicide is an exercise of violence, not power (*SP* 9-11).[35]

One of Foucault's central theses is that the kind of brute violence exemplified by Damiens and characteristic of the Classical Age (1600-1800) has been replaced by modern relations of power which act indirectly and subtly on the body, but are even more effective (and insidious) because of it. Despite not acting directly on the flesh, 'power relations exert an immediate hold the body' (*SP* 30). Power seeks to control and transform the body, and does so by meticulously manipulating and training its operations; precise schedules regulate the temporal movement of the body, strategic architecture regulates the spatial position of the body, and norms reinforced by surveillance regulate the conduct and constitution of the body. Moreover, different kinds of power and their mechanisms act on the body to produce or control new subjects for different but consistent purposes. So, for example: in *Surveiller et punir*, (disciplinary) power produces 'docile' bodies trained for economic utility[36]; in the *La volonté de savoir* (bio-)power medicalizes the body, normalizes sexual pleasure, and produces repressed subjects for the purpose of regulating the demographics of populations; in his essays on 'Governmentality'[37] and 'Political Technologies,'[38] (pastoral) power polices the entire body politic of docile and repressed subjects in the name of their own health, well-being, and security; and in *L'usage des plaisirs* and *Le souci de soi* various 'techniques of the self' applied to the body produce ethical subjects. In a word, then, power does no violence to the body, but does discipline, train, normalize, and surveil the body in a strategical attempt to control and modify it.

The third and final important refinement of Foucault's strategical model of power concerns resistance and domination. In *La volonté de savoir*, Foucault remarks that 'where there is power, there is resistance' (*HS1* 125). This claims, too, seems paradoxical

because on the juridico-discursive model, power and resistance are inversely proportional such that the exercise of power occludes resistance. In 'The Subject and Power,' however, Foucault clarifies the relationship between power and resistance. Power, again, establishes possibilities (as possibilities) and modifies or influences one possibility against others, and resistance refers not to deliberately subversive activity, but to the counter-force exerted against power in virtue of possessing possibilities (which may include subversive activity) other than that which power seeks to realize. Power, in other words, necessarily encounters resistance; if power does not encounter resistance, there is no freedom, and the relation becomes one of violence. In this sense, Foucault refers to the relationship between power and resistance as 'an agonism,'[39] and in this agon waged on a field of freedom, multiple forms of power encounter multiple forms of resistance and both develop strategies.

Foucault is patently not opposed to power per se, but to domination. He insists that 'power is not evil' (*DE* IV:727). Power is an obdurate, ineluctable element of human existence which makes no sense to oppose, and since power saturates human life, opposition to power necessarily implies and perpetuates power. However, Foucault is opposed to certain forms of power that dominate humans. In contrast to violence which eliminates freedom and resistance, domination effectively limits freedom and similarly neutralizes resistance. Domination, in other words, is a form of power characterized by two features. First, while power generally works to occasion one possibility against others, domination significantly abridges the set of possibilities such that freedom is effectively limited.[40] Secondly, since domination does not eradicate freedom, resistance is necessarily present in relations of domination, but this resistance is effectively neutralized. Domination achieves both, Foucault argues in 'The Subject and Power,' because it successfully globalizes local relations and strategies of power. That is, domination limits freedom and neutralizes resistance by gradually universalizing once local relations and strategies of power[41] so that certain possibilities are eliminated or marginalized, new possibilities are precluded, and certain other possibilities become ostensible necessities.[42] Further, from Foucault's concept of domination it

follows that domination can be identified and so confronted only
by considering both the genesis of local relations and strategies of
power, and also their historical development into domination. Here
is the *raison d'être* of genealogy. Liberation from power is neither
desirable nor even possible, but freedom as a practice of exposing
domination is. Foucault's genealogy is itself an ethical and politi-
cal practice, a practice of ethical and political critique of domination.

Before we examine genealogical critique in the next section,
one final issue about power remains: power/knowledge. Accord-
ing to Foucault power and knowledge form a dyad, and although I
can't go into the details of this complicated relationship here, a
brief treatment of power/knowledge is crucial for rounding out
Foucault's account of power and tying it to genealogical critique.

Foucault's thesis about power/knowledge is not that power and
knowledge are identical. As he muses in a 1983 interview, 'study-
ing their relation is precisely my problem; if the two were identical,
I would not have to study their relation and I would be spared a lot
of fatigue' (*DE* IV:455). Nor is Foucault simply elaborating the
cliché that 'knowledge is power,' that information is an instrument
to acquire power, though this is closer to the truth. His thesis, rather,
is that knowledge [*savoir*] and power are dialectically related such
that neither is possible without the other, and that both are impli-
cated in domination.

According to Foucault, the modern human sciences—psychia-
try, physiology, economics, and criminology, among
others—developed in the eighteenth and nineteenth centuries. From
their inception, these sciences sought new kinds of extremely de-
tailed knowledge [*connaissance*] in the name of understanding
certain dangerous populations, whether the insane, the sick, the
criminal, the vagabond, or the sexual deviant. The accumulation
of such knowledge, however, required new institutions such as asy-
lums, hospitals, and prisons, and new practices such as involuntary
confinement, medical experimentation, surveillance, and psychi-
atric confession. Foucault's point, in other words, is that the
humanistic and ostensibly humanitarian acquisition of scientific
knowledge was greatly facilitated by new forms of power and new
mechanisms of social control. These forms and mechanisms were
then refined in order to acquire more extensive knowledge, which

in turn made possible even more precise techniques of control.⁴³

For our purposes, there are three salient features of Foucault's account of power/knowledge. First, the techniques of power and knowledge that were originally localized to specific (dangerous) populations have in the last two or three centuries been expanded and applied to the entire general population. Secondly, the discourse of the human sciences has become the dominant, legitimating discourse of our time. Lastly, this discourse is performative; it institutionalizes the discursive objects, the kinds of knowledge, the practices, and the forms of power which are constitutive of the human sciences, and which have produced new, thoroughly normalized subjects. Thus, science and all that it implies is the initial object of Foucault's genealogical critique; genealogy targets 'the institutions and effects of the knowledge and power of scientific discourse' (*DE* III:169).

4. Foucauldian Genealogical Critique

Foucault's remarks on genealogical critique are hopelessly dispersed throughout his entire corpus of books, essays, lectures, and interviews. Still, I believe that the crucial texts on critique are the 1976 lectures, 'Qu'est-ce que la critique?,' and 'Qu'est-ce que les Lumières?' Further, these three works reflect two stages in Foucault's conception of the significance of genealogical critique. In the 1976 lectures genealogy investigates the role of power in the relationship between forgotten or marginalized practices and dominant practices, and is critical insofar as this investigation problematizes the latter. 'What is Critique' amounts to a genealogy of critique, and serves as a transitional work to the second stage of Foucault's conception of the significance of genealogical critique expressed in 'What is Enlightenment?' Here Foucault reinterprets a forgotten notion of critique as an attitude or ethos, and in so doing counters the objections of Habermas, Taylor, and Walzer.

In the first of the 1976 lectures Foucault discusses genealogical critique as 'an insurrection of "subjugated knowledges" [*savoirs assujettis*]' (*DE* III:163), and defines subjugated knowledges by distinguishing two kinds of subjugated knowledges: 'erudite' and 'disqualified' subjugated knowledges. On one hand, erudite subju-

gated knowledges refer to scholarly knowledge of historical discourses, practices, and forms of life which have been obscured by the hegemonic tendencies of modern scientific discourse and institutions. As Foucault puts it, erudite subjugated knowledges refer to 'the historical contents that have been buried and masked in a functionalist coherence or formal systematization' (*DE* III:164). On the other hand, disqualified subjugated knowledges refer to contemporary individuals' knowledge of discourses, practices, and forms of life which have been invalidated by the standards of dominant discourses and institutions. Disqualified subjugated knowledges refer to 'a whole series of knowledges that have been disqualified as insufficiently conceptual or insufficiently elaborated; naive knowledges, hierarchically inferior knowledges, knowledges beneath the required level of seriousness or the necessities of science' (*DE* III:164). And, while erudite and disqualified knowledges are not mutually exclusive, they are both in fact concerned with 'historical knowledge of struggles' (*DE* III:165). Subjugated knowledges are concerned with knowledge of the conflict between marginal and dominant discourses, practices, and forms of life. Put crudely, then, subjugated knowledges are forgotten or marginal discourses and practices under the 'tyranny' of modern science, especially the human sciences.

Foucault argues that genealogy is the instrument of the insurrection of subjugated knowledges. Genealogy, he claims, is 'the union of erudite knowledges and local memories, a union which permits us to establish a historical knowledge of struggles and to use this knowledge tactically in the present' (*DE* III:165). Genealogy investigates specific practices such as punishment and sex, and yields erudite and disqualified subjugated knowledge not merely of those practices but also of the discourses, practices, institutions, and forms of life that surround them. Genealogy, then, *uncovers* subjugated knowledges; genealogy exposes marginalized and/or forgotten discourses and practices. However, genealogy also *recovers* them insofar as they are used to problematize dominant practices and institutions. Genealogical knowledge of subjugated knowledges undermines dominant practices and institutions—their presuppositions, categories, concepts, and logic—by exposing the relations of power and historical contingencies behind their pre-

tenses of universality, necessity, and nobility. Such destabilization, Foucault claims, then releases subjugated knowledges as genuine alternatives to dominant practices, institutions, and forms of life, and creates the freedom with which new ones can be explored. In short, genealogy is critical in the sense that it confronts the authority of dominant practices and institutions, multiplies possibilities they effectively excluded, and thereby enhances freedom.

Examples of this first stage of genealogical critique are found in both *Surveiller et punir* and the *Histoire de la sexualité*. In these works Foucault charts the workings of power in the development of two important Western practices, punishment and sex, in an attempt to demonstrate how the modern forms of punishment and sex have come about, and how (the sciences of) punishment and sex have been deployed as practices to subject humans. This demonstration repudiates the ostensible necessity of modern understandings of these practices, releases subjugated knowledges of punishment and sex, and challenges modern forms of punishment and sex directly by implicating them as mechanisms of subjection.

Foucault describes *Surveiller et punir* as 'a genealogy of the present scientific-juridical complex from which the power to punish derives its bases, justifications, and rules, from which it extends its effects, and by which it masks its extreme singularity' (*SP* 27). *Surveiller et punir*, in other words, is a genealogy of the domination perpetrated by modern juridical punishment and its social correlative, discipline. In the early nineteenth century, Foucault argues, three economies of punishment representing three technologies of power were in circulation: public torture and execution; utilitarian prevention and deterrence; and penitentiary imprisonment. The economy of penitentiary imprisonment has dominated the last two hundred years of penal history, and its triumph is coextensive with the expansion of disciplinary power, with the proliferation of disciplinary techniques outside the penitentiary prison. Foucault's genealogy demonstrates that the modern penitentiary prison is an institutional technique of coercion and an apparatus of knowledge (of criminals and delinquency) which produces normalized and productive 'docile' bodies, and which naturalizes disciplinary power outside the prison. The prison sys-

tem, then, is not an a priori necessity that courageously protects society from criminals, but an instrument that subjects the general population by legitimating and perfecting the techniques of correctional, normalizing, social discipline. 'The emergence of the [penitentiary] prison marks the institutionalization of the power to punish' (*SP* 133), and with it the entrenchment of the power to discipline.

A second example comes from *La volonté de savoir*, a book which most basically asks 'not why are we repressed, but rather why do we say, with so much passion and so much resentment against our most recent past, against our present, and against ourselves, that we are repressed?' (*HS1* 16). This first volume of Foucault's trilogy is a genealogy of sex since 1700, and challenges what he calls 'the repressive hypothesis,' the wide-spread view that the last three centuries of sex have suffered from puritanical repression of sexual desire, and that more generally humans are essentially characterized by animalistic desires repressed by social standards and their internalization. Foucault's genealogy of the techniques of power and the will to know behind the valorization of the discourse of sexual repression demonstrates that the relationship between sex and power is not characterized by repression; rather, power has produced a multiplicity of discourses about sexuality, but the idiom of these discourse is itself oppressive. Mechanisms of power operating in a variety of institutions—religion, medicine, education, psychiatry, criminal justice, etc.—have produced a variety of discourses about sex. This proliferation of sexual discourses has dramatically increased unorthodox sexualities (hence our age is actually less repressed than the late middle ages and early modernity), but because these sexual discourses are all in the idiom of a biology of reproduction or a medicine of sexuality, sexuality is constituted not as a matter of sensual pleasure, but as a problem of truth.

The standard governing the production of true discourses on sexuality is the confession: first-person narrative testimony to oneself or others about not merely the occurrence of sexual acts, but also about the hidden and potentially dangerous biography of the confessor—the thoughts, images, desires, fears, fantasies, and socio-

economics surrounding sexuality. This vast knowledge of sex yielded and authenticated by confession to one's physician or psychiatrist became the object of *scientia sexualis*, the purpose of which is not to intensify sexual pleasure, but to amplify analytical knowledge of sexuality. Sex, in other words, was covertly transformed into sexuality insofar as sexual acts were colonized by the classificatory, normalizing sexuality of binary categories: normal/deviant, heterosexual/homosexual, masculine/feminine, liberated/repressed. Individuals as sexual beings became the objects of knowledge and administrative control—surveillance, regulation, and manipulation of sexuality were justified in the name of the science of public health—and the ubiquity of the language of repression obscures the dynamics of domination within the medicalization of the historical formation of sexuality.

Because the science of sexuality, along with its repressive hypothesis and confessional practices, were born of the Christian hermeneutic of the self, Foucault is forced to examine pagan antiquity for subjugated knowledges of sex and subjectivity. *L'usage des plaisirs* and *Le souci de soi* provide a genealogy of the desiring subject in Greco-Roman antiquity, and attempt to show 'how in classical antiquity sexual activity and sexual pleasures were problematized through practices of the self, bringing into play the criteria of an "aesthetics of existence"' (*HS2* 18). Foucault's genealogical inquiry reveals that ancient sexuality (*aphrodisia*) was not problematized in our modern Christian/scientific terms of desire and its repression. Rather, between classical Greece and the early Roman Empire sexual activity and sexual pleasures were problematized in terms of the arts or aesthetics of existence: the existential style of intentional and voluntary techniques or austere practices of the self by which individuals transformed themselves into ethical subjects of sexual conduct. As Foucault puts it, the aesthetics of existence refer to 'those intentional and voluntary actions by which men not only fix themselves rules of conduct, but also seek to transform themselves, to modify themselves in their singular being, and to make their life into an *oeuvre* that carries certain aesthetic values and meets certain criteria of style' (*HS2* 16-17).

The modern problematization of sex in terms of sexual desire/

repression lies at the heart of the *scientia sexualis* and has indeed dominated the West for the past eighteen centuries. However, Foucault's genealogy of ancient sex as an insurrection of subjugated knowledge of the aesthetics of existence and its techniques of the self challenges this monolith. Sex for the Greeks and early Romans was an aesthetic matter, a matter of an individual's lifestyle, and sexual discretion and moderation were exercised in the name of freedom as an ethical ideal. The asceticism, compulsion, and guilt which essentially characterize modern sexual practices and ethics—our sexual practices and ethics—were unknown to the ancients. As Foucault puts it, Greco-Roman 'themes of sexual austerity should be understood, not as an expression of or commentary on deep and essential prohibitions, but as the elaboration and stylization of an activity in the exercise of its power and the practice of its freedom' (*HS2* 30). Furthermore, Foucault identifies several specific ethical techniques of the self, for example Socratic *parrhesia* (truth-telling) and Stoic *premeditatio malorum* (meditation on future tragedies) intended to constitute an aesthetics of existence. And while a return to ancient sexuality is neither desirable nor even possible,[44] by demonstrating the emergence of the Christian problematization of sex from its pagan antecedent, he undermines the unquestioned authority, legitimacy, and self-certainty of modern sexuality and its scientific discourse of repression.

In sum, Foucauldian genealogy at this stage is critical in two regards. First, it undermines dominant practices and institutions by exposing the relations of power that have generated them and that operate through them. Secondly, and more radically, it implicates practices and institutions as mechanisms of domination; it shows that power relations operating through dominant practices and institutions not only oppress subjects, but in fact constitute them in precise ways for specific purposes. Foucauldian genealogy, then, is critical not in the conventional sense of specifying first principles in order to denounce what is and make prescriptions for what should be, but in the sense that it confronts domination by identifying and explaining its mechanisms and tactics in the name of freedom. 'Things that have been made,' Foucault argues, 'can be unmade on condition that we how it was that they were made' (*DE* IV:449). Genealogy explains how things—practices and

subjects alike—were made, and so 'is absolutely indispensable for any transformation' (*DE* IV:180) of those practices and of ourselves.

In 1978 Foucault delivered an important lecture at the Sorbonne entitled 'Qu'est-ce que la critique?'[45] This lecture is in effect a genealogical critique of critique, and serves as a transitional work to the second stage in his conception of the significance of genealogical critique expressed most thoroughly in 'Qu'est-ce que les Lumières?' According to Foucault's genealogy, modern critique was originally not a specific method or procedure but an attitude or ethos which he sees reflected in Kant's 'Was ist Aufklärung?' and which he reinterprets in his essay of the same title.

In 'What is Critique?' Foucault argues that critique was born in the fifteenth and sixteenth centuries in response to governmentalization, that is, in response to the politicization of the Christian pastoral. The Christian pastoral refers to the idea that all individuals from birth to death ought to be governed toward their salvation by someone to whom they are totally obedient. In the fifteenth and sixteenth centuries this pastoral was expanded from a church doctrine into the art of governing civil society, focusing on the methods and objectives of governing the health, well-being, and development of various elements of civil society, for example one's own mind, one's own body, a house, children, the poor, armies, and so on. Governmentalization, however, prominently raised the question of how *not* to be governed, meaning not how to avoid being governed altogether, but how to be governed better, how not to be governed like one was being governed. This perpetual and pervasive question manifested in what Foucault calls 'the critical attitude.' As he initially characterizes it, the critical attitude is simply 'a general cultural form...a moral and political attitude [and] a way of thinking' about not being governed.[46] He later argues, though, that the critical attitude consists specifically of suspicion and scrutiny of the relationship between power, (theoretical) truth, and the subject; the critical attitude focuses on the legitimating truths to which the methods and objectives of those who governed subjects appealed, and questions the authority of those truths according to several different standards, including that of the Bible, natural law, and one's own good judgment. Thus, Foucault defines the critical attitude as 'the movement through which the subject

gives itself the right to question truth concerning its power effects and to question power about its discourses of truth. Critique will be the art of voluntary inservitude, of reflective indocility.'[47] More-over, this definition 'differs little from the one Kant gave, not of critique, but precisely of.... *Aufklärung.*'[48]

In 1784 Kant asked in the *Berlinische Monatschrift* 'Was ist Aufklärung?' On its bicentennial, Foucault argues in 'Qu'est-ce que les Lumiéres?'[49] that Kant's essay lies 'at the intersection [*charnière*] of critical reflection and reflection on history' (*DE* IV:568). Kant's essay reflects on the historical situation he inhab-its, and locates the motive for his critical project in that situation. Of course, the historical situation in question is the Enlightenment, which Kant defines not as an historical period or an intellectual event, but as an *'Ausgang.'* Enlightenment is a process and an ob-ligation that releases us from our 'self-imposed immaturity,' our willful failure to use autonomous reason and our obedience to the authority of others where such reason is called for. Thus, on Foucault's reading, for Kant Enlightenment is 'defined by a modi-fication of the preexisting relation between will, authority, and the use of reason' (*DE* IV:564), that is, between the subject, power, and truth. And, Kant's critical project is a response to Enlighten-ment insofar as the use of autonomous reason requires that its limits be defined and its legitimate and illegitimate uses be determined. Further, once revealed religion and metaphysics are stripped of their authority, normative critique is justified on the universal, ahistorical grounds of reason; morality requires the private use of autonomous reason and being governed properly means promot-ing the public use of autonomous reason. So, in sum, according to Foucault, Kant's understanding of Enlightenment reflects the criti-cal attitude occasioned by governmentalization, and the latter's critical project is born of that attitude. 'What Kant described as *Aufklärung* is indeed what I...describe as critique, as that critical attitude one sees appear as a specific attitude in the West from... what was historically the great process of the governmentalization of society.'[50]

Foucault does not clarify the significance of the relationship between the historical and critical dimensions of Kant's essay, but I believe that his revisionist reading intends or at least implies three points. First, as Christopher Norris has observed, Foucault sees an

unresolvable tension between these two dimensions.[51] On one hand, highly specific historical conditions commit Kant to a particular project of critique, and on the other hand, that project of critique attempts to transcend those condition by deducing a priori truths about human faculties and establishing universal moral laws. Put more starkly, Kant mistakes historically specific truth-claims and limits for a priori and universally valid truth-claims and intrinsically human limits. The second, more important point is that the past two centuries of philosophical discourse have adopted the general form of Kant's notion and project of critique, valorizing foundations and universals, and demanding that epistemic and normative validity be justified on their terms in law-like fashion. The third and most important point is that Kant's notion and project of critique which frame the philosophical discourse of modernity are through and through juridical. Kantian critique is drawn on the juridico-discursive model of power, for in effect it translates both political sovereignty into epistemic and normative sovereignty, and also juridical laws into epistemic limits and moral laws. As we have seen, on the juridico-discursive model (political) power is embodied in the sovereign who makes laws and from above applies them in order to limit subjects and adjudicate their disputes. Analogously, Kantian reason is sovereign, it occupies a privileged position from which it identifies epistemic limits and moral laws, and from which it applies them in order to adjudicate competing truth-claims and actions. Moreover, Foucault's objection to the juridico-discursive model holds for the Kantian notion of critique it inspired; preoccupied with the privilege of sovereignty and law, the juridico-discursive model is blind to certain productive modalities and mechanisms of power, and the Kantian notion of critique is blind to how those modalities and mechanisms produce discursive objects of knowledge and establish theoretical truth-conditions. In short, Foucault seeks to abandon the notion of (political, epistemic, and normative) sovereignty, and with it (Kantian) critique's claims to foundational truth and universal validity.[52]

However, Foucault refuses to give in to 'the "blackmail" of the Enlightenment' (*DE* IV:571). That is, he refuses to abandon critique simply because he rejects the terms on which it has been defined since Kant. Nonetheless, Foucault recognizes that we are

still 'historically determined to a certain extent' (*DE* IV:572) by the Enlightenment, and so he seeks an alternative notion of critique within the Enlightenment tradition. He finds such an alternative in the critical attitude and in Kant's characterization of it as Enlightenment; insofar as he simultaneously problematizes both his relation to the present and the constitution of the autonomous subject, Kant illustrates the critical attitude of the Enlightenment despite the fact that he fatally dehistoricized his particular critical project inspired by it. In other words, Kant's age, like our own, witnessed the collapse of foundations, and while he exemplifies the critical attitude of Enlightenment which we too need, he pursued a misguided notion and project of critique regrounded in epistemology.[53] Kant, then, weaves the philosophical thread that connects us with the Enlightenment, and this thread is not 'fidelity to elements of its doctrine, but rather the permanent reactivation of an attitude; that is, of a philosophical ethos that could be characterized as a permanent critique of our historical era' (*DE* IV:571).

Critique for Foucault is an attitude or ethos, a philosophical life even, which problematizes the relationship between power, knowledge/truth, and the subject, and which investigates the historical limits of what we are, think, say, and do, not in order to observe them, but to experimentally go beyond them. Critique he says 'is no longer going to be practiced in the search for formal structures with universal value, but rather as an historical investigation into the events that have led us to constitute ourselves and to recognize ourselves as subjects' (*DE* IV:574). And, genealogy is critical insofar as it is essential to this attitude; genealogy opposes dominant discourses, practices, and institutions by revealing the historical contingencies and relations of power/knowledge behind their ostensible necessity, and so creates the possibility of being, thinking, and doing beyond their limits. Finally, the critical attitude is adopted in the name of freedom, for at stake is 'the disconnection of the growth of capabilities [*capacités*] from the intensification of power relations' (*DE* IV:576). In short, then, critique for Foucault amounts to identifying the limits that history and domination have placed on us, limits that we have placed on ourselves, and its task is not to escape from power, but to create the

possibility of untold possibilities. Whereas for Kant only freedom is required for Enlightenment, for Foucault the critical attitude of Enlightenment is required for freedom.

5. Conclusion

We are now in a position to formulate a response to the objections raised by Habermas, Taylor, and Walzer with which I began this paper. I believe that their collective objections reduce to two claims. First, Taylor claims that Foucault's critique of power is 'incoherent' because the account of power presupposed by his critique rejects the correlative notions of freedom and truth without which the notion of power makes no sense. While Foucault's critique of power does presuppose a detailed account of power, this account does not reject the notions of freedom and truth, but rather reconceptualizes them. Taylor assumes that freedom is the absence of power, and since power is everywhere there can be no freedom. However, for Foucault freedom is in fact the condition of the operation of power and he critiques not power *per se* but forms of power which effectively curtail freedom. In response to objections like Taylor's, Foucault rightly says that 'The idea that power is a system of domination which controls everything and leaves no place for freedom cannot be attributed to me' (*DE* IV:721).

Foucault's reconceptualization of truth brings us to the second claim against him. Habermas and Walzer, and to a lesser extent Taylor too, claim that Foucault lacks a normative justification for critique insofar as his account of power precludes an epistemic standpoint outside power from which he can develop normative standards. This charge hangs on the twin hooks of the juridical-discursive model of power and the Kantian tradition of critique, and represents a two-fold attempt to blackmail Foucault. *First,* Habermas and Walzer demand that Foucault adopt some position of epistemic sovereignty, and they assume that in the absence of such a position he cannot develop valid, that is universal, normative standards. Secondly, Habermas and Walzer insist that ethical critique requires universal normative standards, and they assume that in absence of those standards, Foucault is reduced to relativism or decisionism, and his critique collapses in on itself.

Foucault argues at length against both these assumptions. First, Foucault's genealogies of power/knowledge intend to undermine the very notion of epistemic sovereignty; there simply is no epistemic position external to and independent of power/knowledge—no Biblical Truths, no metaphysical Truths, no Truths about Enlightenment human nature, Kantian reason, Freudian desire, or Habermasian communication. Nonetheless, Foucault remains committed to the notion of truth,[54] but in what sense exactly? Briefly, I believe that he distinguishes three different kinds of truth: empirical truth, historical truth, and theoretical truth. The first two kinds of truth straightforwardly concern empirical and historical objects. So, for example, Foucault would say that it is true that the Louvre is located in Paris, and that Napoleon married Joséphine. However, the point of his 'politics of truth' is that theoretical truths, the truths of philosophy and the human sciences, are essentially variable and contingent but not arbitrary because they have been established by identifiable historical strategies and mechanisms of power/knowledge. The very purpose of genealogy is to illuminate these strategies and mechanisms, and is critical to the extent that it reveals the complicity of ostensibly inescapable systems of truth in subtle forms of domination. And if we ask about the status of Foucault's historical claims and genealogical conclusions, they may be false, but they are not necessarily false simply because they are not formulated external to the regime of power/knowledge he is attempting to capture. In a word, then, Foucault renounces epistemic sovereignty, and along with it he denies the possibility and desirability of universal normative standards.

The second assumption made by Habermas and Walzer is that ethical critique is unjustified in the absence of universal normative standards. Foucault, though, will have none of this; the assumption made by Habermas and Walzer trades on specific conceptions of critique and ethics which Foucault rejects. Habermas and Walzer understand critique as a procedural deduction of a damning conclusion from a major premise consisting of some universal normative principle, and from a minor premise about the relevant empirical or historical facts. On this view, critique is obviously unjustified in the absence of normative principles. As we have seen, though, Foucault critiques this very notion of critique. Critique for

Foucault is most generally an attitude of suspicion about limits, and essential to this attitude are genealogical inquiries which illustrate the relations of power and the historical contingencies behind ostensible limits. Foucault's genealogy of Habermas's and Walzer's notion of critique shows that it is a response to specific historical conditions, and that it embodies the pernicious model of power current to those conditions.

Foucault also rejects the specific conception of ethics on which Habermas's and Walzer's assumption trades. For Habermas and Walzer, morality is a system of abstract principles to which ethics as a concrete social practice is subordinate. Foucault, though, disputes such morality as an empty vestige of Christian codes entrenched by early modern governmentalization and its juridical-discursive model of power. Moreover, at the conclusion of his final interview Foucault admitted what his life's work implied, that 'The search for a form of morality acceptable to everyone [*le monde*]— in the sense that everyone is obliged to submit to it—strikes me as catastrophic' (*DE* IV:706).

Foucault does not discard morality altogether, but he does greatly minimize its significance by subordinating it to a reconceptualized notion of ethics drawn on pagan antiquity. Opposed to a science of biology, ethics for Foucault is an aesthetics of existence in which the subject performs techniques or activities on itself in an attempt to attain a certain stylized mode of being which in turn frames the self-government of thought and conduct. Foucault's ethics as an aesthetics of existence has been accused of being a dangerous postmodern advance and a quietist stoic retreat, but I think it is neither.[55] For one, Foucault's ethics is not a facile postmodern *dandysme*; the techniques of the self which constitute ethics are not idiosyncratic novelties, but are performed in accordance with shared or communal practices.[56] These techniques are 'not something invented by the individual himself. They are models that he finds in his culture and that are proposed, suggested, imposed upon him by his culture, his society, and his social group' (*DE* IV:719). Further, Foucault's ethics is not stoic in the colloquial sense of being apathetically individualistic or solipsistic. Ethics as stylistic work on oneself is inseparable from social and political commitment because of the essentially communal nature

of the techniques through such work is performed. So while 'freedom is the ontological condition of ethics,...ethics is the considered [*réfléchie*] form that freedom takes upon reflection' (*DE* IV:712). Freedom is a condition of ethics because ethics simply is a practice of freedom, and since the practices of freedom are intrinsically social, we have, Foucault thinks, all the reason we need to make political commitments based on normative judgments. In short, then, Foucault's ethics does not provide a menu of values, a formal decision procedure, or a specific political program; but, in a normalized world without foundational truths, universal standards, or a pure subject, it does provide an *Ausgang* in the form of a novel framework for opposing forms of violence which eliminate freedom, forms of domination which occlude freedom, and forms of power which militate against freedom. 'The freedom of the subject and its relationship to others... constitutes the heart [*matière*] of ethics' (*DE* IV:729).

NOTES

[1] Several important commentators on Foucault deny that his genealogy is critical (though this denial takes many forms), and in fact the received view is that Foucauldian genealogy is not critical. In addition to Habermas, Taylor, and Walzer, for example, Nancy Fraser (1981), Thomas McCarthy (1990), and Richard Rorty (1986) also argue that Foucauldian genealogy is not critical. I have chosen to address Habermas, Taylor, and Walzer simply because their views on Foucauldian genealogical critique are the most representative and have been the most influential. Defenses of Foucauldian genealogical critique can be found in John Rajchman (1985) and John S. Ransom (1997).

[2] Habermas 1985: 292.

[3] Habermas begins this eulogy by relating what impressed him most about Foucault upon their first meeting in 1983: 'the tension, which resists easy categorization, between the almost serene scientific reserve of the scholar striving for objectivity on the one hand, and, on the other, the political vitality of the vulnerable, subjectively excitable, morally sensitive intellectual' (1986: 103).

[4] Habermas 1985: 279-343. '*Vernunftkritische Entlarvung der Humanwissenschaften: Foucault*' and '*Aporien einer Machttheorie.*'

[5] Habermas 1986: 108.

[6] Habermas 1985: 325.

[7] *Ibid.*, p. 336.

[8] Taylor 1986: 69.

[9] *Idem.*

[10] *Ibid.*, p. 70.

[11] *Ibid.*, p. 91.

[12] *Ibid.*, p. 93.

[13] *Ibid.*, p. 83.

[14] Walzer 1986: 64.

[15] *Idem.*

[16] *Ibid.*, p. 62.

[17] *Ibid.*, p. 61.

[18] These lectures were transcribed and first published in Italian translation in 1977 (*Microfiscia del Potere: interventi politici*, edited by A. Fontana and P. Pasquino, pp. 163-194. Torino: Einuadi). They did not appear in French until 1994, a decade after Foucault's death, as 'Cours du 7 janvier 1976' and 'Cours du 14 janvier 1976' in *DE* III:160-189.

[19] Dreyfus and Rabinow 1983: 184.

[20] The conceptual relationship between these parts is the reverse of their chronological relationship. Conceptually, a model of power raises certain methodological concerns which then guide an analytics of power. Chronologically, though, Foucault performed an analytics of disciplinary power in *Surveiller et punir* (1975) and raised certain methodological concerns in the 1976 lectures. Then, in *La volonté de savoir* (December 1976) he clarified his methodological concerns, conducted an analytics of bio-power, and articulated a model of power which he later refined in 'The Subject and Power' (1983). This model, however, is presupposed by and implicit in *Surveiller et punir*, *La volonté de savoir*, *L'usage des plaisirs* (1984) and *Le souci de soi* (1984). The conceptual-chronological inversion is understandable, for it simply means that Foucault's practice of power antedated and exceeded his ability to theorize that practice.

[21] cf. 'Le pouvoir, ça n'existe pas.' (*DE* III:302). Power, in other words, is not a substantive.

[22] Foucault enumerates these reasons in the 'Cours du 14 janvier 1976' (*DE* III:185) and briefly returns to them in *La volonté de savoir* (*HSI* 114-118). The basic reason is that during the Middle Ages systems of law were essential to the establishment of the great monarchies. Ever since then, law and power have been correlated, and this correlation forms the heart of the juridico-discursive model.

[23] It may be objected that we participate in relations of power with groups and with ourselves. Foucault's response to the former objection is that groups such as our 'family' and the 'government' are mere abstrac-

tions that designate the roles of the individuals with whom we are in relations of power. As for the second objection, in *L'usage des plaisirs* and *Le souci de soi* Foucault has a richer notion of subjectivity less tied to roles, and expands relations of power to include relations between the subject and itself. Still, relations of power between the subject and itself are complicated by performative contradictions between the subject's various roles. For example, in the former work he argues that Greek men experienced a contradiction as pederasts who subjected boys to their sexual will, and as citizens in a polis responsible for educating and cultivating the independence of future citizens (*HS2* 205-248).

[24] From the mid-1970's on, Foucault became increasingly concerned with both being a very public intellectual, and with discussing the proper function of public intellectuals. I believe that his considerable efforts to promote himself were not motivated (at least solely) by an interest in celebrity, but by his awareness of the extensive alignments entailed by such a role. cf. 'The role of the intellectual, precisely since he works in the realm of though, is to see how far the liberation of thought can make transformations urgent enough for people to want to carry them out and difficult enough to carry out for them to be profoundly rooted in reality' (*DE* IV:181). More generally, see 'Le souci de la vérité' ((1984), *DE* IV:668-678).

[25] cf. 'People know what they do; they frequently know why they do what they do; but what they don't know is what what they do does' (personal communication to Dreyfus and Rabinow 1983: 187).

[26] If the operation of power requires inequalities, and if power produces (ethical and political) subjects who obey rules and laws, it follows that inequalities are necessary for the operation of juridical systems. Put more starkly, inequality is a requirement of the institutions central to liberal political theory. cf. '...it is one of the fundamental traits of Western societies that the force relations which for a long time were expressed in war, in every form of war, gradually became invested in the order of political power' (*HS1* 135).

[27] Foucault wrote this essay in 1983 specifically for Dreyfus and Rabinow's book. Moreover, he wrote the first part of the essay, 'Why Study Power: The Question of the Subject,' in English, although the second part, 'How is Power exercised?,' is translated from French by Leslie Sawyer.

[28] cf. 'in human relationships—whether they involve verbal communication...or amorous, institutional, or economic relationships—power is always present: I mean a relationship in which one person tries to control [*diriger*] the conduct of the other' (*DE* IV:720).

[29] Foucault 1983: 220.

[30] *Ibid.*, p. 217.

[31] *Ibid.*, p. 221.

[32] *Idem*

[33] *Idem.*

[34] *Ibid.*, p. 220.

[35] However, this act of violence is a mechanism in power relations—the violence against Damiens reestablishes the sovereign's political authority.

[36] In the 1976 lectures Foucault claims that disciplinary power is 'one of the greatest inventions of bourgeois society' (*DE* III:186).

[37] See '*la 'gouvernmentalité*'' ((1978), *DE* III:635-657).

[38] See '"*Omnes et singulatim:*"' *vers une critique de la raison politique*" ((1981), *DE* IV:134-161). Foucault summarizes pastoral power in 'The Subject and Power' (1983: 213-216).

[39] Foucault 1983: 222-223.

[40] cf. 'Of course, states of domination do indeed exist. In a great number of cases, relations of power are fixed in such a way that they are perpetually asymmetrical and allow an extremely limited margin of freedom' (*DE* IV:720).

[41] cf. Strategies of power 'were invented and organized from the starting points of local conditions and particular needs. They developed piece by piece, prior to any class strategy designed to solidify them into vast coherent ensembles' (*DE* III:202).

[42] cf. 'All my analyses are against the idea of universal necessities in human existence' (Foucault 1988: 11).

[43] Foucault's more general philosophical point is that nothing can be recognized as knowledge if it does not conform to rules characteristic of some kind of 'serious' (scientific) discourse, and if it does not possess effects of coercion proper to what is valid on that discourse. Inversely, nothing can function as a mechanism of power if it is not exerted according to procedures and objectives that are valid in coherent systems of knowledge composed of 'serious' discourses.

[44] Paul Veyne, a close friend of Foucault and one of the most influential French commentators on his work, insists that 'Foucault never thought he saw an alternative to the Christian ethic in the Greeks' sexual ethic' (1997: 226).

[45] This lecture is not included in *Dits et écrits*, so I have relied on the only available copy, an English translation by Kevin Paul Geiman in *What is Enlightenment: Eighteenth-Century Answers and Twentieth-Century Questions*, edited by J. Schmidt, pp. 382-398. Berkeley: University of California Press, 1996.

[46] Foucault 1996: 384.

[47] *Ibid.*, p. 386.

[48] *Idem.*

[49] 'Qu'est-ce que les Lumières?' is one of Foucault's last essays written and first published (in English translation) in 1984. (*The Foucault Reader*, edited by P. Rabinow, pp. 32-50. New York: Pantheon). This essay also did not appear in French until 1994 in *DE* IV:562-578.

[50] Foucault 1996: 386-387.

[51] Norris 1994: 168-169.

[52] Glimpses of Foucault's mature notion of critique can be seen as early as 1978. cf. 'Critique does not have to be the premise of a deduction which concludes: this is what needs to be done. It should be an instrument for those who fight, resist, and refuse what is. It's use should be in processes of conflict, confrontations, essays in refusal. It doesn't have to lay down the law for the law. It is not a stage in a program. It is a challenge in relation to what is' (*DE* IV:32).

[53] Still, Foucault recognizes that Kantian philosophizing and critique have 'not been without [their] importance or effectiveness during the last two centuries' (*DE* IV:577).

[54] cf. 'I believe too much in truth not to suppose that there are different truths and different ways to speak about the truth' (*DE* IV:733).

[55] The former accusation is made by Pierre Hadot (1989: 267) and the latter accusation is made by Richard Wolin (1986: 84-85).

[56] Of course, to the extent that our culture may be postmodern these techniques themselves may be postmodern.

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HS1 = *Histoire de la sexualité 1: La volonté de savoir* (Paris: Gallimard: 1976)

HS2 = *Histoire de la sexualité 2: L'usage des plaisirs* (Paris: Gallimard, 1984)

HS3 = *Histoire de la sexualité 3: Le souci de soi* (Paris: Gallimard, 1984)

SP = *Surveiller et punir* (Paris: Gallimard, 1975)

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