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GENEALOGICAL CRITIQUE IN THE LATER WORK OF MICHEL FOUCAULT

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by

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ABSTRACT

“Genealogical Critique in the Later Work of Michel Foucault” attempts to explain the political stakes of Michel Foucault’s strategy of genealogical critique by examining genealogy as both an attempt to affect and an effect of biopolitics. In examining the critical, historical and political dimensions of genealogical critique, I show that Foucault situates his work between a set of critical requirements rooted in Enlightenment attempts to rationalize history and a network of institutional practices that discipline bodies and normalize populations. Since the nineteenth century these projects of critique, discipline and normalization have grown into a decentered apparatus of power and knowledge that resists systematic analysis. Rather than pursuing systematic theoretical closure, genealogy reveals both discursive and non-discursive biopolitical investments in systematic accounts of political practices and identifies the ways in which liberal discourses contribute to effects of domination that marginalize individuals on the basis of class, gender, race, sexuality and culture. One effect of this revelation is to momentarily paralyze the regular effects of biopower in order to mobilize previously ignored opportunities for critical practice.

Characteristic of its questioning of systematic critique, the project proceeds through a series of episodic provocations. The first moment of provocation concerns attempts to render the theoretical underpinnings of genealogical critique. I show that Foucault highlights the historicity and contingency of genealogical criticism by first linking it to Enlightenment and anti-Enlightenment critical traditions, before raising the question of this tradition’s practical political investments. The second moment of provocation examines Foucault’s refusal to construct a theory of power capable of articulating the enduring practical conditions linking knowledge and

power before concluding with a discussion of the strategic commitments of that refusal. Finally, the third moment of provocation evaluates the political significance of Foucault's strategic use of genealogical critique by examining the impact of genealogy on feminism, queer theory, critical philosophy of race and postcolonial theory. Within these discourses, genealogy effectively paralyzes existing standards of evaluation and thereby serves as a basis for experimenting with the possibility of inventing new critical practices.

TABLE OF CONTENTS

Preface.....	vii
Part I: Critique	
Introduction: The Unity and Disunity of Michel Foucault’s Critique of Subjectivity.....	1
Chapter One: The Rebirth of the Subject and the Question of Enlightenment	
§1 Lineage of a Dubious Critical Consensus.....	10
§2 Questioning Enlightenment.....	18
Chapter Two: Political Potential and Critical Ontology of the Present.....	35
§1 Structures of Critical Opposition.....	36
§2 Oppositional Attitudes.....	40
§3 Genealogical Critique.....	52
Chapter Three: Opening a Space for Critique.....	60
§1 Subjectivity, Resistance and Psychoanalysis.....	63
§2 Where is the Subject in the Problematization of Subjectivity?.....	69
§3 Strategies of Experience.....	77
Conclusion.....	83
Part II: Power	
Introduction: Genealogy and Discourses of Power.....	88
Chapter Four: A Fine Start on a Complete Theory of Power	
§1 Methodological Considerations Regarding Power.....	96
§2 Genealogical Reflection and the Study of Power.....	102
§3 Intensification: The Presence of Biopower.....	111
Chapter Five: Three Moments in the History of the Present:	
Sovereignty, Discipline and Biopower.....	121
§1 The Sovereign Realm: Binary Spaces and Deeds.....	124
§2 Normalization, Disciplinary Power, Objectification.....	141
§3 Biopower: Regulating the Conditions of Life One Life at a Time.....	162
Conclusion: The Invisible Present and the Movement beyond Biopower.....	188
Part III: Politics	
Introduction: Genealogical Politics of Discursive Displacement.....	201

Chapter Six: Displacing Questions of the Real in Discourses of Feminism and Postmodernism.....	219
Chapter Seven: Implicit Strategies of Totalization: Colonialism and Homophobia	
§1 Critical Practice without Critical Alliance.....	243
§2 Common Discourse and Local Practices.....	247
Chapter Eight: Collateral Damage: Postmodernism and Political Engagement.....	266
§1 Totality and Particularity: Reversing Terms, Maintaining Priority.....	268
§2 Some Power that Hardly Looks Like Power: White Deployments of Race...275	
§3 A Redder Shade of Neck on a Whiter Shade of Trash: Discursive Practices of Marked and Unmarked Racialized Subjects.....	292
§4 White Trash and Other Performances of Subjectivity.....	310
Chapter Nine: Genealogy and the Paralysis of Representation.....	334
§1 Paralyzing Assumptions of Representational Critique.....	336
§2 Genealogy, Deconstruction and Colonialism.....	350
§3 Critical Transformation and the Moment of Paralysis.....	364
Conclusion.....	377
Bibliography.....	386

Preface

In its episodic structure this dissertation attempts to address several critical strategies that have been the source of criticism regarding the work of Michel Foucault. The three parts of the dissertation gather those discontinuities under the general headings of Critique (Part I), Power (Part II) and Politics (Part III). Some of the questions that prompted these divisions concern the absence of an identifiable justification for genealogical critique; the uncertainty of the connection between genealogy and subjectivity; the relation between the genealogist and the artifacts she discovers, and in particular, the relationship between the genealogist and power, not to mention the defining characteristics of the power relations that genealogy addresses; the political status of genealogy; its absence on issues generally classified under the heading of “identity politics” such as gender, race, sexuality, class and ethnicity; and finally the lack of an agenda for political action based on a clear articulation of critical priorities. While I have attempted to speak to these concerns throughout the dissertation, I have not arrived at the kinds of demonstrated conclusions that a scholarly work usually aims for. Instead, I have attempted to identify those currents in Foucault's thought that provide relevant insight concerning the questions at hand so that such questions might be located relative to the critical practices in which they are implicated and thereby reformulated, displaced or simply given a response.

This method of response with its dramatic plan of organization seems warranted by the tendencies of Foucault's scholarship, the objects he chose to investigate and the political effects he envisioned for his work, but it also seems warranted given a view of scholarship that aspires less to pedantry and training than friendship and collaboration. Accordingly, rather than discovering the deep necessity governing Foucault's work, I have attempted to follow the lines of thought by which Foucault cultivates the deep non-necessity and freedom of his work. In short, I

have attempted to articulate what makes it available as a kind of “tool-box which others can rummage through to find a tool which they can use however they wish in their own area” (Foucault, “Prisons et asiles dans le mécanisme du pouvoir” 1994, 523-524) and why this type of scholarship is so valuable and sorely needed at present.

Toward that end, I approached my project by trying to take the criticisms of Foucault's work as points of insertion or access to develop an understanding of the uses to which that work might be put. These criticisms seemed to be sites where Foucault's work appeared particularly useless as opposed to functioning as the tools Foucault wished them to be. I asked myself under what conditions and given what beliefs the criticisms regarding Foucault's work would be valid and set to work not only to excavate the logic guiding Foucault's project, but also to identify the way in which Foucault's critics had more or less accurately grasped the import of genealogical critique and how those understandings might affect critical practice. Thus, my first attempts to follow this thread concerned critics' claims that Foucaultian critique lacked adequate theoretical grounding to be taken seriously on a philosophical level despite evincing obvious if obscure political and sociological value. It appeared to me that these criticisms required an underlying assumption regarding what would qualify as not only philosophically valid critique, but assumptions regarding the relation between philosophical reflection and other types of reflection as well. Still, I was not so sure that these assumptions could not be justified and I continued my work by examining Foucault's reflections on critique and its underlying methodologies.

In the essays and interviews in which Foucault takes up the question of philosophical critique, he situates it in a tradition in which the function of critique gradually shifts from a method of impugning authority toward a method of justification based on an adequate estimation of one's duties and capacities. The highest aim of critique becomes to justify the critical subject

through an articulation of its duties and capacities, while at the same time identifying those discourses that fail to provide sufficient justification for their own critical enterprises and explaining their failure to do so. Curiously, Foucault does not follow suit, or at least he does not do so straightforwardly. While he emphasizes the ahistoricity of those accounts and thus seems to identify historicity as a component of valid criticism, he emphasizes the historical and discursive linkages tying his own methods back to those whose insufficient historicity should otherwise disqualify them and thus includes his own methods in whatever disqualification would stifle those accounts as well. In particular, his genealogy of critical thought involves showing that tradition's investments in the disqualifications of historicity generally and its own historicity in particular.

Though genealogical critique appeared historically compromised in this manner, it still seemed possible that Foucault could justify his criticism on ontological or metaphysical grounds, thus disqualifying ahistoricism in terms of an ontological or metaphysical necessity of critique that would justify genealogical historicism. Instead, Foucault uses genealogy to emphasize the continued links and modes of compromise that break down the strict distinction between knowledge and power, such that one is ultimately forced to confront the question of what genealogical critique aims for, or at any rate, to ask: What is the goal that Foucault believes will justify his method of critique, which otherwise appears to be purely destructive of the venerable philosophical disciplines of critique emerging from the Enlightenment? Whether as justification or as further indictment, Foucault uses genealogy to point to the metadiscursive, practical function of Enlightenment critique as it forecloses the possibility of forms of criticism that fail to state their terms of justification in advance as though the Enlightenment and its modes of

criticism amounted to little more than discursive policing mechanisms designed, or at any rate functioning, to retrospectively train discourse to endlessly reproduce itself and its past.

At this point, it became clear to me that what a discourse had to say about itself and its objects—the discursive level, properly speaking—was paralleled by a level of discursive practice or effects that regulate not only discourses but also who has access to them and in what ways they can exercise the power of that access. Of course, Foucault refers to these levels in terms of knowledge and power, and it is one of the great consequences of his critical genealogies to identify the sites of interchange and lines of force linking the two. Yet, while genealogical criticism points out the way that knowledge and power, discourse and practice are linked to one another, it nevertheless stops short of conflating the two, indicating that perhaps the adequacy of Foucault's project will hang on developing a robust account of the line or lines tying knowledge to power such that the genealogist could, by virtue of this map of power-knowledge, identify her point of insertion and location within power relations, turning those relations to her relative advantage by virtue of the accuracy and completeness of this map. A second analysis of Foucault's project, this time from the side of power rather than the relatively theoretical lens of critique, would be necessary to complement my initial research on Foucault's method of genealogical critique.

There is, of course, a methodological problem with this plan of research: If knowledge produces effects of power and vice versa, then how will the genealogist construct a complete and accurate map of power relations to complement the avowedly incomplete and only partially accurate account of critical discourses? It would appear that the genealogist becomes entangled in a methodological trap of her own making without obvious recourse to a point of extrication. Moreover, the validity of the entire project of articulating the relations between knowledge and

power seems to hinge upon finding that point of extrication and writing her learned criticism in the hollow of that enclosure.

On the other hand, Foucault's emphasis on the historicity of this critique points in another direction for which one's entanglement in power relations functions as a point of qualification rather than disqualification. If power is omnipresent and knowledge production can always be analyzed in terms of power, then criticism may amount to reformulating and mobilizing those relations rather than succeeding or failing in the attempt to extricate one's scholarship from those relations entirely. In that case, an account of power would amount to an always perspectival, strategic account that functions to identify, but also mobilize those relations in which one finds oneself presently. Rather than a map or overview of power as such, one would attempt to render something like a panorama of power in its multiple configurations and intensities as it composes the very scene from which one attempts to compose an account of one's vision. Though far reaching and still presenting the danger of forgetting that this perspective upon the horizon of power is but one highly contingent vantage on a broad and poorly understood event, such a panoramic view has the potential to locate the specific contours of power relations that surround the genealogist while also locating the intermediary ground or sense in which those relations are in part the consequence of the vantage taken up.

Power is not a fixed positivity, wholly independent from the way that it is addressed, but it is not simply a trick of perspective, an optical illusion either. Despite its all-encompassing visage, power is susceptible to modification along an infinite number of sites, but it is not for that matter susceptible to modification at will. There are, broadly speaking, "political" stakes in the attempt to know and modify power relations that make discursive practices and institutions recalcitrant. As much as a finely detailed panorama of the present configuration of power

relations proves valuable and desirable to the genealogical critic, it also raises questions about the critic's practical investments in that knowledge along with the investments that others might have in not only keeping that knowledge concealed, but also using it for their own strategic interests.

Moreover, the recurrent theme of the implication of power and knowledge also implies that “power” and “knowledge” are not simply commodities held and used at will, but that they are in some sense productive of relationships and functional interactions, meaning that genealogical critique becomes “political” at another level on which the structure and fabric of politics is at stake in addition to the content of relations among discrete individuals. The political stakes of critical, interpretive practices thus involve not only modifying the relations among individuals, but modifying the identities and modes of self-relation that individuals can have as well.

Genealogical critique as practiced by Foucault becomes susceptible to criticism on several grounds owing to its apparently totalizing pretensions and its near-legendary reluctance to address widely recognized contemporary political concerns related to gender, sexuality, class, race and colonialism. Despite the apparently revolutionary political implications of genealogical critique, the actual genealogical work compiled by Foucault seldom mentioned these modes of “identity politics” and may even consolidate a detached apoliticism that has been one of the defining characteristics of the middle-class, white, European, heteronormative, masculine discourses of Enlightenment criticism that genealogical critique claims to put in question.

It is in responding to and engendering this form of critique that the revolutionary potential of genealogical critique appears at the deeper level of politics on which genealogy displaces relations between individuals and modes of self-relation. While seeming to focus

exclusively on traditions of criticism operative in the West's self-characterization authorized by the distinction between power and knowledge, the transdiscursive effects of genealogical critique are felt in the manner that allows genealogy to paralyze the self-contained and self-authorizing discourses of Western rationality. Accordingly, if Foucault's analysis of biopower emerging out of Western discourses of Enlightenment rationality can be linked to feminism, queer theory, critical philosophy of race and postcolonialism to isolate the masculine, heteronormative, white, middle-class, European specificity of the Enlightenment distinction between power and knowledge, then genealogical critique can serve as an indirect, lateral point of collaboration and point of articulation between these varied theoretical approaches and practical commitments.

To some extent, I believe I have shown how this articulation can become politically intelligible in the third part of the dissertation, just as the first and second parts suggest the theoretical and practical limits of this articulation's intelligibility. Nevertheless, I would like to insist that the value and radicalism of genealogical critique depends upon recognizing that these sites of articulation function within a logic of tactics, strategy, or games and friendship rather than a logic of uniform causation, necessitation or obligation. What motivates these applications and investigations is a sense of provocation brought about by Foucault's critics, which testifies to the productive value of criticism in a twofold way. On the one hand, the criticisms that motivated this enterprise seemed to profoundly misconstrue something of genealogical critique's rationale, its methodology and domain of application; but on the other hand, these deployments of genealogical critique would remain inert and unexamined if not for these critical inroads. In a very banal sense this provocation to discourse illustrates the political potential of genealogical critique that I have attempted to develop throughout the dissertation.

Still, it may be wondered why or whether one had to take up this provocation as I have and as I believe Foucault uses genealogical critique to urge us to do: Is genealogical critique inherently provocative? No, it is not even inherently provocative in the most banal sense that any critical claim seems to call for a response. The political relations that genealogical critique exploits and attempts to provoke are the relations of friendship and collaboration that undercut any necessity and thereby stand in stark contrast to the necessity of rational autonomy that warrants Enlightenment critique and politics. Drawing on the emphasis on self-knowledge within that tradition and displacing it, Foucault uses genealogical critique to paralyze and disable the priorities of European Enlightenment so that those silenced or otherwise coerced or ventriloquized by Western rationality (including those marginalized within that tradition as well) might voice their critique without first supplying warrants for their complaint.

In her paradigmatic statement of feminist theoretical methodology written alongside Elizabeth V. Spelman, María Lugones describes conditions that complement the underpinnings of genealogical critique in rendering duty and necessitation insufficient for theoretical production when she notes that feminist theorists must be

moved by friendship to understand the texts of our cultures by understanding our lives in our communities. This learning calls for circumspection, for questioning of yourselves and your roles in your own culture. It necessitates a striving to understand while in the comfortable position of not having an official calling card (as “scientific” observers of our communities have); it demands recognition that you do not have the authority of knowledge; it requires coming to the task without readymade theories to frame our lives (Lugones and Spelman 1983, 580).

Without any transcendent discourse of necessitation or obligation, self-interest or intellectual detachment, the only motivation governing and ultimately justifying the politics of genealogical critique is one of friendship, which calls not only oneself but also one’s political investments into question.

Part I: Critique

Introduction: *The Unity and Disunity of Michel Foucault's Critique of Subjectivity*

The aim of the first part of the dissertation is to provide a schematic overview of Foucault's project as one characterized by an essential incompleteness. By examining the three moments of Foucault's project—archaeology, genealogy and strategy—I will show that the overall politics to which Foucault contributes is a politics of resistance, though a kind of preliminary resistance owing to and leaving room for the contributions of others. That is because the politics to which Foucault contributes is not predicated a naturally free subject struggling to eliminate oppression, but rather a much more modest form of politics based on the interaction of multiple, interlocking strategies and practices. Foucault aims at constructing something like the mirror image of the autonomous subject of Enlightenment by examining the prehistory or archaeology of the conditions that brought that subject into existence, and comparing this prehistory with the recorded history or genealogy according to which that subject identifies itself. This means Foucault examines not only the logic that brought the Enlightenment subject into existence and preserves it, a domain he calls the *archaeology* of that subject, but also looking at the various practices that such a subject defeats or even precludes for a time, the forces and experiences that must be suppressed in order for that subject to live, which Foucault calls the *genealogy* of that subject. Combined, these two moments form an image of the modern subject that Foucault understands to be determinative of contemporary Western philosophical experience.

Yet despite that pervasiveness, the coordination of these moments of archaeology and genealogy do not exert an inescapable normative force through their composition but rather form an unstable assemblage in which archaeological and genealogical forces displace one another,

forming a zero point at which no subjective agency can claim authority. It is not Foucault's contention that we must maintain this moment of cancellation so much as that this moment serves as a preliminary basis for the redirection of force, thus compelling new practices and, with them, new moments of cancellation as well. In the absence of any controlling authority, the "liberation" that this form of critique offers is not the product of a long historical development culminating in the present or yet to be grasped promise of some distant future. Rather, such "liberation" is the product of a long historical process whose constituent elements are characterized by a cessation and redirection of forces. So liberation takes hold at every moment, but this does nothing to obviate the need or urgency for freedom or liberation because every liberation may become the prelude to a new dominance. In this chapter, I would like to discuss the general themes that run throughout Foucault's project and contribute to its functioning. By examining Foucault's relation to events such as European Enlightenment, critique and genealogy, I mean to show that Foucault's analysis of power relations functions as a critical grid that permits an interrogation of European subjectivity from within the spaces shaped by the interplay between power and knowledge. His account performs this interrogation without assuming either the viewpoint of power or an independent subject located outside the reach of power relations and so attempts to identify the practices of freedom and domination that attend any critical activity.

Beginning with a consideration of current descriptions of Foucault's career, I would like to suggest how the strategic unity of Foucault's project makes reference to subjectivity without thereby endorsing a transcendental account of the subject. Jeffrey Nealon's account of the current status of Foucault scholarship (2008) offers some guidance as it calls into question the tendency to treat the later work as aiming at an account of self-productive subjectivity. However,

denying the claim that Foucault is interested in promoting the formation of self-productive, autonomous subjectivity is different from saying that he is disinterested in accounting for the power relations in which those subjects are formed. Hence, the question of the subject in Foucault's later works may be regarded as an account of the power relations that produce certain kinds of subjects, but also the specific effects of power that result from the practice of those kinds of subjectivity. Without addressing *le souci de soi, pour soi*, of his later work, one can say that Foucault's analysis of the moral problematizations governing ancient practices of subject formation focuses on the creative development of the care of the self as a counterpoint to contemporary modes of ethical problematization governed by laws of moral interdiction. If there is any distinction between this project and the explicit analyses of power from the early to mid-1970s, it is that the analyses of modern forms of subjectivation bear explicit consequences for the analyst as well as the analysand, whereas the contemporary resonances of Foucault's ancient investigations appear more oblique. The analysis of modern subjectivity is an analysis that makes explicit reference to power in the composition of identities that are differential and dispersed. By contrast, Foucault's reversion to the Greeks in the second and third volumes of *The History of Sexuality* momentarily suspends its immediate application and comparison to contemporary modes of subjectivation, though this suspension coincides with an adjustment to Foucault's understanding of the power relations that pertain to contemporary European subjectivity.

If accounts of Foucault's scholarly arc typically draw sustenance from Foucault's 1983 essay "What is Enlightenment?" (1997), then it makes sense to look at Foucault's account of Enlightenment in its entirety¹ to see whether we can take his apparent endorsement of the

¹ Foucault's discussion of the Enlightenment typically focuses on Immanuel Kant's response to the question, "What is Enlightenment?" from the *Berlinische Monatsschrift* in December 1784. Foucault considers this text in at least four published texts: The 1978 essay "What is Critique?", the 1978 essay "Life: Experience and Science" on the

invention of practices of freedom at face value or whether the practice of identifying a humanistic legacy as the outcome of genealogical critique might be the product of a history we barely understand. Looking at Foucault's work on Enlightenment, it becomes clear from his earliest remarks on the topic that he is not concerned about validating the history of Enlightenment and putting it on a new, more solid footing. Rather, the work on Enlightenment makes an attempt to understand the conceptual grid that informs the present, which is itself tied to the legacy of the Enlightenment, "[i]t is in the reflection on 'today' as difference in history and as motive for a particular philosophical task that the novelty of this text appears to me to lie" (Foucault, *What is Enlightenment?* 1997, 309). Foucault draws a connection between this conceptual grid in its importance to the present since the Enlightenment, and Georges Canguilhem's work on the history of the concept, in which Canguilhem proposes the concept, as opposed to the theory, as a new target for historical analysis that greatly raises its epistemic profile by complicating contemporary understandings of scientific truth and its history. Since the Enlightenment, Foucault contends that "[p]hilosophy could [. . .] be read as nothing else than the composition of the particular traits of the period in which it appeared; it was that period's coherent figure, its systematization, or its *conceptualized* form" (Foucault, *Life: Experience and Science* 1998, 467).² Thus it is with Canguilhem's research that the concept begins to appear as a specific form of technology, as "one of the modes of that information which every living being takes from its environment and by which conversely it structures its environment" (475). In particular, Canguilhem discusses the history of the concept, of conceptual thought, as a form of error in the sense that the concept constitutes a technology through which organisms, human beings in particular, interact with and alter their environment rather than grasping it in its purity

work of Georges Canguilhem, the first lecture of his 1982-83 course at the *College de France*, *The Government of Self and Others*, and the 1983 essay "What is Enlightenment?"

² Emphasis added.

(476). Consequently, not only is the concept a manner in which organisms understand or become habituated to an environment, but, as error, the concept refers to the manner in which that appropriation is also a misappropriation and alteration of the object in question. Both of these features of the technology of the concept and the process of conceptual thought factor into what is meant by “life” for Canguilhem, informing what we understand to be the activity of human beings as organisms, rational beings or Enlightenment subjects. If Foucault’s interest in the history of the concept structures his approach to Enlightenment, his debt to Canguilhem reveals the extent to which a history of the concept entails a corresponding history of the subject using and used by conceptual technology.

Rather than providing an account of the basis for the agency of the subject, Foucault’s interest turns to the history of how agency becomes the property of subjects. In particular, he examines the process by which viewing, especially critical viewing, falls under the domain of a subject who increasingly earns the capacity for political agency through a process of self-examination. For the modern subject, this process coincides with the history of critique, which is largely a history of governmentalization in which self-government replaces pastoral government over a three stage process outlined in Foucault’s research on modern power relations: sovereignty, discipline and biopower. Though I will leave the specifics of these transformations in the operation of power relations aside for now,³ here I will focus instead upon the manner in which critique forms a progressive intensification of a dynamic caught between extremes of governmentalization and resistance. The upshot of these progressive forms of intensification is that between the poles of that opposition an attitude develops which is necessarily complex and relational if not contradictory and dispersed. This attitude constitutes a form of interaction similar to that described as *life* or *error* in the work of Canguilhem. Moreover, it comes closest

³ This will be the focus of Part II of the dissertation.

to what one might call Foucault's image of contemporary European subjectivity shaped not only by the tradition of critique inherited from the Enlightenment, but by the characteristic forms of contemporary European power relations, namely, biopower. In outlining the contours of this attitude of modernity—the critical attitude, or what I will sometimes refer to as the critical subject of modern Europe—Foucault's work outlines a provisional image of his own present that draws his own inconspicuousness as genealogical critic into question precisely because of, rather than despite, the force of Enlightenment's compulsion for self-reflective political agency. Foucault makes such an attitude conspicuous through the complementary practices of archaeology and genealogy to produce a strategic paralysis in the functioning of such an attitude, thereby giving way to or providing space for the elaboration and development of other attitudes and practices of critique, resistance and political agency.

For a European subjectivity characterized by not only the capacity, but since Kant, the duty to account for itself as the condition for its personal dignity and political autonomy, Foucault's genealogical critique comes as a terrible blow that brings the political liabilities of the self-constituting subject of modernity to light. Yet even in this awakening to its present situation, the attitude of European modernity finds little comfort because the political costs of its epistemic, if not metaphysical, autonomy suggest that such autonomy involves making the world after its own image, and then only to a partial extent, namely by denying its own historicity and rendering everything it encounters as merely political, historical or phenomenal. Because the present that the philosopher must reflect upon is also a present in which the philosopher is implicated as a product, the present represents an insuperable barrier that can only be eclipsed by proposing a what-might-be for tomorrow based on a what-has-been version of the past. It will only be by delimiting this tradition of European modernity that Foucault's use of genealogy will

effectively differentiate itself as an end rather than a continuation of Enlightenment. That is, by pointing to the double bind of European modernity and the ethical and political relations it both emerges from and cultivates, Foucault engages in a form of politics that begins where modern liberalism ends.

“Engagement” might be too strong of a concept since Foucault’s characteristic manner of engagement involves deliberate non-engagement in the sense that he does not imagine the elements of liberal politics to have any lasting value in guiding this politics. Nevertheless, “engagement” captures the sense in which liberal politics is fully determinative of this “other” political order as one of its historical a priori. Thus, the politics that Foucault imagines at a theoretical or critical level, the politics whose archaeology he spells out in his genealogical critique of modern European power relations, and the politics in which his scholarly activity from *History of Madness* to *The History of Sexuality* participates is an apparently composite political practice whose only constant seems to be the suspicion and pessimism that it applies to attempts, whether theoretical, practical or political, to unify these processes.

Finally, the question of the relationship between European modernity and the traditions that engender it must be evaluated to determine whether an account of that relationship necessarily forms an ontological or even quasi-ontological account of subjectivity. I attempt to differentiate Foucault’s account of this relationship through a critical reflection on its historicity from attempts to account for reflection as the expression of an underlying subjectivity. Due to the Enlightenment compulsion for critical reflection, this requires reference to a subjective position, locality, or “experience” whose constitution as historical is itself the product of historical imperatives. Consequently, from within these discursive, historical and political constraints, the need to refer to subjectivity cannot be eliminated from Foucault’s critique insofar as it constitutes

a response to Enlightenment, yet such subjective reflection must also be regarded as an event whose duration is necessarily delimited by its historical conditions of speaking, acting and thinking.

In this regard, Foucault's reflection upon the trajectory of his work is deeply indebted to the traditions structuring it, one of which is the tradition of *Aufklärung*. In outlining the debt of that reflection which compels it to investigate the power relations Foucault articulates elsewhere, we may now appreciate the analytical grid Foucault employs as one generated out of the traditions he interrogates rather than simply being placed atop them or invented from without. When we return to Foucault's analysis of power with this understanding, we may discern signs of resistance throughout insofar as the explicitness of such an analysis runs contrary to the silent functioning of the power relations from which it springs. Moreover, by developing a theoretical perspective on Foucault's critical methodology, we gain further insight on how analyses of power lead to analyses of the subject as political agent, because the analyses of power⁴ are analyses of processes of subjectivation that go beyond coercion into realms concerning the conduct of conduct or processes of governmentalization. Consequently, Foucault's work on power serves as an important prelude to the explicit concern with practices of subjectivation because this earlier work outlines the various manners in which power has operated and continues to operate, such that we can understand the conduct of conduct, whether exercised by a sovereign upon a subject or an individual in relation to itself, as a form of power relation. In Part I, I will focus on how Foucault's critique, including the work on power, arises out of a critical

⁴ Bearing in mind Foucault's enjoyment of not only interpreting, but especially reinterpreting his work, it seems that the least controversial bibliography of Foucault's analyses of power extends from *Discipline and Punish* in 1975 to the first volume of *The History of Sexuality* in 1976 or, biographically, throughout Foucault's tenure at the *Collège de France* during the 1970s, as these refer to the works and period, respectively, in which Foucault is most explicit in his articulation of power as a domain of scholarly research. I am, however, apt to take Foucault seriously in his appraisal that all of his work touched on the thematic of power relations no matter how oblique that connection might appear.

tradition organized around the demand of self-examination. In Part II, I will examine the specific modifications of power relations that inform the practice of self-relation—especially the relationship between power relation and the possibility of analyzing power genealogically—before determining how the study of power opens a space to dispense with the requirement of crucial self-examination for entry into politics. Finally in Part III, I will examine effects of Foucault’s conclusion that because the liberal subject is formed in the crucible of power relations that shape political agency and possibility, there is no sense in discussing entry into politics for a being that is, in a very immediate sense, a political animal. In particular, I will examine Foucault’s utility for political movements ostensibly rooted in identities of gender, sexuality, race, class and culture, which are typically, even characteristically, circumscribed and problematized as apolitical from the purview of modern European liberal practices of subjectivation.

Chapter One: *The Rebirth of the Subject and the Question of Enlightenment*

§1 Lineage of a Dubious Critical Consensus

In *Foucault Beyond Foucault*, Jeffrey Nealon points out the development of a critical consensus among Foucault scholars around the view that Foucault's later work on subjectivity repudiates his earlier work on power. More specifically, "critics seem to have agreed that Foucault's midcareer work constituted a dead-end, a totalizing cage, an omnipresent panopticon with no possibility for any subjective or collective resistance" (Nealon 2008, 3). As a result, Foucault's analysis of power, "which in its turn proves too totalizing" leads to the development of consensus around "questions of ethical resistance, subjectivity, and making one's self a work of art" (5). Broadly speaking, such approaches ignore Foucault's antipathy toward the overriding values of questions implying the centrality of human consciousness and rationality by emphasizing what they take to be his own attempts to reestablish the centrality of human subjectivity. He does so through an emphasis on the performative dimension of subjectivity, which allows creative reformulation of how such a being might interact, transform and perform his or her cultural milieu. Accordingly, gone are the times in which the subject was master of all she surveyed, and gone is the era in which an expansive network of socio-political forces molded her consciousness into synonymy with its primary directives. Now, the subject draws upon her milieu as a plant draws nutriment from the soil; she is their product, but she transforms them with the imperiousness of a sovereign. It would seem that provided one could discover a critique promising to unlock the principles of subjectivation that shape contemporary subjects, genealogy could at last foster a legitimate political program tempered by the dignity of the human subject which is thus capable of widespread support.

Yet, beginning with Nealon's account of this consensus and the distortions that such a consensus relies upon, I would like to ask whether one might hear a counterclaim amidst the din of rehabilitating Foucault's critical project. Instead of repudiating the emphasis on the subject, this counterclaim protests that we don't need a reformulation of the subject. We need an account of the effects of a contemporary European mode of subjectivity, which has insisted upon its theoretical, practical and political centrality since at least the Enlightenment. Moreover, we need to understand that such an account cannot point to the formation of a new subject. Rather, it serves to undermine and impair the operation of specific processes of subjectivation that constitute present practices.

On Nealon's reading, the critical consensus endorses Foucault's thinking of subjectivity on the assumption that his radical about-face stemmed from recognizing the failures of his earlier work on power. According to that view, the genealogical analysis of power "culminates in a kind of totalizing theoretical cage (of which 'discipline' is the highest manifestation) that in turn constituted a kind of crisis or dead-end for Foucault's thinking by the mid-1970s" (8). Responding to and recoiling from the totalizing logic of his research into power, the consensus claims that "Foucault turns in his late work—after *Discipline and Punish* (1975) and the first volume of *The History of Sexuality* (early 1976)—toward a more positive rendering of the formerly 'docile' subject, highlighting the individual's potentials for subjective agency" (9). Rather than understanding Foucault's analysis of power as a *dispositif* or open-ended apparatus with which individuals must strategically interact as Homi K. Bhabha suggests (Bhabha 1996), it is telling that the consensus account first insists upon a decidedly closed model of power, the aforementioned "cage" metaphor, and then seeks to reverse Foucault's emphasis on power in favor of subjective agency. The docility of the disciplinary subject consisted dissociating "power

from the body; on the one hand, it [discipline] turns it [the body] into an ‘aptitude’, a ‘capacity’ which it [disciplinary power] seeks to increase; on the other hand, it [disciplinary power] reverses the course of the energy, the power that might result from it [the body] and turns it into a relation of strict subjection” (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 138). Though the point at which power could be increased is indefinite, the body of the docile subject no longer possesses the forces, energies or spirit that could be harnessed for politically subversive acts within the functional framework of an oppressive disciplinary *dispositif*. Though Nealon never claims as much explicitly, the critical consensus about the political agency of the individual amounts to an atavistic return to the pre-disciplinary world in which subjects consist of an inherent capacity for subversion that is rooted in the body. In lamenting the loss of the body as not just *one* but *the* source of political agency and resistance, the consensus view tacitly, perhaps unwittingly, endorses an economy of bodies and without pleasures rooted in liberal subjectivity that is better suited to fighting the last war directed against discipline than contemporary struggles related to biopower.

Neither atavism nor anachronism, nor faithfulness to authorial intent is at the heart of Nealon’s objections to such readings. Rather, he is primarily concerned with the mystifying effects of such readings that are blind to the present vogue of self-creating individualism under contemporary imperatives of biopower and governmentalization on the assumption of Foucault’s apparently inexplicable rejection of his earlier work on power. If Foucault becomes a proponent of self-fashioning individualism, then he “would seem to have very little critical to say about the present, especially the *economic* present, as it seems supersaturated with these practices of endless, fetishized self-creation” (Nealon 2008, 11). One of Nealon’s primary concerns, which he derives from Foucault, is with the commodification of individuality, understood as the manner

in which projections of self-creation stem from and feed into economic relations that encourage individuals to value themselves primarily as consumers. Echoing Nealon's sentiment, one of the principle characters in Jonathan Franzen's *Freedom* discusses contemporary youth, who in "their sweet yearning, their innocent entitlement—to what? To Emotion," express the desire for "being left to themselves to ritually repudiate [. . .] the cynicism and anger of their elders" in which "[t]hey gathered not in anger but in celebration of their having found, as a generation, a gentler and more respectful way of being. A way, not incidentally, more in harmony with consuming" (Franzen 2010, 369). By correcting the stifling conformity of past generations, contemporary youth's celebration of the practice of self-creation becomes a practice of consumption—of a more finely graduated form of consumption, but consumption nonetheless—predicated on the convenient search for the means to express a more authentic form of identity allowing them to escape "self-incurred immaturity" that Kant establishes as the goal of Enlightenment (Kant 1996, 58). I mention the convenience of such an approach only to note that the construction of individuality predicated on consumption is convenient for the purveyors of commodities and not forced upon individual consumers. The unchecked growth and entwinement of capital and life in the "perpetual spirals of power and pleasure" (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 45) characterizing modern biopower become the primary means for the expression of such an identity. These then constitute what Nealon calls the "intensification" of power, which is not accomplished through oppression or coercion. If there is something objectionable about casting Foucault's work as the precursor to activities of self-fashioning, it is the extent to which this casting leads to the blind inhabitation of power relations that constitute the biopolitical present.

If our concern is on the effects of the consensus view regarding Foucault's later work rather than the accuracy of this view, this may be because the proponents of the consensus base their account on one of Foucault's last essays published in 1983 entitled "What is Enlightenment?" in which Foucault offers his final and most authoritative reading of Kant's response to that question. This text offers support for the consensus view by echoing the Enlightenment imperative "[s]apere aude! Have the courage to use your *own* understanding!" (Kant 1996, 58) in its attempt to reorient our critical faculties toward the present with the stated goal of *producing* oneself in the space opened by its discontinuities and thus *liberating* oneself from the confinement of its totalizing enclosure. That this is one of the last of Foucault's published texts gives it special significance for the consensus view, since it is as famous last words that "the dominant reading of 'What is Enlightenment?' [becomes] by metonymy, the whole of the 'the late Foucault'" (Nealon 2008, 14). On the surface, the consensus view seems to find textual support in the latest of Foucault's published work, yet if we are uncomfortable with the metonymic reduction of Foucault's ethical period, Nealon will soon complicate the textual basis for this reduction.

Drawing on the work Foucault devoted to the question of Enlightenment and contemporary philosophy's relationship to it between 1978 and 1979, Nealon draws attention to one of the earliest of these texts, 1978's "Life: Experience and Science." He brings up Foucault's reference to "Kant's Enlightenment concern with 'today'", which he understands Foucault to use "in order to dramatize the difference between [. . .] two opposed lines of inquiry in twentieth-century French thought [. . .]: a dominant philosophy of the *subject* (here [Foucault] explicitly names Merleau-Ponty and Sartre), and a competing philosophy of the *concept* (Canguilhem, Cavailles, Bachelard)" (Nealon 2008, 15). It would appear that the metonymy by which

Foucault's endorsement of autonomous Enlightenment subjectivity retrospectively applied to the entirety of his later work is troubled from the very instant that he begins to grapple with the question of Enlightenment's relation to contemporary critique. Moreover, in aligning himself more with the work of the conceptual legacy of inquiry developed by Canguilhem,⁵ Foucault questions the value of the tradition of subjectivity stretching from the phenomenology of Merleau-Ponty to the existentialism of Sartre organized around the liberal, self-creative subject.⁶ Foucault's questioning relies on the objection that such a being as the subject could only be apprehended through the lens of historical conceptual formation because, for better or worse, the subject appears highly integrated within the conceptual technologies it employs. Whatever one might say about the meaning of subjective experience, one would have to say it or even formulate the question that leads to such a statement in light of a conceptual formulation bearing its own history apart from the subject that speaks. Rather than taking this as the sign of the concept's unmatched value for human thought and behavior, Foucault regards this ambiguity as a sign of the concept's danger because we cannot choose or reject it without bribes. Thus, focusing on the agency of the subject rather than the instrumentality of the concept threatens to obscure the formative relationship between the concept and the present by subordinating it to the inherent

⁵ As Gary Gutting explains, understanding Canguilhem's contribution to the history of science means acknowledging a distinction between a history of concepts and a history of theories (Gutting 1989, 34). Normally, historians of science provide accounts of development that are attuned to theoretical development (36). This is largely due to historians of science understanding their work as a scientific enterprise. By contrast, Canguilhem understand history as a normative activity already tied up with the objects it proposes to study (37). Accordingly, the ultimate explanatory function of scientific theories becomes imperiled by the historian's lack of objective distance on her subject while concepts, which refer to ways of interpreting data, become the preferred markers of change within Canguilhem's method of historiography.

⁶ Though raising similar concerns regarding the limitations of discursive analysis and the effects that these limits have on historiography, Sartre's existential historiography remains fundamentally distinct from Foucault's genealogical "effective history" due to Sartre's commitment to individual praxis. According to Thomas R. Flynn, Sartre's "ontology and epistemology [. . .] are at the service of a moral vision that, as individualized, seeks to uncover the responsible parties in any social undertaking and, from the viewpoint of the collective, promotes the ideal of a society of free individuals in positive reciprocity mediated by abundant material goods—his famous 'city of ends'" (Flynn 2005, 284). These commitments make it almost impossible for Sartre to come to terms with the historical specificity and contingency that Foucault attempts to mobilize through a genealogical analysis of processes of subjectivation.

meaning of phenomenological subjectivity (16). Instead of providing an outline for the rehabilitation of the subject, Foucault's initial attempts to decipher Kant's invocation of the present as the condition for Enlightenment develop an itinerary that would eschew the recuperation of an autonomous subjectivity that is unburdened by the technology of the concept in favor of analyzing the concept's foundational role in establishing the orientation of subjectivity and philosophical reflection alike.

While Nealon convincingly displaces the centrality of subjectivity in the research plan spelled out by Foucault's interpretation of Enlightenment on his own account, this plan indicates the centrality of "the relation of the subject to the concept" (15), though by this we must understand the centrality of subjectivity to concern the status of the subject as an *effect* of its discursive relationship to the concept rather than as the *condition for* or *originator of* that relationship. While it is clear that Foucault does not intend to develop a subject-centered account of this relation, it remains questionable as to what extent one might do away with the question of subjectivity when pursuing an understanding of this relationship. It seems that at least one approach to this question involves asking how a reformulation of the concept displaces or re-contextualizes the meaning of subjectivity. Without affirming the inversion of the relationship between the concept and the subject such that the subject appears as the consequence of this relationship, genealogy uses this inversion to suggest the historically optional character of subjectivity and conceptuality alike, and nothing more. In this respect, I do not see this project as radically divorced from Nealon's project, because both projects begin with the understanding "that Foucault's 'late' turn to the Enlightenment (and to questions of life and subjectivity) constitutes an *extension* or *intensification* of the project outlined in the work of the mid-1970s, not a rejection of it" (17). The point of departure concerns, if anything, the role of subjectivity

understood as subjectivation⁷ in this process of the intensification of power relations and the orientation of genealogical critique toward that process. To borrow an image from Foucault's pre-power analyses, the question concerns the way the subject acts as a function, rather than a creative entity:

In setting aside biographical and psychological references, one has already called back into question the absolute character and founding role of the subject. Still, perhaps one must return to this question, not in order to reestablish the theme of an originating subject but to grasp the subject's points of insertion, modes of functioning, and system of dependencies [. . .] Instead, these questions will be raised: How, under what conditions, and in what forms can something like a subject appear in the order of discourse? What place can it occupy in each type of discourse, what functions can it assume, and by obeying what rules? In short, it is a matter of depriving the subject (or its substitute) of its role as originator, and of analyzing the subject as a variable and complex function of discourse (Foucault, *What is an Author?* 1998, 220-221).

Foucault's return to the question of subjectivity implies that dismissing the founding role of the conscious subject hastily closes the door on discerning the operation of subjectivity within discourse and thereby overlooks the power relations that entangle the critical subject of genealogy who participates in the reading and production of discourse. Without endorsing a return to subjectivity or rejecting an evaluation of its effects, Foucault uses genealogy to identify the extent to which one project might be caught up in the other and to suggest that considering the functional role of subjectivity by developing an outline of the rules governing its appearance

⁷ By subjectivation, I understand processes by which one is made into a subject, which are not exactly the same as the experience of being subjected to those processes. Because the history of subjectivation in modern Europe includes many instances in which individuals are made into self-regulating subjects who may or must employ distinct ethical technologies in the exercise of self-governance, one cannot simply say that subjectivation is a process of coercion. By the same token, however, the coercive, instrumental image of power associated with Foucault's mid-career writings on discipline prevents recourse to Enlightenment images of autonomy embraced by the consensus view of Foucault's later work. I believe that this stalemate between coercion and autonomy, subjectivation and subjectivity, constitutes a strategic design of Foucault's critical use of genealogy. My interest in subjectivity and subjectivation then is not to show an essential priority of one over the other, but rather, to see to what extent Foucault understands these concepts so as to require distinction and determine what practical effects might be produced by shifting these distinctions.

and deployment might point to the locations at which that economy might be displaced.⁸

Throughout the rest of this chapter, I would like to consider Foucault's Enlightenment essays as serving to elaborate the value of this functional analysis and displacement of subjectivity.

§2 Questioning Enlightenment

While it is undeniable that Foucault's research on Enlightenment is dedicated to a reevaluation of the present, it is still indeterminate how this reevaluation might be accomplished, whether by an examination of subjectivity in practice or the conceptual structure of subjectivity, the relationship between subjective practice and the concept or even a historical examination of the significance of these terms for non-subjective practices of thinking about and acting in the present. Even as I suggest Foucault's preference for the third and fourth options, namely, a historical examination of how the connection between subjectivity and conceptuality shapes the present, it is unclear what this examination would require, how it would be carried out, what it would hope to accomplish, or how one could explain that accomplishment. Questions of the methods, aims, justifications and responsibilities of genealogical critique dogged Foucault throughout his career, although they reached their highest peak perhaps only with the apparent transition from his analysis of power to his analysis of subjectivity and subjectivation. In what follows, I would like to review Foucault's writings on Enlightenment and determine their value

⁸ While Jacques Derrida will incur Foucault's criticism for appearing to reduce discursive and non-discursive practices to the model of a text in a debate that I believe focuses primarily on the possibility and effects of power relations that change over time and thus possess their own historicity (Cf. Part III, Chapter Nine, below), Vincent Colapietro notes a similarly functional reading of subjectivity within the practices of deconstruction and American pragmatism (Colapietro 1998). Introducing a long quote in which Derrida defends himself from the charge that he undermines human agency through his deconstruction of Western subjectivity, Colapietro notes that "[w]hat Derrida once said of himself," specifically, that deconstruction is concerned with subjectivity, "knowing where it comes from and how it functions" (qtd. Colapietro 1998, 339), "might, with even greater force, have been said by Michel Foucault in defense of *himself*" (339). Colapietro's remarks not only bridge the apparent differences between the traditions of American pragmatism, Derridian deconstruction and Foucaultian genealogy but also identify a strategic interest in subjectivity, which is not reducible to the simple alternative of acceptance or rejection.

for his understanding of critique. Using this analysis, I will suggest that Foucault's understanding of critique as an Enlightenment project of reflection upon the present challenges many of the assumptions motivating questions of the methods, aims, grounds and responsibilities of genealogical critique.

In a series of lectures delivered at Berkeley in the spring of 1983, Foucault addresses the theme of Enlightenment in terms similar to those he uses in "What is Enlightenment?" a short time later. In the first of those lectures, Foucault discusses the importance of the present moment as something in relation to which we may recognize ourselves as productions.⁹ To the question "What are we now?", Foucault responds, "We have to consider that we are thinking beings since it is through thought that we are beings who look for truth, who accept or refuse obligations, laws, coercions and are related to ourselves and the others. My aim is not to answer the general question: What is a thinking being? My aim is to answer the question: How did the history of our thought—I mean of our relations to truth, to obligations, to ourselves and the others—make us what we are?" (Foucault, Michel Foucault: The Culture of the Self: Introduction and Program, Part I 1983). This sounds close to a prioritization of subjective experience not as the agent of history but as a highly entangled object characterized as being *subjected to* history. I would like

⁹ Three months earlier, in the second hour of his January 5, 1983 lecture in the course *The Government of the Self and Others* at the College de France, Foucault provides an even closer reading of Kant's definition of *Aufklärung*, which problematizes the nominal sense of production that I just employed:

Now it should be understood that Kant does not designate the moment of *Aufklärung* as a belonging to, as an imminence of, or an accomplishment of an age, it is not even exactly a passage, a transition from one state to another, which would moreover, on closer inspection, always amount to defining a belonging, or imminence, or accomplishment. He defines it simply as "*Ausgang*," as a way out, exit, a movement by which one extricates oneself from something, without saying anything about what one is moving towards (Michel Foucault, *The Government of the Self and Others*, ed. Frederic Gros, trans. Graham Burchell (London: Palgrave Macmillan, 2010) 27).

Thus the present's capacity to reveal ourselves as "productions" of history with the overtones of accomplishment, dependence and even teleological functioning is somewhat inappropriate to the image of the present that Foucault borrows or inherits from Kant to some extent. The relation between the present as exit, *Ausgang*, or *sortie* will remain prominent in Foucault's understanding of not only critique, but for his understanding of thinking as well.

to suggest that this entanglement with history makes it difficult to distinguish subjectivity from its material conditions of economic, social and political life. Rather than reversing the image of active subjective agency, the discourse of the production of subjectivity has the effect of confusing the active – passive distinction subtending both autonomous and deterministic accounts of subjective experience. By turning the subject into a product of history, one does not so much eliminate discussion of experience, but looks for the discursive regularities and intersections among the conditions of extant accounts of subjective experience. On a practical level, these conditions displace the discursive centrality of subjective experience without simply reinserting that experience into an equally rigid and ubiquitous discourse of subjective passivity based on the supposed revelation of the externalized material conditions of subjectivity. Besides displacing a form of discourse that takes its measure from the presumed centrality of subjective experience, this gesture also dissociates critique from the need to assume an authoritative posture either within subjective experience or without, amidst the solid architecture of scientific objectivity. Accordingly, this section consists of my attempt to demonstrate Enlightenment’s dissociative effects on critique through a reading of Foucault’s Enlightenment essays, “Life: Experience and Science” and “What is Enlightenment?”

Foucault’s introduction to the revised 1978 edition of Canguilhem’s *The Normal and the Pathological* (Canguilhem 1989) originally appeared under the title “Georges Canguilhem, Philosopher of Error” and was subsequently retitled as “Life: Experience and Science.” In this essay, Foucault draws the connection between Enlightenment and French historians of what Canguilhem calls “the concept.” However, by concept, Canguilhem and Foucault have in mind a peculiar idea of perspective or experience informed by error. Interested in writing neither a history of conceptuality as such nor the history of the concept of conceptuality, Canguilhem and

Foucault's interest in the history of the concept amounts to a curiosity about the lineage of conceptualization as it has become both an object of reflection and a force capable of informing the conditions of life and experience more broadly. Like the human being stretched between truth and error in Descartes's *Meditations*,¹⁰ the perspective denoted by the history of the concept is not simply the necessary conclusion provided by true and distinct ideas, but the necessary, if unforeseen, effects of error as well. In contrast to it being conceived as the synthetic resolution of error, the history of the concept involves the production of error to the extent that the historical effects of particular conceptualizations, such as the normal and the pathological, are not limited or restrained at all by the consideration of whether or not one has employed or discovered the correct understanding of pathology. Rather, the history of the concept treats truth and error as so many products of historical practice. That is to say that the production of error and the attempt to regulate it by means of truth is not solely the work of any particular viewpoint, but instead depends upon the interaction of many perspectives in more or less regular, intelligible coincidence with one another. The concept changes as the regularities of informing perspectives become discernable. In tracing the history of the concept as it develops in the wake of Enlightenment's primary concern with the present, philosophy aims at bringing the constitutive element of error to light, not once and for all, but in the modest domain of the present. This involves understanding the interpretive impact of error in the formation of concepts rather than

¹⁰ Seeking to explain why even an idea of perfection, such as God, can appear erroneous without implying any lack in the being of God itself but only imperfection on behalf of the perceiver, Descartes remarks, "I have been so constituted as a kind of middle ground between God and nothingness, or between the supreme being and non-being. Thus insofar as I have been created by the supreme being, there is nothing in me by means of which I might be deceived or led into error; but insofar as I participate in nothingness or non-being, that is, insofar as I am not the supreme being and lack a great many things, it is not surprising that I make errors" (Descartes 2006, 30). Without consenting to Descartes's conclusion that error is nothingness, Canguilhem's appreciation of error attempts to take seriously the effects of error in the formation of concepts that cannot be easily or rigorously separated out. Rather, and this is Foucault's interest in the use Canguilhem makes of error, the effects of error can at best be understood and rendered intelligible if not necessary. As a result, error appears and can be evaluated in terms of its effects rather than be subordinated to the transcendent category of epistemic validity, whose applicability receives correspondingly less scrutiny than the concepts of the subdisciplines to which it is applied.

thoughtlessly prioritizing the epistemic purity of the concept by insisting upon the inessential invalidity of error in the formation of concepts.

In outlining the significance of Canguilhem's work for the present, Foucault notes the constitutive role of error not only on the theoretical level of, for instance, *The Normal and the Pathological*, but in the development of two contrasting visions of the Enlightenment's conceptual reflection on the present. In highlighting the asymmetrical way that the concepts of normality and pathology complement one another in medicine and biology, Foucault finds Canguilhem's analysis to parallel an asymmetrical discontinuous relationship between analytic and genealogical¹¹ reactions to the Enlightenment development of the concept as a technology for ambivalently reflecting upon the present. Insofar as his work develops out of the Enlightenment point of intersection between conceptual analysis and genealogy, Canguilhem is not only a theorist of error, but he is also a philosopher of error. This means that his work is the product of the same erring, ambivalence that has linked the concept to error since the Enlightenment. The "history of the sciences" as practiced by Canguilhem participates in the

¹¹ In his essay on Canguilhem, Foucault fails to name the reactions to Kant's characterization of the Enlightenment, and with it the concept, as related yet divergent reflections on the present, which differ primarily on the question of whether the historicity of the concept is explicitly thematized by or rigorously excluded from analysis. He says simply that "[i]t would be necessary no doubt to try and determine why this question of *Aufklärung* has had, without ever disappearing, such a different destiny in the traditions of Germany, France, and the Anglo-Saxon countries" (Foucault, *Life: Experience and Science* 1998, 468). Only later will Foucault give explicit names to these traditions as "Anglo-Saxon analytical philosophy" and "ontology of the present, of present reality, an ontology of modernity, an ontology of ourselves" (Foucault, *The Government of the Self and Others* 2010, 20), which is another way that he designates the work of genealogical critique (21).

While this division accounts for two of the traditions enumerated above, namely the continental and Anglo-Saxon traditions, it conflates the German and French traditions, which Foucault will differentiate elsewhere. The significance of this division owes precisely to the ontological character of history, which in the German tradition takes the form of a scientific analytic method for reflecting upon society. On the other hand, in the French tradition, history continuously doubles, disturbs and raises questions about the relationship between knowledge and its conditions such that the conditioning factors of events shift among historical, cultural and geographical conditions in addition to being influenced by considerations of the object in question. Obviously, the difference between these traditions is far from absolute and there is a significant crossover between the two, but the use of Nietzsche and Hegel as examples of the respective "French" and "German" reactions to Enlightenment's concern with the present would still raise more questions if some effort were not spared to explain this further division within genealogy. The latter allies analysis with a certain naïve historicism in German thought as exemplified by Hegel, Marx and eventually early phenomenological reflection in distinction from the ontological historicism of Nietzsche, and later by Husserl, Heidegger and the French historians of science Canguilhem, Gaston Bachelard and Alexandre Koyré.

Enlightenment tradition of questioning rationality, “not only as to its nature, its basis, its powers and its rights, but as to its history and its geography, its immediate past and its conditions of exercise, its time, its place, and its current status” (Foucault, *Life: Experience and Science* 1998, 467) and so contributes to a genealogical concern with the transitional effects of tension between,

[k]nowledge and belief, the scientific form of knowledge and the religious contents of representation, or the transition from the prescientific to the scientific, the formation of a rational power against the background of traditional experience, the emergence, in the midst of a history of ideas and beliefs, of a type of history particular to scientific knowledge, origin and threshold of rationality (468).

In this formulation, Kant’s reply to the question, “*Was ist Aufklärung?*”, proves errant for the instability and discontinuity that it introduces into the self-reflective attitude toward conceptual, philosophical reflection when it ambivalently situates philosophy as both the surface appearance of a historical moment and the animating principle influencing the development of the present, such that “[p]hilosophy appears then both as a more or less revealing element of the significations of an epoch, and, on the contrary, as the general law that determined the figure that it was to have for each epoch” (467-468).

Schematically, then, philosophy appears to be situated between the manifold, formless character of the present and the coherent, lawful development of meaning that gives the present its definite character. Since the Enlightenment and Kant’s contribution to critical philosophy in particular, that definite character has largely taken the form of the continued antagonism between idealism and historicism, which is captured by the figure of philosophy’s ambiguous relation to the present. On the one hand, we have critical ontology informed by history, which proceeds to describe the concept in terms of a flattening exclusion and truncation of relevant experience, “[e]very concept comes into being by making equivalent that which is non-equivalent”

(Nietzsche 1999, 145). On the other hand, we see that critical philosophy contributes to the refinement and elaboration of concepts in the name of discerning “the conditions for the possibility of true knowledge” (Foucault, *The Government of the Self and Others* 2010, 20) that is capable of synthesizing less complete, fragmentary elements into a more efficient totality that comprehends similarities and differences alike,

[t]he Concept is genuine knowledge, not thought *qua* purely universal; on the contrary the Concept is a thought determining itself, thought in its vivacity and activity, or thought giving its content to itself. In other words, the Concept is the universal which particularizes itself (e.g. animal as “mammal” adds an *external* determination to the universal “animal”). The Concept is a thought become active, able to determine itself, create and generate itself; thus it is not merely a form for some content; it forms itself, gives itself a content, and makes itself the form (Hegel 1985, 68).

The concept reflects more or less arbitrarily yet intelligibly upon the surface the historical present, while it discerns the conditions of possibility, not only for reflection, but also for the present itself. This forking shapes the conflict against which Canguilhem’s work on the history of the concepts of normality and pathology in the sciences will appear, yet it will be shown that the value of this work for Foucault involves its imperfect fit between these alternatives.

To the extent to which Canguilhem’s work appears against the backdrop of this conflict, it is important to note the basic continuity that structures the polemic relationship between conceptual analysis and genealogy. For the purposes of situating himself within the tradition of the French historians of science and Canguilhem in particular, Foucault will note a point of continuity that unifies the phenomenological and critical theory traditions of philosophy. If phenomenology places primary emphasis on the workings of consciousness and critical theory emphasizes essentially non-conscious, material conditions, then phenomenology and critical theory both come together in attributing primary significance to essentially autonomous figures of consciousness and materiality, respectively. In the case of critical theory, consciousness may

not be self-sufficient, but it is dominated by the need to question “a reason whose structural autonomy carries the history of dogmatisms and despotisms along with it—a reason, therefore, that has a liberating effect only provided it manages to liberate itself” (Foucault, *Life: Experience and Science* 1998, 469). If the phenomenological tradition goes off the rails in attributing primary significance to a quasi-mystical, autonomous unity that it calls consciousness, then a similar unity can be seen in the history of the concept under the name of reason. There are certainly differences between these traditions, notably since phenomenology seems to promote the unity of consciousness whereas critical theorists view the unity of reason as an ideological illusion. Despite diametrically opposed angles of approach, the point of their continuity is that each tradition places self-determining unity at the heart of its endeavor, which aims to eliminate error by coming to sufficient terms of understanding one by means of the other.

For Foucault, the importance of Enlightenment is not its unity but its dispersion. The value of Enlightenment is best appreciated in the conflict between the roles it grants to philosophy, reason, the concept or subjectivity as forms of originary unity. Any resurgence in the importance of Enlightenment “as a way for the West to become aware of its present possibilities and of the freedoms it may have access to, but also as a way to question oneself about its limits and the powers it has utilized” (470) stems from the way Enlightenment differentiates itself according to a unitary event whose conditions become invisible between the juxtaposed intensities of Enlightenment itself. If the question of Enlightenment becomes exigent because there we see “reason as both despotism and enlightenment” (470), then we should note that this coupling is that of an undecided opposition. And so, a strategic opportunity within Enlightenment, e.g. that *Enlightenment sees* or *Enlightenment differentiates* itself, is a purely nominal description that reflects the unitary character of Enlightenment itself less than the

strategic milieu from which the historical events and possibilities of Enlightenment are addressed. This nominal placeholder serves as a provisional means of naming the particular type of conflict that emerges with Kant and develops through the nineteenth and twentieth centuries throughout the histories of consciousness and the concept. Within that history Canguilhem discovers that both discounting error as invalid rather than a contrary system of validity and dismissing pathology as hostile to life together form a feint or momentary tactic within that conflict. Just as the unity of Enlightenment plays a role in diverting attention from the multiple historical possibilities held in check by the conflicts within it, so the systematic exclusion of error ignores the productive aspects of that historical decision.

Originally, Foucault entitled his introduction to Canguilhem's *The Normal and the Pathological*, "Georges Canguilhem, Philosopher of Error" in order to highlight the constitutive role of error in his work. That importance owes to a methodological conceit specific to the history of the sciences as it was practiced in the French tradition. Rather than providing a history of the development of the glory of scientific knowledge in the present and so judging the past by its prescience or ignorance of what we currently believe true, the history of the sciences must regard the present as yet another moment whose deficiencies and excesses may be judged harshly or compassionately by future generations. Consequently,

the history of the sciences is not the history of the true, of its slow epiphany; it cannot hope to recount the gradual discovery of a truth that has always been inscribed in things or in the intellect, except by imagining that today's knowledge finally possesses it in such a complete and definitive way that it can use that truth as a standard for measuring the past (471).

In assuming the present's birthright as the arbitrator of historical truth, the history of the sciences would run the risk of misapprehending the present itself and so sever the Enlightenment's ambivalent legacy of linking knowledge and self-knowledge. The unique conceit of the history of the sciences in this tradition is that truth resides neither in the intellect nor in things. Neither

does this imply that the history of the sciences floats above this opposition in knowing comprehension of its fundamental dynamics, which constitutes the unity of the phenomenological and critical theory traditions. Rather, the history of the sciences relies on the opposition between true and false in much the same way that Enlightenment relies on the opposition between domination and liberation for its specific character. Yet, whereas the Enlightenment exclusion of error linked liberation and domination along a one-way path by which the elimination of error meant liberation from domination, the history of the sciences posited no such static link between truth and falsity due to the present's ambiguous implication within the standards of truth inherited from the history of the sciences. Motivated by the opposition between truth and falsity, the history of the sciences achieves its specificity by tracing the "reformulations, the recasting, the revealing of new foundations, the changes in scale, the transition to a new type of objects" or through the elimination of error, "not by the blunt force of a truth that would gradually emerge from the shadows but by the formation of a new way of 'truth-telling'" (471). Error, both engendered and obscured, intensified and attenuated, varied and continuous, forms the center of gravity for the history of the sciences and unites it to the present as both the product of and reflection upon historical conditions that characterize the present moment.

Part of the discontinuity characteristic of error and why this might be a valuable analytic tool stems from Canguilhem's reformulation of epistemology in terms of a recursive method. Whereas epistemology usually denotes a theory of knowledge the way we know, the way we have always known, and the inviolable laws of cognition, Canguilhem and Foucault have in mind a form of conceptualization and thinking understood as a temporary vantage point concerning the status of knowledge at present. It is because of this temporality that epistemology

has a twofold mission: on the one hand there is a superstructural model of knowledge that attempts to “[elicit] a ‘latent orderly progression’ from the various episodes of a scientific knowledge¹²—which means that the processes of elimination and selection of statements, theories, and objects always occur in terms of a certain norm” (472-473). At a structural level, knowledge by its very nature takes one particular and determinate form, e.g. justified true belief. However, the recognition that the superstructural level of epistemological thought does not itself constitute a moment or object of knowledge, since it is the standard or norm by which all potential knowledge is judged raises the question of the historicity of knowledge. On the other hand, the superstructural position of epistemology permits the observation that “rediscovering the ‘normal’ process of which current knowledge is but a moment [indicates that] there is no way, short of prophecy, to predict the future” (473). Nevertheless, this discovery that a general history of the development of the sciences is impossible in the sense that each such history will constitute at most an episode in the history of that development which does not indicate that knowledge is impossible; but rather, that it is subject to a regular occurrence of error that can be made intelligible¹³ without implying that the transcendent necessity necessary for superstructural

¹² The term translated as “scientific knowledge” is *savoir*, which Foucault uses relatively consistently for disciplined thought or thought conforming to a recognizable procedure. By contrast, he uses the term *connaissance* to indicate a form of thinking that either does not exhibit any such regularity or, more likely, heteronomously exhibits the regularity or discipline of a theoretical outlook or *savoir*. In the context above, Foucault is interested in the way that the history of science attempts to merge the ideas of disciplined knowledge, *savoir*, with its hapless content, *connaissance*, such that scientific knowledge at any moment also displays its proper method despite whatever errors might impugn it.

¹³ Foucault will often use the terms “intelligibility” and “necessity” to contrast distinct senses of thinking or cognition. Strategic thought is intelligible, which is to say it is understandable, but this often requires hypothesizing a new form of causality to explain the operation of a strategy. Strategies are literally unnecessary in the sense that their success or failure is far from assured. In light of this undecidability, Foucault advocates for an epistemology of strategies aiming at intelligibility rather than a superstructural model of necessity. In his discussion of critique, we see Foucault identify genealogical intelligibility with irregular causalities, “that is, something that attempts to restore the conditions for the appearance of a singularity born out of multiple determining elements of which it is not the product, but rather the effect. A process of making it intelligible but with the clear understanding that this does not function according to any principle of closure” (Foucault, *What is Critique?* 2003, 277). Also, in his later study of sexuality Foucault discusses genealogical intelligibility in terms of games of truth: “[w]e have to dig deeply to show how things have been historically contingent, for such and such reason intelligible but not necessary. We must make the intelligible appear against a background of emptiness and deny its necessity. We have to think that what exists is

analysis or prophetic discourse is possible. Error is central to this process as the element against which truthful discourses secure themselves in various ways, but it is also marginal or rather out in front of a history of truthful discourses as the constant that distinguishes epistemology from prophecy. The specificity of the history of the sciences results from the discontinuous, sporadic and unpredictable manner in which the centrality and marginality of error play off one another.

Foucault illustrates the role of error by analyzing Canguilhem's distinction between the history of the life sciences and other scientific endeavors, in particular, its manner of accepting assumptions surrounding the character of life as an object of study dictating a method of inquiry suited to the living organism. Citing the eighteenth century belief that normal and pathological processes could be analyzed as a single field in which the pathological was understood as the divergence from and measured against normal processes, Foucault observes the moment when it occurred to researchers that the understanding of normal processes was colored by understandings of pathology. Simply put, if the pathological was to truly appear as the divergence from the normal, then one must be certain of one's knowledge of the normal process itself. Yet such certitude is difficult where health and illness both exhibit regular, "normal" processes of development because the distinction between normal and pathological becomes a question of which form of normal, regular development one seeks to preserve. The specific history of the life sciences thus develops around "constantly revisit[ing]" (474) questions regarding the regularities of truth and error as well as of normal and pathological processes.

Still, one might easily object that there is no such compulsion to revisit the question of the normal development of the pathological if one recognizes the distinction between two types of regularity: one, an atavistic return of "life" as a force particular to the living organism, and the

far from filling all possible spaces. To make a truly unavoidable challenge of the question: What can be played" (Foucault, *Friendship as a Way of Life* 1997, 139-140).

other as an equally regular force moving in the opposite direction toward death and entropy. Thus, Foucault contends that vitalism guides the development of the life sciences as “a theoretical indicator of problems to be solved,” namely a manner of justifying the difference between vital and physicochemical forces, while also functioning as a “critical indicator of the reductions to be avoided” (474). The regularity of the development of normal and pathological processes renders the life sciences logically indistinct from the physical sciences, yet the concept of vitalism, which may be unjustified on purely logical grounds, compels theoretical interrogation of the separate realms of normal and pathological development in order to identify a basis for distinction, which was found to be lacking. The program of the life sciences thus involves an attempt to provide the logical principle of distinctness that will justify the life sciences as an autonomous field while still maintaining the experimental standards of the physical sciences. This theoretical elucidation of the respective concepts of life and death, normal and pathological, operates under the critical imperative against reducing “life” to either pure atavistic vitalism or wholly calculable mechanical processes. From the standpoint of logic and the physical sciences, life appears to be something of an error insofar as it depends upon the mysterious principles of vitalism to justify its existence, yet without this error, neither the life sciences nor medical practice would develop the therapeutic techniques associated with them. Moreover, in reflecting at present upon the history of the vitalist “error” in the life sciences, one also briefly grasps the normative commitments of not only the vitalist focus of the life sciences, but also the pretenses to normative neutrality that compose the normativity of the physical sciences and their logic as well.

The task of identifying “what makes life a specific object of knowledge” (475) poses crucial questions about the nature of knowledge, such that it appears intimately linked to and

mixed with the object of study, rather than remaining methodologically indifferent to its subject matter. The disruption of the methodological purity of knowledge in the life sciences as studied by Canguilhem suggests an epistemological framework in which the realms of knowledge and practice remain inextricably mixed, even as claims to methodological purity constitute one of the most potent tactics in theoretical claims to practical authority. Far from endorsing vitalism in the life sciences, Canguilhem's work attempts to understand the effects of the vitalist concept within it, thus determining "the situation of the concept in life. That is, of the concept insofar as it is one of the modes of that information which every living being takes from its environment and by which conversely it structures its environment" (475). The effect of the vitalist link between the epistemological object "life" and disciplined knowledge involves transforming the formation of concepts into a form of biological interaction analogous to eating and defecating, insofar as both involve being informed by and informing the environment of the living organism, whether we are dealing with data in either their symbolic or material senses. Just as importantly, one must note among the limits of such an analogy that there is no pure symbolism distinct from materiality or vice versa. Without asserting a claim to truth regarding the content of this linkage, what is essential about the connection between the concept of life and scientific knowledge is that the concept "life" appears as a kind of transformation from one form of information or data into a new kind, such that "at the most basic level of life, the processes of coding and decoding give way to a chance occurrence that, before becoming a disease, a deficiency, or a monstrosity, is something like a disturbance in the informative system, something like a 'mistake.' In this sense, life—and this is its radical feature—is that which is capable of error" (476). Using error in a strictly technical sense of a recursive method of transformation rather than in the sense of a moral or intellectual flaw, Foucault follows Canguilhem in placing this capacity for

transformation at the heart of “the dimension peculiar to the life of human beings and indispensable to the duration of the species” (476), but Foucault’s sights also look past Canguilhem’s interest in the normativity of life itself to the disruptive consequences of recursive method on normatively neutral epistemic claims to practical authority.

Theoretically, “life” in the context of the life sciences’ attempts to distinguish between normal and pathological processes operating according to vitalist and physicochemical principles, respectively, serves as an indicator of future problems to be solved, thereby calling for a specific procedure or method of inquiry that involves the invention of further concepts through which life tempers not only its environment, but the manner in which life becomes its own object and ultimately generates its own discourse of disciplined scientific knowledge which cannot be reduced to physicochemical processes. Insofar as the vitalist concept of life indicates the method of procedure by which the normal development of the living organism might be better understood, “life” gives rise to the concepts by which life is known, hence becoming an object in itself, but always as one that differs with its conceptualization. As a result, it maintains the apparent distinction between epistemology and its object, which the history of the life sciences calls into question. In the order of universal history, the history of the concept refers to the history of our increasing comprehension of life’s processes, including the processes of truthful, scientific concept formation. With Canguilhem’s inquiry into the history of the life sciences, historiography becomes a history of the vitalist concept of life’s analogously organic mutations in which material and conceptual pressures are intermingled without proposing a novel system for their extrication. Accordingly, Canguilhem’s conceptual history of the life sciences raises not only material questions of what life is, but also methodological questions of how it would be studied, both of which throw the epistemological assumptions of universal history into

question. Perhaps a more circumspect statement would point out that life's indexical value, as an exchange between organism and environment where all of these terms must be granted some metaphorical value, refers to a variation of the concepts historically associated with life and the life sciences. Foucault questions what indications we might take from such a distinction, asking "[s]hould life be considered as nothing more than one of the areas that raises the general question of truth, the subject, and knowledge? Or does it oblige us to pose the question in a different way? Should not the whole theory of the subject be reformulated, seeing that knowledge, rather than opening onto the truth of the world, is deeply rooted in the 'errors' of life?" (477). Notice that the call to rephrase the question of life is neither a call to self-invention nor a reactionary withdrawal from the history of the subject understood through the lens of consciousness. Rather, the obligation to rephrase the question of life, which amounts to an obligation to rephrase the question of subjectivity, stems from the intimacy between the knowledges informing these questions and the transformative, disruptive practical effects of error.

Like the concept of "life" in the history of the life sciences, the concept of subjectivity carries with it a certain atavism that obscures the historical character of Foucault's research, which the preceding chapter has traced from the transformation of the concept during the Enlightenment through the transformation of the concept among French historians of science. In the case of subjectivity, keeping that atavism in check by using it as an indicator of conceptual or discursive transformation rather than the destination or object of study itself means treating subjectivity as a type of informational event. In any case, subjectivity is not the creative originator whose secret workings give rise to certain forms of knowledge and practice characterized by specific instantiations, but rather moments of contingency demarcated according to selective categories that are themselves caught in transition. Within the historical

instantiation of Foucault's work, subjectivity names those contingent instantiations along with the intelligible rules of selection and exclusion that constitute them as though they were forms of discursive mutation rather than origination. Nealon's objection to the critical consensus and its wish that subjectivity might yet function as the creative center rather than an instance of opposition between truth and error is still apt. However, that aptness has to do with the historical situation of subjectivity's special role as the privileged epistemic position of mediation between the truth and error that characterizes philosophy in the tradition of Enlightenment. It is precisely the supposition of this privilege as an *a priori* condition of philosophical reflection that permits the atavistic survival of the subject throughout the course of the Enlightenment, yet it is the historicity of this atavism that allows the critical potential of this supposition to emerge.

Chapter Two: *Political Potential and Critical Ontology of the Present*

From the start, critique is situated between two poles of opposition. Foucault's interest in critique follows the way this opposition has mutated over time from resistance to a local authority in the assertion of a more fundamental right, to the resistance of a pervasive domain of social power exercised in the assertion of individual rights and privileges. When Foucault asks "What is Critique?" or what is anything for that matter—e.g., an author, Enlightenment—he does not pursue the question of what a thing is in itself, but the question of our epistemic relationship to the history of something like critique, authority or Enlightenment, which might name a unique set of relationships and lines of affiliation. This genealogical method of critical inquiry focusing on the practical effects of power in the deployment of concepts within specific historical discourses stems from the relationship between critique and the history of that concept as we examined in the previous chapter. As noted there, the effect of bringing the history of the concept together in the present with the history of Enlightenment critique is to broach an examination of the concept of subjectivity and the role it plays not only in theoretical epistemology but in explicit and implicit political practice as well. In this chapter, I would like to consider two instances where Foucault discusses the unique relationships between authority and law, right and duty, subjectivity and the present that serve to outline the history of critique since the sixteenth century. In his essays "What is Critique?" and "What is Enlightenment?" Foucault not only provides such a historical overview, but also offers a critical estimation of his own project relative to that history. Consequently, the first part of this chapter will follow the elaboration of the structural oppositions that have animated the history of critique, the second part describes the types of attitude made possible within these structures, and the third part considers the historicity of Foucault's research in relation to these structures and attitudes.

§1 Structures of Critical Opposition

Foucault's historical overview of critique consists of roughly three periods in which the transformation of critique moves through a series of oppositions. Though characterized by pairs of oppositions, the character of this struggle shifts radically throughout the three successive stages. Nonetheless, critique maintains a degree of continuity due to the intelligibility of the transitions from one stage to the next. Despite rendering these transitions intelligible in a sense, Foucault's historiography refuses to provide a principle of development because the intelligibility provided by this analysis continually invokes the historicity of the critical enterprise to give shape to its sense of genealogical intelligibility. In other words, there is no assertion of a principle of development because the location of development as of intelligibility is intermediate to the history in question and the subject undertaking such a historical awareness. In the final analysis, the history of critique is a history of the critical subject of the present understood in its fraught contingency, that is, the subject who undertakes to defend, promote, deny, neutralize, contradict or affirm critique. Providing an account of that history, or rather the means into such a history, since the subject of critique is mobilized by undertaking such an account, Foucault displaces the privileged position of the subject by considering it as an effect rather than the consumer of history, the object rather than the subject of inquiry.

The first period of critique follows from the wars of religion in the fifteenth and sixteenth centuries and can be broadly characterized as an attitude of questioning civil and ecclesiastic authority. At this stage, critique is primarily a response to the Christian pastoral tradition and the techniques, institutions, laws, and modes of power that flow from it. The value of the pastoral consists of the idea "that each individual, whatever his age or status, from the beginning to the

end of his life and in his every action, had to be governed and had to let himself be governed, that is to say directed toward his salvation, by someone to whom he was bound by a total, meticulous, detailed relationship of obedience” (Foucault, *What is Critique?* 2003, 264). While the development of this idea of governmentality, of needing to be governed throughout one’s life according to a bond of absolute obedience, will concern the bulk of the later part of Foucault’s career, for now he considers it relevant to note its “singular” and “quite foreign” character separating this idea from ancient culture. Despite this foreignness from ancient culture, the response to the Christian pastoral in the fifteenth and sixteenth centuries amounts to an expansion of the pastoral theme beyond the authority of the Church or divinely elected monarchs, and its intensification by being established as an obligation and concern spread across every member of the social body: “from the fifteenth century on and before the Reformation, one can say that there was a veritable explosion of the art of governing men” (264). Foucault uses the terms “secularization” and “proliferation” to describe this intensification, which he characterizes as a process of “governmentalization” in which the problem of government achieves primary significance even while the meaning of government takes on new, secular, and ostensibly apolitical overtones. As a consequence of this intensification and transformation of the meaning of government, a critical response to government that is momentarily strategic or unprincipled emerges as the search for and proliferation of more adequate and tightly focused principles of government. The critique of methods for governing children, for instance, rarely asserted that children should not be governed at all, but that they should be governed differently, according to another authority, by new laws or principles. The critical attitude thus attaches itself to the process of governmentalization, or the intense interest in the development of arts of government, as a critical study in “the art of not being governed like that and at that cost” (265). At this stage,

then, critique is primarily a question of method, right, technique or authority, but it is not a question of dispensing with the need for government or the pastoral theme in general.

The second stage of critique corresponds with the Enlightenment and consists of an effort to bring these revolutions of method, right, technique and authority under the control of some rational principle, thus providing a law that might spell out the grounds for criticism or revolution on an overtly political stage while also providing a standard toward which government might aim. Like the social-contract theorists of the political realm, Enlightenment critique sought to provide a basis for mediation among competing interests not only in the realm of politics, but in aesthetics, ethics and epistemology as well. Moreover, Enlightenment thinkers sought to unite these realms so that the senses of government in epistemology, ethics or aesthetics would not function substantially differently from political government or vice versa. According to Foucault, the critical edge of Kant's work falls on the division between political and epistemological senses of government. To the extent that political authority distorts epistemic truth, the priority of politics over epistemology becomes an object of Kantian critique: Since "[o]ur liberty is at stake and consequently, instead of letting someone else say 'obey,' it is at this point, once one has gotten an adequate idea of one's own knowledge and its limits, that the principle of autonomy can be discovered" (268). However, given that the desire not to be governed like that is not a desire not to be governed at all, the reprioritization of epistemic truth aims at bringing the individual's understanding of duty within the purview of the public rights and responsibilities of citizenship as "an adequate idea of one's knowledge and its limits." Thus, whatever the existing political conditions of the day, the prioritization of epistemic truth asks that the subject of knowledge recognize to what extent her critical faculties might be employed so that the exigencies of the present remain undisturbed, or at most merely consolidated in a more

consistent way. Those exigencies are not simply the exigencies of civil authorities but consist of the knowing subject's interests and debts to extant conditions, such that the primary question of critique becomes, "[r]eason as much as you want, but do you really know up to what point you can reason without it becoming dangerous?" (267).

"[F]or Kant, autonomy is not at all opposed to obeying the sovereign" (268), so Kant's solution of using rational critique to stifle unprincipled criticism satisfies the Enlightenment critical attitude's desire to be governed differently even as it practically ensures the maintenance of civil authority. By shifting the point of compulsion from an external civil authority's laws to an internal principle of rationality itself, Kant institutes an epistemological question at the heart of critique such that criticism gains its authority and autonomy by the ability to mediate between political, ethical, metaphysical and aesthetic realms. These realms no longer come over the subject from outside as though one must "[let] someone else say 'obey,'" because critique is validated epistemologically as the freedom of the rational subject to submit to the maxim offered by her own faculties. At this stage, critique becomes an activity that shifts the burden of government from external to internal compulsion, thus setting the stage for the integrated extension of critique and governmentalization through the operation of autonomous liberty, which takes the form of biopower.

Yet for all the emphasis on autonomy in Kant's explanation of Enlightenment, Foucault finds its primary significance "in the reflection on 'today' as difference in history and as a motive for a particular philosophical task" (309). Without speculating on the nature of the relationship between this reflection on "today" as difference and motive, I believe it is in the third stage, in which this relation begins to take distinctive shape, that we begin to see the significance of this historical reflection for Foucault's project. At this point the history of critique

begins to pursue diverging paths of inquiry distinguished nominally on the ambiguous relationship between power and knowledge. Though pursued by various means in France and Germany, the distinction between “the discovery that meaning is only constituted by the coercive structures of the signifier” and “analyses done on the history of scientific rationality with effects of constraint linked to its institutionalization and the constitution of models” (Foucault, *What is Critique?* 2003, 270-271) remains linked by a more profound form of cooperation insofar as the critical problem of the relationship between knowledge and power continues to advance under the Kantian imperative to isolate one from the other. Of course this resolution only ever functions for the purposes of “freeing” knowledge from the coercive effects of power, or else bringing power under the rational administration of knowledge; in other words, clarification aims at redefining the relationship between power and knowledge in a strictly vertical relationship in which the questioning of rationality only reaffirms the centrality of a form of subjective experience characterized by its retreat into invisibility. Thus, the subject’s “isolation” of knowledge from power actually serves to expand the epistemological center of critique into unprecedented domains through the process of ostensibly dissolving such a relationship.

§2 Oppositional Attitudes

These three successive stages name the evolution of an attitude, the critical attitude or the attitude of modernity, as Foucault will later describe it, whose enigmatically relational or oppositional character differentiates it from either belief or practice.¹⁴ Just as the life sciences

¹⁴ Foucault characterizes this attitude in terms of *ethos*, which he uses to distinguish it from either a systematic ethical theory and value-neutral positivism. The late novelist and philosopher David Foster Wallace illustrates the tightrope intermediacy of *ethos* between ethical systematicity and positivism in a discussion of the ethical appeal of certain modern American English usage experts for whom “the adjective, derived from the Greek *ēthos*, doesn’t mean quite what we usually mean by ethical. But there are affinities. What the Ethical Appeal amounts to is a complex and sophisticated ‘Trust me.’ It’s the boldest, most ambitious, and also most democratic of rhetorical Appeals because it requires the rhetor to convince us not just of his intellectual acuity or technical competence but of

progressed through an expanding array of analyses of non-living, physiological, chemical and biomechanical processes, so critique develops through an elaboration of governmental techniques involving the invention of new modes of subjection and subjugation that push critique out of these realms. Foucault seems to use the term *attitude* in a technical sense to suggest a critical way of doing things rather than a definite activity or behavior that could be isolated either as a position with respect to the exercise of power or as a specific kind of knowledge of power. At the same time, he treats the critical attitude of modernity as a specific historical event. Consequently, there are aspects of manner and perspective that accrue to Foucault's use of the term attitude, which, in differentiating it from power and knowledge understood as either practice or theory, belong to a specific moment in the history of critique denoting an way of living that becomes possible only within the Enlightenment lineage of critique rather than denoting an aspect of subjectivity that approaches or encounters historical events. As a way of life, attitude describes the manner of approach to theory and practice that ultimately reflects back upon the source of reflection itself. With respect to Enlightenment, Foucault indicates the emphasis on perspective by asking,

where are we with this rationalization which can be said to characterize not only Western thought and science since the 16th century, but also social relationships, state organizations, economic practices and perhaps even individual behaviors. What about this rationalization with its effects of constraint and maybe obnubilation, of the never radically contested but still all massive and ever-growing establishment of a vast technical and scientific system (Foucault, *What is Critique?* 2003, 271)?

his basic decency and fairness and sensitivity to the audience's own hopes and fears" (Wallace 2005, 77). Similarly, the critical attitude of modernity refuses to base its authority upon the technical requirements of systematicity, but this does not mean that it simply lacks any form of character or resorts to simple description as its *mode de vie*. Instead, the form of appeal it makes depends upon a play of unstable forces constituting a kind of historical proximity, which is intelligible without being necessary.

These questions lead to a reflection on Foucault's own project, which I will discuss shortly, but first I would like to add some definition to the meaning of the manner or way of life indicated by attitude by referring to one of Foucault's more vivid examples of modernity, the dandy.

The dandy serves not only as one of the historical analogues to Foucault's project, but also one of the primary examples of the reputed humanism of Foucault's later work, which supposedly repudiates his earlier analyses of power. Foucault offers the dandy as an example of what he means by the critical attitude of modernity, "a mode of relating to contemporary reality; a voluntary choice made by certain people; in the end, a way of thinking and feeling; a way, too, of acting and behaving that at one and the same time marks a way of belonging and presents itself as a task" (Foucault, *What is Enlightenment?* 1997, 309). What manner of thinking, feeling, acting, belonging and responding to a task characterizes modernity? Where are we with *this* manner? The dandy provides a clue to the attitude of modern rationality as much as a way out. As a clue, dandyism consists of three primary features: First, it is "the will to 'heroize' the present" (310), which is as significant in its emphasis on will and aesthetic judgment as in its contrast to accepting the fleeting character of time and its contingency. Second, "heroization" involves recursively isolating what appears to be absolutely distinctive about the present in such a way that it becomes characteristically impermanent by that act of violation. Indeed, "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" (311), and this desperate eagerness is a function of the present's intolerability rather than a simple denial of its necessity.¹⁵ Finally, this relation to the present, which is at once a perspective on the

¹⁵ Intolerability implies something other than necessity. Intolerability is an occasion that Foucault describes as "a system of constraint" in which "the individuals who are affected by it don't have the means of modifying it" as "when [. . .] a system becomes intolerable as a result of its being considered a moral or religious imperative, or a necessary consequence of medical science" (Foucault, *Sexual Choice, Sexual Act* 1997, 148) among other modes of

present and a manner of reacting to the present, alters one's relation with oneself into an artistic project. It is not that one is set free to invent oneself *ex nihilo*, but rather that through this work of heroizing the present, one transforms not only the present but one's relation to it, and with that relation the extremities of self and present that are mediated by it. The compulsion to invent oneself is a compulsion to examine the present including the examination of the means by which the present is apprehended; it is not to "discover" oneself or to find one's "inner truth" (312). As indicated by the example of dandyism, modernity involves an epistemic task that compels Foucault to examine his own project, yet this also means that it has effects of changing the manner in which such a project—and its examination—is carried out, such that Foucault may not simply apply the readymade standards of sound, Kantian criticism, or even the modern critical ethos of dandyism, to his project as though the act of critique were identical to the principles judged to be operative in a particular type of critical behavior.

Foucault offers two self-appraisals of his project in the texts I have been considering up until this point and those appraisals belong to a thread of self-evaluation in Foucault's work that could be considered one of the unifying themes in his writings. Before turning to those accounts, though, I would like to examine how Foucault prepares the grounds for this self-examination. It is peculiar that in both cases, self-examination follows upon disclaimers about how the subsequent accounts contribute to a process in which the emphasis on consciousness is displaced or rather placed in question. In effect, Foucault circumscribes the possibility of his self-description having authoritative weight by placing it within a tradition that puts in question self-consciousness as a precondition for both epistemic and political authority. Foucault's questioning

totalizing necessity. Thus, intolerability refers to a condition, like domination, in which specific power relations and discursive structures become stuck and cannot be pried apart or mobilized from within, as it were. It is thus rather due to the fluidity of these relations, whose absence is indicated by their felt intolerability, that gives the desperate eagerness to recognize the present differently its paramount value for the dandy as an exemplar of the critical attitude of modernity.

aims at undermining the privilege of subjectivity in that tradition even as genealogical critique draws upon that tradition's emphasis on the importance of self-knowledge. Accordingly, genealogical critique questions subjectivity not with regard to its essential character, but instead as to the role it plays in mediating the interaction between knowledge and power. Specifically, "subjectivity" names a specific accretion of modern power-knowledge that, following in the wake of Enlightenment's integration of critique and governmentality, serves as the basis for extending and undermining relations of power-knowledge even as the discourse of subjectivity becomes synonymous with the conditions of possibility for any possible subject whatsoever (*subjectivity* without tone quotes). In becoming equated with the conditions of possible consciousness, the modern discourse of subjectivity does not undermine the basis for *all relations* of power-knowledge any more than it solidifies them once and for all. It is rather that since the Enlightenment, subjectivity finds itself uniquely situated between the mechanisms of civil government and rational deliberation such that negotiating the differences between these realms necessarily involves an interrogation of the limits of subjectivity, which involves a specific nexus of power-knowledge in which one half of the political-epistemic couplet becomes essential for the explication of the other. In establishing the link between the discourse of subjectivity and the Enlightenment as an attitude involving a certain perspective, manner and feeling for doing things, Foucault loosens the binding necessities that link knowledge and power, not in order that they might be severed, but so that they might be reconfigured.

The emphasis on reconfiguration gives both of Foucault's critical self-appraisals the sense that self-knowledge has become a momentary vantage point from which possibility breaks out on either side. Self-examination becomes a form of experimentation in light of the question of critique. Accordingly, Foucault divides the analysis between positive and negative spheres.

Beginning with the positive account of the project, it becomes apparent that this division is tied to the factors allowing Foucault to identify his work as a continuation of the attitude of Enlightenment without thereby continuing to carry the weight of that discourse. Roughly speaking, Foucault's project consists of three elements, or two elements and one consequence: archaeology, genealogy and strategics. Beginning from a historically recognizable "positivity" or object of discourse such as "life" in Canguilhem's work or the phenomena of madness, delinquency and sexuality in Foucault's own work, the positive archaeological task involves analyzing such events as externalized, semi-independent objects that come together in the confluence of various discursive and political structures. At the archaeological level, the problem is to indicate how expert discourses and mechanisms of power collude or prove amenable to one another, as in the instance of the amenability of the discourse of subjectivity for the discourse of Enlightenment, and thus become acceptable at a given place and time. At the archaeological level, "[w]hat we are trying to find out is what are the links, what are the connections that can be identified between mechanisms of coercion and elements of knowledge" (Foucault, *What is Critique?* 2003, 274). The effect of outlining these links means "not to designate entities, powers or something like transcendentals, but rather to perform a systematic reduction of value [. . .], let us say, a neutralization concerning the effects of legitimacy and an elucidation of what makes them at some point acceptable" (274). Already at the archaeological level, we see the shift toward subjectivity as a distancing from critique's concern with the legitimacy of authority and Enlightenment's focus on stable and verifiable autonomy. Whatever freedom this latter term will imply, it will not be a function of right or legitimate warrant in the political sphere, but instead it will depend upon what becomes acceptable given a specific intersection of power-knowledge: "[i]t is therefore not a matter of describing what knowledge is and what power is and how one

would repress the other or how the other would abuse the one, but rather, a nexus of knowledge-power has to be described so that we can grasp what constitutes the acceptability of a system” (275).

However, the internal development of the acceptability of a specific regime of power-knowledge means that because there is no presumption of a transcendental support, a second element of analysis is necessary to explain how a given regime was also *unacceptable* at a given time and place. This is the negative sphere of critique operative at the genealogical level of analysis, but the negative project of genealogy is not simply the inverse of the positive project of archaeology. Complementing the archaeological features of analysis, “what must be extracted in order to fathom what could have made them acceptable is precisely that they were not at all obvious, that they were not inscribed in any *a priori*, nor contained in any precedent” (275). Following the archaeological work of identifying the specific intersections of power-knowledge that constitute the acceptability of the system, the genealogical moment of analysis involves a negative account in which the resistances of a particular nexus of power-knowledge are given constitutive value. What structures of power-knowledge chafed at the emergence of the life sciences? How did the assumption of the study of madness by the emerging field of psychiatry change the meaning of both madness and mental illness? As Foucault’s critique of subjectivity pertains to Enlightenment, once we have identified the features of subjectivity that make it amenable to assuming the role of mediator between public and private, the present and the eternal, autonomy and compulsion, what were the forces impeding this development?

If we move too quickly, we may mistake this for a progress narrative asking which reactionary elements unjustly attempted to displace the rightful authority of the rational subject. Rather, the genealogical level of analysis seeks to determine the forces vying for supremacy

within the development of an emergent discourse, but only insofar as that emergence forms part of the prehistory of a present whose value becomes increasingly significant as Foucault's project develops. Since so many of Foucault's analyses deal with events whose outcomes are more or less well known—for instance, we know quite well the importance of Enlightenment in present philosophical discourse—the play of acceptability and unacceptability that characterizes the intersection of power-knowledge we understand as the Enlightenment has become diminished for contemporary reflection. Consequently, when Foucault says that genealogy attempts to “separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think” (Foucault, *What is Enlightenment?* 1997, 315-316), we may be ready to view this as a natural conclusion to a long developing historical process known as Enlightenment. Yet in this case the contingency that makes us what we are, do and think is identified with the Enlightenment, specifically the privilege granted to subjectivity within discourses of Enlightenment. In an explicitly non-progressive development, Foucault's emphasis on genealogical analysis compels us to confront progress narratives with the possibility of stark contrast, thus eliminating the principle of closure that would render Foucault's account transcendental.

Archaeology and genealogy function as a pair of analyses whose effect is to invoke and undermine subjectivity as a principle of closure. Invoking the sufficiency of a single perspective, archaeology accounts for the internal logic operating in a single instance of power-knowledge. However, such an invocation disappears as genealogy “attempts to restore the conditions for the appearance of a singularity born out of multiple determining elements of which it is not the product, but rather the effect” (Foucault, *What is Critique?* 2003, 277). As an effect rather than the teleological product of other discourses, institutions and behaviors, a particular nexus of

power-knowledge emerges out of the superimposition of these factors rather than in accordance with a teleological principle of fulfillment. In fact, the contemporary doubling of subjectivity as a perspective on perspective, the questioning of the sufficiency of a given perspective that takes place in the doubling of positive archaeological and negative genealogical moments of analysis, leads to the elimination of teleological fulfillment. In presenting the emergence of a particular intersection of power-knowledge as an effect of “relationships of interactions between individuals or groups [. . .] relationships involv[ing] subjects, types of behavior, decisions and choices” (277) Foucault presents power-knowledge as a multiplication of perspectives that feeds back into the circulation of relationships producing effects of power-knowledge in the first place. Consequently, the emergence of a particular perspective or intersection of power-knowledge adds to the complexity of relationships capable of instituting perspectives, such that

in a way, none of these interactions appears to be primary or absolutely totalizing. Each interaction can be re-situated in a context that exceeds it and conversely, however local it might be, each has an effect or possible effect on the interaction to which it belongs and by which it is enveloped. Therefore, schematically speaking, we have perpetual mobility, essential fragility or rather the complex interplay between what replicates the same process and what transforms it (277).

As a consequence of the recursive action of archaeology and genealogy employed complementarily, the initial object of power-knowledge—e.g., life, madness, delinquency, sexuality—is transformed not in the sense that the given positivity itself changes, but rather that the subject capable of perceiving such a positivity is fundamentally altered so that neither the given positivity nor the subject any longer appears as an autonomous, wholly separate entity in its own regard.

Mitigating the relationship between the observing subject and the object of analysis is not simply a matter of establishing or modifying an epistemological bond between subject and object. Rather, taking subjectivity as it understands itself in its relation to objects of thought, the

practice of criticism highlights the practical, non-discursive supports for thought and thereby disrupts the conceit that discourse functions in relative independence of corrupting non-discursive influences. In a 1978 interview entitled “Questions of Method,” Foucault outlines the paradoxical manner in which critique makes it difficult to act, while simultaneously making action urgent. The difficulty posed by Foucault’s critique develops out of the archaeological integration of power-knowledge as a support for action. Acknowledging this difficulty, Foucault explains that his work attempts to make it so that members of the institutional setting acting within a certain domain of power-knowledge “‘no longer know what to do,’ so that the acts, gestures, discourses that up until then had seemed to go without saying become problematic, difficult, dangerous” (Foucault, *Questions of Method* 2000, 238). In this case, the difficulty of thinking involves greatly adding to the domain of thought so that it is not simply a matter of ideas, but it becomes a matter of activity, whether it is the difficulty of acting when one no longer knows what to do or whether we identify thought and action more directly as Foucault does¹⁶. Adding to the robustness of thought makes thought difficult in the sense of inducing “paralysis”¹⁷ caused by a proliferation of feeling for options and contingencies rather than an anesthetic loss of feeling leading to a diminution of sensitivity. Paralysis is the effect of “an awakening to a whole series of problems” (238). It isn’t that thought becomes difficult because it is stunted and narrowly delimited, but because its reach is expanded into domains that violate the

¹⁶ In another discussion of the difficulty/urgency accompanying effects of critique, Foucault offers an explicit equation of thought and action: “ways of thinking—which is to say, ways of acting” (Foucault, *So, Is it Important to Think?* 2000, 457).

¹⁷ The history of philosophy is replete with moments of paralysis that stem from intense thought. Consider the connection between Foucault’s use of paralysis and Jean-Luc Nancy’s discussion of Nietzsche’s diagnosis with “paralysis progressiva” (Nancy 1998) in which Nancy characterizes Nietzsche’s paralysis as an excess of thought and feeling. Also, consider Meno’s reproach that Socrates is “extremely like the flat torpedo sea-fish; for it benumbs anyone who approaches and touches it, and something of the sort is what I find you have done to me now” (Plato 2002, 80a-b). The paralysis invoked by Foucault’s style of critique has a similar ambiguity in that it appears at once as goading or spurring to the act of thinking, while at the same time inducing a momentary pause associated with the enervation and lethargy that restricts action.

strictly delimited meaning of thought conceived in opposition to action that allows it to operate without interruption. As thought becomes action, it becomes harder to determine how, by what rule, right or privilege, thought governs action. Further, it is because government is necessary and because government is a matter of the highest importance within the tradition of Enlightenment that criticism gains its urgency. Without the necessity of government—and the purest, least coercive and rationally administered mode of government at that—criticism has no force. Where the continuous operation of government is not a factor, the critical disruption of government has almost no capacity for transformation. Hence, the urgency of thought in response to critique develops under the force of a governmentality that demands not only rules but action, “the problem, you see, is one for the subject who acts—the subject of action through which the real is transformed” (236). To leave out the question of how the agency of the subject could be accounted for would mean eliminating the very force that gives Foucault’s project urgency, but at the same time, this means that we must avoid situating the question of subjective autonomy as the privileged center of all relations of power.

Indeed, one of the greatest obstacles Foucault attributes to his project involves critique’s inability to see where it is going. If one could provide the rule for critique, then it is hard to see how it could be anything but a transcendental law that escapes temporal instantiation, rendering the present transparent against a history characterized by a series of the same moments. Yet if we are completely comfortable with the limited purview of criticism, then there is no need to respond to critique, and the concomitant element of transformation loses its urgency amidst structures of power-knowledge. The essential fragility of this project depends on its never falling into the traps of either “radical or global” critique. Radical critique, whether we hear the etymological reference to centrality or simply imagine a mode of critique without precedent or

correspondence, seems to be the coded warning against projects of resistance centered on the discovery of an inviolable truth within oneself. Such projects become global, as if by definition, because they presuppose or seek to establish a privileged epistemological position that eludes criticism itself.¹⁸ Without being either radical or global, Foucault's project attempts to determine the status of knowledge from within a network of relations marked by their opportunity for introducing discontinuity rather than homogeneity. In particular, the question concerns what is accepted as truth, the means by which such a truth is established and what alternatives to such a truth might be available from within those same conditions. In other words, the problem is to determine "what historical knowledge is possible of a history that itself produces the true/false distinction on which such knowledge depends" (Foucault, *Questions of Method* 2000, 233). From the standpoint of Enlightenment and against it, this question involves "how the growth of capabilities can be disconnected from the intensification of power relations" (Foucault, *What is Enlightenment?* 1997, 317). In other words, how might we imagine freedom as something other than the epistemological position of the omniscient knower at the center of all power relations, or else the property of an individual subject that presents such a capacity? From within a nexus of power-knowledge whose acceptability demands such omniscience and omnipotence, the route Foucault pursues involves critiquing such a view from a position that is both partial and developed under the contingent forces of power-knowledge itself. Hence, the way into or out of Enlightenment takes its leave from the Enlightenment's inheritance by the present, but instead of

¹⁸ As an aside Foucault adds "that the claim to escape from the system of contemporary reality so as to produce the overall programs of another society, of another way of thinking, another culture, another vision of the world has led only to the return of the most dangerous traditions" including "the worst political systems of the twentieth century" (Foucault, *What is Enlightenment?* 1997, 316) such as those which "for all our vindication of the opposition between ideologies of violence and the veritable scientific theory of society [leave us] with two forms of power that [resemble] each other like two brothers: Fascism and Stalinism" (Foucault, *What is Critique?* 2003, 271). On the basis of this claim, Foucault also finds attempts to recover the common destiny of apparently disparate cultures, such as Mendelssohn's and Kant's attempt to bring Christian German *Aufklärung* together with the Jewish *Haskala*, whose effects Foucault deems so obvious that "we know to what drama that was to lead" (Foucault, *What is Enlightenment?* 1997, 304).

leading out of the present it aims at drawing knowledge into the temporality of the present such that knowledge of the present becomes both pressingly urgent and unmanageable.

§3 Genealogical Critique

Throughout the various iterations of his view of Enlightenment, Foucault maintains that Enlightenment's unique character has to do with the primacy it attributes to the present as a condition that shapes, reflects or expresses philosophical thought. A fundamental relation between philosophical thought and its present marks the attitude that Foucault identifies as Enlightenment. Whether that relationship means that the present draws its vitality from the philosophical work produced during such a period, whether the present shapes philosophical discourse such that knowledge becomes the reflection and specter of more fundamental material conditions or whether the present consists of a particular balance of historical circumstances and their rational explication is beside the point. Rather, the question of Enlightenment is how one speaks truthfully given the condition that truth, since the Enlightenment, must be approached by means of a present understood to be nearly synonymous with the constituent features of rational subjectivity. That synonymy depends upon our understanding subjectivity as an epistemic feature in which *what one knows* is *who one is* and *who one is* and *what one knows* depends upon the superimposition of rational discourse and historical circumstance. From the perspective of genealogical critique the Enlightenment's concern for the present may be seen to ask what ways of living or attitudes are caught up with that superimposition. Within the attitude of Enlightenment, subjectivity is the name for how history and rational discourse currently interact. Accordingly, for a mode of analysis that stems from the Enlightenment while recognizing that Enlightenment suffers greatly if it becomes formulaic, thereby eliminating the possibility of

difference in history, philosophical reflection must begin from a standpoint that takes the connection between the historical circumstances of power and knowledge into account. With Enlightenment, philosophy attempts to take its own subjective position into account both as a historical event and as the condition for any possible subjectivity. The positivities that Foucault analyzes in terms of power-knowledge are effects of Enlightenment subjectivity to the extent that such an analytical framework derives explicitly from the Enlightenment's concern with the relationship between rational discourse and historical circumstance, that is, the relationship between knowledge and power, respectively. Foucault's interest in Enlightenment, expressed from his earliest writing on Canguilhem to his latest writings on the question of Enlightenment explicitly, serves as the archaeological basis for his own project. Yet to be appreciated this project must be understood in connection with its genealogical aspect, which permits Foucault to become something more than an apologist for and less than a critic of the Enlightenment.

Before turning explicitly to Foucault's understanding of genealogical critique, I would like to linger on a topical example of a place where genealogy could be applied so as to disrupt the commonplaces of contemporary discourses by revealing their indebtedness to historical conflicts whose resolution may be profitably reexamined. The 2008 Democratic presidential primary was remarkable for many reasons, but one of the most remarkable aspects might be the manner in which coverage of the primary resisted unprecedented historic opportunities for discussing race and gender. I would like to focus on the issue of race, in particular the way media coverage claimed to consider and hence to demonstrate an understanding of race while simultaneously codifying longstanding tropes of racist discourse.

Concerning media coverage of the primary, one might ask whose interests were served by treating black voters' support for Barack Obama as evidence for the monolithic interests and

political preferences of African Americans. Keith Woods, Dean of Faculty at The Poynter Institute, outlined journalists' role in the issue well on an episode of *The News Hour* broadcast during the 2008 primary campaign:

[W]hen you look at a lot of the reporting coming out of the primaries in the Democratic race, and you see the number of times that we break things down by racial categories in determining how people voted, we are, in some ways, abetting what I would regard as a fairly narrow and superficial discussion about race.

And I think, particularly when you look at the way that we have talked about the demographic groups, the degrees to which we have divided up particularly black and white America in this—in the conversation, we reveal, I think, in some ways, both the media's limitations in how it talks about it and the country's.

So, you see a full vocabulary for talking about white Americans in this debate, from blue-collar, a euphemism for white blue-collar workers. We talk about lunch-bucket Democrats. We talk about the soccer mom and the NASCAR dad, all of which are euphemisms in the national discourse for white Americans.

And then we talk about black people, as though they are all the same, with pretty much all the same views. And Latinos and Asians haven't fared much better. And we don't talk at all about Native Americans (PBS 2008).

Two processes of unification insinuate themselves in these cases where black voting tendencies are simplified in favor of complicating the preferences of white voters. The first process is the attempt to locate the essential character of a plurality of individual elements that allows differences to be reconciled beneath a monolithic collective identity. Discussing Nietzsche's opposition to the pursuit of origins, Foucault contends that this opposition rebelled against the "attempt to capture the exact essence of things, their purest possibilities, and their protected identities" (Foucault, Nietzsche, *Genealogy, History* 1998, 371). In short, the problem with such identities and their pursuit, whether we mean the essence of truth, humanity at large or simply the defining character of black primary voters, is that "this search assumes the existence of immobile forms that precede the external world of accident and succession" (371).

Related to this form of reduction, yet paradoxically opposed to the possibility of its completion, is a second process involving the recognition that this search itself constitutes an imperative for continuous diligence because this essential character, when applied reflectively, proves largely elusive. Whereas journalists covering the primary presented black voters' interests as fixed, monolithic and simple, providing a stable point amidst a sea of erratic voter behavior, the same journalistic ensemble presents the interests of white voters as endlessly complex and stratified. Knowledge of *that* behavior "lies at a place of inevitable loss, the point where the truth of things is knotted to a truthful discourse, the site of a fleeting articulation that discourse has obscured and finally lost" (372). When the subject of knowledge speaks of itself—in this case the largely white caste of professional journalists—truth is a matter of nuance and subtlety whose complexity compensates for the fear that in reality truth may be a kind of error capable of affecting that which it purports to reveal. However, when the subject speaks of its objects—in this case the definitively non-white African American voting public—then truth is readily available to knowledge; it is obvious. Following Nietzsche, Foucault understands genealogy as the attempt to eliminate two kinds of reduction concerning knowledge: on the one hand, the reduction of knowledge to a stable, atemporal form; on the other, the reduction of knowledge to an inescapable lie, an unabridged abyss. Consequently,

a genealogy of values, morality, asceticism, and knowledge will never confuse itself with a quest for their "origins," will never neglect as inaccessible all the episodes of history. On the contrary it will cultivate the details and accidents that accompany every beginning; it will be scrupulously attentive to their petty malice; it will await their emergence, once unmasked, as the face of the other" (373).

In the present case, genealogy not only asks how black and white voters are represented by journalism professionals, but how those representations contribute to the formation of subsequent knowledge and behaviors in terms of processes of objectification and subjectification.

One wonders what would become of the “upscale” and “downscale” divisions among Democrats if the terms “blue collar” or “lunchbox” voter were not being used as euphemisms for the *white* working class. On the surface of the designation, “working class” is just that, an economic distinction, but a genealogical analysis reveals the extent to which race is insinuated into this economic distinction so that class becomes a distinction subsequent to racial demarcation without so much as an asterisk to indicate the elision. To be sure, there is nothing sinister in the connection between race and class; genealogy does not seek to establish the rightful priority of one or the other. If there is something sinister about the arrangement, it has to do with the manner in which the prioritization of whiteness with respect to class designations elides this complexity. Moreover, theorists of race have long noted the tendency for the prioritization of class divisions to bypass questions of race, casting the current example as an element of strategy rather than a historical anomaly or professional idiosyncrasy of American journalists. Bringing this potential conflict to light, archaeology asks to what extent the elision of the racial component of class commentary is a necessary element for establishing the acceptability of that discourse. Genealogy asks the complementary question of what forces resist those strategies. Superimposed upon one another, archaeology and genealogy offer a form of critique that resists closure by drawing attention to the present situation of power-knowledge that would complicate the sufficiency of either account.

If archaeology discerns the prevailing logic or conditions of acceptability for a given arrangement of power-knowledge, we should understand archaeology’s work as effectively outlining the conditions of subjectivity for a specific perspective. Genealogy, by contrast emphasizes the role such exclusions play in diminishing the importance of competing subjective arrangements: in the case of the current example, the discursive role of discounting the

complexity of black, working class voters' preferences in favor their white counterparts' interests. Moreover, one might ask what role, if any, the emphasis on white and black racial divisions offers to Asian, Latino or Native American voters and how this exclusion feeds into the cultural logic of whiteness. Above all, these details complicate the picture and frustrate attempts to package knowledge for distribution within a system that demands truncation and simplification: "Where the soul pretends unification or the Me fabricates a coherent identity, the genealogist sets out to study the beginning—numberless beginnings, whose faint traces and hints of color are readily seen by a historical eye" (374). Recognizing the complexity of knowledge and the exclusions truth relies upon means that not all readers will take the findings of genealogy the same way. Countless beginnings lead to countless perspectives that are subject to reevaluation to the extent that they too rely on a selection of exclusions and prioritizations. By making the strategic import of accepted discourses true at the archaeological and genealogical levels, Foucault uses critique to highlight the present links to those strategies as moments within a conflict that is far from complete. In our test case, media pundits will likely hear this as a claim to better balance the business interests of media companies with the duty to find and disseminate truth. In other words, the business model needs to find a way to sell the complexity that genealogy brings to bear. Alternately, cultural critics will hear anew the manner in which business interests contribute to the canalization of race and class issues into marginal domains because they pose a necessary threat to the dominant rationality of cultural hegemony. In this particular case, black voices in the media have taken the opportunity to identify class and educational divisions within the black community, thus indicating the dissonance behind the nominalization "black," while simultaneously indicating new lines of correspondence in terms of class and education level. In the end, behind one voice or one positivity of power-knowledge,

Foucault's genealogical project suggests the presence of many contending voices whose values cannot be readily discerned from the stable confines of the present.

From the topical example of a yet-to-be attempted genealogy of race in the 2008 Democratic primary campaign, we see two kinds of subjectivity and two kinds of dissociation of subjectivity. On the one hand, the subject plays the role of object, a set of faculties and capacities to be known and thoroughly knowable. On the other hand, the subject as subject, as the knower or perceiver, spectator or actor, the practitioner of knowledge becomes something strategically ineffable. Yet, just as the subject-object doublet maintains the respective features of each, so too the dissociation of either half of the pair involves consequences for the remainder. Returning to the example, the recognition that class divisions serve as a strategy for prioritizing white racial perspectives raises questions regarding the meaning of *class* and *race*, but also *white* and *black* because the links holding together a number of discursive pairings have been compromised. If we accepted archaeology and genealogy as forms of historical analysis without consequences for the subjectivity of the one employing those procedures, it would be very easy for discursive pairings or even more complex structures to reconsolidate after a brief period of adjustment. Genealogical critique, referring to the superimposition of archaeological and genealogical analyses such that the subjectivity of the critic is drawn into question, attempts to forestall this period of reconsolidation indefinitely. Thus, if the knowledge of black voters as a monolithic group appears to rely on a regular system of exclusions (archaeology), then the recognition of the questionable interests demanding those exclusions (genealogy) effectively shatters that representation's claim to unproblematic knowledge, in which case the critic, the one whose subjectivity is predicated on that knowledge, becomes subject to the same scrutiny. Genealogical critique thus operates at two levels of dissociation: the dissociation of the truth value of the past

affected by pairing archaeological and genealogical analyses and the dissociation of the present as a unified moment, by bringing the genealogical critic's own knowledge into question. The first instance of dissociation, then, involves the shattering of the monolithic representations of subject and object. The second form of dissociation draws less on genealogy's retrospective vision of the past, genealogy as the study of lineages, and emphasizes instead the sense of genealogy as a "curative" science, or a knowledge of (re)production. Productively, the dissociation of subjectivity carried out by genealogy allows ignored or silenced voices to speak in the pause affected by the first instance of dissociation. Foucault addresses the two processes as an interest in the past that aims at disrupting the present in order to unburden the future:

The purpose of history, guided by genealogy, is not to discover the roots of our identity, but to commit itself to its dissipation. It does not seek to define our unique threshold of emergence, the homeland to which metaphysicians promise a return; it seeks to make visible all of those discontinuities that cross us [. . .] If genealogy in its own right gives rise to questions concerning our native land, native language, or the laws that govern us, its intention is to reveal the heterogeneous systems that, masked by the self, inhibit the formation of any form of identity (386-387).

What is remarkable about this statement of genealogical criticism's intention is the sense in which the dissipation of identity relies upon the proliferation of perspectives made possible by examining the nascent conditions whose multiplicity undercuts the reductions of identification. Genealogical critique increases visibility, sensitivity and, hence, alertness by undermining rather than bolstering the continuity of the critical subject as had been the dream of Enlightenment critique.

Chapter Three: *Opening a Space for Critique*

To the extent that genealogical critique forms a strong basis for disrupting the operations of Enlightenment subjectivity, even as genealogical critique finds the grounds for its own claims in the critical tradition of Enlightenment, it forms what Foucault calls a “critical ontology of ourselves,” involving, specifically, an ontology of his own critical work, which

must be considered not, certainly, as a theory, a doctrine, nor even as a permanent body of knowledge that is accumulating; it must be conceived as an attitude, an ethos, a philosophical life in which the critique of what we are is at one and the same time the historical analysis of the limits imposed upon us and an experiment with the possibility of going beyond them (Foucault, *What is Enlightenment?* 1997, 319).

Observing the dissociative effects of genealogy on subjectivity, we might conclude, with Foucault, that genealogy “inhibit[s] the formation of *any* form of identity,”¹⁹ indicating that genealogy destroys the possibility of subjectivity functioning as a meaningful analytic category. Alternatively, we might see this inhibition of identity as the opening for more common sites of association, interaction and communication whose precedence appears because of the inhibition of a specific model of identity. The distinction has to do with interpretations and criticisms of Foucault’s critical ontology of the present as caught between the choice of destroying the possibility of authentic subjectivity or offering a more authentic mode and form of analysis for subjectivity. In what follows, I would like to examine two accounts that come close to embracing this alternative, those being the analyses of Jeffrey Nealon and Judith Butler, respectively, although we shall see that each of these analyses inflects the alternative to reveal the sense in which the underlying dilemma is misplaced.

Obviously, both give reason for pause before these characterizations. In fact, they don’t fit these categories very well: Nealon’s opposition to discourses of subjectivity is based on the

¹⁹ Emphasis added.

effects of such discourses rather than the desire to eliminate the possibility of any form of identity whatsoever, and Butler's project aims at accounting for the subject's capacity for transformation rather than establishing a new basis for subjectivity altogether. However, aiming a little wide of the mark, I plan to use these characterizations in order to show the manner in which Foucault's work requires an interrogation of subjectivity without thereby implying a more truthful or authentic subject to be the result of his discourse. To make that point, I will begin by discussing the significance of genealogical critique's redirection of our view from subjectivity to processes of subjectivation. Next, it must be shown that this redirection allows a plurality of voices to speak by diminishing the subject's ability to recognize itself as a unified being. Additionally, I will briefly examine Butler's *The Psychic Life of Power* to show how the image of a subject as the agent of its own transformation may surreptitiously reinstate the continuity of subjectivity as an ineffable unity. Finally, I will respond to Nealon's claim that the question of subjectivity becomes "too costly" in the present age of biopower by outlining the manner in which Foucault's analyses of power contribute to undermining biopolitical processes of subjectivation.

In the preceding chapter I've attempted to show that Foucault's later concern with subjectivity is a) primarily aimed at disrupting the presumed continuity of the subject, b) that such a project stems from Foucault's understanding of Enlightenment, in particular its concern with the present, and the conditions of subjectivity, c) that genealogy is an outgrowth of that interest and d) that this entire agglutination of subjectivity, Enlightenment and genealogy belongs to a history of critique characterized by the simultaneous resistance to and intensification of power relations that Foucault names "governmentality." In short, Foucault's genealogy of the critical subject is an attempt to contextualize his work from within a history critique that compels

an examination of the conditions for the possibility of critique at present. Moreover, such reflection upon reflection has been a part of Foucault's project since his earliest inquiries into the history of madness. The striking similarity between Foucault's description of the institutional confinement of madness and his elaboration of Kant's view of the relationship between critique and *Aufklärung* hints at a prevailing interest in promises of liberation requiring the internalization of confinement, which characterizes contemporary processes of subjectivation.²⁰ In "What is Critique?" Foucault identified the pastoral conviction that every subject, regardless of status, needed to be governed as a conviction that was absolutely foreign to antiquity, thereby characterizing such an arrangement of liberation and subjugation as setting the stage for a mode of governmentality specific to modernity. Insofar as an interest in that issue preoccupied Foucault throughout his career, the attempt to cast it in a genealogical light represents not only an abiding personal interest in reflecting upon his work, but a broader cultural imperative to reflect upon the conditions of contemporary life.

²⁰ In particular, I have in mind two passages in which that which is previously opposed to reason becomes a part or representation of reason in diminished form. Note the similarities between the conditions of madness and criticism in the following passages from *History of Madness* and "What is Enlightenment?". First, Foucault addresses the diminution of madness as it is viewed from the rationality of the asylum:

madness does not represent the absolute form of contradiction, but instead a minority status, an aspect of [reason] that does not have the right to autonomy, and can live only grafted onto the world of reason. Madness is childhood. [. . .] Apparently, this "family" placed the patient in a milieu both normal and natural; in reality it alienated him still more: the juridical minority assigned to the madman was intended to protect him as a subject of law; this ancient structure, by becoming a form of coexistence, delivered him entirely, as a psychological subject, to the authority and prestige of the man of reason, who assumed for him the concrete figure of an adult, in other words, both domination and destination (Foucault, *History of Madness* 2006, 489).

Later, when addressing Kantian critique, Foucault observes a similarly familial relationship emerging between *Aufklärung* as a "way out" and the will's use of reason for scrutinizing government: "the 'way out' which characterizes Enlightenment is a process that releases us from the status of 'immaturity.' And by 'immaturity,' [Kant] means a certain state of our will which makes us accept someone else's authority to lead us in areas where the use of reason is called for" (Foucault, *What is Enlightenment?* 1997, 305). In both the cases of madness and reasoning without a clear understanding of reason's limits as provided by Kantian critique, immaturity or a certain minority status amounts to the failed internalization of a rule that would permit rational autonomy. In view of this failure to achieve rational self-direction, what first appears as an external imposition, confinement in the asylum or political compulsion in society, gradually reveals itself as an internal disposition, reason in its full and healthy sense of reason tempered by duty.

§1 Subjectivity, Resistance and Psychoanalysis

If we approach the present by means of the question of what difference today makes with respect to the past, we may link the question of the present and its interest in the subject with questions of resistance. This requires that we understand difference in history as both ubiquitous and singular: every present is characterized by such differences, and no present is exactly like any other. There are also questions regarding the conditions of resistance, how resistance has and can develop and the relationship between resistance and reform. To some extent, the question of subjectivity is about how we are able to resist, a question of when we should resist and what kinds of reform we should aim for. The question of the resistant subject is as much an ontological question—of what conditions or capacities of subjectivity might make resistance possible—as it is a moral and ethical question about when to resist or the possible meaning of resistance. Yet, we should question what effects are entailed by linking the question of resistance to subjectivity such that resistant agency becomes predicated on some form of capacity for noncompliance. Furthermore, what happens to the study of these agencies when we link resistance to agency in this manner? When we accept these restrictions, are we not forced to determine what capacity could enable agency, or allow critique at all, before we are able to recognize resistance *in actu* and *in situ*?

To treat the subject genealogically, the question of resistance becomes an experimental one: what type of resistance is possible and with what type of results and what likely consequences? The nature of these questions indicates a type of analysis whose answers will likely differ depending upon the life of the one who asks them, whereas the earlier questions suggest answers that would accumulate value insofar as they remained constant for many different ways of living. In both cases, subjectivity is a central question regardless of whether we

are dealing with the presumption of an ontological category or the multiplicity of subjects presupposed by an experimental way of life. In genealogical critique, subjectivity assumes a strategic importance in the sense of recognizing the strategies to which insistence on discourses of subjectivity commits oneself and to a certain type of critical discourse that diagnoses criticism after the fact and thereby insists upon its secondary status. Additionally, subjectivity assumes strategic importance for genealogical critique in the sense that redirecting critique to strategies, the effects of strategies and forms of subjectivity as strategic effects means that forms of subjectivity are effectively produced by this redirection of perspective. As a development out of Enlightenment critique, genealogical critique is not just an evolutionary moment in the history of either Enlightenment or critique, but a countervailing force opening the possibility of new ways of living. Thus, genealogical critique produces resistance analogous to noise or static in signal processing because these disruptions to a particular mode of information processing point to the possibility of a new type of processing that will make sense of these anomalies, even if only at the expense of introducing unexpected anomalies in the process.

Foucault's interest in subjectivity involves the production of noisy resistance by amplifying silenced practices of subjectivation and thereby making the general, universal or normal character of subjectivity difficult to discern or practice. In *The Psychic Life of Power*, Judith Butler tends to focus on what I would call reform or conscious resistance aimed at achieving some form of redress for past grievances. While resistance and reform go hand in hand, and Foucault was not a stranger to projects of reform, these projects relate to separate moments in the process of critique. In its commitment to discerning the numerous shades of gray that constitute a historical sensibility, genealogy opposes these acts of consolidation, which solidify existing networks of power beneath the placid face of equivocation.

If Butler emphasizes reform, even while using the term “resistance,” this may be an attempt to differentiate her project from Foucault’s by articulating a basis for subjective self-transformation or “resistance” rather than a conflation of the two moments that fails to see “resistance is the dominant mode of cultural power today” (Nealon 2008, 109). Whereas Nealon emphasizes Foucault’s reluctance to explore the strategic possibilities latent in the discourse of subjectivity, Butler attempts to discover a more primordial form of subjective discourse by drawing on resources from psychoanalysis in pursuance of similar strategic goals and experimental modes of criticism. Primarily, I claim that Butler aims to reveal or produce a better subject less burdened by either personal history or the baggage accumulated from institutions and social structures. At the same time, *The Psychic Life of Power* runs perilously close to placing psychoanalytic accounts of subjectivity at the center of any possible mode of critical, much less political, activity whatsoever. The centrality of psychoanalytic discourses as an *a priori* condition of critique in Butler’s analysis confuses the issue of whether psychoanalysis forms a contemporary obstacle to critique—a point Foucault would likely endorse in theory as a historical *a priori* contributing to the critical ontology of the present²¹—or an *a priori* moment of analysis for all critique.

As she states the problem, Butler’s fundamental task is to determine the conditions for the possibility of the subject’s emancipation in which “[a] critical evaluation of subject formation may well offer a better comprehension of the double binds to which our emancipatory efforts

²¹ Indeed, one does not have to go back to Foucault’s earliest work on mental illness to discover his antipathy to psychoanalytic accounts, but reviewing his approach to a critique of psychoanalysis is certainly instructive. As Alan Sheridan notes, Foucault used genealogy to discover a common site at which the study of mental illness and the study of reason were not clearly delimited. In identifying this site and tracing the historical events that helped to cover any trace of its existence, it is “the whole conceptual basis of psychiatry that is turned on its head, sabotaged from within, in the name of its victims” (Sheridan 1980, 7). What Foucault discovered in the treatment of mental illness was not only the history of reason written without sacralizing rationality, but the practical import of bringing reason together with its practical effects: “not only an adumbration of the conjunction *pouvoir-savoir*, power-knowledge, the central axis of Foucault’s later work, but an obscure reference to Foucault’s critique of the notion of ‘liberation’” (8).

occasionally lead without, in consequence, evacuating the political” (Butler 1997, 29). Three areas of that project seem to diverge from Foucault’s genealogical critique. First, the ontological status of Butler’s critique is not readily appreciable. In particular, it’s unclear whether the subject to be emancipated is a transcendental ontological category such that all subjects throughout history may be emancipated by Butler’s analysis, or whether the emancipation of the subject means breaking up a recent consolidation of subjectivity—one concurrent with modernity but codified primarily through nineteenth and twentieth century psychoanalysis—for the benefit of an as yet undeveloped future subject. To some extent, this ambivalence is intentional. When remarking on the manner in which psychic power takes the form of a turn or turning back on oneself, Butler acknowledges “the turn appears to function as a tropological inauguration of the subject, a founding moment whose ontological status remains permanently uncertain” (3-4). In either event, Butler maintains the necessity of a kind of figure or trope of subjectivity, either transcendental and atemporal or historically constituted in both content and form through which her account explores the necessity by which “we seek to account for how the subject comes to be” (4).

Second, whereas Foucault is clear that power is a strategically employed analytic grid,²² thus narrowly defining his project outside the purview of ontological speculation, Butler’s analysis seems to invite speculation by its indulgence in the subject’s “vacillation between the already-there and the yet-to-come [which] is a crossroads that rejoins every step by which it is traversed, a reiterated ambivalence at the heart of agency” (18). If Foucault circumscribes his most original theoretical impulses in order to redirect genealogical criticism toward his own

²² “No one should ever think that there exists *one* knowledge or *one* power, or worse, *knowledge* or *power* which could operate in and of themselves. Knowledge and power are only an analytical grid” (Foucault, *What is Critique?* 2003, 274).

project, Butler's analysis is significantly less reflexive in its attempt to provide a theory of subjectivity by means of an ahistorical psychoanalytic ontology of subjective agency.

Third and finally, this lack of reflexivity—which should not be taken as alleging a lack of reflection²³—leads Butler to posit a more robust notion of the subject than appears in Foucault's work. While Foucault attempts to reveal the silenced voices that stand behind the image of the autonomous subject, his point of emphasis is not on the synthesis of these voices but on their conflict. Genealogy attempts to amplify that conflict as a preliminary for bringing about a new mode of strategic contestation, which will initially be greeted as a type of reform, but stops short of prescribing a program of changes and amendments it seeks to implement. Referring to the paralyzing effect of his work on would-be reformers, Foucault remarks,

it's insofar as there's been an awakening to a whole series of problems that the difficulty of doing anything comes to be felt. Not that this effect is an end in itself. But it seems to me that 'what is to be done' ought not be determined from above by reformers, be they prophetic or legislative, but by a long work of comings and goings, of exchanges, reflections, trials, different analyses (Foucault, *Questions of Method* 2000, 235-236).

By contrast, Butler looks for a form of analysis that will provide access to a version of subjectivity that might allow one to escape domination, even the domination of being in love with domination. Perhaps this escape is inconclusive, but the language of the ambivalence *at the heart of agency* suggests an escape that applies equally to all subjects, either because historical subjectivity has already been rendered monolithic due to a totalizing rhetoric that demands such tropes, or because subjects have always been that way. In either event, there are elements in

²³ Indeed, the paradox of Butler's account is that she emphasizes the ambivalence "at the heart of agency" and thus that the ambiguity regarding the ontological status of her tropological account is the one certain aspect of her attempt to delimit the boundaries of subjectivity.

Butler's account that undermine her strategic goals in favor of a totalizing psychoanalytic discourse.²⁴

Reform requires an account of agency that resistance does not. However, there are accounts and there are accounts. For instance, when Butler asks if there is "a way to affirm complicity as the basis of political agency, yet insist that political agency may do more than reiterate the conditions of subordination" (Butler 1997, 29-30), I believe that she is a reformer at heart, but the "way to affirm complicity" she speaks of here may be no more essentializing than the "way out" of particular instantiations of power-knowledge for which Foucault employs genealogical critique. What may help differentiate the two involves Butler's imperative address to the subject of action. In order to properly exert one's agency, one must make concessions concerning the type of perspective proper to the subject, "[t]he temporal paradox of the subject is such that, of necessity, *we must lose the perspective of a subject already formed in order to account for our own becoming*" (30).²⁵ This restriction applies to all subjects due to the temporal, if not historical, nature of subjectivity that still fits nicely within a framework of logical non-contradiction, of individuation and of autonomous agency. While these are mostly congenial concessions, the totalizing nature of Butler's effort becomes significant when one asks about the basis for arriving at these, rather than other determinants found within a history of subjectivity and political agency fraught with contradictions. As Butler responds to this question, the omission of these concessions, even more than the "dismissal of the subject as a philosophical trope," composes a methodological requirement whose conditions will not suffer scrutiny because to do so "underestimates the linguistic requirements for entering sociality at all" (29).

²⁴ There are occasions when the use of a totalizing or essentializing discourse does play a strategic role that cannot be omitted. In emphasizing the totalizing aspects of Butler's psychoanalytic leanings, I do not wish to deny the possibility of a strategic function, but simply to point out the dangers threatening those goals from within Butler's discourse.

²⁵ Emphasis added.

While Butler may be right in this regard, it may be prudent to understand that Foucault's rejection of psychoanalysis was the result of its political rather than its theoretical liabilities: "Foucault consistently chose to side-step debates over the nature of subjectivity, so that he could get on with his research into the historical constitution and political implication of various discursive subject positions" (Chambers 2003, 128). In order to reform subjectivity, Butler effectively identifies the myriad ways in which resistance fails to properly subordinate itself to the demands of reform, and thus requires the guiding hand of an ontological account of what it means to be a subject and the proper relation between subjects constituting society and politics, as such.

§2 Where is the Subject in the Problematization of Subjectivity?

The problem of resistance is not the problem of determining the conditions of possibility for resistant subjectivity, nor is it a matter of determining how the subject of action should act. As Nealon locates the crux of the dispute, "[t]he difficulty surrounding the question of resistance for Foucaultian social theory is not how to refine techniques for mining this scarce thing called resistance from underneath the encrusted surface of totalized power [. . .], but rather the question concerns ways to mobilize, focus, or intensify practices of resistance, insofar as they're already all over the place" (Nealon 2008, 105). It is not that the subject of action needs to be told how to act, how to be liberated or how to lose the perspective of a subject already formed, but if alliance is possible, that the subject of action may need assistance in exploiting the relations of power in which subjects of action are already implicated, so that they may be rearranged to permit greater mobility. To bring the question of resistance back to Butler's reformist project, the problem is not to bring resistance into conformity with the ambivalent ontological or linguistic prerequisites

of subjectivity, but to show the strains of resistance that compose discourses of onto-linguistic imperatives.

A genealogical approach to resistance makes reform problematic by inquiring after the strategies that seek to recruit reformist projects built on resistant capacities into structures of domination. Whereas projects of reform seek to uncover or construct as yet inactive or nonexistent sites of resistance, “Foucaultian resistance doesn’t begin with the addition or injection of some principle or practice that people *don’t* know [. . .]; rather, Foucaultian critique focuses on the intensification and transversal connection of things that people *do* know” (106). The function of critique, according to Nealon’s analysis, is neither to discover an unassailable basis for resistance, especially one sited within the subject, nor to construct a political identity around which the oppressed may gather in order to escape subjugation. Instead, critique is a matter of “tuning” and tuning into resistance by “finding channels, concepts or practices that can link up and thereby intensify transversal struggles into larger, collective but discontinuous movements” (106).

Yet, for all the strategic significance of problematizing subjectivity, Foucault’s critique never eliminates subjectivity, though it does require retuning the concept of subjectivity so that it is more a matter of locality in fitting with the direction and redirection of power or resistance, than a question of the basis for subjective agency. Given the significance of subjectivity to the Enlightenment project of critique, there is no question of dispensing with subjectivity altogether, though this significance may be recast and put into play by reconfiguring subjectivity as an event rather than the ground of discourse. Discussing the production of transversal connections among things that people *do* know, Foucault describes his mode of critique as enabling and obligating:

As a way of lightening the weight of causality, “eventalization” thus works by constructing around the singular event analyzed as process a “polygon” or, rather,

“polyhedron” of intelligibility, the number of whose faces is not given in advance and can never properly be taken as finite. One has to proceed by progressive, necessarily incomplete saturation. *And one has to bear in mind that the further one breaks down the processes under analysis, the more one is enabled and indeed obliged to construct their external relations of intelligibility.* (In concrete terms: the more one analyzes the processes of “carceralization” of penal practice down to its smallest details, the more one is led to relate them to such practices as schooling, military, discipline, and so on.) The internal analysis of processes goes hand in hand with a multiplication of analytical “salients” (Foucault, *Questions of Method* 2000, 227).²⁶

One area that needs to be accounted for is the eventualization of the practice of grounding critique in rational subjectivity.. At the same time, the attempt to render intelligible the strategies by which subjectivity becomes a founding condition of discourse draws the critical subject itself under scrutiny, and this reflexivity becomes another moment or event of critical analysis. Yet, where Butler sees this reflexivity to constitute the proper ontological structure of the psyche, Foucault persists in questioning the costs of discursive strategies, such as psychoanalysis, that lend credibility to Butler’s conclusion. Even the question of subjective self-reflexivity can be bracketed in its ontological implications if it is historicized—which is to say, analyzed as an event—as when Foucault tentatively invokes the critical question of subjectivity as a means for reflecting upon the present and the political implications of power that constitute it: “‘what, therefore, am I,’ I who belong to this humanity, perhaps to this piece of it, at this point in time, at this instant of humanity which is subjected to the power of truth in general and truths in particular” (227). Critique seems incapable of avoiding the question of the subject, but the manner in which it is tied to the subject is through a relation of dissolution. Further, without “the effect of interference due to the displacement toward the subject and the truth” (227), critique

²⁶ Emphasis added. Also, Foucault’s choice of the term “salients” as a way of referring to the opportunities for critique opened by genealogical criticism refers not only to the projection formed by the intersecting surfaces of his polyhedron of intelligibility, but etymologically, *salire* or “to leap,” suggests that these projections are not simply the stable limits of Foucault’s analysis, but that they carry beyond or indicate something in excess of the analysis itself. The modes of criticism opened up by genealogy are only tangentially or transversally related to one another.

succumbs to the principle of closure that would allow it to speak for others by making the critic the privileged and excepted site of knowledge from which power and resistance originate.

Hence, the question of the subject and the types of knowledge through which it is elaborated is one that is linked to specific, local conditions, notably the formation of a particular bond between power, knowledge, and subjectivity that is established as an object for the attitude or ethos of Enlightenment. Whereas Butler's project of reform asks how the subject might lessen its subjection to power, Foucault investigates particular modes of subjectivation to determine what powers compose this subject; what types of knowledge shape this subject and under what conditions of acknowledgement, forgetting or ignorance they perform their tasks; and finally, Foucault attempts to determine what dissociative effects are produced by making these types of knowledge visible to the subject they compose. This last inquiry concerning the mirroring function and dissociative effects of genealogical critique is the most important to the strategic aspect of Foucault's thought, and it is also the primary sense in which subjectivity remains significant to Foucault's work.

This subject isn't there to be liberated or improved but dissolved. But how is this different from saying, as Butler does, that the paradox of any subject is that it must lose the perspective of a subject already formed in order to account for its own becoming? The difference lies in the fact that Butler's paradox applies only to the psychoanalytic subject and, even then, only the psychoanalytic subject conceived by Freud and those following in the discursive tradition he inaugurated. Highlighting the author function in psychoanalytic discourses such as Butler's²⁷ and linking that to a strategic consideration of subjectivity's value for political agency

²⁷ Foucault's analysis of the author function in general and the mutation of the author function in the traditions of Freudian psychoanalysis and Marxist historical materialism appear in Foucault's "What is an Author?" In particular, what changes with figures such as "Marx or Freud as founders of discursivity" (Foucault, *What is an Author?* 1998, 218) involves a diminution of reverence for the text and a heightened appreciation for the conceptual figures that

places the question of subjectivity at the forefront of genealogical critique. While Nealon is correct that these questions serve to intensify power relations by diverting attention to only those modes of critique that account for subjectivity, I don't believe he takes the role of subjectivity into account in the process of intensification. To be fair, he employs a very different notion of subjectivity, which is not being invoked here. The type of subjective agency that Nealon finds particularly unsuited to Foucaultian critique depends on casting the subject in a position defined by scarcity such that agency, and particularly ethical agency, becomes an exceedingly rare commodity. Thus, it is important to note that the subject position invoked by genealogical critique is inherently unstable, being formed and reformed by the conflicting types of knowledge genealogy exposes and mobilizes. The genealogical subject is thus a product of location whose potency is a matter of proximity to other forms of knowledge, which can be dissolved as easily as it is formed.

In one sense, Butler's attempt to reform subjectivity in light of psychoanalysis and Nealon's exclusion of subjectivity for its strategic backwardness both succumb to the problem of attempting to speak for others ridiculed by cultural theorists for the last twenty years. The feminist epistemologist Linda Alcoff notes the impossibility of locating a neutral point from which theory might be constructed and offers Foucault's accounts of the "positionality or location of the speaker and the discursive context" (Alcoff 1991-1992, 12) as the main elements that guide critique in the absence of epistemic neutrality. The discontinuity of perspectives amidst habits favoring neutrality implies that their relationship is one of contest in which "[w]ho

animate particular discourses and thus "[establish] an endless possibility of discourse" (217). The fact that the psyche becomes a default concept that must be accounted for when considering any human behavior eclipses the importance of the scholar's adherence to the dynamics of Oedipal attraction as formulated by Freud. Rather, within the discourse inaugurated by Freud, Oedipal attraction could be criticized, as to its contributions to misogynist ideology and comportment, and this would still or even better fulfill the discursive functions of psychoanalysis as formulated by Freud since this criticism maintains the centrality, if in mutated form, of the central concepts of Freudian psychoanalytic discourse and the power relations that have come to rely upon it.

is speaking, who is spoken of, and who listens is a result, *as well as an act*, of political struggle” (16).²⁸ Because they are related by conditions of contest rather than through a fixed relationship of domination or submission, the position one takes in order to study these elements necessarily alters the terms of struggle and, in turn, invokes the need for a reflective account of one’s location relative to that struggle as well. In other words, as the genealogical observer takes up a view on the constitution of processes of subjectivation, the manner in which those processes are described becomes increasingly a matter of the conditions of viewing, which are as discontinuous and manifold as the processes of subjectivation being espied. To reveal these processes of subjectivation, not by articulating what subjectivity is, but by noting the many things it has been, means allowing these processes to “[challenge] and [subvert] the opposition between the knowing agent and the object of knowledge” (23). Attending to processes of subjectivation thus resists or interferes with discourses relying upon the link between accounts of subjectivity and political agency.²⁹

In linking Foucault’s critique of subjectivity to Alcoff’s feminist epistemology, I highlight the various ends to which the historicity of the genealogical subject might be aimed. That historicity owes in part to Foucault’s reading of Nietzsche in “Nietzsche, Genealogy, History.” According to Nietzsche, the genealogical subject exists “to be explicit in its perspective and [acknowledge] its system of injustice,” which does not mean being “given to discrete effacement before the objects it observes” or “submit[ting] itself to their processes; nor does it

²⁸ Emphasis added.

²⁹ One reason why I am not as critical as Nealon toward projects aiming at constructing an account of subjectivity on the basis of Foucaultian critique is that the resistant function of Foucault’s work seems to go hand in hand with reform projects, such as Butler’s. They seem to be linked, as I will discuss in the third part of the dissertation, as moments within the same process in which resistance creates a space for proposals of reform. Nevertheless, part of the dissociative aspect of genealogy is to recognize the diversity of reform projects that can be engendered by configuring and reconfiguring the same moments of resistance. However, I agree with Nealon that the resources for such reformation are not limited to the critique of subjectivity, which poses certain dangers insofar as accounts of subjectivity become necessary components in reformist projects.

seek laws, since it gives equal weight to its own sight and its objects” (Foucault, Nietzsche, Genealogy, History 1998, 382). Genealogical subjectivity, which Nietzsche calls “*wirkliche Historie*” or historical sense,³⁰ is a crucial element by which “knowledge is allowed to create its own genealogy in the act of cognition; and *wirkliche Historie* composes a genealogy of history as the vertical projection of its position” (382). Positionality, the creation of one’s own genealogy in the act of cognition or what Alcoff calls the indexical function of speech falls somewhere between the pure mastery and self-sufficiency aimed for by traditional accounts of subjectivity, and the annihilating erasure entailed by the subject’s retreat and elision. The indexical function³¹ of genealogy has its value in producing an inherently unstable assemblage in which “the evaluations will be based on the historical discursive context, location of speakers and hearers, and so forth. When any of these elements is changed, a new evaluation is called for” (Alcoff 1991-1992, 26-27). Since genealogy is not autobiography—genealogical self-appraisal is a collection of the reflections of others rather than the subject’s reflection on the grounds of its own possibility—the construction or performance of indexical subjectivity leads to the dissolution of the subject initiating that performance, thereby changing the arrangement of elements involved and calling for a new evaluation.

Part of Foucault’s historical sense and one of the effects of genealogical critique involves the confusion, which is not to say the consolidation or conflation, of ontology and historicity.

³⁰ Despite Chambers’s misgivings about the tendency to conflate Foucaultian and Nietzschean uses of genealogy (Chambers 2003, 103-109), I take historical sense to be analogous to the “historico-critical reflection” (Foucault, What is Enlightenment? 1997, 319) title that Foucault uses to characterize his work.

³¹ This indexing function undermines both Gayatri Spivak’s claim about Foucault’s posture as a “self-abnegating intellectual” (Alcoff 1991-1992, 22) and Nealon’s claim about the prohibitive “expense” of associating Foucault’s ethics with subjectivity (Nealon 2008, 77). On the one hand, so indexed, Foucault’s work does not engage in the act of retreat that would force the oppressed to speak as “nonideologically constructed subjects” (Alcoff 1991-1992, 22) but instead locates the point of emphasis and the point of contact where power and resistance meet. On the other hand, this thoroughly singularizing gesture identifies the position from which Foucault speaks as one that cannot be a place of scarcity because it is articulated on the basis of the ubiquity of power relations, and consequently the ubiquity of such indexed positions that makes “the difficulties of ethical life” (Nealon 2008, 77) anything but rare.

Whereas Butler gestures toward the formulation of a psychoanalytic ontology of the political subject, and Nealon suggests that the costs of analyzing resistance alongside subjectivity outweigh any possible benefit that could result from such analysis given the historical linkage between the concepts of subjectivity and political agency, my sense is that genealogical criticism concerns the strategic roles that each of these approaches open up, and that this prioritization of strategies calls into question the values that animate discourses without thereby nullifying them. Consequently, paying attention to the strategic value of a concept like subjectivity involves emphasizing the historicity of the subject as much as it involves confusing the implication that separates history from ontology by means of the equation in which “historical” means “non-ontological” and “ontological” means “ahistorical.” Within a critical tradition of Enlightenment in which the question of political critique seems to fall decidedly on the side of subjectivity, in the sense that an ontology of the political subject functions as the precondition for critique, historicizing the subject confuses history and ontology by dredging up the polyvalent historicity of the critical subject and bringing her being into question. That is, the historicity of the critical subject effectively loosens the practical-discursive hold of ontology on the conditions of political critique and activity by exposing the historical roots and political consequences of that practical-discursive assemblage.

It is in this sense of confusing historical and ontological categories that I offer María Lugones’s discussion of “world”-traveling as coming close to describing the subject position of genealogical critique as a kind of first person experience informed by encounters with others. Rather than being unconsciously informed by those encounters, “the experience is of being a different person in different ‘worlds’ and yet of having the memory of oneself as different without quite having the sense of there being any underlying ‘I’” (M. Lugones 2003, 89). There

is no *underlying* “I” characterized by the possession of transcendent capacities that allows the subject to cohere over time and space, or “worlds” as Lugones uses the term, but rather, “a memory of oneself as different” without being the recognition of oneself at another time or place, is a “noninferential” statement of first person experience in which “I may well recognize that that person has abilities that I do not have and yet the having or not having of abilities is always an ‘I have . . .’ and ‘I do not have . . .’ (i.e., it is always experienced in the first person)” (89). From these statements, the absence of an underlying “I” is an attempt to ruthlessly separate the empirical manner in which experience occurs from the metaphysical or ontological assumption of an underlying substance. Consequently, although “one is someone who has that personality or character or uses space and language in that particular way[,] [t]he ‘one’ here does not refer to some underlying ‘I.’ One does not *experience* any underlying I” (90). With respect to genealogical subjectivity, Lugones’s point is that one experiences the memory of historical contents turned up by genealogy, but, due to their conflict, this means experiencing an estrangement from the practical-discursive decision to render a metaphysical conclusion regarding those contents as well.

§3 Strategies of Experience

Scholars disagree on the value of first person experience in Foucault’s work. Though experiencing a periodic high thanks to the explicit emphasis on subjectivity in Foucault’s later work, there is a faction of Foucault scholars, with whom I have associated Judith Butler’s work, whose sense is that showing and cultivating this first person experience is the objective of genealogy. By contrast, I have cast Nealon’s work in the role of representing the camp of scholars who find no significant utility in the invocation of subjectivity, especially first person

subjective experience, when attempting to use or understand Foucaultian genealogical critique. By invoking first person experience, I have attempted to navigate between these alternatives. My dissatisfaction owes to the insufficient historicity of the subjectivist view and the overweening, almost metaphysical quality of the historicist view's anti-subjectivism. Obviously, these are broad strokes, but they help to identify a kind of discursive practice afflicting Foucault scholarship, one that perpetuates the historical power associated with discourses of subjectivity by requiring an account of the subject to engage in political critique on the one hand, or else predicating critique on the elision of the subject altogether. The reference to Lugones's discussion of first person experience without predicating an underlying subject represents my attempt to isolate the discursive blackmail³² surrounding subjectivity in relation to Foucault scholarship. To carry out this task, a number of caveats regarding first person experience are in order.

First, this experience is the effect of rather than the condition for subjectivation. Since the first person experience that Lugones describes is not the experience of an underlying subject, but rather experience as a manner of occurrence, a manner of interaction between what Lugones calls "worlds" and what Foucault might call power relations or forces, this experience, manner, or occurrence is a consequence of worlds, power relations or forces. Describing his 1981 course, "Subjectivity and Truth," Foucault points out that the orientation of his genealogical research had begun to focus on "instituted models of self-knowledge and their history" (Foucault, *Subjectivity and Truth* 1997, 87). In this process, the subject constitutes an object of inquiry for which one asks, "[h]ow was the subject established, at different moments and in different institutional

³² The term "blackmail" used here notes the discursive nature of the forces surrounding subjectivity in Foucault scholarship. As with the "blackmail of the Enlightenment (Foucault, *What is Enlightenment?* 1997, 312) forcing scholars to choose between being for or against the tradition of Enlightenment, the division surrounding the value of subjectivity exerts similar effects of blackmail.

contexts, as a possible, desirable, or even indispensable object of knowledge?" (87). At the same time, genealogy concerns the transformation of experience that occurs when the subject becomes an object of self-knowledge, such that between these two sets of questions "[i]t is clear that neither the recourse to an original experience nor the study of philosophical theories of the soul, the passions, or the body can serve as the main axis in such an investigation" (87). Our knowledge of power relations is itself a consequence of this experience and its history, so it is not as simple as saying that genealogy reveals the power relations that surround and inscribe the subject, since the experience being reified as subjectivity is itself displaced amidst several mobile levels of discursive inquiry.

This picture may be clarified if we consider Foucault's remarks about the method of presentation guiding his parallel lives series of documentary texts including *Lives of Infamous Men*, *The Disorder of Families*, and *Herculine Barbin*. In particular, Foucault's introductory remarks about the project in *Lives of Infamous Men* suggests an indirect method of presentation that presumes neither to know better than those responsible for the knowledge of those lives nor to capture the basic experience of those existences in their purity, but rather an attempt to calculate and measure the effects of those discourses. Thus, Foucault's *Lives* project is not one that says the knowledge of experts has wrongly represented these lives as shameful, irresolute, diseased, predatory or inadvertently destructive. Instead, it is one that collects these descriptions without regard to their veracity, but rather with regard to their veridicticity, that is, with regard to the truths they put into circulation and the way their function as truth displaces not only the experiences under investigation, but the manner in which they may be known, as well. Whatever these lives were, whether they actually were as described or whether those descriptions were completely fabricated, "in order for them to reach us, a beam of light had to illuminate them, for

a moment at least. A light coming from elsewhere. What snatched them from the darkness in which they could, perhaps should, have remained was the encounter with power; without that collision, it's very unlikely that any word would be there to recall their fleeting trajectory" (Foucault, *Lives of Infamous Men* 2000, 161). Because these lives would be completely unknown and unknowable but for the practices of power that confronted them, they are "infamous in the strict sense: they no longer exist except through the terrible words that were destined to render them forever unworthy of the memory of men. And chance determined that these words, these words alone, would subsist. The return of these lives to reality occurs in the very form in which they were driven out of the world" (164). Thus, Foucault will not put these lives on display by making their essential features observable, but rather he focuses on the representations of these lives, which had a definite effect on them and, as importantly "*for us still*, the shock of these words must give rise to a certain effect of beauty mixed with dread" (159).³³ These words, their collection and arrangement, must elicit something of the experience that guided those responses in the first place, which is not the same thing as saying that this method captures something of the inner experience of these lives. As Jacques Derrida correctly points out with respect to madness, it sounds like Foucault surrounds his object, whether it is the lives of infamous men or the experience of madness, with a veil of unintelligibility.³⁴ Such a view is correct on Foucault's terms to the extent that Foucault understands his work as stemming from and following the effects of power understood as something outside, "a light coming from elsewhere" which reflects off those experiences, but it is incorrect to the extent that there is

³³ Emphasis added.

³⁴ Derrida seems to have such a veil of unintelligibility in mind when he refers to Foucault's wish to put madness into language. On Derrida's reading, such a project inevitably fails "because [*n*]othing within this language, and *no one* among those who speak it, can escape the historical guilt—if there is one, and if it is historical in a classical sense—which Foucault apparently wishes to put on trial. But such a trial may be impossible, for by the simple fact of their articulation the proceedings and the verdict unceasingly reiterate the crime" (Derrida, *Cogito and the History of Madness* 1978, 35).

literally nothing else to be known except the power, violence, or crime that comes from without and the contemporary reflections they occasion. The presentational effect of genealogy depends upon historical representations of madness stemming from and having real effects upon the experience of madness, which is a perspectival experience that changes depending on where one is situated with respect to the question of madness. What is captured by genealogy is the experience of power's intersection with madness and this experience differs depending upon the angle of reflection. Thus, it is not that these representations distort or obscure madness or any other of Foucault's "positivities," but if they deflect or otherwise displace them, they do so because genealogical research and the positivities it addresses belong to the same network of power relations which forms and deforms depending upon the action of each. The problem with attempting to write a history of madness is that it is too accessible, not that it is too inaccessible.

Another caveat: the first person experience that genealogy enables is nominal, but not exclusive. Though genealogy implies a perspective capable of taking the measure of the distance from its objects, the perspective it implies is neither necessary nor exclusive in the sense that a different perspective could have been evoked instead, and the evocation of this particular perspective does not exclude the possibilities of others. The experience captured by genealogy does not seem to be an experience of the past, something that we no longer have access to, but precisely the experience on the side of power and even then power as it produces effects "for us still" today. Taking Nealon's instruction that "[p]ower implies and produces resistance, so the easiest way to get a handle on power is to examine those sites at which resistance is or should be most intense: if you want to know what reason is, take a look at madness—and not so much to denounce madness's exclusion from the realm of the reasonable, but precisely to examine the ways the madness has been included (as 'other') in the normative procedures of reason" (Nealon

2008, 104), we may note the crab-like sideling movement of genealogy's presentation of madness as emblematic of Foucault's presentational strategy in general. That strategy involves collecting representations of power's objects—in the case of madness, representations of the site of reason's absence—and arranging them so as to present an experience of the encounter between power and its object. If we take seriously Foucault's claims that the *Lives of Infamous Men* would not exist for us at all if not for the intervention of power, then we may augment Nealon's instruction to include not only those sites where resistance should be most intense, but also those sites where it is least intense as well. In other words, should we not examine those sites where power no longer appears as the power of coercion, as when it confines and abuses madness, but where power appears as right, nature, reality or truth? Examining those sites, as when one examines the enabling functions of subjectivation as the *price* of liberation, freedom, agency or autonomy complements the examination of sites where resistance is supposed to be at a maximum. If the examination of sites of resistance reveals the naked aggression of power, while examinations of sites of compliance reveal the constitutive functions of power, the composite, as with the composite of archaeology and genealogy, produces the distinct effect of “beauty mixed with dread” in which the perspective implied by genealogical critique appears unbounded on both sides, neither a descendent of a single history nor condemned to a single future, though linked to a network of relations that fit together according to an indefinite body of transversal connections.

Conclusion

Between an account of experience as an intelligible effect within a lateral network of effects and experience as an implicit, yet unnecessary and nonexclusive perspective within power relations, Foucault conceives of genealogical critique as a means of triggering a breakdown in the operation of traditional discourses of history, knowledge, power, agency, resistance, reform and subjectivity. The various fragments of Foucault's project speak less to an insufficiency with respect to his critical practice than an attempt to transform critique from within by placing the discursive commitments of critique in question. So, we have an image of Foucault's project broken into a number of distinct approaches that play off one another without providing an external viewpoint from which the totality can be conceived: archaeology strains against genealogy, power-knowledge against subjectivation, resistance against reform, paralysis against mobility. I have attempted to show that these fragments contribute to a strategy of resistance that aims at producing a certain effect of paralysis, which serves as the prelude for reform amounting to a mobilization or rearrangement of relations of power-knowledge in which the nominal subject is implicated without being predicated by any transcendent logic of necessitation. In effect, Foucault's critical project is to produce an experience of transformation that cannot be assigned to any single subject—"the relationship with the experience should make possible a transformation, a metamorphosis, that is not just mine, but can have a value, a certain accessibility for others" (Foucault, Interview with Michel Foucault 2000, 244)—or any discursive authority: "I don't think an intellectual can raise real questions about the society in which he lives, based on nothing more than his textual, academic, scholarly research. On the contrary, one of the primary forms of collaboration with non-intellectuals consists in listening to their problems and in working with them to formulate those problems" (285). In particular, by

reflecting upon historical conditions of power-knowledge through the complementary practices of archaeology and genealogy, Foucault constructs an image of contemporary conditions of power-knowledge as they inform and are subsequently displaced by his project.

Genealogical critique's image of contemporary practices of subjectivation cannot except the operator of critique from the paralytic effects of critique, because the elimination of such an implicit reflection would leave the critic outside the struggle of forces in which critique figures, begging the question of the critic's removal from discursive practices. In one sense, finding that space in which the critic is excepted from struggle is the aim of critique in its traditional Enlightenment formulation, since traditionally criticism must be justified by reference to basic quasi-grammatical structures that spell out the terms and conditions of opposition. However, this supposes that opposition needs a warrant, that it is not the default condition of experience but instead the exception. Without endorsing the foundational character of opposition, Foucault aims at bringing the critic into contact with that against which she is opposed by making critique the interrogation of the irreducible strains of power-knowledge that compose the present. Such an interrogation reveals the present's privileging of opposition as it stands out against the Enlightenment's promotion of continuity throughout change. Rather than promoting the present's antipathy toward the past, Foucault's critique characterizes the present as ambiguously linked to the Enlightenment through a history of critique, which is an intensification of both governmentalization and critical resistance.

Yet, the fragmentary nature of Foucault's project paralyzes the totalizing strains of Enlightenment while giving the self-critical elements of Enlightenment critique free play in the formulation of a descriptive form of resistance. It resists assimilation to the past without prescribing a program for behavior that would either intensify or mitigate that historical

dimension of differentiation. Nevertheless, Foucault stops short of providing the theoretical overview that would be required for genealogical critique's mode of descriptive resistance to slip into an agenda of reform. Since this critical paralysis consists of its own exposure to connection with less critical, less paralyzed modes of subjectivation, the resistance produced as an effect of Foucault's project sets the stage for reaching that time in which reform might take place, but pointedly refuses to step over that line. Yet, we must recognize that this balancing act of critique is not a privileged ahistorical outlook, but a strategic maneuver and consequence of a particular project of reflection on the present from within the lineage inaugurated by Kant's definition of the Enlightenment. Consequently, the neutrality of Foucault's critique is an attitude cultivated within the specific historical conditions of Enlightenment and as such it is subject to the influence of and participates in the strategies of those less critical, less paralyzed modes of subjectivation with which Foucault's critique attempts to establish collaboration.

In the preceding chapters, we've seen the way that Foucault's analysis exploits a gap between power in its coercive effects of constraint and power in its enabling effects of subjectivation. This strategic exploitation of historical discontinuity can be seen throughout Foucault's career but becomes most explicit in the genealogies of power from the seventies and the genealogies of the subject in the late seventies and eighties, respectively. Of particular significance to connecting these disparate elements of Foucault's project is his engagement with Enlightenment in the late 1970s and early 1980s, with special regard to his reformulation of Enlightenment critique in light of his research methods of archaeology and genealogy so that the strategies to which critique is properly enlisted might be dissociated from the restrictions of self-knowledge organizing Enlightenment critique as formulated by Kant.

In the following section, I will turn away from the theoretical justification for the fragmentariness of Foucault's approach to critique to examine a parallel process of fragmentation and indirect confrontation that guides Foucault's examination of power in the middle and late 1970s. The conclusion of that effort should outline the manner in which contemporary power relations no longer function repressively, but rather function in processes of subjectivation for which resistance becomes the dominant mode of cultural power. Accordingly, the second section of the dissertation will compliment this section's theoretical elaboration of Foucault's critique of subjectivity with a methodological examination of Foucault's analysis of non-discursive power relations with particular regard to the way in which the functioning of biopower permits new forms of discursive critique and non-discursive resistant practices, which are at once related to, and forms of problematization and differentiation within, contemporary power relations. The question guiding that research concerns the historical precedents setting the stage for power's action as a productive force in which the drive to intensify, isolate, graduate and organize capacities for action becomes the primary manner in which individuals and societies are made to care for themselves. As always, Foucault's project does not aim to explain the nature of that operation, but rather to point out its fragility, the historical contingencies that make it optional, thereby paralyzing the silent operation of contemporary power relations that depend upon those forms of subjectivation and releasing other possibilities previously deemed marginal to the normal operations of power and discourse alike. Foucault indicates the historical depth of these modes of power relation in the concluding remarks to his lecture on political rationality, "Omnes et Singulatim." After connecting the ancient practices of the pastoral to the seventeenth and eighteenth century knowledge of *Polizeiwissenschaft*, Foucault reflects upon this research in

order to undermine the possibility of a historical destiny-in-waiting while emphasizing the possibility of contemporary upheaval:

Such historical considerations must appear to be very remote; they must seem useless in regard to present-day concerns. I wouldn't go as far as Hermann Hesse, who says that only the "constant reference to history, the past, and antiquity" is fecund. But experience has taught me that the history of various forms of rationality is sometimes more effective in unsettling our certitudes and dogmatism than is abstract criticism. For centuries, religion couldn't bear having its history told. Today, our schools of rationality balk at having their history written, which is no doubt significant (Foucault, *Omnes et Singulatim: Toward a Critique of Political Reason* 2000, 323).

In the next section, I will abandon the abstract criticism of examining Foucault's theoretical project writ large in the name of critique and focus on the specific practical developments of power from sovereignty, through discipline, to biopower. In particular, I would like to pursue a line of argument that links these power relations together in terms of the governmentality that Foucault characterizes in terms of normalization and culminates, at least in terms of the present, with the production of what Foucault calls "political spirituality." Just as the history of critique is a history of governmentalization and resistance, so I would like to suggest that the present is a point of intersection between the attitudes of normalization and political spirituality.

Part II: *Power*

Introduction: *Genealogy and Discourses of Power*

In this section, I would like to discuss Foucault's analyses of power in detail, focusing on the changes in the operation of power from one study to the next and attempting to identify the trend that connects these studies. In order to isolate the theme of development in Foucault's study of power, one has to admit a certain artifice into one's approach. Foucault never discusses a general theme of development, yet he highlights numerous detailed points where power seems to pivot, turn and transform its mode of operation. If we combine Foucault's reticence on the theme of development in his analysis of power with the historical detail he insists upon when constructing his account of power, we can discern two related problems working against one another in Foucault's genealogy of modern power relations. On the one hand, it would seem that there is the obvious problem of identifying the relevant thread linking one set of power relations to another. We might regard this as a question of detail, which asks about the significance of various historical data that change not only the domain of power, but its function as well. On the other hand, there is the problem of how one separates the relevant detail from the irrelevant trivia of history's catalogue. This seems to be much more an epistemological problem of how one distinguishes the relevant from the irrelevant with respect to power so that one appreciates the shifts characterizing the mutations of power without introducing needless complexity. Accordingly, I would like to suggest that Foucault's genealogical analysis of power continues the Enlightenment staging of a dramatic conflict between epistemology and politics. That conflict raises the question of the degree to which knowledge might be sequestered from power, and, just as significantly, identifies the political and epistemological consequences that depend upon that division.

Beginning with the developmental theme of “intensification” in Nealon’s *Foucault Beyond Foucault*, I would like to show that any developmental theme attributable to Foucault’s analysis results in bringing the present configuration of power relations into question. In that case, the attempt to define the principle of development behind Foucault’s conception of power indicates as much about the present deployment of power as it reveals about a historical matrix of power relations tied to the present. Moreover, to the extent that emphasizing a principle of development obscures historical gaps among power relations, the attempt to articulate Foucault’s theory of power raises questions about the kind of critical subject presupposed and formed on the basis of such a synoptic outlook. I would like to begin with an overview of the epistemological presuppositions and consequences involved in articulating Foucault’s theory of power before attempting to rearticulate Foucault’s analysis of power in terms of the divergent operations and chance interactions among the particular configurations of power as elaborated in his genealogies. In concluding this section, I would like to consider the political ramifications of dispensing with a comprehensive account of power and identifying power relations instead as a manner of apprehending discrete mechanisms of coercion, resistance and, ultimately, political creativity. Rather than a comprehensive account of power, Foucault seems to demand and produce a strategic understanding of power relations calibrated to the contingent historicity of the present.

If it sounds as though I am rehashing the same territory I recently covered in discussing Foucault’s strategic use of subjectivity, then my intentions have been understood. The situation with power is parallel to the situation with the subject. Foucault’s nominalism regarding the subject mirrors his nominalism regarding power. Just as subjectivity refers to the manner in which experiences impact one another, bringing about changes in the mode of experience as

much as in the content of experience, so Foucault's use of power has a similarly nominalist function. Power refers to the means by which entities exert force on one another, but that force is not simply physical or mental, unilateral or reciprocal. Power refers to the manner in which forces are exerted, but also the manner in which forces mutate, deform and create one another. Consequently, there is an enormous temptation to describe power in terms of a developmental process over and above the relations of force that mark various incarnations of power.

With these dangers in mind, I would like to talk about the theme of power in terms of development, without thereby suggesting that power progresses as something outside its episodic character. A careful reading of Foucault's writings on power confirms this paradoxical approach. While Foucault never discusses an underlying substance or essence of power, his analysis shows what he calls a "massifying" tendency "directed not at man-as-body but at man-as-species" (Foucault, *Society Must be Defended* 2003, 243), in what assembles contemporary biopower into a combination of various tactics of power identifiable with an overall strategy. To put things too briefly and too schematically, sovereign and disciplinary discourses of power function relatively autonomously and even antagonistically until the 18th century, at which point the emergent discourses and practices of biopower begin to integrate practices of sovereignty and discipline into the historical networks of biopolitical normalization.³⁵ At a particular point, disciplinary practices begin to employ methods vaguely reminiscent of sovereignty, but nevertheless differ from the sovereign exercise of power in significant ways. Foucault will eventually describe the characteristic strategies and points of weakness of this new exercise of power, biopower, whose

³⁵ While Foucault's analysis of power composed of modes of power relations labeled sovereignty, discipline and biopower, respectively, is a retrospective analysis that applies its own terminology to historic discourses and practices, e.g. sovereignty, discipline, biopower, normalization, etc., the implicit features of these modes of power are based on historical evidence and are not solely the product of Foucault's critical vision. Thus, for example, a discourse of biopower emerges in the eighteenth century, even though no extant records contain any reference to "biopower" as such.

characteristic feature involves the mutation and incorporation of outmoded techniques of power. Those critics who complain that Foucault's analysis reduces everything to power or else reject the claim that power relations are ubiquitous, while nevertheless claiming that Foucault advocates a theory of power, fail to recognize that the assimilation of distinct types of power into a wide ranging network of power relations is itself a historically specifiable episode, deployment or use of power relations specified within a particular discursive practice. In short, the totalizing cage of power turns out to be a strategic engagement with power relations that have become ubiquitous, which is itself an activity as susceptible to reversal or destruction as any other form strategic enterprise. Accordingly, Foucault discusses the reversibility³⁶ of biopower's massifying tendency in the context of strategies whose political viability owes to the delineation of their limited range of deployment in terms of the specific mechanisms they employ and enable at particular places and times.

In estimating the discursive and practical costs of a theory of power, I would like to suggest that a comprehensive analysis of power as a single mode of inducing effects overlooks the ubiquity of sites for resistance that exist amidst the contingent features of power's various deployments. That is, in identifying the global expansions of power relations, a totalizing account of power's unity follows a particular tendency of power, namely biopower's tendency to consolidate its political authority by marginalizing those individuals and their knowledge that might raise the question of its contingent status. While such comprehensive accounts of power do well by emphasizing the danger of discourses claiming to escape the scope of power relations, they fail to direct attention to places where resistance might be not only possible, but valuable as

³⁶ We must not confuse reversibility with annihilation. To reverse the massifying tendency of biopower for Foucault means to redirect our analyses from the global or radical to the local and contingent, with a sense that even this act falls within the shadow of biopower's ubiquitous sphere of influence. The force of Foucault's counterstrategy relies on biopower's emphasis on global processes for their acceptability since these counterstrategies gain purchase by complicating without denying biopower's claims to global inclusiveness.

well. Significantly, they fail to interrogate the consolidation of power in their own accounts of the ubiquity of power relations. To remedy this oversight, I begin this section by elaborating on the epistemological model of self-reflexivity from the previous section by discussing the particular dangers faced by the critic with respect to the historical problematic of power relations. Following that epistemological program, I attempt to show that the primary contours of this self-reflexive epistemological strategy are themselves engaged responses to the interactions between power and knowledge as a discrete, articulated assemblage rather than detached reflections upon them.

Similarly, the process of analyzing Foucault's genealogies of the configuration and reconfiguration of power relations requires one to identify the mechanisms by which power generates terms of resistance that specific discursive locations may or may not recognize as effects of power at all, rather than relying upon the type of rigid distinction between power and resistance that compromises Foucault's critical project by insisting on the separation of power and knowledge as the *a priori* condition of effective political discourse. By examining the development of power relations such that, within the same critical discourse, "political spirituality" can become a product of power relations while simultaneously undermining the apparent hegemony of particular functions of power, we should gain a better sense of how Foucault links his scholarly work to the possibility of progressive political engagement. The essential point for understanding that decision involves treating political spirituality as something besides a cynical manipulation on the behalf of religious authorities or else a naïve conception of authentic religious devotion, but rather a limited strategic inroad focused on changing the dimensions of power relations in a specific domain of conflict. To paraphrase Heidegger,³⁷ the

³⁷ Heidegger's claim that the logical presentiment requiring the compulsory avoidance of the vicious circle in philosophical argument is "to misunderstand understanding from the ground up" and thus that "[w]hat is decisive is

strategic point of political spirituality will not be to escape power relations, but to get into them in a critically significant way.

In an effort to unravel Foucault's analysis of power as it builds upon, but also prefigures his interest in critical subjectivity, I would like to move between global and detailed accounts of power. First, by beginning with an analysis of Foucault's work on power that attempts to complicate the totalizing theory of power scholars have attributed to his genealogies of the 1970s, I will differentiate my project by treating power as a strategic theme of works such as *Discipline and Punish*, the first volume of *The History of Sexuality: The Will to Knowledge* and the lectures at the *Collège de France*, *Society Must be Defended* and *Security, Territory Population*, in particular. To be sure, the strategic value of analyzing power relations is not going anywhere anytime soon, but I do not understand Foucault's project to require a permanent reference to power any more than I think he provides an ontological concept of power.

After differentiating my project from a totalizing interpretation of power allowed by Nealon's concept of intensification, I will examine the specific modalities of power that Foucault attempts to articulate by devoting considerable attention to the functions that differentiate several functions of power and situating them in terms of their effective historical development and interrelation. My analysis draws upon a general division of power in terms of sovereignty, discipline and biopower. Such a division is partly the result of Foucault's texts themselves, but also owes much to secondary, scholarly accounts of power, such as Nealon's work. The primary reason for treating these modalities in their specificity is that their fragmentary, disparate operations belie comprehensive accounts of the operation of power and thereby suggest something about the way Foucault's analysis of power contributes to possibility and even

not to get out of the circle but to get in it in the right way" (Heidegger 1996, 143) deserves more than the passing comparison to the relationship between the genealogical critic and power relations that I am prepared to offer here.

urgency of resistance in the present. Second, in treating sovereignty, I will consider its primarily binary technique of visibility and exclusion, while also elaborating on Nealon's analysis of sovereignty's investment in the body, both in terms of the physical forces brought to bear on subjects and the emphasis on the integrity of the sovereign's body and power. In one sense, it is the binary features of sovereign power relations that contribute to the image of power as a unified body of effects. Third, I will show that following sovereign power without fully displacing it, disciplinary power augments the binary operation of sovereignty by linking its system of permutations and prohibitions into an ongoing process of development in which the range of permutations makes sovereignty's use of exclusion and prohibition obsolete. Using material from Foucault's lecture courses delivered during the time he was writing *Discipline and Punish*, this section attempts to differentiate disciplinary mechanisms from operations of sovereignty by reducing the expense and visibility associated with the operations of power as it contributes to the differentiation and specification of individuals. Fourth, I will discuss how although the process of normalization begins with the practices identified under the retrospective title of discipline, biopower finally emerges as a new form of normativity that establishes its own viability by using the aggregated knowledge of individuals gleaned from disciplinary practices to identify functional constants using statistical models of biological populations while leaving individuals free to apply apparently descriptive norms of biological life to themselves. In short, biopower merges aspects of sovereignty and discipline in a unique form of integration that some consider the apotheosis of Foucault's account of power.

Finally, I will speak briefly about the types of resistance that develop in step with the elaboration or "intensification" of biopower and conclude by discussing political spirituality as a particularly intense node of resistant intensification of biopower. Rather than constituting

timeless political strategies, these moments of resistance dramatize the historicity of biopolitics and paralyze the operations of biopower by highlighting and thereby compromising the unproblematic, neutral appeal to the conditions of life that characterize biopolitical normalization. By indicating the problem of the denied political effects of biopower, I also attempt to renew the claim of the epistemological self-reflexivity outlined in the first chapter of this section.

Chapter Four: *A Fine Start on a Complete Theory of Power*

§1 Methodological Considerations Regarding Power

One can hardly begin discussing Foucault's analysis of the effects of power, a particular exercise of power or a history of fluctuating power relations before someone asks for his definition of power. Nealon offers a helpful overview of the "critical consensus"³⁸ on power, which holds that,

Foucaultian power is not something *held* but something *practiced*; power is not something imposed from "above" a system or socius; there is no "outside" of power, no place untouched by power; conversely, there is no place of liberation or absolute freedom from power; in the end, power *produces* desires, formations, objects of knowledge, and discourses, rather than primarily repressing, controlling or canalizing the powers already held by preexisting subjects, knowledges, or formations. (Nealon 2008, 24)

For my part, I am not certain how my understanding of power primarily in terms of governmentality, or the manner in which one person tries to influence the behavior of another (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 300),³⁹ comes together with the consensus Nealon identifies, though I am aware of some dangers involved in this anthropomorphic model that seemingly reduces power to an effect of relations among human agents. Nevertheless, I think this is a risk that can be tolerated for several reasons. First, governmentality emerges as a term that Foucault uses during the period of his career focusing explicitly on power and remains a theme of his work throughout his so-called "turn to ethics"

³⁸ A phrase Nealon only seems to use when denoting a view accepted uncritically and in need of reconsideration, as when he notes that the critical consensus on power leaves the discussion of "Power's historical mutations" (Nealon 2008, 25) to the side thereby suggesting that power is one continuous thing, a view the consensus position regarding the inextricability of power tends to confirm.

³⁹ Of course, one person's ability to influence the behavior of another must be broadly understood as "the whole range of practices that constitute, define, organize and instrumentalize the strategies that individuals in their freedom can use in dealing with each other" (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 300). Despite the conventional distinctions between one's own actions and the actions of other people and things, the innovative aspect of Foucault's analytic lies in the way it levels relationships we often view in terms of hierarchy. Rather than subordinating one's relations with others to relations with oneself or viewing one's empirical relations with things as constitutive of political relations with others, Foucault's analytic of power relations places these domains in mutually affective interaction with one another.

with his analyses of subjectivity, subjectivation, and political critique in his later work. This owes to the fact that Foucault apparently regards governmentality as a very old process stretching back from the contemporary world in which the genealogist constructs her analysis to the ancient Greek world in which practices of the self form a matrix of concerns that will prove crucial for contemporary political discourses. I say Foucault *apparently* regards governmentality as a very old and ongoing process because there is much I would like to suggest about Foucault's analysis of power relations that brings into question the perspective according to which power is seen, analyzed and ultimately addressed or exploited as something that ever, let alone always, exists. My attempt to follow Foucault's characterization of the ongoing process of governmentality thus owes to its ability to invoke the genealogist's implication in power relations such that the positivity of power or powers cannot be thought without raising questions about the discourses and practical relations that inform and compose the genealogist's discursive, institutional and political background. In light of the critical consensus, power and resistance both appear as effects of power relations⁴⁰ suggesting that there is nothing else but power and begging the question of power's transformation. Against this reduction, Foucault's analysis of power in terms of governmentality seems a little like Edward Hopper's remark that his effort as an artist "was to paint sunlight on the side of a house" (Goodrich 1971, 31): To the same extent that sunlight only becomes visible in its reflection off something else, so power only becomes describable in terms of the functional differences among its applications and its objects.

⁴⁰ I will not attempt to figure out whether the forms of influence one practices on oneself and others and the conceptualization of that influence in terms of something called governmentality would also, technically, fall within the all encompassing matrix of power, though my suspicion is that they do. By reversing the tendency to view power in substantive terms, as something that can be used to influence and control others, Foucault conceptualizes power such that it incorporates that with which it comes into contact. He describes power in terms of relations, "power relations understood as strategic games between liberties—in which some try to control the conduct of others, who in turn try to avoid allowing their conduct to be controlled or try to control the conduct of the others" (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 299). As "a sort of open-ended strategic game in which the situation may be reversed [power] is not evil" (298), the incorporative, relational effects of power establish a range of experiences from domination to pleasure and everything in between.

Moreover, as governmentality, Foucault's analysis of power relations does not simply reflect power from a neutral position, but modifies the power relations with which it is enmeshed. My bid for understanding power in terms of governmentality attempts to capitalize on the stickiness of power relations in order to describe how one might form an analysis that gains its strength, and thus also encounters its limits, by conceptualizing itself as an object of study. To be sure, governmentality is not the only avenue into an analysis of power. My decision to emphasize governmentality owes to its strategic location within Western political discourses.

Nealon appreciates the difficulty involved in the attempt to bring power to bear on itself in a discourse charged with the effects and the dangers of power. Accordingly, he combines qualitative and quantitative analyses of power to explain historically observable, functional changes in the operation of power as a developmental process of "intensification." The challenge to create a hybrid consisting of historically dispersed yet developmentally continuous components involves identifying a framework that will permit him to describe a process of ongoing intensification even as the metrics by which intensity might be measured undergo continual readjustment due to the functional modifications of power. In other words, because power names functionally distinct things viewed from different times and locations, it becomes difficult to isolate a standard for assessing its growing intensity unless one is willing to stipulate that intensity is a feature of power relations as they appear within and affect the contemporary world.

Moreover, developmental accounts of stasis within change that rely on historical progress or the onset of revolution appear to be particular modes of power's exercise that are appropriate for discussing some functions of power, but crucially fail to perceive other functions that may yet permit an analysis in terms of power relations. The call for revolution or the demand that one

recognize an absolute standard of historical progress both belong to specific articulations of power and thus cannot easily serve as the basis for analyzing power as a whole. And yet, this is precisely what an emphasis on intensification and the ubiquity of power relations seems to do: describe power as a whole characterized by the developmental process of intensification.⁴¹ The phrasing of the question—“What is power?”—implies an answer that is antithetical to Foucault’s analysis of power precisely because the question specifies a kind of response that relies upon a specific mutation of power at the expense of other forms of power relation. Nealon identifies the problem as an alternative between metonymy and synecdoche when he asks how Foucault can “account for those diachronic changes outside the historicism of ‘progress,’ or without the teleological metaphors of historical ‘development’” (Nealon 2008, 25). According to the terms offered, the question appears insoluble because the alternative seems to call for a nominal response that sacrifices either change to teleology or intelligibility to description. Consequently, the alternative stresses the stable fixed character of power’s mutations: “if these developments or

⁴¹ It would be fair to note that the apparent gesture toward theoretical totalization that I see as a danger brought on by the quasi-developmental theme of intensification is an optional one. For example, saying that power relations are ubiquitous and continually refine themselves into regions hardly deemed “political” or able to harbor the capacity for coercion is only one possibility of developmental discourses such as intensification. Another sense would emphasize instead that an attempt to speak of the ubiquity or intensification of power relations speaks only for power or the power component of things, which cannot be easily separated off from discourse, political agency or experience, but which does not account for the entirety of those domains either. According to this view, universalizing power by making power “all there is” belongs to the same process that attempts to isolate power as a particular kind of coercive substance, which must be distinguished from rational discourse according to Enlightenment critical ideals. Richard Lynch points out that Foucault’s later work features “[o]ther kinds of relations” which like power “are immanent in and inflected in social relations” but “are more important than power relations for understanding the situation. In his discussions of sadomasochistic sexual practices, [Lynch] shall argue, Foucault gives us an example of a kind of relation—pleasure—that is more important than power for understanding these practices, refuting the strong thesis of power’s sufficiency for social analysis” (Lynch 1998, 68). For my part, I understand Foucault’s attempt to speak of the omnipresence of power relations as a way of evoking these moments when particular functions or regimes of power are overturned. Though my generosity toward intensification may suffer in this chapter, as a means of addressing power relations as an ensemble, the apparent one-dimensionality of intensification may serve to indicate a mode of power’s functioning that momentarily suspends all, or nearly all, power relations. In the way that an object at the height of its arc is neither moving up and against gravity nor down and with it, so apparently totalizing concepts such as intensification may yield a momentary suspension of power relations in which individuals are defined neither in their relations of resistance nor submission. For a moment at least, a totalizing analysis of power strategically diverts the culmination of power’s effects in one corner of the universe.

mutations are not ‘progressions,’ then *what exactly are they?* If the mutations of power over time are not the *teleological unfolding of power*, then how are we to understand these changes” (25)?⁴² As Nealon points out, the answer to this dilemma calls for a noun. Within the framework of the question of what power is, *Power* seems to be this *Thing*, whether a process, a cause, effect, movement, outcome or even a set of interactive forces constructing events or taking place as events. It would seem to be something besides historical developments that simply take place over time if for no other reason than these developments themselves all fall under the category of power in our attempts to name them. In order to respond to this question, which is not without its own discursive force such that not responding is a strategically untenable response, one may necessarily nominalize power within discursive frameworks requiring an account of power, but one must do so with a nominalization that highlights the historical contingency of the discourse producing such a nominalization. Accordingly, nominalizing power involves highlighting a form of influence to which anyone hoping to describe it would surely be subject.

The typical flaw with most attempts to characterize the mutations of power is that “[w]hatever their value as provocations, one might note that these are all consciousness- or subject-centered explanations of historical change or mutations, about which Foucault’s work—and not just “What is an Author?”—should make us very suspicious indeed” (25-26). The problem with such approaches is the way that reducing power to a particular perspective effaces the idiosyncrasy and incompleteness that characterizes “consciousness- or subject-centered” explanations. Power becomes the property of a particular subject rather than serving to constitute the subject. What is more, the particularity of the viewpoint upon which power is modeled, drops out and the particular viewpoint becomes the accepted representation of power in its entirety. John Dewey notes a similar forgetfulness in the art critic’s tendency to hypostatize aesthetic

⁴² Emphasis added.

standards, “[i]t is overlooked that in art—and in nature as far as we can judge it through the medium of art—permanence is a function, a consequence of changes in the relations they sustain to one another, not an antecedent principle” (Dewey 1980, 322). Similarly, Nealon points out that Foucault’s rejection of the “phenomenological approach” depends upon that approach’s reversal of cause and effect, placing the subject or an all-encompassing perspective at the origin of historical change rather than being caught up indeterminately as the effect and the agent of that change itself. The rejection of this approach attempts to underline the elision that takes place as the condition for this all-encompassing perspective rather than an attempt to disqualify the experience of the individual as such.⁴³ In an interview conducted late in his career, Foucault clarifies the point, “what I rejected was the idea of starting out with a theory of the subject—as is done, for example, in phenomenology or existentialism—and, on the basis of this theory, asking how a given form of knowledge [*connaissance*] was possible” (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 290). Foucault’s rejection of phenomenology, existentialism and discourses of subjectivity in general has to do with the methodological way in which they posit the subject as the key to analyzing any other problem, in this case, by making the knowledge of the subject the “*a priori*” condition for analyzing “the relationships that may exist between the constitution of the subject or different forms of the subject and games of truth, practices of power, and so on” (290), rather than a single element in an ensemble of co-modifying factors. Just as the testimony of the subject may be a necessary element in these analyses, similar to the way that certain nominalizations or continuities in the historical mutations of power are necessary to discussions of historical change, one must avoid responses

⁴³ Although it seems tactless to mention it straightaway, I should point out that this elision characterizes the way biopower governs the relationship between the individual and the population. Just as the phenomenological approach elides the distinction between the individual and the population by using the individual’s experience to extrapolate the conditions for the possibility of subjectivity on the grand scale, so biopower will trade on the individual’s membership in the population to create a perfect regulatory continuum of experience and behavior.

that posit this continuity as the privileged vantage for understanding and participating in historical change.

To combat this tendency, Nealon proposes that we begin again, by “backtracking and trying to follow out the theory of such changes in Foucault’s work,” with the understanding “that there’s really only one explanation that’s completely out of bounds for Foucault throughout the body of this work, and not surprisingly it’s the very subject-centered approach that still dominates the secondary work on Foucault” (Nealon 2008, 26). Beginning again, we must be careful to avoid confusing effects for causes by hypothesizing power as an engine of historical progress or the teleological unfolding of some esoteric intention. To begin again, I would propose, means understanding Foucault as offering an auto-affective account of power that intervenes in the very power relations from which it emerges. The emphasis on historical contingency characterizing genealogy provides an entry point for such an account. Instead of delimiting the contingent aspects of the historian’s viewpoint from the essential features of the object in question, Foucault uses genealogy to highlight the play of contingency as constitutive of the object in question. Bringing this contingency to the foreground, genealogy thus illuminates a site of communication and solidarity between a researcher and her object of study. As a consequence of establishing such a site, both the researcher and her research emerge transformed by the practice of genealogy, which takes its measure from the very shifts it helps establish.⁴⁴

§2 Genealogical Reflection and the Study of Power

Rather than ceding ground to less cautious scholarship or else piously dedicating itself to unearthing Foucault’s *real meaning*, Nealon’s backtracking picks up a line of development that

⁴⁴ Though applied to an epistemic claim of self-reflexivity, genealogical analysis derives many of its epistemic conclusions from the career of power that it exposes. In this respect Foucault’s epistemic conclusions are as much an effect of his analysis of power as they are its conditions of possibility (Cf. footnote 102, below).

emerges as a consequence of genealogy's reflexive features. Discussing the relative limitations of his approach, Foucault notes that with genealogy,

we have to give up the hope of acceding to *a point of view* that would give us access to any complete and definitive knowledge [*connaissance*] of what may constitute our historical limits. And, *from this point of view*, the theoretical and practical *experience* we have of our limits, and the possibility of moving beyond them, *is always limited and determined*; thus, we are always in the *position* of beginning again (Foucault, *What is Enlightenment?* 1997, 317).⁴⁵

Due to the relation of perspective, experience and historical positioning in Foucault's analysis, historical limits serve less to diminish his analysis than to establish its significance, "its generality, its systematicity, its homogeneity, and its stakes" (317) in terms tied to the transformation of relations constitutive of that experience. Rather than thinking of this experience as a bounded substance separated by an epistemological gulf, genealogy identifies the contingent features of experience to construct a shared practical legacy, which is either transformed or held in place by the power relations they make possible.

Applied retrospectively to the Foucault scholar herself, the generality, systematicity, and homogeneity of the genealogical approach refers to the shared conditions that, from one perspective, steer one's research to the comforting assurance of an objectivist subjectivity for which Foucault as a knowable, if unknown, quantity awaits in docile solitude on the other side of an epistemological divide that promises complete clarification provided the researcher adopts the requisite appreciation of objective methodologies. From a skeptical perspective on this shared boundary, the reality attributed to the authority of the person behind the text obscures a sinister manipulation of our ability to understand the effects of interpretive practices. Applied to power, the balance of epistemic risk and reward becomes murkier, less obvious, more ambiguously felt. Applied to power, the idea of a cost, in terms of submitting to specific methodologies and

⁴⁵ Emphasis added.

techniques of truth production, signals an alarm that some aspect of our object might have escaped since submission to these techniques implies that the knowledge of power and its exercise are constituted in diametrical opposition to one another. Perhaps, the skeptic wonders, power even surreptitiously influences the way that it can be investigated. The point of identifying these alternatives is not to isolate those that promote the genealogical cause from those that resist it. Rather, from the perspective that looks down upon all these possibilities, the point is to note that the content of any one perspective is formed by obscuring the content of other perspectives in specific, identifiable, predictable and intelligible ways that allow each to be traced back to one another such that the obscuring effects of a putatively general perspective become visible, even if only to itself, for the first time.⁴⁶

The epistemic continuity between subject and object identified through genealogical analysis suggests that the historical contingencies that give texture and shape to these relations have less to do with the language of substance than the language of events.⁴⁷ By setting aside the language of substance for the language of events, Foucault attempts to describe a form of continuity characterized by substantial modification rather than the prevalence of a core set of

⁴⁶ Foucault describes the manner in which self-reflexivity constitutes a binding thread between object and effect in his self-reflective introduction to *The Use of Pleasure*, when he asks of his project, “Did mine actually result in a different way of thinking? Perhaps at most they made it possible to go back through what I was already thinking, to think it differently, and to see what I had done from a new vantage point and in a clearer light. Sure of having traveled far, one finds that one is looking down on oneself from above. The journey rejuvenates things, and ages the relationship with oneself” (11). These remarks would be standard in their reverence for the virtue of self-knowledge except, as the initial question suggests, Foucault treats the possibility of transformation through altered self-understanding or self-relation as an open question rather than the condition for the possibility of truth. Writing at a time earlier than the introduction he appended to the manuscript, but appearing later in the published text, Foucault identifies the appearance of “a whole rich and complex field of historicity in the way the individual is summoned to recognize himself as an ethical subject” as only a “hypothesis [he] would like to explore” (32) rather than a historical given or methodological constant, much less a settled conclusion.

⁴⁷ Indeed, Foucault finds the language of events not entirely adequate, either, inventing the term “eventalization,” to indicate “a *singularity* at places where there is a temptation to invoke a historical constant, an immediate anthropological trait, or an obviousness that imposes itself uniformly on all” (Foucault, *Power* 2000, 227). The problem with the traditional use of the term “event” seems to be the way it preserves established patterns of cause and effect. Rather than denying causal efficacy, Foucault only raises doubt about the sufficiency of that language when he adopts the vocabulary of eventalization to highlight the way singular events instantiate, not only new events molded by a constant set of forces, but new patterns of causation as well.

attributes or functional constants. As Foucault's mentor, Georges Canguilhem, notes in reference to the continuity between sickness and health, "[a]n organism's behavior can be in continuity with previous behaviors and still be another behavior. The progressiveness of an advent does not exclude the originality of an event" (Canguilhem 1989, 87). Substantively, one can define behavior in terms of an organism's conduct, all of which remains continuous to the extent that it is the same organism conducting itself in various ways. Yet, if "conduct" establishes the substantive continuity of an organism, then the alteration of conduct would imply a substantively different organism. The observation that some acts are constant, like respiration in mammals, while others are sporadic would beg the question rather than justifying the unity implied by conduct. This classification says little about the interaction among various forms of conduct, preferring instead to focus on its attribution. The cost of a substantive analysis focused on delineating the continuity of past behaviors involves a degree of insensitivity to differences among behaviors. Moreover, another level of continuity encompassing the relations between the organism, its behaviors and the economy in which privileging those relations costs an observer her awareness of the differences among behaviors also goes unnoticed in accounting for the costs of the substantive account. Canguilhem's remarks on the originality of a behavior understood as an event to highlight the significance of the medical professional's perspective in particular, and the epistemological knower in general as the factor compromising an event's originary character. Yet, while the epistemological distortion caused by the knower's continuity with her object may be inevitable, the progression of *that* advent hardly excludes the originality, which is to say the singularity, of the distortions produced because of that continuity. When viewed as events rather than windows onto a substantial reality distanced by an invidious perspective, these distortions appear to offer original insights.

Due to the consensus view that power produces the “desires, formations, objects of knowledge, and discourses” that a more naïve view of power might regard as “repressing, controlling or canalizing,” we might apply the methodological conceit linking subject and object to Foucault’s understanding of the relations between not only the subject and power, but, more importantly, the genealogical researcher devoting study to the relationship between the subject and power. These relations have the character of an event rather than an indelibly inscribed disposition or law because whatever settled disposition power appears to take will inevitably reflect something of the researcher’s own relation to power. Since the genealogical researcher cannot step outside power relations in order to investigate them, she necessarily imagines her research as a continuation, elaboration or response to those same relations. Even if this research carried out in the present seems, at a minimum, to add on to existing power relations, the completion of this research nevertheless changes the overall configuration of power relations to which it belongs. These changes of proximity, which I previously referred to as events emerge from the study of power relations with which they are contiguous⁴⁸ and thus may be described as properly contingent, historical conditions of emergence rather than epistemic, ontological or even methodological prerequisites or transcendentals that belong to power as such. In drawing this distinction, I hope to indicate that, for Foucault, the study of power relations offers an instructive test for his understanding of critique as a tool for intervention in the politics of truth, though it in no way implies a privileged or otherwise required point of access to authentic resistance.⁴⁹

⁴⁸ Conceding the point to Canguilhem, I would nevertheless suggest that the term for the relationship among behaviors viewed in terms of events is contiguity rather than continuity.

⁴⁹ Indeed, genealogical critique will emerge as a strategy for intervening in the politics of truth established within and maintained in coordination with biopolitical power relations in particular (Cf. footnote 93 below).

Consequently, an analysis of power relations, if it is consciously produced from within power relations, refuses the facile language of what constitutes power *as such* opting instead for the strategic language of genealogy. As Foucault notes, the danger of the phenomenological approach to criticism owes to its “attribut[ion of] a constituent role to an act, which places its own point of view at the origin of all historicity—which, in short leads, to a transcendental consciousness.”⁵⁰ It is not that the language of phenomenology necessarily abstracts analysis from the field in which it attempts to intervene, but that the language of subject-centered phenomenology has a history pervaded by the elision of a self-critical perspective on the conditions in which it plays a part. By focusing on the history of this practice of the observing subject’s participation in that which it describes, Foucault attempts to determine the extent to which genealogy can “be subject[ed], not to a theory of the knowing subject, but rather to a theory of discursive practice” (Foucault, *The Order of Things* 1994, xiv). With respect to an analysis of power, this involves constructing an exhaustive account of the historical mutations of power relations without thereby eliding the positioning of the genealogist in that history either by positing subjectivity as the epistemic condition for the possibility of such an account or describing power relations as projections of subjective intentionality.

Yet, in the same way that genealogy’s apprehension of its instantiation within power relations cannot rest its analysis on transcendental intentionality, neither can it have recourse to that which is understood in its radical antithesis to consciousness, namely the materiality of the body. Nealon offers an object lesson on the totalizing dangers of critique within Foucault scholarship, citing as a case in point Foucault’s dubious relation to “‘body studies,’ the recent resurgence in theories of embodiment” (Nealon 2008, 26). Although, justified from the standpoint that Foucault’s first properly genealogical work, *Discipline and Punish*, “shows us

⁵⁰ Originally found in Foucault’s *The Order of Things*(xiv), quoted in (Nealon 2008, 26).

how modernity discovered the body (rather than the ideological mind) as the primary hinge for the deployment of power” (26) Nealon observes that “one could however just as easily point out that the whole thrust of [*Discipline and Punish*], in its arguments and in the performative flow of actually reading it, is that power has *not* focused directly on the individual body for the past several hundred years” (27). Consequently, the emergence of body studies as an attempt to reclaim the subjugated body aims its critical sights at an outmoded form of power. In helping to resurrect the body as a site of resistance, body studies stifles the sovereign deployment of power in much the same way discipline stifled sovereignty centuries ago. To that extent, the field of body studies appears reactionary. Yet, considering the revolutionary goals of body studies, it would seem that this political alliance between discipline and body studies depends largely on a misunderstanding of the multiple threads of power that exert various intensities and modalities of force on the present.

As much as body studies appears to suffer from a strategic error, mistaking discipline’s critique of sovereignty for an alliance, there is yet another, more sinister explanation for body studies’ emphasis on reclaiming the subjugated body. If, as Nealon points out, “[t]he whole of [*Discipline and Punish*] traces power’s migration away from the individual body, the sovereign maiming of Damians’s flesh” (27) this is because disciplinary power does not function by taking individual resistance as its object and as a result contributes to the movement away from the abuses associated with the sovereign’s public display of power. Viewed relative to its effects, the expenditure of the sovereign display of power is incredibly costly, earning compliance in the coin of fear at the expense of bitter hatred for the cruelty associated with the sovereign’s law. Yet, this exchange is not entirely without value. It shows that the sovereignty’s effects can contribute to the development of another form of power, extending in directions the

promulgators of sovereign law could hardly foresee. By measuring its effects in terms of both compliance and resistance, those subject to sovereign power discover a functional effectiveness that outstrips sovereignty's most severe interventions and ultimately dispenses with the need for strenuous displays of force. In short, disciplinary power hardly requires the destruction of the body when it can yield more potent, long ranging and enduring effects simply by replacing the visibility of sovereignty with the visibility of bodies. In lessening its investment in force while enhancing its reach and consistency, disciplinary power emerges in the midst and with the assistance of sovereign power, beginning a process that Nealon characterizes as "intensification" not only because it improves the efficiency with which power may be deployed, but because it promotes and even strengthens the very processes of resistance sovereign power sought to destroy. Rather than dominating the body and ignoring its needs, discipline is literally all around the body, seeking to subdue through knowledge rather than force. In this respect, body studies may be not only reactionary in the sense that it assists discipline in discrediting the techniques of sovereignty, but it may actually collaborate with discipline in bringing forth the mass administration of bodies that Foucault will call "biopower."⁵¹

As a cautionary note, Nealon's warning about the misdirection guiding the resurgence of body studies parallels his broader concerns about contemporary Foucault scholarship. Due to its emphasis on individual forms of subject-centered resistance, contemporary Foucault scholarship unwittingly promotes, expands and intensifies the forms of power it ostensibly wishes to modify. This naïve intensification of power relations threatens to engender states of domination, in which

⁵¹ In its collaboration with biopower, body studies may yet work in opposition to disciplinary power, but its counter-disciplinary force is nevertheless an anachronistic throwback to the strategies of resistance that Foucault analyzes under the heading of indiscipline (Cf. the discussion of indiscipline beginning on page 172ff below).

power relations are frozen⁵² because contemporary accounts of power fail to take the turning points and historical modifications of power relations into account when promoting particular modes of resistance.⁵³ Accordingly, even though

genealogically speaking, sovereignty is no longer the dominant mode of power, no longer the only (or even really the *primary*) game in town [. . .] [i]t may, in fact, be that resistance is the dominant mode of cultural power today, that virtual and actual practice through which all the others have to make their way. Indeed, it seems that we live at a historical point where most people will, given a traditional opportunity to choose among alternatives (like voting, for example), almost always choose something that looks to them like resistance, even if it works in obvious ways against what economists would call their best interests (109).

From Nealon's perspective the naïveté of body studies, and with it the entire project of recuperating Foucault into a humanistic tradition oriented around the autonomy of the rational subject, depends on a negative estimation of power that denies⁵⁴ the contingent historicity of power relations and effective modes of freedom and resistance. This denial in turn narrows the field of available practices in such a way that certain themes, "resistance" for example, take precedence in the guidance of behavior with all the rigor of an explicit law, yet none of the

⁵² After describing power in terms of power relations defined as "mobile, reversible, and unstable" relations that "are possible only insofar as the subjects [involved] are free"—in other words claiming that power relations are defined by their historical malleability—Foucault adds that there are also "states of domination" in which "power relations are fixed in such a way that they are perpetually asymmetrical and allow an extremely limited margin of freedom" (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 292). To the extent that certain forms of resistance aim at outmoded forms of power and perhaps unwittingly solidify those forms of interaction into conditions that Foucault calls domination, I would describe the forms of discourse that promote such "resistance" as elements in totalizing networks of domination.

⁵³ It should be added that when dealing with conditions of domination, "be they economic, social, institutional, or sexual, the problem is knowing where resistance will develop [. . .] what form will it take [. . .] In such a situation of domination, all of these questions demand specific answers that take account of the precise form of domination in question" (292-293). In calling attention to the sites where resistance will develop, the form of domination it will combat and the manner in which it will carry out that combat, Foucault places special emphasis on the modifications of power that cannot be accurately estimated with statements attesting to power's ubiquity or that it develops along a predictable axis, e.g. of intensification, from one incarnation to the next.

⁵⁴ This denial tends to work in two general ways that amount to the same thing: either one goes in for the sovereign conception of power where power operates as a tool for one group of people to coerce the behavior of another group or power assumes the "totalizing cage" metaphor favored by Foucault's liberal critics. In either case, power represents a multifaceted attack on individual autonomy by forces unknown—Judith Butler suggests that it could even be our ontological condition as human beings to have our "prior desire for social existence [. . .] exploited by regulatory power" (Butler 1997, 19)—requiring the development of new feints, performances and ironic detachments in order to elude, master or merely survive the relentless onslaught of power. To the extent that each approach treats power as essentially negative and homogenous, either due to its sovereign source or as a formal unity comprising a field of dispersed forms of influence, both approaches further the restriction of practices associated with dominating power relations.

“costs” associated with public declaration. To the extent that resistance constitutes a “virtual and actual practice through which all the others have to make their way” we see one of the focal points⁵⁵ narrowing practices of critique that effectively paralyze genealogical attempts to analyze contemporary power relations.

§3 Intensification: The Presence of Biopower

I do not share Nealon’s conclusion that this situation indicates an attempt to create an account of subjectivity from the ruins of Foucault’s account of power developed throughout the mid to late 1970s. The case of body studies shows this to provide at best a partial account whose supposed primacy may even obscure biopolitical operations in emphasizing body studies’ alliance with discipline against sovereign power relations. I will do no better than providing yet another piece to that puzzle, however, when I add that a theoretical account of power in terms of “intensification” offers its own challenges to understanding power as a historically contingent phenomenon, or as Foucault would often describe it, a provisional “lens” or “grid of intelligibility” useful for naming “a complex strategical situation in a particular society” by which he invokes not only his analysis’s partial, provisional character, but its instrumental, political character as well (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 93).⁵⁶ Intensification seems to supply the sinister continuity of teleological unfolding that Nealon

⁵⁵ For more on the concept of focal points, also referred to as “transfer points” or “points of reversal” in Foucault’s analysis of power and in this text, cf. footnote 64 below.

⁵⁶ In attempting to translate the term, *dispositif*, Hubert Dreyfus and Paul Rabinow waver between “apparatus,” “a word that conveys Foucault’s pragmatic concern that concepts be used as tools to aid in analysis, not ends in themselves” (Dreyfus and Rabinow 1983, 120) and “grid of intelligibility,” a translation that “underestimates Foucault’s attempt to reveal something about the practices themselves” while highlighting “the method of the effective historian as well as the structure of the cultural practices he is examining” (121). I have inserted the non-standard and linguistically unsupportable interpolation, “lens,” to suggest some of Foucault’s ambivalence about the practical and descriptive value of the term. “Lens” carries the notion of artifice and technological production supported by apparatus, thus maintaining *dispositif*’s practical instrumentalism, while also, since the Enlightenment at least, pertaining to the biological, non-technological function of the eye, vision and, metaphorically, knowledge

rejects elsewhere (Nealon 2008, 25) unless we can render the concept of intensification as an instrumental term produced within and capable of reshaping the practices that are at stake in the power relations from which it develops.⁵⁷ In that case, there would be no such thing as “power” to which the continuous developmental process of intensification could be applied. Nealon never explicitly says that intensification is a continuous developmental process and even does much to suggest that developmental accounts of power miss the mark in crucial ways, but his point about resistance being the *de facto* practice by which contemporary power relations are extended and intensified does sound a distinctly “resistance is futile” note in its suggestion that identifying specific sites of resistance is anachronistic in an era when power relations and sites of resistance are coextensive, the one proliferating at the same rate as the other.⁵⁸

While I take Nealon’s point that contemporary biopolitical power relations expand by recruiting individuals’ desires for increased economic, political and social authority into virtual and actual practices of regulating life itself and thus engendering an equally extensive array of points for resisting biopolitical mechanisms, offering that observation as a conclusive statement on the matter fails to account for those areas of domination where resistance is still a scarce commodity.⁵⁹ Furthermore, to the extent that the concept of intensification discourages investigation of specific sites where resistance might be desirable because it defines biopolitical

production. In short, it seems that “lens” captures an aspect of *dispositif* that names something whose ambiguous situation at the margins of practical utility and ontological reality confounds the distinction between the thought and activity, knower and object.

⁵⁷ I have attempted to describe such a function of “intensification” already in this essay, cf. footnote 41 above.

⁵⁸ I will come back to this equation between power and resistance in the context of biopower below, cf. p.188 ff.

⁵⁹ If I may be permitted an off-topic analogy, emphasizing the ubiquity of power relations and the subsequent ubiquity of sites of resistance is a little like claiming that the ubiquitous problem of climate change offers infinite strategies of resistance ranging from cap-and-trade to riding a bike to work. That may well be that case, but there are effects of power and effects of climate change that have nothing to do with resisting the progressive intensification of power or reducing one’s carbon footprint, respectively. Indeed, in the case of climate change, one of the primary threats, loss of biodiversity, is accelerated by some attempts to reduce greenhouse gas emissions because the specific link between the two phenomena is obscured by the global dimension of climate change and the profoundly local dimension of species loss (Borrell 2009). In regard to the ubiquity of power, it seems that the identification of specific sites of resistance suffers for their supposed ubiquity.

power relations in terms of the possibility of perpetual resistance, Nealon's account seems to contribute to conditions of domination. It is only because Nealon rails against the view that there should be privileged, authentic sites of resistance that one knows that the purpose of intensification is to open up new sites of resistance rather than forcing resistant practices through a necessarily reductive analysis of their perpetual possibility within power relations. In as much as Nealon's use of intensification pulls against conditions of domination while remaining silent on the way an expansive generalization of Foucault's analysis of power contributes to those conditions on another register, intensification marks a limit that invites transgression. In concluding this chapter, I would like to show that intensification, like power, arises in the context of a specific, historically-contingent juncture that is both structured by, and the condition for, the phenomenon it describes. In that sense, Foucault's analysis of contemporary biopower emerges as an account of biopower as an ongoing phenomenon incorporating previous modalities of power including sovereignty and discipline, but also claiming the perspective from which genealogical critique takes its departure. As a mode of biopower's functioning, intensification refers to an activity linking modifications of power relations rather than naming the agency of power itself. Consequently, given that power will mean something different depending upon the distinct "regimes" or operations of power, it would seem that one way to speak of power relations without hypostatizing them would involve understanding this "between" state of power as a specific, historically-inflected moment in the event and evolution of power relations. If this historically-distinct moment in the eventuation of power can be accurately described in terms of "intensification," then the meaning of that term will be traceable back to a specific regime of power, whose intensity derives from its ability to describe the dynamics of power relations at a particular moment.

To conclude this chapter, I would like to show that Nealon's account of intensification, along with Foucault's genealogical account of power belongs to a particularly "governmentalized" deployment of power relations rather than attempting to characterize *all power as such*. For Foucault, this means that an analysis of power relations constitutes a historically instantiated response to particular applications of force in the present by dramatizing the modulations of power in the recent history of modern Europe. Yet, in neither Foucault's analysis of power relations nor Nealon's refinement of that analysis in terms of power's tendency for intensification, does genealogy promote a solipsism that would retire behind the acknowledgement that one has provided an admittedly provisional account. Rather, the provisional character of the genealogical account serves as an invitation to transgression not only for the genealogist who delimits her own practice within and against the apparent continuity of power relations constituted among the modulations of historical contingency, but for the object of study, which uses this decocted identity to invent new forms of relationship. If not solipsism, genealogy promotes practices that engage new perspectives in much the way that the resistance to established regimes of power prompts practical inventions that reconfigure particular domains of power.

In order to redraw the contours of power relations in such a way that this account can displace the priority of the knowing subject, Foucault's discourse on power relations must develop an analysis of power relations from within those relations themselves, thus recursively transforming not only power but the discursive possibilities of power as well. Accordingly, I would like to suggest that the account of power Foucault develops using the terms "sovereignty," "discipline" and "biopower," offers an image of power from the inside, setting aside and actively denying itself the privilege of objective detachment. Moreover, his account unlocks the

possibility of working within certain power relations and reconstituting them as provisional, relational entities. “Relations of power” name realities viewed from a particular angle without presuming to describe those realities as they are “in themselves,” but rather as they are *in relation to a particularly instantiated way of living*, which itself becomes altered through the dynamic relationship it takes up with respect to power. Similarly, when Foucault bothers to differentiate between distinct operations of power, e.g. sovereign operations of power, disciplinary functions, biopolitical investments, he presents these operations from the perspective of the manner in which they operate today. To say that an instance of power displays “this or that tendency” thus indicates operative tendencies from a perspective that takes power’s contemporary operative standards as emblematic of proximate power relations, rather than speaking of power as such. Obviously, speaking of power’s distinguishable functions and tendencies need not reduce power to a single, overriding tendency that establishes power as anything more than a nominal unity given the speaker’s positioning within particular networks of power. If one were to provide an account of power that described its division of labor, its separation into distinct operations applying to specific targets in such a way that this division appeared opportunistic rather than essential, emphasizing the invention rather than the necessitation of power’s functions, then the nominal unity of power would appear less as a natural kind than an unwieldy assemblage of different functions, a Rube Goldbergian contingency rather than an insurmountable force.

Intensification can be described in such a way as to emphasize its contingency rather than its inevitability. I would like to offer this counter-reading by reviewing Nealon’s account of power’s gradual intensification from its sovereign roots, through its disciplinary expansion and its current manifestation in the biopolitics of the twenty-first century. My claim will be that just

as Foucault's account of power develops as a form of resistance to contemporary biopower and so gives its account of sovereignty and disciplinary power an implicitly biopolitical inflection, so Nealon's account of intensification can be read as a narrative not of power in general, but of the particular dangers and opportunities available within biopolitical power relations. What is at stake in this counter-reading? Just as Foucault upends the criticism that his work constructs a totalizing account of power by situating his account within a specific deployment of power relations, this counter-reading of intensification, which I view more as a complementary reading than an antagonistic one, helps make sense of and mobilize the infinite sites of resistance that Nealon associates with the saturated intensity of ubiquitous power relations. More directly, since the failure to recognize power's transformations over time leads to attempts at resistance that reinforce contemporary forms of biopolitical relations by further disrupting already outmoded forms of power, intensification, as an effect of a particular mode of power rather than an essential feature of power as such, can operate by strategically disabling the techniques by which power takes hold of its objects in particular cases. In that sense, intensification spurs individuals to look for and create the countless sites of resistance that a ubiquity of power relations implies. This strategic paralysis of particular techniques of power promotes the development of a micro-political knowledge attuned to the relation between specific operations of power and the unique points at which they typically insert themselves, as opposed to a macroscopic view that emphasizes the theoretical coherence and practical continuity of power in all of its manifestations, operations and technologies. In short, attaching "power" and "intensification" to a specifically biopolitical perspective historicizes these terms and politicizes them for use combating the determinable operations of power that would otherwise constitute its nominal identity.

By way of a schematic description of power's historical transformations, I will base my analysis largely on Nealon's account, although my own analysis will be less discriminating, identifying only three major phases of power's transformation instead of Nealon's four,⁶⁰ and will focus on the specific techniques used to influence the behavior and knowledge of oneself and others, rather than focusing on an overall tendency of power as it persists throughout change. Broadly speaking, sovereign power names a territorial, binary use of influence that places extreme emphasis on distinctions between permitted and prohibited acts and discourses. Sovereignty uses law to enforce a rigorous distinction and hierarchical organization among rulers and subjects. According to sovereign law and the metaphysical order it promotes, the acts of any subject can jeopardize the security of the entire realm, allowing one infraction to stand in for all possible infractions and, consequently, allowing for the extreme punishment of one to serve as an example and warning to all others. Whereas Nealon cites the inordinate expense involved in the sovereign spectacle of punishment as the reason for the decline of sovereignty and the growth of the lighter, less invasive practices of discipline, originally discipline emerges as a complementary technique for refining sovereign authority. Until discipline loses its adherence to standards of acceptable and unacceptable behaviors, which serve as holdovers from sovereignty's territorial, binary mode of evaluation, discipline lacks the emphasis on neutrality, observation and non-normative description that characterizes disciplinary power as functionally distinct from sovereignty. Similar to the way discipline remains enthralled to the limitations of sovereign prohibition, discipline will persist as a largely observational and organizational

⁶⁰ Between the seventeenth century and the present, Nealon identifies four phases of power's intensification, beginning with sovereignty in the seventeenth century, moving through social power on the way to the development of disciplinary power in the eighteenth and nineteenth centuries, and coming to biopower, the prevalent mode of Western power at present (Nealon 2008, 28, 45). My decision to discuss only three of these phases—sovereignty, discipline and biopower—in no way reflects a value judgment on Nealon's fourfold division. Rather, my decision rests on a practical concern that each phase of power should reflect a functional change that can be easily distinguished from the operations of power at other phases.

paradigm that justifies its interventions on the basis of clarity in various forms: descriptive, conceptual and functional clarity. In the process of determining the functional consistencies of individuals, their movements and their possible coordination, discipline discovers a form of knowledge and a form of control that functions at the aggregate level of the category. Statistics, demographics, empirical metrics in the social sciences will reveal trends and tendencies that spell out a logic superseding permissible and prohibited individual acts, which will go entirely unnoticed if viewed at the wrong level or according to the wrong standard of clarity and intelligibility. Foucault will call this form of attention “biopower” because of the way it elicits and strengthens the functional dependencies established by disciplinary recordkeeping while fluidly alternating between individual and aggregate identities to ensure the individual’s continuous re-inscription and regulation relative to the population as a whole.

For our purposes, the reason for adopting a perspective that focuses on the functional requirements, tendencies or movements of power at various stages is not to provide a comprehensive account of power, but rather to provide a deliberately partial account of power based on the methodological concession that, genealogically speaking, one must begin an analysis of power relations from its present application, or in this case, from one’s contact with biopower. Nevertheless, part of biopower’s operation involves obscuring functional points of application by predicating biopolitical applications upon the ubiquitous value of “life” derived from an aggregation of individual qualities originally gathered from disciplinary practices of training and knowledge production. Yet, in taking view of the totalizing function of “life” within biopolitical power relations, I would like to show that one does not forsake the possibility of resistance, but rather one engages in multiple resistances at the sites of biopower’s application in the management of processes of life and death. From the macroscopic level of intensification, the

ubiquity of power relations and their constant outward diffusion renders resistance an impotent truism. Yet, from the microscopic level according to which power relations behave in distinct ways depending on where you stand, historically speaking, each mutation of power draws existing power relations out of their established functional symmetries and consequently serves as a point of resistance that impedes the intensification and solidification of others, as when for instance, sovereignty, for a time at least, serves as an outmoded weight on the development of discipline.⁶¹

Because the forms of resistance that develop on the microscopic level may, and often do, tend to the intensification of power viewed as a macroscopic whole, these forms of resistance constitute limited and historically-situated forms of knowledge allowing for very precise forms of political intervention. One may even note that biopower's technique of regulation according to a standard of "life" that allows it to slide between microscopic evaluations of individuals and macroscopic accounts of populations serves as the basis for resistant practices and discourses that try to differentiate and problematize the microscopic and macroscopic functioning of biopower's investment in life. To take an example of a specific form of resistance to biopower as indicative of this approach, Foucault did not speak approvingly of the "political spirituality" he observed among the protesters in the Iranian Islamic Revolution of 1978 because he viewed it as a general form of resistance aimed at undermining power in general. Rather, political spirituality formed a precise form of resistance to biopower as it took on a decidedly sovereign visage for those vehemently opposed to *what they considered*⁶² the invasive strategies of Westernization. In

⁶¹ Eventually, however, the restrictions sovereignty placed on discipline would help facilitate not only the establishment of uniquely disciplinary networks of functional relations, but more presciently, to the extent that the practitioners of disciplinary observation found sovereign prohibitions obsolete, sovereignty facilitated the development of disciplinary practices of normalization that would eventually morph into biopower.

⁶² It is significant that Foucault addresses the manner in which individuals' beliefs, rather than what is true, constitutes a principle aspect of the operation of biopower that highlights the importance of credibility in what Foucault calls "the politics of truth," or the means by which the historicity of an event affects its truth value and

its ostensible indifference toward life, political spirituality represented a localized rather than a general form of resistance. If there is a reason to respond positively to these endeavors it owes to the degree that such cases, far from offering a program of authentic resistance, give practical meaning to the ubiquity of resistance viewed from a macroscopic perspective of power's intensification.

political significance. Foucault often explicitly distinguishes his work from a description of reality, as when he describes the aim of his analysis in terms of attempts to “grasp [. . .] such particular effects in the real as the distinction between true and false [. . .] as historical events” rather than “the project—an admirable one in itself—of grasping a ‘whole society’ in its ‘living reality’” (Foucault, *Power* 2000, 233). (Cf. the discussion of political spirituality in footnote 95 below for Foucault's understanding of the political significance of such a project.)

Chapter Five: *Three Moments in the History of the Present: Sovereignty, Discipline and Biopower*

The aim for this chapter is to highlight an intelligible set of articulation points between sovereign, disciplinary and biopolitical power relations. These points of articulation are intelligible to strategies, but they do not invoke a process of development, as Nealon's concept of intensification seems to do according to its least charitable reading. Strategically and without a developmental process to underwrite their intelligibility, power relations appear to play off one another. They stifle one another, as discipline undercuts sovereign spectacle. They provoke one another, as disciplinary observation induces the creation of biopolitical norms for the training of individuals and the regulation of populations. Above all, these articulation points show how power relations change and mutate over time, even if they do not show a process of inevitable evolution toward a higher degree of perfection, which could not be affected at crucial points of transition.

One of the paramount themes of this chapter will involve considering the implicit simultaneity of power and resistance within the ubiquitous biopolitical relations of the present. If power is omnipresent, thanks to the infiltration of biopower into the most banal aspects of contemporary life, this is due in part to the way that relations of biopower recruit forms of resistance into the process of normalization. Though sovereignty developed use of disciplinary techniques that ultimately began to oppose sovereign displays of force, the linkage of power and resistance in these episodes represented a fundamentally different form of interaction than the dance between power and resistance that would eventually characterize biopower. By highlighting these points of articulation and their contemporary significance, genealogy attempts

to locate the fault lines at which contemporary power relations may be put in play by contemporary discursive practices.

It is important to locate these fault lines, not only because they do not occur in a predictable location based on some archetypal deployment of power, but also because they relocate depending upon the intelligibility appropriate to sovereignty, discipline or biopower, respectively. Not only do the characteristic operations of sovereign, disciplinary and biopolitical power relations change over time and relative to one another, but as the example of “body studies” discussed in the previous chapter shows, resisting one form of power relation can have the unintended effect of consolidating another. Accordingly, it is also important to recognize the ways in which the sovereign once delegated authority to members of the social body in order to consolidate the force of sovereignty. This “disciplining” of sovereignty did not mark the attenuation of the spectacle’s effectiveness, but rather constituted the elaboration of sovereignty instead. Similarly, the hindrance posed by the arbitrary standards of sovereignty led disciplinarians to propose the arbitrariness of all performance standards in the name of achieving greater objectivity with their measurements and greater effectiveness in their training techniques. While the moment at which discipline invents the desire for absolute objectivity also marks the moment at which disciplinary techniques begin shading into biopolitical practices, it would be incorrect to say that biopower “replaces” discipline for the very simple reason that biopower depends upon disciplinary training, which continues to operate within regimes of power relations that primarily rely upon biopolitical mechanisms of control. The genealogist concerned with strategic action in the present cannot afford to overlook these apparently minute and insignificant details by subsuming them beneath an ambiguously unified, one-dimensional process of power’s continual development.

Throughout this chapter I will use several “spatial” metaphors to illustrate the characteristic intelligibilities and shifts in intelligibility between sovereignty, discipline and biopower. For example, sovereignty will be characterized in terms of “territory” to emphasize its highly visible use of exclusion and confiscation to consolidate a single form of undifferentiated law within the sovereign’s sphere of influence. Discipline will be characterized in terms of “space” for the way that its emphasis on observation reduces territory to a neutral ground against which values and their characteristic arrangements can begin to appear. Discipline does not so much create or take territory, as sovereignty does, but assumes the existence of a space whose only property is the allowance of clear observation. Finally, with biopower we see the development of “place,” specifically the place proper to the living organism whose needs and functions seem to be the practical limit of disciplinary observation. Thus, while the disciplinary norm is an arbitrarily chosen starting point for calculating individual values in terms of deviations from this point, the biopolitical norm is confined to the place constituting the range of minimal to optimal conditions for life.

These spatial metaphors should suggest neither a theory of development nor a theory of static continuity. Territory, space and place do not identify a series advancing toward a particular goal. However, as Foucault’s study of power relations suggests, strategic concepts can function alongside others, whether they are integrated into an overall theory, or whether they pull against one another and momentarily neutralize each other. Accordingly, the virtue of these spatial metaphors, despite the appearance of being unavoidably reductive, is that they illustrate the variable stakes of dispute within an apparent identity. Whether one proposes that sovereignty, discipline and biopower are all the same thing, namely *power*, or one insists that they are fundamentally distinct, genealogy’s primary goal is to highlight the investments that would

motivate one characterization rather than another. Moreover, genealogy locates these strategies against its own backdrop of the present, without suggesting its own disengagement from the strategic considerations and investments of an interested party, but rather attempting to displace these considerations' absolute significance in order to determine the conditions under which other discursive practices might be possible.

In short, the aim of this chapter is to use an account of the articulation points in contemporary power relations to determine where and how those relations might be put in play or, considering the biopolitical investment in "place," displaced. Foucault's genealogy of modern power relations is neither an attempt to say that power is everything, nor that only the goal of liberation from power should have motivational value. Rather, genealogy reveals the considerable investments that identities have in particular arrangements of power so that those who find them intolerable might experiment with the creation of different arrangements designed to create unique pleasures of their own.

§1 The Sovereign Realm: Binary Spaces and Deeds.

It is not surprising that Thomas Hobbes provides the quintessential account of sovereignty. After all, writing during a period of social and political turmoil, Hobbes sought to describe political society as a simultaneously conventional structure based upon the consent of ruler and subject while endowing the commonwealth with superiority relative to nature so as to command the respect of its assembled members. For Hobbes the laws of nature that establish a sovereign's authority over its subjects and the obligations of citizens toward the commonwealth permit, but do not guarantee, the rights and privileges of life in the commonwealth and the right of self-preservation outside the commonwealth. Thus, the commonwealth, and with it the

sovereign's power, emerge both as an escape from the state of nature and a preservation of the laws of nature. Accordingly, Hobbes begins chapter XVII of *Leviathan*, "Of the Causes, Generation, and Definition of a Common-Wealth" this way:

The finall Cause, End, or Designe of men, (who naturally love Liberty, and Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in Common-wealths,) is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of Warre, which is necessarily consequent (as hath been shewn) to the naturall Passions of men, when there is no visible Power to keep them in awe, and tye them by feare of punishment to the performance of their Covenants, and observation of those Lawes of Nature (Hobbes 1968, 223).

Like the power of sovereignty that Foucault describes, Hobbes's emphasis falls on the integrity and uniformity of the sovereign's powers, the importance of the sovereign's visibility and sovereignty's continuity with the laws of nature and divine law. According to Foucault, the condition of war that Hobbes's pre-civilized humans seek to escape "is born of equality and takes place in the element of that equality. War is the immediate effect of nondifferences, or at least of insufficient differences" (Foucault, *Society Must be Defended* 2003, 90). The establishment of the commonwealth suspends this resulting condition of war by establishing a sovereign capable of keeping subjects "in awe" through the disparity of power that the sovereign exercises over subjects, either in terms of the direct application of force, or through the virtual application involved in the threat of force (91). In suspending the war of all against all, Hobbes appeals to the continuity of human desires for safety and security that in the state of nature motivated their hostility toward one another but subsequently also motivates obedience to the covenants and authorities that supply the means to those desiderata enshrined in rights. By way of provocation, Foucault observes that the primary threat for Hobbes is not war, but the threat of

invasion, admixture, contradiction, or factionalism: “Conquest.”⁶³ The integrity that Hobbes sought to preserve, which connects the laws of nature to the laws of political society, also manifests itself in an ideal of territorial, judicial and political integrity that constitutes the sovereign as the living embodiment of a commonwealth without conflict or exception.

Although Hobbes prefers to sacrifice direct conflict for virtual conflict, keeping subjects in awe by the threat rather than the expression of force, Foucault’s account of sovereign power, expressed most prominently in the opening pages of *Discipline and Punish* with the execution of Damiens (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 3-6), shows not only considerable direct force involved in sovereign punishment, but also that actual and virtual force were intertwined in the operations of sovereignty. The public spectacle of punishment combined extreme physical violence, in the torture of the prisoner’s body, with the threat of force, implying that the prisoner’s fate could represent that of anyone found to have violated the sovereign’s will as expressed in the spirit and the letter of the laws.

For Nealon, the transition from sovereignty to discipline is a movement in which the tendency for the sovereign to employ direct force diminishes in favor of the virtual effects traditionally associated with the threat of force. In that case, discipline does not represent a new form of power so much as a change of emphasis in a network of interconnected forces targeting bodies with physical violence, on the one hand, and minds with the fear of such violence on the other. The mechanism effecting this change from body to soul requires the recognition of costs associated with bringing the exercise and display of force to bear on individual bodies.

⁶³ “In a word, what Hobbes wants to eliminate is the Conquest, and also the use that was being made, in both historical discourse and political practice, of the problem of the Conquest. Leviathan’s invisible adversary is the Conquest. [. . .] Although it seems to be proclaiming that war is everywhere from start to finish, Hobbes’s discourse is in fact saying quite the opposite. It is saying, war or no war, defeat or no defeat, Conquest or covenant, it all comes down to the same thing: ‘It’s what you wanted, it is you, the subjects, who constituted the sovereignty that represents you.’ [. . .] The enemy—or rather the enemy discourse Hobbes is addressing—is the discourse that could be heard in the civil struggles that were tearing the State apart in England at this time. It was a discourse that spoke with two voices” (Foucault, *Society Must Be Defended* 2003, 98-99).

On one level, the exercise of the sovereign's force requires an incredibly costly investment in the identification of the sovereign with the law itself. Such an investment means that any outbreak of illegality damages the sovereign's authority, such that Nealon remarks, "[u]nder the sovereign regime, the king 'owns' everything, so the king is in fact the only person who can legitimately be 'harmed' by crime" (Nealon 2008, 30). One aspect of the costs associated with sovereignty thus requires that within that regime resistance necessarily takes the form of illegality, creating the sovereign duty to enforce penalties for illegality.

A second aspect of sovereignty's costs illustrates a belief implicit in the first. To the extent that the sovereign alone is harmed by illegality and takes sole responsibility for punishing attacks upon the body of the law, the sovereign's virtual and physical person, the law and especially the sovereign appear as alien forces setting upon and acting against the interests of subjects. As Foucault notes, with the decline of sovereignty's use of punishment as a spectacle, "whatever theatrical elements it still retained were now downgraded, as if the penal ceremony were gradually ceasing to be understood, as if this rite that 'concluded the crime' was suspected of being in some undesirable way linked with it" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 9). As a sign of this incomprehension, Foucault offers an equivocation between the sovereign and the criminal by way of elaboration:

[i]t was as if the punishment was thought to equal, if not to exceed, in savagery the crime itself, to accustom the spectators to a ferocity from which one wished to divert them, to show them the frequency of crime, to make the executioner resemble the criminal, judges murderers, to reverse roles at the last moment, to make the tortured criminal an object of pity or admiration (9).

For Foucault, the increasing cost of sovereignty constitutes a point of reversal⁶⁴ in the operations of sovereign power, leading to the development of new techniques for the exercise of sovereign

⁶⁴ Using the phrase "point of reversal" here, I would also like to invoke the more popular term "transfer point" made famous by Foucault's description of sexuality as an "especially dense transfer point for relations of power," rather

authority, which will eventually characterize disciplinary power. Yet, one notes that the development of discipline begins in accord with the basic tactics of sovereignty, namely, the continuity of relations between the law and the body of the sovereign and a literally awesome disparity of strength between sovereign and subject. What for Hobbes amounted to a testament to the legitimacy and longevity of sovereign authority became the source of liabilities that gradually, though not inevitably, undermined the sovereign's authority after new techniques for the maintenance and elaboration of that authority were established.

Much of Foucault's analysis of sovereign power develops out of an examination of what sovereignty is not, namely disciplinary power. As such, looking at Nealon's analysis of the costs that spur the transition from sovereign to disciplinary power provides a sense, albeit a limited one, of the unique effects of sovereign power. For instance, the symbolic use of the prisoner's body in the spectacle of punishment indicates that sovereignty's interest in physically manipulating the body is an expression of the desire to maintain the integrity of the sovereign's body, laws and territory through the actual and threatened destruction of hostile, alien elements both within and without the commonwealth. That is, the wholeness of the sovereign's body is visibly affirmed through the spectacle of the dismemberment and execution of the lawbreaker. As the costs of administering and maintaining this standard of continuity mount, sovereignty's interest in the most costly tactics of this strategy—namely the direct application of force and the relentless emphasis on the identification between sovereign will, law and territory—loses some

than “a stubborn drive, by nature alien and of necessity disobedient to a power which exhausts itself trying to subdue it and often fail[ing] to control it entirely” (Foucault, *The Use of Pleasure* 1985, 103). As David Halperin explains, the translation of *point de passage* as “transfer point” emphasizes the idea that these privileged points provide ways out of power relations, yet “Foucault's image has less to do with switching from one line to another than it does with forced routing through a single point” (Halperin 1995, 195). In fact, as I suggest, the reversal of power relations when the sovereign appears more criminal than just is no more an escape from power relations—preparing the ground, as it were, for the development of disciplinary power—than a continuation of the sovereign regime in a slightly modified form under new leadership. Rather, emphasizing reversal seems an apt way to highlight the transformational character of these moments, while still accounting for the contiguity of power relations in terms of hinging, flexing or articulating joints or connections.

of its intensity. As Nealon points out, this diminution coincides with the emergence of the kinds of “social” interests that Foucault describes in scenes of spectators driven to sympathy for the prisoner by the horror of the sovereign’s brutal punishments and executions.⁶⁵ Rather than indicating the gradual dawning of enlightened social values, the emergence of “social power” refers to the development of distributed agencies both obligated to preserve the law and harmed by criminal activity,⁶⁶ “this first mutation of modern power is a shift away from the raw, centralized power of the king to the representation and distribution of power more widely throughout the socius” (Nealon 2008, 30). Clearly, the development of social power marks a point of transformation in the operation of sovereign power insofar as it distributes the duties and responsibilities of sovereign jurisdiction more widely throughout a given territory by increasingly delegating the administration and obligation of the law more widely. Thus, the sovereign creates victims of crime who are also members of the commonwealth, in distinction from the abstract laws and the person of the sovereign, which are the only victims of illegality and law-breaking. Yet, at this point, it is still unclear whether the development of social power represents an expansion of sovereignty in the sense that subjects increasingly regard themselves

⁶⁵ “[A]s ‘society’ becomes the emergent entity harmed by crime, the early modern criminal’s role and function changes as well: he or she is not merely the barbaric other to be disposed of (or not) by the sovereign’s absolute privilege. [. . .] Here the confrontation is among competing social forces, rather than the sovereign, binary confrontation of absolute power with a tabula rasa body” (Nealon 2008, 30).

⁶⁶ The concept of criminality, as opposed to illegality or lawbreaking, develops in tandem with the emergence of social power. According to the *Oxford English Dictionary*, the criminal is one accused of a crime, a point the OED confirms with a passage from William Tirwhyt’s 1634 translation of *The Letters of Monsieur de Balzac*, in which Balzac makes explicit comparison between the sovereign and disobedient subjects by noting “[t]he number of Judges is not much inferiour to that of Criminals.” More relevantly, the OED notes crime as involving offense to public welfare and the instances of crime cited deal primarily with violations of the unwritten customs of common law, including: “homycydie,” “sclauders,” “backbytynges,” and “fornicacyon.” In other words, criminality has the strong overtone of being injurious to specific individuals within society or indirectly to society as a whole, rather than being an affront to the dignity of sovereign law. By contrast, the “lawbreaker,” as one who violates the dictates of positive law, bears explicit comparison to “ydolaters,” “theefe[s]” and all those whose acts of violation compromise the letter of law established by the sovereign. For his part, Foucault notes that the dispute between common law and Roman law in England, relates to the “massive historical fact” that “[t]he juridico-political theory of sovereignty—the theory we have to get away from if we want to analyze power—dates from the Middle Ages. It dates from the reactivation of Roman law and is constituted around the problem of the monarch and monarchy” (Foucault, *Society Must Be Defended* 2003, 34).

as sharing in the sovereign duty to defend and bear a body of laws expressing their interests and will. It may be instead that sovereign law owes its continued legitimacy and authority to the fact that it serves as the *de facto* standard and blazon of “social” interests toward which members of the commonwealth admit only the most abstract and tenuous loyalty.⁶⁷

With the development of disciplinary power, the interests of the sovereign will certainly become a discrete question placed alongside the interests of society. There will be no question that the law can serve two distinct masters, either sovereign or society, and the political question will become how to find the point of overlap between the two, if not how to dispose of the aspects of sovereignty that oppose society altogether. In this context, discipline refers to the repurposing of sovereign tactics for the aims of a society composed of multiple, distributed authorities. For example, the sovereign emphasis on territoriality shifts to name the social realm of common rights and privileges rather than the sovereign’s geographical and juridical domain. While “territory” no longer corresponds to the integrity of the sovereign’s body but to the mechanical organization and distribution of forces within society according to the laws of the physical world, it yet preserves an echo of the binary emphasis that draws absolute distinctions between legality and illegality in terms such as function and dysfunction, normal and abnormal or even the division between order and disorder that will eventually affect Enlightenment attitudes toward nature so decisively. The importance of this “echo” of binary thought in the transformation of territorial metaphors borrowed from sovereignty is that the normative appeals

⁶⁷ As an admittedly anachronistic illustration, one could compare the question of whether “social power” represents the extension of sovereign power to the social body or the emergence of a contrasting force to Friedrich Engels’s contention that placing the means of production in the hands of the state simply brings class antagonisms to a head because “the modern state, no matter what its form, is essentially a capitalist machine, the state of the capitalists, the ideal personification of the total national capital. The more it proceeds to the taking over of productive forces, the more does it actually become the national capitalist” (Engels 1910, 123). To paraphrase the point, it is unclear with social power whether power actually functions differently, or whether the costs of sovereignty compel rebranding in the name of a “social power” that makes the social body into ‘the ideal personification of sovereign power,’ a ‘social sovereign’ in a manner similar to way state consolidation of productive forces renders the state a national capitalist.

of lawfulness, functionality and order persist in the operation of disciplinary power as unquestionable standards for disciplinary technologies in much the same way that the sovereign's will established an unquestionable standard for deciding between permitted and prohibited behaviors. Although the transition through social power will diffuse the boundary between sovereign and social will, as it coincides with diminishing the application of force to the bodies of subjects, social power's list toward discipline remains highly influenced by the technologies of sovereignty. Before discussing disciplinary strategies in their own regard, I would like to briefly outline the ghosts of sovereignty found in the normative overtones of disciplinary conceptions of order and function.

At the macroscopic level, the transition from sovereignty to discipline describes an attenuation of the effects and interventions of sovereign force as a response to the costs associated with the administration of that force. However, Nealon points out that it would be wrong to conclude from this attenuation that the force wielded by the sovereign has ceased operation. Rather, with the emergence of discipline, we see "the emergence of power's *economic* viability: producing the desired effects with fewer costs, less expenditure of time and effort; better results with less economic and political resistance" (31). With this awakening to a certain economic sensibility, new intensities of force emerge around subtler techniques of influence. Dispensing with the intensities of physical violence through the virtual threat of force, with discipline,

[p]ower's intensity names its increasing *efficiency* within a system, coupled with increasing *saturation*. As power becomes more intense, it becomes 'more economic and more effective.' In this sense, the genealogical shift from torturing the body to training it is hardly the eradication of the punitive gesture; rather, it works to extend and refine the efficiency of that gesture by taking the dramas of punitive power and resistance out of the relatively scarce and costly criminal realms and into new situations or 'markets'—to everyday life in the factory, the home, the school, the army, the hospital (32).

In Nealon's characterization of the new form of intensity that goes along with disciplinary techniques predicated upon the value of efficiency rather than magnitude, distribution rather than concentration, training rather than violence, one notices three remnants of a characteristically sovereign approach to power. First, power remains territorialized to the extent that its intensity consists of efficiency and saturation *within a system*. Second, the territorialization of power continues the binary gesture of punishment, the sovereign "right to *take* life or *let* live [. . .] a right of seizure: of things, of bodies, and ultimately life itself" (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 136). It does this by allying laudable social institutions such as factories, families, schools, armies and hospitals with the sovereign's right to "take hold of life in order to suppress it" (136) in order to punish threats to social order including the unemployed, the unmarried, the uneducated, foreign commonwealths and the sick. Third, with the motivation to increase efficiency within an established territory specified by its adherence to systematic procedures, and the use of a binary division of society to distinguish useful institutions from harmful irregularities, the lightened, more efficient brand of intensity characteristic of discipline even retains a degree of sovereignty's interest in the integration and unification of powers that Hobbes attributed to the leviathan.

I would like to elaborate on each of these remnants, beginning with the claim that disciplinary systematicity relies on sovereign territoriality. Efficiency and saturation within a system implies the use of established boundaries and territorial markers defined using the same imperial authority by which the sovereign claims ownership of everything within the commonwealth. Although the systematicity of disciplinary power involves using a less invasive form of training that attempts to elicit the latent capacities belonging to various institutions and members of various social strata, these capacities acquire their social meaning in light of norms

of permissibility and prohibition borrowed from sovereignty. The Marxist criticism that because “the need of a constantly expanding market for its products chases the bourgeoisie over the whole surface of the globe” (Marx and Engels 1994, 162) the capitalist never ceases to seek “conquest of new markets, and [. . .] the more thorough exploitation of the old ones” (164) represents the rule rather than the exception because the opening of new markets and the saturation of old ones seeks to maintain the same territorial guidelines that prop up class hierarchy. To be sure, my point is distinct from Marx’s and neither Foucault nor Nealon is interested in power as it permits one class to oppress another, which would certainly mean overemphasizing the continued dominance of sovereignty. Marx’s significance to this point is in his emphasis on the non-geographic nature of “territory” in the development of disciplinary power relations that nevertheless function under the direction of sovereignty’s territorial investments. “Markets,” like “territory” implies a commonality of rules, customs, currencies, languages or values. Just as the sovereign’s law applies in every corner of the commonwealth, so the law of disciplinary efficiency requires a recognizable body of capacities and a neutral ground upon which they can be compared, evaluated and organized.

Two examples, one general and one specific, illustrate the persistence of sovereign territoriality in the development of uniquely disciplinary strategies. First, the general example of “docile bodies” constructed through the simultaneous division and concentration of the mechanical body’s powers. In viewing the docile body, discipline first borrows the privileged site of sovereign intervention, the individual body, and, based on the image of the body as the agent of both lawful conformity and unlawful insurrection, breaks it down into a family of distinct aptitudes and capacities clearly demarcated along lines of legality and illegality. Second, discipline concentrates, diminishes, rearranges or modifies these capacities in step with the

concept of the body as a neutral ground whose composition contributes to the formation of numerous aptitudes coordinated to produce actions in accordance with prescribed standards.

Although discipline eventually separates the concentration of capacities from the coercion of the body, Foucault's image of the docile body emphasizes that with discipline,

[t]he human body was entering a machinery of power that explores it, breaks it down and rearranges it. A 'political anatomy', which was also a 'mechanics of power', was being born; *it defined how one may have a hold over others' bodies, not only so that they may do what one wishes, but so that they may operate as one wishes, with the techniques, the speed and the efficiency that one determines* (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 138).⁶⁸

Although discipline gradually replaces, "the speed and efficiency that one determines" with the goal of "exhaustive use," (154-56) or efficiency for efficiency's sake,⁶⁹ with the docile body efficiency still requires a conception of the standard of efficiency that may be expected of the body, the individual's life and society at large. Discipline borrows this standard of efficiency

⁶⁸ Emphasis added.

⁶⁹ The section on "exhaustive use" in *Discipline and Punish* seems to supply the prevalent interpretation of disciplinary power as a way of progressively concentrating and intensifying efficiency. Ladelle McWhorter, for example, points out that among the practitioners of disciplinary power "the question was how to get the most out of time, it was a question 'of extracting, from time, ever more available moments and from each moment, ever more useful forces.' Mechanical disciplinarians hoped to maximize efficiency by specifying down to the smallest details the order, duration, and the direction of each move the body had to make" (McWhorter, *Bodies and Pleasures: 1999*, 151). One might note that even in the paradigm of exhaustive use, the specter of the sovereign remains. There is still the question of efficiency's maximization for the production of "ever more useful forces" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 154) that must be determined in accordance with the sovereign's will. For instance, one might ask for whom these forces are useful? Who determines utility and according to what standard? It is uncertain whether a common evaluation of utility runs through the paradigm of exhaustive use or whether utility constitutes an ad hoc standard. Yet, in that case, there is the question of what necessity organizes "the order, duration, and the direction of each move *the body had to make*." Citing the same passage from *Discipline and Punish*, Nealon glosses the emphasis on efficiency this way: "As far as discipline is concerned, efficiency is not, in other words, simply a question of working on the body or the will of the individual (physical prodding or psychological means of making people feel guilty for slacking off), but of positively developing and harvesting capacities, ever-more-minute amounts or levels of time" (Nealon 2008, 36). While the questions of useful time and necessary movements have disappeared in Nealon's account, the passage on "exhaustion rather than use," which Nealon subsequently quotes to emphasize the saturation of disciplinary power within society, relies on a territorial concept of the body as composed of definite aptitudes capable of being exhausted and a defined social network of relations capable of saturation. Despite its exhaustion, the sovereign's territorial powers remain intact even while being pushed to the limits of their intelligibility.

from sovereign conceptions of the proper constituents of a territory defined by law or the sphere of social interests.⁷⁰

The disciplinary theme of economy thus does not correspond to the infinite expansion of authority sought by the sovereign, but to the infinite thrift according to which power must be used. This requires being modest and *economical* in one's expenditures as opposed to "the sumptuous expenditure of the power of the sovereign" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 102). Within a limited territory, equipped with modest means, capable of exerting moderate influence over bodies endowed with a fixed set of aptitudes, one must conserve one's resources, spending frugally to avoid the possibility of scarcity, which could upset the fragile balance of power that distinguishes economic subsistence from financial and political ruin. This is the thought that seems to govern the production of docile bodies and it is the kind of thought that offers a specific example of the persistence of sovereignty's binary emphasis in the economic thought of mercantilism that Foucault analyzes in his 1978 lecture course *Security, Territory, Population*.

Foucault begins to illustrate sovereignty's persistent influence within mercantilism after beginning his course with an analysis of eighteenth century city planning designed to show,

how the territorial sovereign became the architect of disciplined space, but also, and almost at the same time, the regulator of a milieu, which involved not so much establishing limits and frontiers, or fixing locations, as, above all and essentially, making possible, guaranteeing, and ensuring circulations: the

⁷⁰ In concluding his analysis of the disciplinary production of the docile body, Foucault emphasizes the persistence of the sovereign territorial metaphor within disciplinary strategies even as they exist alongside more obvious forms of sovereign force. He notes, "[i]n the great eighteenth-century states, the army guaranteed civil peace no doubt because it was a civil force, an ever threatening sword, but also because it was a technique and a body of knowledge that could project their schema over the social body" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 168). Although having less recourse to the sword than previously due to the costs incurred from an angry and rebellious citizenry thanks to its display, sovereignty still intervenes at the level of a social body coextensive with its geographical territory. While discipline's emphasis on efficiency complicates the meaning of sovereign territory, in the "*anatomo-politics of the body*" (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 139) that produces docile bodies, discipline cannot function without borrowing the territorial concept from sovereignty.

circulation of people, merchandise, and air, etcetera (Foucault, *Security, Territory, Population* 2007, 29).

In discussing the transition from sovereign territory to disciplinary space, Foucault sought to illustrate how the organization and regulation of space established the forms of interaction and circulation that would eventually become the economic relations of disciplinary power while nevertheless conserving the power of sovereignty. Circulation moves specific properties within established channels for the realization of definite goals. Accordingly, circulation takes place within the shadow of a sovereign administration that not only carves the channels but specifies the goals to which they are directed. Like the concentration of the body's forces or maximization of capacities sought under the paradigm of exhaustive use, the notion of regulating circulation according to a standard of maximum efficiency is a distinctively sovereign, binary inflection of disciplinary power.

When approaching mercantilism, Foucault highlights the theme of scarcity in mercantilist discourse because, like the threat of illegality, scarcity seems to name the possibility of an unquestioned evil, which must not only be minimized but also prevented from occurring at all. Defined as “a state of food shortage that has the property of engendering a process that renews it, and, in the absence of another mechanism halting it, tends to extend it and make it more acute” (30), scarcity names a specifically sovereign interpretation of capacity. Becoming infinitely more concentrated because it possesses “the property of engendering a process that renews it,” scarcity mirrors the intensifying property of efficiency seen in eighteenth-century disciplinarians' attempts to extract ever-more-subtle uses out of pre-established units of time. Yet, to the same degree that efficiency appears to the disciplinarian as an essential good, scarcity appears to the mercantilist as an essential evil. Where the disciplinarian uses sovereignty's binary logic in seeking to ensure arrangements of bodies and capacities that will maximize the efficient use of

time, the mercantilist uses the same binary logic of sovereignty to guarantee forms of circulation that will minimize, and possibly preempt, scarcity.

While it is a given that sovereignty employs a binary logic in the spectacular force it brings to bear on the alien Other of the lawbreaker's body, mercantilism's use of this binary logic for the purposes of prevention rather than eradication indicates a movement toward a singularly disciplinary emphasis on social saturation. While the sovereign assumes the right to punish as a means for bringing illegality to a halt, either through direct action on the prisoner's body or by using the spectacle of punishment as a warning to others, only with the development of disciplinary training does the sovereign acquire the capability, and with it the duty, to prevent social ill before it can begin. In light of this newfound possibility and subsequent emphasis on preemption rather than annihilation, the problem of scarcity for the mercantilists represents a hybrid of sovereign and disciplinary operations:

a system that I say was both juridical and political, a system of legality and a system of regulations, which was basically intended to prevent food shortage, that is to say, not just to halt it or eradicate it when it occurs, but literally to prevent it and ensure that it cannot take place at all. This is a juridical and a disciplinary system that, concretely, takes the classical forms you are familiar with (31-32).

These classical forms, including price controls, supervision over crop selection and plantings, and restrictions on hoarding, combined outright exclusions with the use of inducements that would ideally prevent the activities that contribute to scarcity altogether by promoting the polar opposite of scarcity, namely the maximization of circulation and the production of superabundance.

Toward the goal of maximized grain production and circulation, the mercantilists used policies designed to produce "the lowest possible price, so that peasants [would] make the smallest possible profit and townspeople [could] thus be fed at the lowest possible cost and [. . .] consequently [be] paid the lowest possible wages" (32). Facing a threat that quite simply cannot

be prohibited directly, nullifying the traditional tools of the sovereign, the mercantilists employed a system of prohibitions and restrictions that combined to prevent scarcity by limiting the costs of grain, thus maximizing circulation, eliminating the threat of scarcity without responding to the threat directly. Rather than responding to the actual outbreak of scarcity, at which point the costs of remediation often exceed the sovereign's resources, mercantilism responds to the possibility of scarcity: disciplinary tools designed to elicit and record the market's capacities and aptitudes for an outbreak of scarcity reveal a correlation between low prices and maximum circulation, which are typically absent from outbreaks of scarcity. As a result, these disciplinary techniques suggest a means for combating scarcity in its virtualized form, as a threat, in reconfiguring markets to immunize them from outbreaks of scarcity resulting from circulatory blockages brought on by high grain prices. Yet, because sovereignty's evaluation of scarcity as an absolute evil relies on a pre-disciplinary understanding of scarcity which views it largely in terms of its threat to social stability, it remains unclear to the mercantilists that their emphasis on maximizing production could coincide with the greatest threat of scarcity as well.

After reviewing the pattern by which falling prices yield fewer profits and, for a time, lower costs to consumers, but only before undermining the possibility of maintaining necessary production levels and triggering waves of shortages, it remains one of economic history's ironies that the mercantilists' policies intensified "precisely the scourge it sought to avoid" (33). Of course, the mercantilists knew of patterns linking costs and exports. Their goal of maximizing exports by cutting costs was based upon this connection, but the mercantilists failed to understand that the patterns they observed were not only the effect of inefficient or unsystematic legislation, they were also the patterns of interaction that developed naturally among the markets

themselves. The failures of the mercantilists' policies made the distinction between government intervention and market fluctuation plain enough, but for our purposes the appeal of the free market becomes interesting for another reason. It is not as though the mercantilists failed to heed the distinction between government regulation and market performance. They understood this relationship well enough that they advocated a policy designed to exploit the relationship. They never understood that the goals of maximum circulation, production efficiency and the minimization of costs entailed consequences outside the relationship between government intervention and market performance. To say that the mercantilists relied upon a binary logic they borrowed from sovereignty means in part that the capacities they looked at corresponded to the capacities useful for the preservation of the public order prized by sovereignty.

By contrast, the emphasis on the free circulation of goods advocated by the Physiocrats was an attempt to make government more responsive to normal, periodic fluctuations between scarcity and overabundance, eliminating the binary myopia of mercantilism and regulating economies in step with the periodic cycles of nature. Breaking up this myopic binary emphasis required a change in perspective, rather than simply distributing the expenses and privileges of government more efficiently. According to Foucault, the Physiocrats' emphasis on free circulation means that "the event on which one tries to get a hold will be the reality of grain, much more than the obsessive fear of scarcity" (36), thus moving from an economy of conspicuous intervention to an economy of observation, relying on observation to intervene only when necessary and then only at the proper moment. By resituating itself at the level of observation rather than the level of intervention, the disciplinary regime represented by the Physiocrats no longer needed to import its priorities from sovereign territorial integrity and binary evaluation. Rather, in focusing on detached observation,

this reality of grain, on its entire history, and with all the fluctuations and events that may, as it were, change its history or divert it from an ideal line, one will try to graft an apparatus so that fluctuations of abundance and cheapness, of scarcity and dearness, are not prevented in advance or prohibited by a juridical and disciplinary system that, by preventing from this and constraining to that, seek to avoid them (36-37).

The “ideal line,” upon which the disciplinary apparatuses are grafted, refers to the ideal of the statistical norm, which is based on an aggregation of unfettered individual movements and performances, rather than an ideal set out as a sovereign imperative for the docile body and the mercantilist economy alike. Whereas the ideal quality of the sovereign performance standard rests upon a broadened view of first, sovereign and later, social interests, the observational standard seeks to understand its object on its own terms and in the relations it permits, opening the possibility of reevaluating formerly devalued capacities that seemed to either resist or play no role in the preservation of sovereign interests.

In the examples of discipline’s production of docile bodies and mercantilism’s use of disciplinary concentrations of efficiency to combat the inimical problem of scarcity, Foucault’s analysis testifies to the persistence of the sovereign themes of territorial integrity and binary evaluation, as well as an interest in the transcendental continuity of the sovereign’s powers. Bodies and economies alike appear as assemblies of capacities, some of which contribute to the continuation of sovereign influence and must be concentrated, while others detract from the integration of sovereign powers and must be eliminated. Only with the discovery that the “useful” capacities cannot be distinguished from the “harmful” ones in advance and with some understanding of how bodies or economies behave in the absence of sovereign influence, does discipline acquire its own, unique form of influence, expressed through the ideal of observational neutrality. Within the ambit of sovereignty, the ideal of objectivity consistently passes through the filter of the sovereign defined in terms of its territoriality, dualism and continuity. In

speaking of the transition from sovereignty to discipline as the transition from an interest in objects, to an interest in relations, Nealon addresses sovereignty's continued interest in discipline: "in other words, power regulates relations, not objects, precisely because if power can successfully regulate the relations, it gets the objects for free" (Nealon 2008, 38). Accordingly, Nealon's image of intensification characterizes a sovereign interpretation of discipline, in which discipline operates at the behest of relations defined by sovereignty's authority.

§2 Normalization, Disciplinary Power, Objectification

In the beginning, sovereignty and disciplinary power feed off of one another. Disciplinary mechanisms that maximize efficiency by saturating a domain carved out and circumscribed by sovereign authority permit the gradual virtualization of sovereign interventions and allow a lighter touch to yield more intense, calculated and organized effects. Still, for a long time, the extent to which power could economize its expenditures was framed by the capacities, aptitudes and processes that could conceivably impact the preservation of the actual body of the sovereign or the social body of the sovereign's delegated authority. Though the socialization and disciplinary maximization of power yielded a glimpse of the complex, unforeseen interrelations with which the exercise of sovereign power had to contend, disciplinary technologies functioned within a domain defined by sovereignty until they could be conceived to operate on objects without any explicit normative or governmental preference. To put things another way, power remained indebted to the image of the sovereign's mythic integrity until disciplinary mechanisms could become a source of their own normative processes, though this would require transforming the concept of normativity into one which dealt with regularly occurring effects or patterns of

behavior rather than the coercion of objects toward pre-established goals or standards of performance.

With normalization and the establishment of “properly” disciplinary procedures,⁷¹ the social mechanisms rendering sovereign expenditures of force more efficient within their proper spheres discover the power of exercising minimal force, and experiment with the elimination of all force whatsoever. Instead of applying force, disciplinary techniques aim at eliciting the normal tendencies of individual bodies such that their collective paths of least resistance might be distributed and organized according to a broadly economic administrative plan. For all of its punitive associations, the Panopticon represents the privilege discipline grants to observation by providing at once a place for observation and a mechanism for calculating, offsetting and compensating for the intrusions of observation itself. Accordingly,

[t]he Panopticon is a privileged place for experiments on men, and for analysing with complete certainty the transformations that may be obtained from them. The Panopticon may even provide an apparatus for supervising its own mechanisms. In this central tower, the director may spy on all the employees he has under his orders: nurses, doctors, foremen, teachers, warders; he will be able to judge them continuously, alter their behaviour, impose upon them the methods he thinks best; and it will even be possible to observe the director himself (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 204).

In this “mechanism abstracted to its ideal form; its functioning abstracted from any obstacle, resistance or friction” (205), Foucault discerns the inverted image of sovereign spectacle, namely, disciplinary neutrality. This new image is gained at the price of sovereignty’s overture, which means discipline amounts to a form of self-knowledge and self-effacement. Yet, just as

⁷¹ Of course the question of what constitutes a properly disciplinary technology must be inevitably complicated by the fact that disciplinary techniques seem to be those that have no propriety of their own, arising by definition from the interactions of individuals, markets and bodily movements as an internal principle of efficient activity. By definition, disciplinary mechanisms will complicate the question of their technical (as opposed to natural) apparatus because the procedures they establish only incidentally differ from the movements of the objects in question. Nevertheless, it will be precisely this gap between the ideal invisibility of disciplinary procedures and the characteristic artifice of such an ideal that typifies the visible profile of disciplinary mechanisms and power relations.

discipline purchases this neutrality by renouncing more direct forms of intervention associated with the sovereign, normalizing discipline purchases and produces objectivity through practices of disciplinary observation, confinement and individuation devoted to the organization of space instead of the regulation, and sometimes the destruction, of bodies occupying defined spheres of activity.

In being restrained from the expensive displays of power associated with sovereignty, disciplinary practices establish an economy that dilutes the efficacy of sovereign interventions. An economy of neutrality guides the elaboration of disciplinary mechanisms precisely to the extent that it rejects the sovereign's intrusions, thereby establishing its own acceptance as the inverse of the sovereign's advances.⁷² Capacities, for example, no longer appear in terms of utility, harm or efficiency, but as variable attributes whose concentration or attenuation carry no explicit sanction or normative value. Instead of assigning values, establishing uniform arrangements and minimizing resistance directly, disciplinary normalization involves the patient work of observing patterns as they emerge of their own accord, in a neutral space beyond the territory of sovereign regulation and coercion. Viewed according to the standard of visibility, sovereignty and discipline exhibit reversed polarities such that "[t]raditionally, power was what was seen, what was shown and what was manifested and, paradoxically, found the principle of its force in the movement by which it deployed that force" whereas "[i]n discipline, it is the subjects who have to be seen. Their visibility assures the hold of the power that is exercised over them" (187). Likewise, as polar opposites exert contrary forces that hold one another in check

⁷² In a sense, discipline is the continuation of resistance to sovereign power to the extent that it continues the strategy of resistance that objected to the audacity of sovereignty's display of force. As will be shown in the discussion of resistance to disciplinary power beginning on page 170 below, this theme of resistance being co-opted into strategies of biopower will parallel the development of power that Nealon characterizes as intensification. Resistance to disciplinary power becomes consolidated in the emergence of biopower and, for a time at least, raises questions about the viability of any resistant strategy.

without neutralizing one another, discipline appears in direct conflict with the spectacle of sovereignty that once furnished the parameters of social observation. Accordingly,

whereas the juridical systems define juridical subjects according to universal norms, the disciplines characterize, classify, specialize [. . .] In any case, in the space and during the time in which they exercise their control and bring into play the asymmetries of their power, they effect a suspension of the law that is never total, but is never annulled either (223).

This suspension without annulment, the sympathetic relationship of polar opposition, modifies the relationship between discipline and sovereignty. In that modification, sovereign law imposes standards on what constitutes a body that are drawn from binary forms of evaluation in terms of utility and harm. At one end of the spectrum, the sovereign looks for useful capacities in order to promote them, investing those bodies with its authority and delegating that authority to plan additional investments. At the other end of the spectrum, the sovereign looks for harmful capacities in order to eradicate or prevent them. The standards of utility and harm serve as useful terms for establishing gradations and a continuum linking utility and harm in the same economy, but to the extent that the meanings of these terms come from the decision of the sovereign, or in the case of the mercantilists, the sovereign's social delegates, these standards remain within the dualistic economy of sovereign authority. In contrast, discipline's standard, scale, or level of magnification within which observation operates, comes from the subjects themselves rather than being gleaned from the holdovers of sovereign fiat. Sovereignty no longer establishes limits that serve disciplinary observation as a standard from which to take its measure. Instead, sovereignty attenuates the conspicuity of power while at the same time extending its reach by representing the object Other of disciplinary observation, remaining in place only to the extent that its excessive intrusions serve to establish the inoffensive, judiciousness of detached, disciplinary observation.

Though disciplinary techniques acquire their influence from the observed capacities of individuals, Foucault insists that this neutrality produces novel asymmetries of power in which disciplinary tactics exert the power to make subjects visible and arrange them in space, thereby creating stable objects of assembled observances. Foucault speaks of these asymmetries of disciplinary power in terms of an “infinitesimal distribution” (216), “homogenized” space, “carceral continuum” (297) and a project of “generalized surveillance” (209), yet he insists that this image of generalized, continuous, homogenized space, infinitely divided and distributed exists at the “opposite extreme” (208) from sovereignty. One can understand this extremity as the ability of discipline to disappear behind objects rather than displaying its influence to hold subjects in awe. The generality Foucault attributes to discipline owes to its capacity to form individuals whose “reality,” “domains of objects and rituals of truth” (194) eclipse the effectiveness and prevalence of sovereign power, permitting discipline to operate as a comparatively neutral ground against which differences appear and acquire their significance.

Discipline’s profile recedes not because it is a form of authority delegated more widely throughout the social sphere, but rather because discipline’s shift toward invisible observation appears diminished by comparison with sovereignty’s emphasis on visible intervention. Rather than displaying force to coerce bodies into conformity, discipline uses force when necessary in order to exhibit the capacities of those bodies. Bodies, individuated according to what they can do rather than their conformity to sovereign standards, seem to reveal natural properties rather than the investments or delegations of power. As such, the individuals composed out of these bodies find themselves very interested in the results of disciplinary evaluation. Rather than indicating the extent of the sovereign’s intrusion into the social sphere, disciplinary evaluation appears as the antidote to such intrusion. Without delegating or investing its authority in those

bodies, discipline consists of a distribution of powers in space and time, the authority to display those powers, and the capacities inhabiting natural bodies.

Foucault's discussion of the military examination in *Discipline and Punish* provides a vivid illustration of discipline's retreat behind the objectivity of bodies as they are pushed into the foreground by processes of normalization. Within mechanisms of discipline aimed at producing bodies of maximum utility and docility, Ladelle McWhorter emphasizes the point that military disciplinarians such as J.A. de Guibert "observed that, while the drills in use effectively trained *most* men to be soldiers, there were always a few bunglers or at least some who took much longer to train" (McWhorter 1999, 152). The mechanical uniformity by which disciplinary tactics analyzed complex acts into their simplest component motions ensured both that training was comprehensible to those being trained and that training fell within the range of possible motions that a body could be expected to perform. While being comprehensible and possible, the required motions, either individually or in aggregate, did not always "coincide with [. . .] the 'natural' bearing of the soldierly body" (152), leading to performance disparities that could only be eliminated with additional training, scrutiny and observation of those outliers whose performance either greatly excelled or greatly lagged behind their counterparts. More specifically, then, it is not that certain motions diverged from the natural bearing of bodies in general that aroused disciplinary attention, it is that certain motions diverged from or conformed to an "ideal line" for specific kinds of bodies, which belonged to particular individuals, who were perhaps "too fat to move quickly enough or too short to strike a pose with a rifle that [was] too long" (152). As disciplinary analysis successfully breaks down these acts into their simplest components, the analyst discovers that these components cannot be rearranged at will. Instead,

the process of arrangement itself has to be tempered in order to take heed of the underlying combinations and existing forms of arrangement that constitute the acts in question.

It is important to note that, for Foucault, the object confronting disciplinarians such as Guibert was not a naturally occurring object having its origin outside the new disciplinary emphasis on observation. The new object, the body composed of nascent forces and functional priorities, *was the product of disciplinary observation* to the extent that its distinctive properties became visible only in reference to disciplinary norms involving the proper execution of military maneuvers. What McWhorter calls “something in the body itself, some force that is internal to it” (152), I would like to discuss in terms of possible combinations of elements or thresholds limiting the possibility of effective arrangement and rearrangement. Though slight, the distinction between McWhorter’s “internal force” and my “functional possibility” may be warranted by Foucault’s warning that the body Guibert discovers “is offered up to new forms of knowledge. It is the body of exercise, rather than speculative physics; a body manipulated by authority, rather than imbued with animal spirits” (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 155). In other words, the body Guibert observes is neither the machine, nor the ghost in the machine. It is a body whose functioning or exercise meets certain performance thresholds or tolerances and submits to the authority of observation, rather than being permitted or cancelled out by a more powerful contrary force. It is not the case that with Guibert, one rediscovers the atavistic autonomy of the animal body that we saw with Canguilhem’s analysis of vitalism. In claiming that “there is something inherent in bodies that resists training” (McWhorter 1999, 152) McWhorter invokes the specter of vitalism without endorsing it. In doing so, she indicates the similarity between the image of vitalism and discipline’s discovery that bodies constitute specific kinds of economies or functional relationships, for which

integration into other economies entail significant disruptions.⁷³ In this case, the economy of the military, with its performance demands and thresholds, clashes significantly with the economy of the disproportionate body, the outlier's body, the body at the margins of the statistical performance average of training and competence.

According to this image of the organism, the body consists of a functional unity rather than a necessary, self-organizing essence. This functional inflection of natural bodies occurs as “[d]isciplinarians gradually come to view the bodies in their charge not as machines, collections of moveable parts related in space, but rather as organisms, perfectly unified wholes that are most essentially characterized by temporal processes, forces that constitute their ‘functioning’ through time” (153). No longer machines, but not intrinsically organized by something like an animal spirit or a soul, either, bodies acquire their identities from their performance capabilities, in terms of what they can do, relative not only to individual prior performance, but to the performances of others characterized by similarly observable capacities. In this context, when the question of disparity arises, it concerns the manner of organization within a given body rather than indicating a potent animal nature. Within an economy of functional relationships utility and harm may still exist, but they acquire their meaning within a scale of comparisons among bodies such that resistance no longer indicates insurrection, but incompatibility: “these natural bodies may resist military discipline, for example, simply because the processes most natural to them are contrary to the process of the drill” (153). Although McWhorter uses Guibert’s language

⁷³ In terms of disruption, the image of bone-setting has some illustrative value here. In order to make the limb functional within the demands of a given society, for the existence of a particular type of organism, the bone must be allowed to develop or heal in a way that permits the organism to participate in the expectations of that society. Not all of these expectations are “functional” in the same sense of the term. For instance, it is arguable that foot binding impairs function in terms of range of motion, yet the practice nevertheless serves a functional equivalent within particular cultural conventions. Although the practice of bone-setting as a form of spinal manipulation was enjoyed primarily by royalty, who also employed bone-setters in practices of torture and execution using the garrote, and, to that extent, the practice reminds one of the sovereign’s direct manipulation of the body, in the disciplinary context, bone-setting acquired a decidedly therapeutic connotation whose inflection focused primarily on functionality, broadly defined in terms of bodily capacities.

regarding the “natural” dispositions of the soldierly body, which is a language of organic unity and a language invoking bodies’ perfection as unified wholes, the unities disciplinary observation discovers are far from the vital workings of nature, *φύσις*. Without reducing organisms to mere mechanisms distinguished from their vital functions, discipline draws on the mechanistic history of the *organon* associated with Francis Bacon,⁷⁴ to suggest that, without being teleological, the interdependent parts of an organic system constitute a whole capable of asserting a new kind of normative claim.

This functional nature of bodies involves just that degree of normativity involved in allowing an existing functional system to maintain its current operation. Keeping the range of examples within the universe of mechanics, we might think about the way a wheel exerts entirely new forces when spun around a central axis as opposed to when it remains stationary or performs nearly any other task. Performing this function, which is no more ‘natural’ to the wheel than using it as a Frisbee or a table, allows the wheel to exhibit new properties from which it resists diverting. Like the functionally dependent identity of the spinning wheel, the natural body depends upon observation for the production of functional norms and averages:

⁷⁴ In Bacon’s estimation, nature consists of an infinitely complex mechanism, but a mechanism nonetheless. Accordingly, the same mechanical principles that we observe in the operations of machines produced by human art operate on an infinitely enlarged and complicated scale in the natural world. At the same time, the infinite expansion of this mechanism’s complexity requires a degree of respect and deference not owed to any mechanism of human making. Since “[h]uman knowledge and human power meet in one, for where the cause is not known the effect cannot be produced. Nature to be commanded must be obeyed; and that which in contemplation is as the cause is in operation as the rule” (Kramnick 1995, 39). Bacon recognizes the process of knowledge acquisition through observation as being continuous with the process of attaining mastery. Part of Bacon’s critique of scholasticism amounts to claiming that the “Schoolmen” appealed to the wrong audience and pursued the wrong goal, for which “the use of anticipations and logic is good; for in them the object is to command assent to the proposition, not to master the thing” (40). Yet, Bacon’s synthesis of observation and mastery illustrates discipline’s use of physical coercion, not for the purposes of direct manipulation, but for the purposes of observation and progressive mastery. Reflecting upon Bacon’s “logic of domination,” Trish Glazebrook quotes Bacon to provide a vivid image of the continuity between observation and mastery: “His experiments extracted conclusions ‘out of the very bowels of nature,’ when she (*sic*) is ‘under constraint and vexed; that is to say, when by art and the hand of man she is forced out of her natural state, and squeezed and moulded’” (quoted in (Glazebrook 2004, 107), originally from (Bacon 1980, 23, 27)). Combined with Bacon’s emphasis on the continuity between the knowledge and control of nature, the image of Bacon squeezing, prodding and forcing the organism from its “natural state” highlights discipline’s understanding of the organism as a partly mechanical, partly functional unity characterized by the regularity of its functioning observed over time and under distinct forms of stress.

this emerging concept of “the natural” simply consists of these sets of norms; the natural just is the normal, the developmental patterns still supposedly discernable beneath the layered impositions of mechanistic regimens, patterns that can be “re”-constituted by observing how the body resists the regimens overzealous disciplinarians seek to impose (153).

Instead of naming an independent, occult force inherent in bodies, or else an inert material to be formed in whatever fashion meets the needs of the sovereign, society or the military, the natural, functional unity of the body corresponds to a set of observed functional relationships, provided observation identifies and offsets its own effects upon the functional relations it tries to elicit. Disciplinary practices produce a knowledge whose objectivity, which is one of discipline’s primary achievements, cannot be conceived without considering the observer’s effect upon the object of observation.⁷⁵ Otherwise the functional unities provided by performance averages culled from meticulously recorded observations would be obscured by the mechanical regimens of “overzealous disciplinarians.”

Since discipline relies so heavily on the relationship to its objects and, secondarily, the relationships among its objects, their parts and their perseverance through time, discipline consists of a mastery of space rather than territory. Unlike territory, whose positive value figures in comparison with the supremacy of the sovereign’s will and subsequently generates the sovereign’s immense concern for the purity of the realm, space possesses no inherent value whether positive or negative. Space is empty, as devoid of character as it is devoid of limitation. Like the functional identity of the organism, whatever value discipline attributes to space comes from the objects that inhabit it, their relations to one another and the neutral eye of the

⁷⁵ It will be the aleatory life of the observer, which cannot be offset, that will justify the normativity of life itself understood as the biopolitical norm establishing the priority of the population in contrast to but also composed of and thus warranted by the observation of individual bodies themselves. In that context, the impossibility of offsetting the intrusion of the observer will justify establishing a link by which the functional regularities of individuals require subjection to the functional requirements of observation and regulation and this inherent normativity of “life” will constitute the innovation according to which biopolitical acts mobilize the documentary knowledge accumulated by the objectifying program of discipline. (Cf. the discussion of the biopolitical use of the normativity of life beginning on page 164 below.)

disciplinary observer. Spatial relations thus not only establish the identities of objects, but also permit discipline to measure, calculate and fix those identities over time. Although discipline assumes the right to observe and evaluate those relationships, it does so at the insistence of the functional regularities of the objects it observes. In turn, these regularities, while depending greatly on the perspective of the observer, exhibit their own normativity through which they attempt to maintain a specific state of equilibrium. From the perspective of the disciplinarian, then, there can be little question that these regularities are derived from objects, rather than imposed upon them. While it may seem obvious that the disciplinarian uses observation as a tool deployed for the sake of a cynical power grab, disciplinary power also operates by taking in the disciplinarian, using his or her commitment to observation as an invitation for self-disclosure.

As Foucault describes disciplinary mechanisms' movement beyond the field of influence governed by sovereign territoriality, he hastens to qualify this as a way of neutralizing space that comes from below, spreading through the observation of bodies and their differences, rather than something imposed by an explicit display of power, as with sovereignty. Disciplinary mechanisms of normalization require and expect neutral space to disclose everything equally, though this requirement hardly seems to serve the interest of any single individual, group or perspective. Rather, about the generality of spatial relations that draw the operators and objects of disciplinary examination equally in their wake, we can say with Foucault that, "[i]n a sense, the power of normalization imposes homogeneity; but it individualizes by making it possible to measure gaps, to determine levels, to fix specialties and to render the differences useful by fitting them one to another" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 184). In that case, the homogeneity produced by disciplinary normalization becomes an addition made by observation to the extent that it derives from the sovereign power to recognize or destroy

individuals, but at the same time it appears as nothing more than detached, neutral observation through the measurement of gaps, establishment of levels and the determination of specialties. Yet, as the manner of imposition differs, so the manner of arranging and fitting differences into useful assemblages differs. Discipline does not arrange the gaps, levels and specialties by arbitrarily distributing them in space so as to maximize their functioning as a single, unified whole. Instead, discipline arranges differences in terms of the access it presupposes and according to the functional individualities it discovers.

The homogenization *imposed* through discipline properly refers to an organization *presupposed* by disciplinary practices. In this sense, the generality of space functions neither as a conscious right nor an ideal to be achieved, as had been characteristic of sovereign territoriality. As the natural just is the normal, so neutral space *just is* the medium in which objects appear. Individuals, or rather the differences between individuals, compose the neutrality of this space. After all, space permits a range of variation that can only momentarily be arrested under the order of an imperative, and thus the assumptions that disciplinarians borrow from sovereignty constitute at worst an instrumental evil, compromising their observations. With these assumptions, Guibert could be excused if he were to respond to the charge that discipline homogenizes by protesting, ‘certainly, it was neither I, nor society, nor the military that made your body such that it proved incapable of performing the drills prescribed by military service.’ If anything were to blame it would be the divergence of expectations between the military’s needs and the body’s functional tendencies. But the military body has its performance thresholds as surely as social bodies or individual bodies have theirs. If this difference proves blameworthy, however, that divergence of expectations confirms, rather than undermines, the neutrality of a disciplinary space capable of encompassing both sets of expectations without becoming the

sovereign territory of one or the other. Just as the sovereign places certain demands upon the military requiring adherence to very precise commands, so the functional relationships of bodies place certain demands upon the organism. These demands exaggerate its features, affect its proportions, and qualify it for certain kinds of work while disqualifying it from others. In the confines of spatial relations, both economies assert their efficacy.

Under the order of disciplinary rationality, one can do away with prescriptions altogether. They only get in the way, obscuring the truth of bodies observed in what they can do when left alone. Only when left to their own devices do bodies and their capacities become truly comparable. There, bodies display the features they share with one another, permitting both points of level comparison and hierarchical evaluation. While the functional norm intends to capture what a thing is when left to itself, there is yet the danger that the image of what belongs to the isolated object results from the conditions of observation. One danger involves the problems of unobserved synecdoche, when a body's functioning in a specific environment, estimated from a particular vantage point, becomes the model of a body's overall functioning. Even the category of shared features represents only a snapshot of bodies' capacities to the extent that such a categorical overview emphasizes features with some underlying similarity, at the expense of those demarcated by their singularity. Insofar as synecdoche constitutes a particular danger attending disciplinary practice, it also constitutes a methodological concession by which disciplinarians accept some class or subset of the population as representative of the whole with the aim of using that subset to calibrate their measurements, if only imperfectly.

As a result of this methodological concession, the norm, constituted on the basis of a momentary delimitation, increasingly refers to a range of commonality, at whose center resides a point of non-differentiation where gaps, categories, and evaluations become increasingly difficult

to observe. When Foucault refers to the way that discipline delimits its field of vision in relation to the norm, he cites a section of Georges Canguilhem's *The Normal and the Pathological* in which Canguilhem sets out to explain how the disciplinary norm of the nineteenth century acquires the power to set standards in a manner similar to sovereignty's function as law.⁷⁶ Prior to acquiring this function, the disciplinary norm owes its legitimacy to its descriptive accuracy, a point Canguilhem emphasizes with an example of normalization drawn from the standardization of seventeenth century French grammar:

When the grammarians of the same era undertook to fix the usage of the French language, it was a question of norms, of determining the reference and of defining mistakes in terms of divergence, difference. The reference is borrowed from usage. [. . .] In fact in the seventeenth century the grammatical norm was the usage of the cultured, bourgeois Parisian, so that this norm reflects a political norm: administrative centralization for the benefit of royal power (Canguilhem 1989, 244).

While the French bourgeoisie's political interest in grammatical usage may seem as transparent as that guiding the grammatical usage of Friedrich Nietzsche's Greek aristocracy,⁷⁷

⁷⁶ When Foucault recommends Canguilhem's account of efforts to standardize French medical and educational practices in *Discipline and Punish* (184), he cites a passage from the 1966 edition of Canguilhem's text (327). In this edition, still twelve years before the retrospective edition for which Foucault's introduction claims *The Normal and the Pathological* to be "undoubtedly [. . .] Canguilhem's most significant work," (Foucault, *Life: Experience and Science* 1998, 476) Canguilhem provides "new reflections" on the work he originally published twenty years earlier in 1943. In particular, the section Foucault refers to in *Discipline and Punish*, "From the Social to the Vital," (Canguilhem 1989, 237-256) emphasizes the way normalization constitutes both a normative, methodological imperative and an object of dispassionate, neutral observation. Additionally, Foucault's interest in this passage can be confirmed by referencing Foucault's 1975 lecture course *Abnormal*, in which he directs his students' attention to page 145 of the French text ((Foucault, *Abnormal* 2003, 49) referring to (Canguilhem 1989, 238)), the point from which Canguilhem begins examining the concept of the norm as a "polemical concept" (Canguilhem, 239), a phrase Foucault will gloss as "a political concept" meaning "in any case [. . .] the norm brings with it a principle of both qualification and correction. The norm's function is not to exclude and reject. Rather, it is always linked to a positive technique of intervention and transformation, to a sort of normative project" (Foucault, *Abnormal*, 50).

⁷⁷ In *On the Genealogy of Morality*, Nietzsche describes a standard of usage in which Greek aristocrats described themselves as "the truthful" employing the term "[ε]σθλός" meaning "according to its root, one who *is*, who has reality, who really exists and is true; then with a subjective transformation, it becomes the slogan and catch-phrase of the aristocracy and is completely assimilated with the sense of 'aristocratic,' in contrast to the *deceitful* common man" (15). At least part of the significance of Nietzsche's observation owes to the irony—not unlike the irony with which Nietzsche's birds of prey regard the evil epithet applied to them by the lambs they slaughter to survive (28)—with which "the deceitful common man" must have heard a term denoting reality being appropriated to identify a particular class of individuals. Just as an Argentinean woman may view a tourist from the United States as being either arrogant, stupid, or both when he identifies himself as hailing simply from "America" (Lugones and Spelman

Canguilhem's point refers to a form of normativity distinct from that which operates by naked self-interest. Besides whatever self-interest the power laying claim to speak on behalf of the norm might fulfill, Canguilhem also observes another "polemical" function of the norm: "It is, in effect, a polemical concept which negatively qualifies the sector of the given which does not enter into its [i.e. the norm's] extension while it [i.e. the norm] depends on its [e.g. variation's, disparity's, difference's] comprehension" (239). Rather than openly appropriating the right to determine norms for personal benefit in the manner of sovereignty, the "polemical" function Canguilhem attributes to the norm owes to the disciplinary drive to integrate as much information as possible into the procedures and knowledges allowing prediction of the norm in the first place.

In calling the norm a "polemical concept," however, Canguilhem does more than simply neutralize the sovereign's privilege. We have already seen attention drawn to the expenditures of sovereign power in order to recommend the lower interventionist profile of disciplinary practices, with their emphasis on neutrality and efficiency. This emphasis on neutrality and efficiency grants disciplinary practices broader social acceptance and utility than previously enjoyed by the sovereign. Yet, to the extent that we view discipline in terms of an incorporation of negatively valued sovereign mechanisms for the sake of further refining disciplinary knowledges and procedures, we have not addressed how the polemic concept of the norm creates the possibility of new forms of politics. Moreover, if it makes sense to describe discipline as the inversion of sovereignty, linking the two inextricably together, it makes all the more sense to describe discipline's relation to its objects in terms of "polarity" as Canguilhem does in explaining the norm's polemical effects:

1983), so the Greek plebe or the French provincial will view the norms described by Nietzsche and Canguilhem as deeply politicized forms of usage whose representative character is complicated to say the least.

The reason for the polemical final purpose and usage of the concept of the norm must be sought [. . .] in the essence of the normal-abnormal relationship. It is not a question of a relationship of contradiction and externality, but one of inversion and polarity. The norm, by devaluing everything that the reference to it prohibits from being considered normal, creates on its own the possibility of an inversion of terms. A norm offers itself as a possible mode of unifying a diversity, resolving a difference, settling a disagreement. But to offer oneself is not to impose oneself. Unlike a law of nature, a norm does not necessitate its effect. That is to say, a norm has no significance as a norm pure and simple. Because we are dealing with possibility only, that possibility of reference and regulation which the norm offers leaves room for another possibility, which can only be its opposite (239-240).

Whereas sovereignty participates in a political dynamic organized by the principles of “contradiction and externality” that seeks to coerce and exclude in advance, or nullify the consequences of the bodies it deems as Others for the threat they represent or the harm they entail, discipline inverts this dynamic by creating, isolating and fixing its “others” in an arrangement composed of the range of possible interactions between positive and negative space, between similarity and difference and between positive knowledge and epistemological gaps. The norm invokes its opposite within an order of comparison, which the norm both presupposes and makes possible.

In presupposing that the norm resides within relations among the objects it understands itself to study, rather than in relation to itself, discipline creates the individuals it studies in the sense that it undertakes to estimate the powers, capacities and properties of real individuals while at the same time using these estimates as the basis for further comparison. Although discipline treats description of the norm as the “goal” of its study to the extent that the norm, as the aggregate of all individual differences and variation, furnishes discipline’s privileged point of observation, the norm also functions as the condition of observation, with the consequence that disciplinary practices actively contribute to the proliferation and delineation of differences. As the determination of differences establishes discipline’s authority and its potential, normalization creates a “descending” order of individuality:

As power becomes more anonymous and more functional, those on whom it is exercised tend to be more strongly individualized; it is exercised by surveillance rather than ceremonies, by observation rather than commemorative accounts, by comparative measures that have the 'norm' as reference rather than genealogies giving ancestors as points of reference; by 'gaps' rather than deeds. In a system of discipline, the child is more individualized than the adult, the patient more than the healthy man, the madman and the delinquent more than the normal and non-delinquent. In each case, it is towards the first of these pairs that all the individualizing mechanisms are turned in our civilization; and when one wishes to individualize the healthy, the normal and the law-abiding adult, it is always by asking him how much of a child he has in him, what secret madness lies within him, what fundamental crime he has dreamt of committing (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 193).

Unlike sovereignty, discipline evinces no sign of conserving the normal, healthy, law-abiding adult in the manner that sovereign law involves the preservation of the sovereign and later the social body. While it is true that the appeal of discipline depends upon the norm, this dependence is graduated, derived from the norm's homogeneity in comparison with the various shadings of abnormality, which, as Foucault notes, constitutes aspects or markers of individuality. When Foucault refers to everything being turned toward the norm in the normal-abnormal couplet, the turning he refers to indicates a steering or reorientation away from rather than directing attention toward the operation of the norm itself. To say that that individualizing mechanisms turn toward the normal thus implies attention *being turned by the norm toward the abnormal* with the effect that "in order to be exercised, this power had to be given the instrument of permanent, exhaustive, omnipresent surveillance, capable of making all visible as long as it could itself remain invisible" (214).

Like the objects it discovers, normalizing vision operates via a mechanism of clarification aimed at breaking up the continuity of the field it observes and with the indirect effect of rendering itself less visible, more anonymous and progressively more generalized within social institutions and networks of expert knowledges. Rather than steering disciplinary observation towards the margins by imposing a system of rules foreign to bodies, normalization involves the

revelation of bodies for what they are, assigning “to each individual [. . .] his ‘true’ name, his ‘true’ place, his ‘true’ body, his ‘true’ disease” (198). With normalization, the discovery of individualities not only incorporates those individuals into a homogenous domain of disciplinary space, but through the process of distribution also establishes principles of elaboration sufficiently light and inoffensive to permit the indefinite expansion of disciplinary knowledges. Clarifying its own assumptions, and thus eliminating its liabilities, the disciplinary norm subdivides objects ever more precisely, thereby producing the finest degrees and gradations of normality and abnormality. By the same technique, it renders the applicable scope of normalization ever broader, more “subtle” and less “expensive,” to borrow Nealon’s economic terminology. As a consequence of discipline’s normalizing mechanism of clarification, which is also a mechanism of knowledge production, normalization cannot be properly conceptualized without reference to the abnormal component of the normal-abnormal pair:

The abnormal, as ab-normal, comes after the definition of the normal, it is its logical negation. However, it is the historical anteriority of the future abnormal which gives rise to the normative intention. The normal is the effect of the normative project, it is the norm exhibited in the fact. In the relationship of the fact there is then a relationship of exclusion between the normal and the abnormal. But this negation is subordinated to the operation of negation, to the correction summoned up by abnormality. Consequently, it is not paradoxical to say that the abnormal, while logically second is existentially first (Canguilhem 1989, 243).

Though logically primary, the norm, as with the abnormal, only develops after normalizing observation has recorded and interpreted the data gleaned from experience. Yet, the cue for observation within the disciplinary regime involves the suspicion that some deviation already infiltrates the existing state of affairs. Without observation, this assumption regarding the status quo remains a sovereign ideal troubled by the possibility of disruption and contradiction, “the anteriority of the future abnormal.” Yet, with observation, not only are sovereign mechanisms made obsolete, but disciplinary power discovers the utility and possibility of indefinite expansion

by integrating contradiction into the normal-abnormal couplet. The intense bond between normal and abnormal individuality owes to the unique, interstitial, connective function of the norm in the disciplinary regime. According to Canguilhem's analysis of the logical contingency and existential primacy of the abnormal individual, the norm operates not as a foundational principle, but a connective, adhesive principle⁷⁸ that allows expansion precisely to the extent that the arbitrariness of the normalizing principle diminishes. Further, the singular function of normalizing discipline allows for the production of a logic in which the presupposition of an effect, such as the norm's presupposition of the abnormal, and the consequences of an effect, such as the norm's subsequent production of the abnormal individual, can be thought without contradiction. Where logic excludes, discipline creates.

Discipline thus produces the neutral space in which individuals appear not by lowering its profile to the point where it serves as the *basis* for the comparison of specific differences, but rather by reducing the friction or static involved in viewing, so that disparate objects might be brought together under the same light. Yet, in its presumption and in its doings, discipline remains in essence a "document" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 191) in which objects to be known possess their solidity on the basis of internal mechanisms and tendencies "existing before the crime and even outside it" (252), which must be determined by disciplinary technologies. Even if bodies are no longer machines, they operate by a set of

⁷⁸ Foucault picks up on this adhesive thematic of disciplinary power when he explains that the generality of a "disciplinary society" owes "[n]ot to the fact that it has replaced all the others; but because it has infiltrated the others, sometimes undermining them, but serving as an intermediary between them, linking them together, extending them and above all making it possible to bring the effects of power to the most minute and distant elements" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 216). Those long accustomed to analyzing power relations from the standpoint of sovereign operations may hear Foucault's use of the term "infiltrate" as synonymous with penetrate, but discipline functions in exactly the opposite manner. Discipline is neither a hatchet, nor a scalpel. It is water. It draws out all the specificity of bodies and uses these features to expand bodies, which would otherwise be contingent and singular, into hydrocephalic individuals. Engorged by discipline's accentuation of their characteristic differences, individuals push right up against one another, sealing up the cracks and forming a single continuous disciplinary society.

principles that can be mastered, provided that one maintains the patience to observe them—indeed the maintenance of that patience and the construction of individuals are one and the same disciplinary technique.⁷⁹ These principles, while simple, finite and essentially knowable, may be combined indefinitely, but they do not seem to do so randomly or arbitrarily, and they do not seem to change once they become known, even if further examination casts them in a brighter light. Foucault’s analysis of the prison, whose service as a disciplinary institution always coincides with cries for reform that only seem to preserve the use of the prison, provides a documentary example of discipline’s limited effects:

The self-evidence of the prison is also based on its role, supposed or demanded, as an apparatus for transforming individuals. How could the prison not be immediately accepted when, by locking up, retraining and rendering docile, it merely reproduces, with a little more emphasis, all the mechanisms that are to be found in the social body? The prison is like a rather disciplined barracks, a strict school, a dark workshop, but not qualitatively different (233).

Just as the prison is not qualitatively different from the army, the school, the workshop or even the hospital—all confine individuals in the hopes of affecting a “positive” transformation of their character—so the deviation that distinguishes the deviant from the law-abiding citizen is quantitative rather than qualitative. In other words, because discipline merely reveals progressively less visible individualizing characteristics, the transformation it carries out only amplifies without altering.⁸⁰

⁷⁹ Foucault repeatedly refers to this distinctive aspect of discipline, the sense in which it differs from sovereign power, by the way in which it deploys techniques in “which the formation of knowledge and the increase of power regularly reinforce one another” (224). As a consequence of this recursive arrangement between knowledge and power, Foucault denies that the “the discovery of the delinquent through scientific rationality” could be thought separately from, as though causing, “the elaboration of penitentiary methods.” He insists, rather, that “[t]hey appeared together, the one extending from the other, as a technological ensemble that forms and fragments the object to which it applies its instruments” (255).

⁸⁰ Popular criticisms of prisons in the nineteenth century to the effect that “[p]risons do not diminish the crime rate: they can be extended, multiplied or transformed, the quantity of criminals remains stable or, worse, increases” (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 265) suggests that discipline, viewed through its proxy of the prison, amplifies existing capacities and newly discovered ones derived from the old. Though discipline supposedly diminishes undesirable capacities, its role in attenuating certain capacities, such as criminality, and rendering bodies docile, states peaceful and economies free of scarcity, result not from the diminution of anxiety,

If we examine the way discipline relates to its objects, we see within disciplinary power the invention of a new form of power, characterized by its withdrawal from the bodies that were previously the objects of intense sovereign manipulation. Instead of measuring its strength by an ability to destroy the alien threat construed in terms of an impurity invading the sovereign body, discipline measures its strength first by its ability to discover bodies, and second by its ability to situate them one to another in the manner that best suits further specification. Yet, if we recall the great failures of disciplinary technologies—the provocation of grain shortages, the destruction of soldierly bodies with highly artificial exercises incongruous with the natural comportment of recruits, the prison’s permanent institution of reform and finally even the permanent disciplinary failure to acquire a sample set comprehensive enough to eliminate all hypothetical assumptions borrowed from the invasive standards of sovereignty—we notice that discipline also relies on techniques that presuppose the docility that disciplinary power initially sought to produce. Bodies furnish a delicate basis for knowledge, which may be easily disrupted and may react strongly to being observed,⁸¹ but which nonetheless fundamentally do not change their overall comportment, capacities, manners of interaction and functional mechanisms. The

warfare or scarcity but the amplification of capacities that would otherwise highlight their appearance. Foucault pursues this possibility most explicitly when he considers the way images of European peace predicated on a balance of powers led to massive buildups of internal, militaristic policing apparatuses and austerity measures without effectively limiting the outbreak of international conflict (Foucault, *Security, Territory, Population* 2007, 298-306). The same consideration also animates Foucault’s recurrent interest in the Clausewitzian principle that “war is politics continued by other means” (301), which he also considers in the context of discourses that begin using war as a “grid of intelligibility” (Foucault, *Society Must Be Defended* 2003, 163) to test and evaluate social and historical, i.e. political, discourse, thereby establishing a continuity linking processes of war and political peace (165).

⁸¹ Indeed, this is the basis for Panopticism’s remedial effects: “He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection. By this very fact, the external power may throw off its physical weight; it tends to the non-corporal; and, the more it approaches the limit, the more constant, profound and permanent are its effects: it is a perpetual victory that avoids any physical confrontation and which is always decided in advance” (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 202). The entire “capillary functioning” (198) by which discipline raises the profile of its objects thus depends upon the reactivity by which bodies take up discipline’s processes of objectification for the purposes of revealing and expressing their own truth.

normalizing dream of the complete knowledge of bodies, their capacities and their functional identities, relies on differences that reveal and thus expand knowledge, but this dream requires that the revelation of differences, and the differences themselves, do not unexpectedly or spontaneously produce further differences. Although discipline glimpses the significance of epistemological reflexivity and this contributes to the piety with which disciplinary knowledge withdraws from the scene of sovereign power, discipline never successfully comprehends economic laws in the sense of circulatory systems that engender complex feedback loops whose overall effects can only be estimated, if only because the recognition that such loops exist alters the constitution and subsequently the behavior of the loop itself.

§3 Biopower: Regulating the Conditions of Life One Life at a Time

Discipline can be characterized in one respect by the circuit it forms between the lighter forms of power associated with the knowledge production of normalization, and the heavier, coercive performance standards borrowed from sovereign practices. With biopower, disciplinary knowledge and sovereign power form a circuit in which power becomes the power to collect, combine, arrange and display, rather than the power to destroy, conquer and make a spectacle of force. This collective power owes to discipline's ability to invest and amplify its objects rather than neutralize them. Disciplined individuals take up the power of normalization, deploying it upon themselves and others, thereby establishing a mechanism for the indefinite expansion of the disciplinary circuit linking knowledge and power. Yet, the inductive principle by which the norm presumes the abnormal calls for a permanent expansion of normalized knowledge that both individuates the norm as a privileged center or standard within disciplinary analysis, and generalizes its ability to continuously shift in identifying the infinite gradations of abnormality. If

discipline establishes this circuit, in the process constructing a mechanism for the progressive development of normalizing knowledge, it does so without anticipating how this process will intensify introspective self-examination, and thereby produce more than quantitative adjustments through the processes of observing and being observed. In other words, the production of normalizing knowledges not only adds to the edifice of objective facts, but also changes their values, the ways they can be combined and the capacities that can be derived from these combinations. Discipline not only intensifies links between power and knowledge, but also introduces unforeseen functional effects by which power and knowledge might be fitted to one another and altered in unpredictable ways.

It would be easy, though it might not necessarily be adequate, to say that discipline constructs an atemporal, documentary apparatus of power based on the possibility of progressively more comprehensive accounts of individuals, their capacities and their functional relations to one another. The totalizing cage image of Foucaultian power relations is therefore correct from a disciplinary perspective that does not take into account the modification of power relations over time and the way this modification induces resistances that disrupt existing regimes of power, even when they appear as light and inoffensive as the possibility of objective knowledge. If there is anything misleading about an image like that of intensification, the misdirection owes to the implicit sense that all power relations develop, reflect, modify and interact according to a logic of progressive saturation combined with reduced intervention.

In contrast, the development of biopower involves the recognition that normalizing observation carries its own specificity, which, in turn, undercuts the claims to progressive generality that spurred the growth of disciplinary knowledges and powers. For better or worse, the emphasis on revealing the natural constitution of bodies would convince those within

disciplinary networks of power that certain excesses—those associated with the biological organism, for example—would permanently undermine the prospect of perfect objectivity that propelled the accumulation of individualizing data within disciplinary practices. The normativity of life, which is essentially the normativity of functional regularities originally discovered by disciplinary techniques, had already acquired a degree of respect within disciplinary analysis, but the discovery that the operators of disciplinary knowledge could never omit specific conditions for the possibility of observation and documentation spurred movement away from the disciplinary goal of absolute neutrality in favor of more practical means of estimating inevitably aleatory phenomena. Rather, biopolitically speaking, knowledge must work within the limits of life, that is, the thresholds of functional regularity that make knowledge possible within a network of relations that themselves have preference for neither life nor death, knowledge nor ignorance.

This “realization” entails a further modification in the operation of disciplinary power that does not repeat the process of intensification that marked the transition from sovereignty to discipline, but relies upon an internal, situated awareness of individuals’ variable relations to the norm. Biopower does not function by neutralizing what falls outside its decree, as sovereignty does, nor does it endeavor to eliminate any trace of spectator intrusion, as discipline does. Instead, biopower operates under the banner of life, which is defined through the observation of specific, empirically verified, functional regularities based on the model of organic function, while at the same time referring to a state of radical unpredictability. While disciplinary power took it as methodologically certain that objectivity required the elimination of contingent assumptions, biopower allows that life itself denotes a contingency with highly valuable, but also highly variable functional requirements and permutations. Instead of grounding its efficacy in the

authority of objective fact, as discipline does, biopower bases its authority on the urgency of maintaining a state of equilibrium required to preserve organic functions amidst a constantly changing array of data yielded by disciplinary processes of normalizing observation, documentation and training. So construed, biopower takes advantage of the implicit organic temporality of normalization of individual development while also paying attention to the patterns of regularity that apparently characterize—without thereby becoming stable characteristics of—the population as a whole. In a sense, the concept of life commands the authority of the sovereign with the neutrality of the disciplinary norm: life has its own prerequisites, which cannot be violated and warrant the use of deadly force to preserve, though the presumed universality of these prerequisites means that “life” is effectively an empty signifier of something with inherent value despite an absence of universally acknowledged content.

One of the scenes frequently overlooked in discussions of Foucault’s analysis of modern biopower involves a brief episode near the conclusion to *Discipline and Punish* in which the powers of normalization turn against themselves (285-292). The scene takes place in a period at the height of disciplinary power during which the criminal acquired the status of a kind of popular hero in the pages of liberal broadsheets, mystery novels and, in particular, the Fourierist journal *La Phalange*. What distinguishes this “heroization” of the delinquent from the outpouring of pity that turned the social body against the sovereign will is that these accounts in no way detract from the delinquent’s guilt, but rather view the delinquent as a kind of artist of criminality worthy of respect if not admiration. Foucault’s interest in these episodes stems from the way they draw upon disciplinary power and subsequently use normalization to disrupt the neutrality presupposed by disciplinary techniques:

The split between delinquency and other illegalities, the way in which it is turned back upon them, its colonization by the dominant illegality—these all appear clearly in the way which the police-prison system functions; yet they have always met with resistance; they have given rise to struggles and provoked reaction (285).

The police-prison system is supposed to generalize its operations by having the individuals upon which it operates take up its techniques and apply them through habits of self-reflection that diminish the criminal's tendency for illegality. If discipline operates according to a logic of self-effacement that mirrors and amplifies its object, the deployment of this strategy by discipline's objects, namely criminals, should lead to the criminal's self-effacement before the regular and austere institution of the prison and the standards of normal behavior it represents and institutes. With delinquency, however, the criminal does not efface his habits of illegality, but rather uses disciplinary knowledge of his crime and its psycho-social underpinnings to refine and extend his putatively criminal impulses. That is, the delinquent refines behaviors identified as criminal by bourgeois society into forms of individual resistance. When discipline uses gaps, differences and individualities to magnify its objects, and to refine its own functional presuppositions out of existence in order to reveal the functional regularities of its objects, it assumes that these mechanisms will reproduce similar effects of clarification when taken over and put into practice by its objects. However, if normalizing observation begins producing qualitative transformations instead of the quantitative attenuation of criminal impulses it aims for, as in the case of the delinquent, then discipline discovers not only its own qualitative specificity relative to the delinquent, but a dispersion of singularities that this qualification will never comprehend.

The heroization of delinquency captured in the pages of *La Phalange*, the burgeoning genre of crime fiction and the leftist broadsheets of the mid-nineteenth century still amplified the capacities that reportedly gave rise to the outbreak of criminality, but they also produced the delinquent as a criminal type more than quantitatively distinct from the petty illegalities that fell

within the apparently “normal range” of criminal impulsivity. In the everyday run of illegalities, the heroization of the delinquent in the crime novel “assumed an apparently opposite role” to the daily publication and normalization of criminal activity which “makes acceptable the system of judicial and police supervisions that partition society [and] recounts from day to day a sort of internal battle against a faceless enemy” (286). The process of heroizing the criminal not only added to the data disciplinary institutions collected regarding observed rates of criminality—thus contributing to the sense of a ubiquitous threat that haunted society from within as if lying in wait to engulf even the most pious and mild mannered citizen—but to this anonymous threat it added a dark strain of desire that transformed the delinquent into a qualitatively distinct life form that “belonged to an entirely different world, unrelated to familiar, everyday life” (286).

Although it begins as a quantitative extremity located within the homogeneity of the disciplinary field upon which the infinitely graduated fractions of normality bleed into petty illegalities by a predictable pattern of “poverty – dissipation – laziness – drunkenness – vice – theft – crime” (287), the criminality of the delinquent becomes something different due not only to its recalcitrance but to a “political analysis of criminality that contradicted term for term the description familiar to the philanthropists” (287), thereby offering an interpretation of the delinquent as qualitatively distinct and removed from the sobering influence of disciplinary institutions such as the prison, the school, the hospital, the factory and the military. Though still identifiable within a disciplinary spectrum of normality in which he is pushed to the margins by observable factors of education, work and living conditions, these factors no longer seem to possess the explanatory power they previously held for understanding the abnormality of the criminal, manifesting instead the presence of a diseased nature incompatible with education or rehabilitation.

The delinquent consequently fell between opposed political factions, one expressing the goals of normalizing society in the philanthropic goals of the bourgeoisie, and one expressing the political realism of the workers, who understood the criminal as a distinct life form qualitatively similar to the mode of criminality represented by the bourgeoisie itself. Situated between knowledges which accounted for the criminal with diametrically opposed disciplinary methods capable of fabricating an incoherent, contradictory set of characteristics, the delinquent became a sort of monster who simultaneously belonged to no recognizable segment of society while decidedly—the evidence from both the left and the right agreed on this point—being a representative of a distinctive life form circulating within society. If the delinquent constituted a contradiction, this charge no longer depended upon his status as a legal contradiction but his status as a social, and ultimately a biological, if not an ontological, contradiction.

Foucault describes the political interpretation of crime advanced by the left as a counter-knowledge and a reversal of the “monotonous discourse on crime, which sought both to isolate it as a monstrosity and to depict it as the work of the poorest class,” (288-289) thereby stressing the political image of delinquency as the inversion of the normalized image of criminality advanced by the bourgeoisie. Neither workers nor the bourgeoisie deny the fact of delinquency or its social source, they simply disagree on the value of criminality—whether it is a “natural” response to an unhealthy and disordered social organization, or whether it marks a sickness caused by the impoverished, unhealthy and dehumanizing conditions of life in the working class. Whether it is the disorganization of society at large or the pathologies that infest life in a specific segment of society, politically opposed discourses on delinquency in the mid-nineteenth century agree that the delinquent represents a profound affectation of human nature, a force only dimly understood in itself, but thoroughly identifiable if not yet documented reactions to external stimuli.

We can begin to understand the basis for the common conclusion regarding the intractability of human nature in these politically opposed discourses if we stop to consider the panoptic setup of the prison. Beneath the gaze of the panoptic eye, prisoners appear as discrete individuals, isolated and thereby separated from their criminal acts and the conditions in which they might occur. The criminal appears before the panoptic observer because of his crime, but the crime has been circumscribed and eliminated from the scene with the consequence that for both the panoptic observer and the criminal, the individual remains despite the absence of the crime. From the panoptic viewpoint, this isolation enables the individual to set to work on the path of self-inspection that will strengthen his capacities for reflection and thereby check the strength of the criminal impulses engendered and amplified by a corrupting social milieu. From the standpoint of the prisoner, and for prisoners collectively, the central tower is supposed to represent the all-knowing eye of God, due to the impersonality and omnipresence of its observation. But what does the prisoner actually see? Not the fact of perpetual observation but the possibility of perpetual observation, represented by an impassive tower without either human likeness or temporal modification. Furthermore, this potential could be claimed and used by anyone, against anyone. It does not belong to the criminal's fate alone to stand before the law perpetually seeking admittance to its workings and its promise of redemption because anyone who occupies this central position of authority, whether criminal or bourgeois, will be capable of both commanding the obedience of others and being exempted from the demands of self-observation. In a sense, the very fact that the prisoner remains present to pay for his crime long after the act has passed away, combined with the absence of individuality that characterizes panoptic observation, serves not only to identify the specific asymmetries of power that

individuate the disciplinary technology of panopticism, but, in betraying that specificity, to testify to the fact of the relationship's reversibility.

My contention is not only that these same processes of specification and reversal appear repeatedly in workers' political analyses of delinquency, but that this "capillary functioning" of discipline's specificity fundamentally, which is to say qualitatively, alters and disrupts the continuous operation of disciplinary power. To the extent that this qualitative alteration emerges from the transversal linkages of individuals that discipline makes possible, it would seem that the qualitative alteration of disciplinary power could result from a quantitative threshold where disciplinary norms become something else, even the actualization of a latent capacity for behaving otherwise found in the essence, soul or subjectivity of the delinquent. Nevertheless, the progressive attack on disciplinary knowledges and institutions in *La Phalange* rejected both hypotheses, insisting that the criminal was neither a statistical aberration of the norm, nor an entirely separate nature, but instead that the delinquent resulted from a political distinction which organized the disciplinary class in opposition to the class of delinquents construed more generally as the class conflict of bourgeoisie and proletariat. Against disciplinary society's interpretation of the delinquent as a product of a diseased environment, reared and perhaps hardened by the pathological living conditions of the working class, the political interpretation of delinquency advanced by the Fourierists proposed that,

[t]here is not [. . .] a criminal nature, but a play of forces which, according to the class to which individuals belong, will lead them to power or to prison: if born poor, today's magistrates would no doubt be in the convict ships; and the convicts, if they had been well born, 'would be presiding in the courts and dispensing justice' (289).

Although they accept the homogenizing account of a view that could speak of a generalizable human nature or "play of forces," the Fourierists turn the naturalizing tendency of discipline

against itself by suggesting that delinquency and normality differ neither qualitatively nor quantitatively, but in terms of an irreducible perspective afforded by one's social positioning.

This perspectival emphasis, rather than introducing an epistemological wrinkle into the objectifying pretensions of discipline, disrupts discipline by politicizing not only the effects of observation but also the control of access to observation itself. Since observation and access to it are the main sources of tension between disciplinary society and the Fourierists, there is no need to reject the hypostatization of criminality in the character of the delinquent. If anything, the Fourierists resist discipline by emphasizing the hypostatization of human nature as a play of forces exhibiting a "fortunate irrepressibility" (289). Yet, by emphasizing the claim to an irrepressible, though thoroughly identifiable, prior nature, whose nurturance gives rise to either delinquency or political authority, the Fourierists continue the normalizing program of discipline, if not its objectifying effects, because the ambiguous play of forces constituting the delinquent or the magistrate will remain even when the objective connection between the facts of biography and the facts of biology come under scrutiny.

Instead of naming an objective fact of reality, which would correspond with the disciplinary objectification of the criminal, the Fourierists propose that the political interpretation and use of this unstable play of forces, or fundamentally malleable biological nature, accounts for the supposedly objective evaluation of data observed by disciplinary society. To the extent that the Fourierists offer an objection that politicizes the evaluation of disciplinary power, they effectively reverse the power relations that construct disciplinary individuals as highly unique, but nevertheless static, objective bodies. Where the disciplinarian understood the individual as a document of aptitudes and functional capacities, the Fourierists' political interpretation, marking discipline's turn in a biopolitical direction, understands individuals as fundamentally unstable

assemblages of forces rearranged and provoked by disciplinary evaluation and social positioning. The biopolitical dimension of this appeal to the political effects of disciplinary expectations relies on the assertion of a more primordial, general and inherently aleatory reality in order to accomplish the politicization of discipline, thereby invoking the overriding theme of a form of power that will rest its claims to authority on the inherently normative preferences of a unique, yet characteristically unstable force, namely the force of life itself.

Due to their insistence on the irrepressible, wild character of a nature no less applicable to every individual for the mystery that surrounds it, the Fourierists' cultivation of "indiscipline" (290) as a politicized counterweight to disciplinary normalization constitutes, if not one of the first instances of biopower's investments in the ambiguous character of "life," then at least a signal instance of the production of biopolitical modes of interaction from explicitly disciplinary sources. Foucault describes the confrontation in terms that accentuate aspects of an unstable biology and a mobile array of forces when he discusses "[a]n indiscipline that is the indiscipline of native, immediate liberty [. . .] [T]hrough all these minute disciplines it is ultimately 'civilization' as a whole that is rejected and 'wildness' that emerges" (292). Where discipline assumed the possibility of isolating and quantifying individuals, biopower will complicate this appeal with the possibility that individuals represent fundamentally aleatory phenomena. Consequently, discipline's goal of unifying its finite quantification of individuals into a social order that would simply be the sum of discrete measurements becomes weakened by the degree to which biopower reveals these estimates to be inadequately rough approximations of still more general and poorly understood events. Though invoked in order to question the positivity of individuals, biopower's appeal to the more obscure, but also more general, processes of life, measured at the level of populations rather than individuals, provides disciplinary quantification

with a new anchor point capable of linking these fundamentally unstable and aleatory individualities by refocusing attention on the aggregate features of the population.

Consequently, the development of biopower emerges with a form of resistance provoked to emphasize the aleatory element of transformation made possible by the disciplinary process of amplification required in the training and coordination of individual capacities. Describing the “carceral” element in contemporary society, Foucault will cite two aspects of the prison, its specificity and its linkage to a wider network of relays for power relations, as not only causes for the fragmentation of disciplinary society, but also occasions for new kinds of power that problematize the neutrality of disciplinary mechanisms:

One may [. . .] cite the two processes which, in the very continuity of the processes that make the prison function, are capable of exercising considerable restraint on its use and of transforming its internal functioning. [. . .] The first is that which reduces the utility (or increases its inconveniences) of a delinquency accommodated as a specific illegality, locked up and supervised [. . .] The second process is the growth of the disciplinary networks, the multiplication of their exchanges with the penal apparatus, the ever more important powers that are given them, the ever more massive transference to them of judicial functions (305-306).

In the first instance, the conspicuity of disciplinary processes, which allows them to be politicized and redirected in the name of something as general and insubstantial as life, augments the capillary functioning of disciplinary power by bending it back upon itself, recirculating it, turning observation upon the mechanisms of observation and thereby establishing discipline’s self-effacing objectivity as one norm alongside others. In the second instance, the edifice of normalizing data, compiled in an effort to detail the minutely variable capacities of individuals, becomes a resource for the production rather than the amplification of new qualities. In being turned against one another and thereby specifying one another, disciplinary norms, including indiscipline, fail to cancel one another out, revealing the supposed neutrality of disciplinary

space as fertile soil for the growth and production of capacities and norms, which can be infinitely linked and recombined for the indefinite production and reproduction of capacities.

Again, the Fourierists' interpretation of indiscipline is instructive regarding the point that the individual's characterization as delinquent, once separated from the objectifying work of the prison apparatus and placed in the hands of medical, psychological, educational and social service apparatuses, constitutes a resource for the elaboration of delinquency, and with it the range of normal, socially acceptable behavior as well. Returning to the pages of *La Phalange*, Foucault describes the resourcefulness of disciplinary networks in strategic terms, "not a network of forces, but a multiple network of diverse elements [. . .] a strategic distribution of different natures and levels" (307) in which "ultimately, what presides over all of these mechanisms is not the unitary functioning of an apparatus or an institution, but the necessity of combat and rules of strategy" (308). While it is tempting to view Foucault's emphasis on combat as a statement of his own preference for forms of resistance that undercut discipline, two aspects of Foucault's emphasis on strategic metaphors are significant. First, Foucault, in quoting from a Fourierist response to disciplinary society, does not indicate his own or only his own analytic preference. He indicates rather the way discipline's emphasis on static objectivity undergoes a shift toward a politicized, normative account of observed phenomena. Second, the transformation toward politicized viewing coincides with the transition from discipline to biopower, leading Foucault to offer his own analysis through the highly depersonalized idiom of historical contingency. Together, Foucault's reliance on the analysis of others whose historical situation places them outside the range of his own perspective, and his estimation of his perspective's dependence on a particular historical situation, complicate the degree to which Foucault's preference for the strategic imagery of battle could constitute a personal preference.

As representatives whose acts dramatize the tensions between discipline and biopower, the Fourierists illuminate the characteristic features of biopower through an evaluation of its effects, including the characterization of life, or nature, as a indefinite norm of self-interpretation that links individuals to populations and thereby establishes an economy, if not a mechanism, that continuously refines and reshapes behavior in pursuance of the norm. We can identify several distinct aspects of this transformation, which not only link biopower to discipline, but apply and repurpose disciplinary mechanisms. First, the capillary functioning of power that is taken up into the objects that discipline invests, and the redirection of disciplinary observation in the form of objectifying normalization back on the institutions of discipline (e.g. the prison, the school, work, the military), work to enervate the norm, rendering it insubstantial, less determinate, and more prone to mutation.⁸² Second, the insubstantiality of the norm, which constituted its comprehensive, highly adaptable political value for the Fourierists, establishes a categorical link between individuals and the population as a whole that defies consistent definition. What the Fourierists understood as the irrepressibility of human nature cultivated by indiscipline, analysts of modern biopower characterize as the norm's capacity to link individuals to the population in variably descriptive and normative senses that alternate and reinforce one another. While diminishing the objective determinacy of the disciplinary norm, but also gaining from the fruitful ambiguity of that lack of specification, the characteristic norm of biopower, sexuality, effectively recruits those marginalized by disciplinary practices into the uncharacteristically welcoming confines of the population because while "not everyone has a shared institutional or disciplinary identity (soldier, mother, or student), [. . .] everyone does have something like a 'sexuality'" (Nealon 2008, 46). Accordingly, sexuality serves as both a marker

⁸² Nealon points out, apropos the obscurity characterizing the use of the norm within the biopolitical regime, that "[i]n the intensification that morphs discipline into biopower, then, not only the *form* of power but the *target* of power becomes more murky and more ubiquitous" (Nealon 2008, 46).

of one's inclusion within a certain population and a less explicit formulation of one's social valorization within that population. Third, the link between individuals and populations, according to the amorphous standards of biopower, constitutes a recursive mechanism by which individuals are continuously reinscribed into the social continuum. Whereas discipline used the objectivity of its observations to continuously extend its reach, revealing previously unseen criteria of individuation by magnifying the attention it paid to ever finer details, the abstract generality of the disciplinary norm also provided a mechanism for continuously redirecting normalizing vision from the minutia of personal experience to the fundamentals of biological existence.⁸³ Given the continuity of this infinite refraction, the norm acquires not only the ability but also the need to execute painfully detailed investigations, while simultaneously requiring only the most basic concessions for the fulfillment of its normative functions.

The trend of biopower from the nineteenth to the twenty-first centuries consequently involves the continuous personalization, or individual stylization, of norms constructed to ascertain facts of behavior at the level of populations. This process does not normally involve the conscious decision making of individual subjects, but it can. For instance, the Fourierists made a more or less conscious decision to politicize delinquency by construing it in terms of a personal affront to a more primordial, undisciplined human nature. At the other end of the spectrum, "one could note here that the 'homosexual' is the paradigmatic 'delinquent' in Foucault, the subject whose conduct is most obviously saturated and explained by his or her 'life'" (48). Unlike the Fourierists' conscious decision to politicize the interpretation of what they regarded as the living

⁸³ A typical way that biopower leads individuals to evaluate themselves in terms of the population involves the individual likelihood of acquiring the flu and the rate of flu outbreaks in the population. From year to year outbreaks are fairly consistent or at least predictable, yet that does not say much about who, specifically, will get the flu. Consequently, individuals estimate their own possibilities of getting the flu relative to the population as a whole. Higher rates of flu in the population, and especially higher rates of flu in "at-risk" populations, lead one to assume greater or lesser risk depending upon one's membership in or proximity to certain at-risk populations.

principle of indiscipline, the normalizing production of homosexuality in the nineteenth century uses the individualizing specificity of behavior to infer a form of life that can be known not only by observed behaviors, but by the ad hominem linkage of proscribed behaviors to a particular “form of life” invented to explain the existence of those behaviors.

Delinquents constitute a population of interest because they are first of all criminals, and because they subsequently revealed certain non-criminal commonalities regarding living conditions, levels of education and a host of other individuating marks which together combine to isolate the delinquent in his or her criminality at the margins of social behavior. The observation of homosexual behavior, like the observation of delinquency, leads to the inference of a homosexual nature. However, homosexuality also serves as a marker, used to label as homosexual not only acts which supposedly belong exclusively to homosexuals and their constituent movements, but also acts which acquire their homosexual encoding for no other reason than being practiced by, or linked in cultural imagination with, homosexual subjects.⁸⁴ Quoting Foucault’s *History of Sexuality*,⁸⁵ yet adding his own point of emphasis, Nealon characterizes biopower’s inference from homosexual act to homosexual subject as involving the transposition “‘from the *practice* of sodomy onto a kind of *interior androgyny*, a hermaphroditism of the soul,’ from an occasional and discontinuous set of actions into the manifestation of a personality defect” (48). While it is true that the delinquent also constituted a kind of doer behind the deed of crime, the distinction being made here is not that delinquency was normalized according to a model of disciplinary objectification while homosexuality was

⁸⁴ Continuing the distinction from delinquency, the situation would be parallel if because criminals were empirically found to be lacking high academic achievements this became a defining characteristic of delinquency such that anyone by virtue of poor academic performance became delinquent by default. Regardless of whether poor academic performance is highly correlated with delinquency, it never points unambiguously to an interior psychic condition of delinquency in the same manner that, for example, sodomy points to homosexuality (cf. Halperin 1995, 34 for discussion of immutable characteristics of homosexuality).

⁸⁵ Specifically, (Foucault, *The History of Sexuality: an Introduction* 1990, 43).

normalized according to a model of biopower. By identifying two distinct instances of normalization, one hopes to indicate a distinction between the *analytic* normalizing practices of discipline, which begin from the act and render the characterization of delinquency generally valid for each “component” movement deemed to lead up to the criminal offense, and the *synthetic* normalizing practice of biopower, which uses the inference of a homosexual nature to characterize every subsequent act of such a subject as expressing this continuous internal disposition. Again, where discipline constructs a whole – whether one is speaking of an individual, a population, or an act – from the determinate value of each part, biopower considers the determinate value of the whole in order to determine the value of constituent elements. Consequently, where criminality⁸⁶ refers to the elements leading up to the crime, which are retrospectively classified as criminal within disciplinary analyses, the biopolitical characterization of homosexuality will involve the continuous encoding of acts and gestures as homosexual due to the presumptive existence of an underlying homosexual nature.

Whereas the analytic use of normalization practiced under a disciplinary regime effectively rendered individuals knowable in terms of functional thresholds whose underlying origin could be estimated through measurement and comparison with other individuals’ performance relative to similarly external and artificial standards, the biopolitical practice of normalization disqualifies individuals in proportion to the knowledge it presumes of them. The homosexual, possessing an interior defect touching on all facets of his life, does not possess the qualifications to describe his likes or dislikes, what is “normal” for himself or what is intolerable because these utterances, like his putatively depraved activities, only manifest the presence of a diseased nature. David Halperin draws on Foucault’s account of biopolitical normalization to

⁸⁶“Delinquency” names an intermediate form of characterization that is more deed-based than homosexuality, but also less deed-based and more personality-specific than criminality.

illustrate this point, along with its paradoxical corollary that normalization qualifies, authorizes or empowers the knowledges it ignores. Identifying normalizing biopower as “homophobic” for its paradigmatic role in the construction of homosexuality as a state of illness in contrast to the normal status of heterosexual desire, Halperin characterizes biopolitical knowledge as lacking fixed content and therefore capable of mobilizing an array of conflicting discourses and practices to identify and affect its objects.⁸⁷

The construction of homosexuality as an “immutable characteristic” offers an illuminating case in point that both validates Halperin’s characterization of the emptiness of biopolitical homophobia and, more importantly, identifies the denied content of biopower as resting on the persistent disqualification of what he subsequently describes as “queer” identity, which is effectively produced by biopolitical normalization.⁸⁸ Advocates for the characterization of homosexuality as an “immutable characteristic,” rather than a punishable breach of public morality, promoted the biological essentialism of homosexual desire in order to counter homophobic, anti-sodomy laws in nineteenth-century Germany. However, just as decriminalization diminished “the practice of sending homosexuals to jail for fixed terms; from now on, instead, they would be more and more frequently incarcerated for life in insane asylums, and even surgically mutilated or lobotomized, as members of a degenerate *species*” (33). Far from constituting an unqualified “advance” regarding the social acceptance of lesbians and gay men, then, Halperin understands the biopolitical normalization of homosexuality as a biological

⁸⁷ “Homophobic discourses contain no fixed propositional content. They are composed of a potentially infinite number of different but functionally interchangeable assertions, such that whenever any one assertion is falsified or disqualified another one—even one with a content exactly contrary to the original one—can be neatly and effectively substituted for it” (Halperin 1995, 33).

⁸⁸ “Queer is by definition whatever is at odds with the normal, the legitimate, the dominant. *There is nothing in particular to which it necessarily refers.* It is an identity without an essence. ‘Queer,’ then, demarcates not a positivity but a positionality vis-à-vis the normative—a positionality that is not restricted to lesbians and gay men but is in fact available to anyone who is or feels marginalized because of her or his sexual practices: it could include some married couples without children, for example, or even (who knows?) some married couples *with* children—with, perhaps, *very naughty* children” (Halperin 1995, 62).

“immutable characteristic”—“[like] race or gender, supposedly”—to “operate strategically by means of logical contradictions” (34). Those contradictions characterize homosexuality alternately as either a decision tied to deliberate acts, such as sodomy, or as a biological fact, necessitating observed behaviors associated with same-sex desire, thus “giv[ing] rise to a series of double binds which function—incoherently, to be sure, but nonetheless effectively and systematically—to impair the lives of lesbians and gay men” (34). Constituted by an indefinite and incoherent set of propositions, ranging from the immutability and respectability of a distinctive form of life to the image of a degenerate species requiring continuous observation, experimentation and restriction, the biopolitical investment in life compels both an extreme interest in the margins of the social spectrum and a tendency to push individuals inhabiting that space out of the population completely, through genocide or ethnic cleansing, or to assimilate them through the pathologization and treatment of malleable “personality” features.

More accurately, one could say that the biopolitical norm continues the refinement of individuality begun with disciplinary processes of individuation, except that rather than situating individuals relative to a norm embodied by no distinct individual, the biopolitical norm functions to inscribe the life of the species in the life of the individual. By changing the emphasis on norms derived from individual performances to norms derived from features of populations viewed as whole, integrated social and biological bodies, “individuals” come to represent less and less their own discrete actions or thresholds for activity than discrete instances of the impulses that circulate throughout the population as a whole. Furthermore, as representatives of the population at large and yet distinguished as abnormal, marginalized individuals⁸⁹ occupy an epistemological

⁸⁹ It is significant that since the species as an aggregate of individualities represents the norm or ideal status for each member of the population, all individuals, and not only individuals explicitly marginalized by factors of age, sex, race, sexuality, or ability, are differentiated from the norm to a greater or lesser extent. Accordingly, all individuals find some aspect of the norm intolerable, though the degree of intolerability and the range of abnormalities differ

space relative to the norm that is both intolerable and inescapable. Like Eve Kosofsky Sedgwick's analysis of the "epistemology of the closet,"⁹⁰ which Halperin characterizes as an epistemological space in which one's identity is neither wholly one's own nor unrelated to oneself, biopower constructs forms of identification that vacillate between norm-identified subjects' tendencies to regard their own views as unquestionably natural, straightforward and therefore beyond dispute, and marginalized subjects' tendencies to regard their identities as similarly inborn and yet a source of responsibility, confession and denial.

Although biopower in both cases operates according to a logic that simultaneously naturalizes and personalizes identity, creating a universal obligation to acknowledge and pursue one's identity while also taking sole responsibility for it, whether one identifies oneself in terms of the norm or outside of it, the meaning of one's responsibility in each case is dramatically different. One is either required to identify and affirm one's identity if it embodies the norm, or one is required to confess and alter one's identity if one embodies a marginalized position relative to the norm within the population. This grants the status quo and those who identify themselves in terms of it considerable political power:

to consolidate their claim to a superior knowingness about [for example] sexual matters, a knowingness that is not only distinct from knowledge but is actually opposed to it, is actually a form of ignorance, insofar as it conceals from the knowing the political nature of their own considerable stakes in preserving the epistemology of the closet as well as in maintaining the corresponding and exactly opposite epistemological construction of [the norm, e.g.] heterosexuality as both an obvious fact that can be universally known without "flaunting itself" and a form of personal life that can remain protectively private without constituting a secret truth (35).

greatly from individual to individual. This generalized abnormality, as with the generality of the biopolitical norm, also contributes to the resilience and adaptability of the biopolitical norm since individuals rarely find themselves completely alienated by the norm and only reluctantly cede that status by drawing attention to their "abnormality."

⁹⁰ Sedgwick, Eve Kosofsky. *Epistemology of the Closet*. Berkeley: University of California Press, 1990.

If my interpretation that sexuality is not the only naturalized form of identity that disproportionately enables representatives of the norm while disabling members of marginalized groups, then the “epistemology of the closet” represents an example of a broad epistemic practice formulated in processes of biopolitical normalization. Moreover, the characteristic mode by which this epistemic practice operates involves the use of the logical incoherence provided by an amorphous biological norm which conceals the political disparities it establishes and maintains by cultivating ignorance regarding the relational construction of the norm.

The biopolitical norm fabricates an ideal subject based on features drawn from the population as a whole. Every individual diverges from the biopolitical norm to varying degrees, though some classes of individuals are systematically marginalized, due to a combination of factors including sovereign exclusions and disciplinary observances, among others. At the extremes of divergence from the normal range, biopower employs disciplinary techniques that compare individuals to idealized and relatively arbitrary standards of behavior established to calibrate the gradations appropriate to the population being studied and predict individuals’ behaviors in line with the normalized regularities observed within the population. In his 1976 lecture course, *Society Must Be Defended*, Foucault points out that within biopower, the norm functions simultaneously as a disciplinary mechanism that trains individuals and a regulatory mechanism affecting the population: “The norm is something that can be applied to both a body one wishes to discipline and a population one wishes to regularize” (Foucault, *Society Must be Defended* 2003, 253). The characteristic double-binds of biopower, witnessed in Halperin’s illustration of the epistemology of the closet, thus result from the circulation between normalization as it sets disciplinary standards for individuals based on the idealized individual composite drawn from disciplinary measurements of the population as a whole, and

normalization as it allows these disciplinary standards to regularize the behavior of the population as a whole. On the one hand, the standard of the species trains individuals. On the other hand, adequately trained individuals regularize the population's aggregated activity.

The fact that individuals commonly take the disciplinary operation of the norm as the representation of a specific class, as, for instance, the Fourierists took the application of delinquency as a bourgeois imposition on human nature that could be liberated through indiscipline, promotes the biopolitical norm as an antidote to the bias that disciplinary techniques cannot eliminate, and obscures ties between disciplinary training of individuals and biopolitical regulation of the population. In effect, this strengthens the bond linking individuals to the population by locating the source of their acts, thoughts, and being in a particular form of life, whether characterized as delinquent, homosexual or straight, whose interior character constitutes but a single strand of life's fortunately irrepressible nature and so requires continuous application and comparison to the norm in order to be known and expressed.

Of course, this process of continuous application to the norm could never be accomplished by "a generalized disciplinary society whose disciplinary institutions have swarmed and finally taken over everything" (253), because that arrangement produces the kind of backlash, by individuals who recognize the political motives of disciplinary institutions, which appears, for example, in the Fourierists' cultivation of indiscipline, or the motives of nineteenth century German gay-rights advocates who laid claim to the immutable characteristic of homosexual desire. In other words, the institutional swarming of discipline around marginalized groups produces a visible sign of discipline's political underpinnings and disrupts the neutral space of observation that disciplinarians sought to establish. However, if "normalizing society is a society in which the norm of discipline and the norm of regulation intersect along an

orthogonal articulation” (253) then the norm’s ability to slide between the discipline of individuals and the regularization of populations undercuts political opposition to the norm by rendering it alternately as the natural disposition of human populations composed of nearly limitless variety, rather than a narrow interpretation advanced by particular political interests, or as a personal investment that individuals have the desire to acknowledge and express, or stifle and renounce, depending on their situation relative to the norm.

This sliding of the norm, between the level of the population and the level of the individual member of the population, is then a mechanism that does not require an external engine. It does not need to be enforced; individuals willingly push the norm from extremes of popular regulation to extremes of individual discipline because the capillary functioning of power requires, whether one chooses to uphold or subvert the norm, that one always stake out some explicit position relative to the norm. Since the norm that individuals apply themselves to, either positively or negatively, is never the *same* norm from one moment to the next—the two differing if not in their content, then certainly in their political valence, depending upon one’s orientation with respect to the norm—there is little chance that individuals’ references to the norm would result in conflict or consensus as to what the norm means, is or does, because, as “life itself,” the norm is also always already the same. Thanks to the “orthogonal articulation” linking the norm’s regulatory function to its disciplinary function, the population as a whole acquires the regularity of a constellation of individuals linked by their collective individualities, rather than a complexly recursive process of indefinite feedback, which begs the question of who claims the right to describe that process and on what grounds an overview of the process could be made at all.

It is rather because the norm seems to always name the same thing to individuals that the articulation of the norm between the axes of discipline and regulation can function noiselessly and without significant opposition. Even the attempt to evaluate what would constitute significant opposition to the norm encounters difficulty, because whatever would be opposed to the norm is not only the abnormal, but the marginal.⁹¹ As marginal, opposition to the norm is insignificant by definition. Alternately, if the norm's politicization reveals the norm to be insignificant—a statistical anomaly or an abnormal, marginal contingency within the population, as when the Fourierists decry disciplinary institutions as wardens of bourgeois values—then the previously marginal phenomena acquire the status of the norm, allowing the effects of normalization to function effectively and without interruption. It would seem that attempts to redefine the norm, whether employing more inclusive standards of generality to define the norm, or else reversing the designations of normality and abnormality, only consolidate the methodological privilege of the norm for the biopolitical training of individuals in concert with the regulation of populations. Moreover, the norm's increasing efficacy seems to correspond to its lack of positive content. Yet, because this lack of content never becomes explicit within critique, the norm's characteristic generality always substantiates itself with the positive reality of a normative justification, rather than the positive reality of political disqualification. Being grounded in a positive, though perhaps poorly understood, reality such as “life” assures that the norm only faces opposition from the margins of unreality, whose existence parodies, but does not seriously threaten, strategic reliance on the norm.

When the norm's lack of positive content and its observable political effects become conspicuous, however, this parody of normalization confronts the norm with its essential

⁹¹ Halperin's definition of “queer” subjectivity offers a vivid illustration of the way the biopolitical norm generates its own terms of resistance (cf. footnote 88, above).

vapidity and thereby denaturalizes the norm and the disciplinary institutions it relies upon. Part of the effectiveness of Halperin's critique of attempts to construe homosexuality as an immutable characteristic rests on the way it highlights the inconsistency of the norm's propositions while emphasizing the consistency of its political effects. Consequently, whether or not homosexuality corresponds to an illegal act or a degenerate nature is irrelevant because biopolitical normalization will always impair the lives of homosexuals defined, as queer, in terms of their marginal positionality relative to the norm.⁹² Indeed, Halperin's analysis owes much to the characteristic technique of "exposure and demystification" that he attributes to the work of Foucault and Sedgwick. According to Halperin, Foucault's technique of exposing and thereby undercutting the inconspicuous functioning of power in

[h]is books on the history of the insane asylum, of the clinic, of the prison, of the human sciences, and of sexual discourse constitute *political histories of the production of "truth"*—scholarly attempts to historicize and defamiliarize, so as to better sabotage, the technologies of a socially empowered rationality that phobically constructs, then scrupulously isolates and silences, the mad, the sick, the delinquent, and the perverse (Halperin 1995, 51).

If I may reformulate Halperin's claim somewhat,⁹³ I would suggest that the process of exposure and demystification through historicization and politicization belongs to a strategy of resistance

⁹² Cf. Halperin's characterization of "queer" as a "positional" rather than a "positive" identity in footnote 88 above.

⁹³ To be sure, this is no small "if." I do not believe that Halperin has any interest in differentiating between the distinct forms of power that Foucault analyzes over his career, however, it does not appear that Halperin has any interest in asserting their unity either. Consequently, when he speaks of Foucaultian power, he often speaks of it as one thing and cites textual evidence that shares this univocal tone. For example, Halperin's gloss on the political effects of Foucault's historical research seems to speak of the way that power *always* has an interest in concealing its mechanisms of operation, and he cites a passage from the first volume of *The History of Sexuality* that confirms this sense by indicating an interpretation according to which even "[t]he great institutions of power that developed in the Middle Ages" (Foucault, *The History of Sexuality: an Introduction* 1990, 86) display this characteristic reticence about their primary techniques and forms of intervention. While this citation is apt, one cannot help but notice the emphasis that Foucault puts on the historical specificity of power's tactics, which concern the historical conditions for the acceptability of power. With that in mind, representations of "[p]ower as a pure limit set on freedom" that may be "at least in our society, the general form of its acceptability" (86) evolved out of specific historical conditions relating to the institutions of sovereignty that Foucault goes on to elaborate only insofar as they affect the present. Since political intervention depends upon understanding the applicability of strategies for resistance in the present, the transhistorical isomorphism of power obscuring its operational mechanisms remains politically ineffective unless the contemporary arrangement of power relations seems immune from such criticism and hence relies upon this strategy most heavily.

designed to undercut biopower's invocation of the norm as a natural phenomenon justified by its prevalence in and benefit for the population. While Foucault's books address power in various locations, operating by different principles and therefore varied in susceptibility to distinct forms of resistance, his "political histories of the production of truth" construct strategies of resistance that uniquely problematize biopolitical mechanisms that rely on the presumptive naturalism and lack of consistent propositional content associated with the biopolitical norm.

Conclusion: *The Invisible Present and the Movement beyond Biopower*

In short, historical, genealogical critique offers a mode of criticism that attempts to disrupt specific mechanisms of power on explicitly contingent, political grounds rather than basing its claims on ahistorical epistemic or ontological conceptions of subjectivity and discourse. The epistemic challenge of self-reflexivity produced by Foucaultian genealogy is an effect of both the contemporary political conditions of Western society and, more narrowly, the contemporary practice of professional academic philosophy.⁹⁴ In that respect, the call for self-reflective critique is a no less historically determined standard of resistance than intensification is a general trend in the development of power. If anything, there are numerous forms of resistance correlated to specific strategies of power, just as “intensity” carries a different resonance depending on whether we are talking about the intensity of sovereign power expressed through the application of physical force or the intensity of discipline implying increasing efficiency and saturation within a system. Today the intensity of biopower refers to its ubiquity, which also points to the possibility of an endless array of points of resistance, and so might as easily name

⁹⁴ Although Foucault indicated the significance of genealogical analysis for his own professional status as a philosopher in 1970s France, John McCumber’s analysis in *Time in the Ditch* indicates that contemporary American academic philosophy is similarly liable to such a critique due to its accustomed ignorance of the political implications of its own practice. There is a strong connection between Foucault’s analysis of biopower, which invokes the distinction between the specific and the universal intellectual, and his reflection on his work as a professional philosopher. According to Halperin’s analysis of genealogy’s attunement to the political significance of expert knowledges, Foucault regards many professional academic practices as “contriv[ances] to consolidate [experts’] claim to a superior knowingness [. . .] a knowingness that is not only distinct from knowledge but is actually opposed to it, is actually a form of ignorance, insofar as it conceals from the knowing the political nature of their own considerable stakes in preserving the epistemology of the closet” (Halperin 1995, 35).

Significantly, for McCumber, the most palpable sign of this ignorance in the case of American academic philosophy’s self-deception regarding its own political underpinnings is its emphasis on the pursuance of timeless, scientific, truth, which “denies the teacher and scholar any other goal than finding and communicating the truth” with the consequence that “[i]f someone should say that his or her purpose as a teacher is to produce educated Americans, or moral people, or a fuller appreciation of art—[. . .] that person is, apparently abandoning his or her vocation” (McCumber 2000, 99). McCumber goes on to illustrate his point about American philosophy’s tone-deafness to the consequences of its practice by quoting from John Searle’s *The Campus War*, in which Searle approvingly notes that “[a]s scholars [faculty] are not trained to consider the consequences of words” (Searle 1971, 134). Although Searle’s “sympathetic” comments were published nearly thirty years before McCumber’s analysis, his recent comments to the effect that truth is the condition rather than the effect of philosophical practice suggest that he supports the apolitical education and vocation of philosophers questioned in his earlier remarks (Searle, *Why Should You Believe It?* 2009).

the disintegration of power as its intensification. This observation remains ineffective unless it directs attention to specific sites of resistance: a possibility actualized through an understanding the historicity of Foucault's own projects and strategies of resistance rather than the observation of power's ubiquity alone. Consequently, it remains to be seen how Foucault uses the historicity of his own project to identify and destabilize the operations of biopower that characterize the present.

Nevertheless, the historical basis for some of Foucault's political interests, namely his support for revolutionaries in the Iranian Revolution of 1978 and their display of the "political spirituality,"⁹⁵ which motivated his subsequent interest in Greek ascetic practices, has been overlooked by most Foucault scholars. Part of this oversight stems from Foucault's terminology⁹⁶ and choice of images. When Foucault uses the term "political spirituality" in the context of the Iranian Revolution, his choice of image and his reference to "the Renaissance and the great crisis of Christianity" (Foucault, *What Are the Iranians Dreaming About?* 2005, 209) seems to imply a religiously motivated and only incidentally political mode of criticism. Yet his analysis ignore's the term's reliance highly contingent political calculations such as whether the United States would risk losing its economic interests in Iran despite the animosity raised by its

⁹⁵ Foucault will describe "political spirituality" in terms that point towards his interest in Greek practices of the self when he describes it as "the will to discover a different way of governing oneself through a different way of dividing up true and false," a project he sees as "characteristic and decisive for our historicity" and thus in no way subject to, but rather determinative of "the question of truth (which is the question of philosophy itself)" (Foucault, *Power* 2000, 233). This characterization of political spirituality as a way of transforming oneself by putting the historicity and political status of truth into question as activities characteristic of our present politics and particularly applicable to the question of philosophy itself seems to doubly localize Foucault's analysis in terms of both its historical and professional academic practices. In so doing, Foucault draws attention to the very features that would disqualify his analysis as contingently historical and narrowly professional by underlining the political stakes of linking truth's presumed atemporality to its political justification.

⁹⁶ Sometimes, as Ladelle McWhorter points out regarding the phrase "political spirituality," the problem lies in translation. McWhorter shows that political spirituality is often mistaken for a form of political critique founded on religious principles or else oriented by a "search for a new foundation" due to an interpretive translation of Foucault's unprepared remarks during the interview in which he originally invoked the term (McWhorter, *Foucault's Political Spirituality* 2003, 39).

support for the Shah, as when Foucault asks about the significance of still unfolding events during the Revolution:

Today they seem ready, after Camp David, to concede Lebanon to Syrian domination and therefore to Soviet influence, but would the United States be ready to deprive itself of a position that, according to circumstance, would allow them to intervene from the East or to monitor the peace (203)?

In the midst of these considerations, Foucault points out that the image of the conflict between revolutionaries marching under religious banners against an established regime backed by Western political authorities has not only a certain mythic, “traditional” value as confrontation between “the king and the saint” but that this mythic image has “its own power” because it “speaks to a reality to which millions of dead have just subscribed” (204). Again, Foucault ties the quality of the specific form of power he witnesses in Iran to rapidly developing political realities calculated within contingent geopolitical circumstances. In this case, four out of five Iranians interviewed by Foucault could repeat their desire for “an Islamic government” though the meaning of this government remains obscure. Rather than serving as a pretext to Pan-Islamic or Pan-Arab political unity, the absence of an Arab majority in Iran means that calls for “Islamic government” does not fit traditional liberal expectations of coalition politics (205).⁹⁷ Though the explicit propositions for Islamic government appear to be utopian rhapsodizing about the virtues of revealed truth and political egalitarianism, Foucault understands Islamic government to demand something else, something based upon “a reality very near to them” allowing “the continuing activity of the thousands of political centers that have been spawned in the mosques and in religious communities in order to resist the shah’s regime” (207). Unlike a liberalism that

⁹⁷ Rather than showing his woeful ignorance of Iranian history in the series of reports he filed from Iran, Foucault seems better informed than many contemporary Middle East experts who fear Iran’s involvement in a massive Arab – Islamic coalition against the West despite the fact that the majority of Iranians are Persians practicing the minority Shi’a Islam, which makes any meaningful Islamic coalition highly unlikely. Citing these facts and making explicit reference to Shi’ite religious doctrine in formulating his analysis of the revolution, Foucault is nevertheless dismissed for his political naïveté concerning the revolution.

sees resistance as grounded in some more fundamental identity such as Arab or Islamic ethnicity, or Western, modern and “enlightened” rationality, Foucault understands the revolutionary fervor in Iran to depend on a strategic intersection of numerous dispersed and provisional centers of resistance, none of which can be satisfied by liberal investments in individual autonomy.

Indeed, Foucault identifies the search for an abiding ground of political society, whether based on a religiously informed theory of government or the secular pillars of Western democracies as the target of criticism for the political spirituality motivating the call for Islamic government in Iran. Foucault speaks of a dream that grows out of the revolution rather than having animated it, of “another movement, which is the inverse and the converse of the first,” and which, instead of promising the infusion of Islamic faith into Iranian politics, promises “the introduction of a spiritual dimension into political life, in order that it would not be, as always, the obstacle to spirituality, but rather its receptacle, its opportunity and its ferment” (207). Politics, rather than constituting a permanent obstacle to spirituality, should constitute an “effort to politicize structures that are inseparably social and religious in response to current problems” (208). Foucault’s point does not so much concern whether religion should play an essential role in or be essentially distinct from political institutions but rather that political spirituality suggests that it would continuously problematize social structures, whether secular or religious, whose unresponsiveness to contemporary reality constitutes a dogmatic bulwark against criticism.

If Foucault’s appeal to political spirituality excites the derision he expects it to—he concludes, “I can already hear the French laughing, but I know that they are wrong” (209)—this owes less to its efficacy in fostering and sustaining resistance than highlighting the degree to which the authority of Western political institutions relies on distinctions between political and spiritual that have their own political significance and normative interests. In its own way, then,

Foucault's evocation of the political spirituality of the Iranian Revolution functions to expose and demystify the peculiar workings of biopower, namely the disqualification of legitimate political complaints (e.g. complaints about economic and cultural imperialism, politically motivated murder and torture, restrictions on speech, movement and association; all of which were alleged against the Shah's regime and the CIA operatives assisting it) by linking them with extremists; in this case, religious extremists whose strategic use of religious metaphor and values was designed to problematize Western liberalism. Whereas disciplinary normalization exhibited an intense interest in those marginal cases flanking the central region that demarcates the norm, biopolitical normalization exhibits just the opposite tendency in disqualifying those marginal cases by pushing them to ever-greater distances of obscurity where they ultimately pass the critical threshold that articulates the difference between life and death.

The Shah's regime, for instance, was a "sick patient" whose administration exceeded the political restrictions observed by healthy Western democracies, while it still displayed an interest in recovering or, at least, maintaining what little health the economic ties with the West provided. The revolutionaries, by contrast, didn't even desire the Pan-Arabism and Pan-Islamism that would be seen to display a "normal" and "healthy," though pathologically oriented, interest in political survival.⁹⁸ Indeed, it is their interest in death, highlighted by the significance of martyrdom in Shi'ite theology, that situates the revolutionaries at the furthest margin of the biopolitical spectrum where the relation between the norm and the margin becomes most explicit and least efficacious. As long as the revolutionaries can be relegated to the margins as religious

⁹⁸ Recall that the paramount feature of biopower is for the "individual" to define itself in terms of the norm. It matters little whether this definition is positively or negatively encoded, that is, whether the individual seeks assimilation to the norm or relishes marginalization because by taking up an identifiable position relative to the norm the individual serves as a sign to other members of the population who may then likewise define themselves in terms of the norm demarcated by others. In this manner, the individual's positive or negative evaluation of the norm is inconsequential to the regulative function the individual plays with respect to the rest of the population.

extremists without regard to life and even a positive regard for death, their critique will appear incomprehensible to Western attitudes shaped by biopolitical desire. Where biopolitical interpretation saw the perverse desire for death, Foucault overheard the use of religious themes including the positive value of martyrdom to suggest another form of life designed to confound the empty cipher of biopolitical “life.”

Another of Foucault’s images that invites ontological interpretation involves his discussion of death as the limit of biopower. Like his analysis of the Iranians’ “political spirituality,” Foucault’s discussion of death plays a tactical role that attempts to dismiss his criticism ignore in their characterizations of genealogical critique as personal, aesthetic or merely outmoded and utopian rather than political. Foucault takes death as his topic for strategic reasons associated with its status as the point of articulation between sovereignty, discipline and biopower. “Now that power is decreasingly the power of the right to take life and increasingly the right to intervene to make live,” Foucault begins, differentiating biopower from its sovereign forbear, before specifying the mechanisms by which biopower “begins to intervene at this level in order to improve life by eliminating accidents, the random element, and deficiencies, death becomes, insofar as it is the end of life, the term, the limit, or the end of power too” (Foucault, *Society Must be Defended* 2003, 248). The choice of death as a point of resistance does not belong to the timeless character of the saint’s battle with temporal political authority. It has to do with the fact that biopower problematizes everything leading up to death, most of all those broadly construed “pathological” elements that promote death. It conceals its elision of death’s political significance by identifying it as the most private, and thus apolitical, of experiences. Accordingly, in the West, death becomes that dimension most hospitable to narrowly defined

religious interpretations of spirituality, but by no means does it constitute a political, much less an ethical domain.⁹⁹

Because biopower *only* unifies the space stretching between birth and death through the constant rearticulation of the individual vis-à-vis the population, “[p]ower has no control over death, but it can control mortality” (248). In conclusion, Foucault identifies the characteristic manner in which biopower disqualifies death by personalizing it not only as idiosyncrasy and perversion, but as inherently hostile to ethical and political practices that rely on the norm’s popular appeal: “to that extent, it is only natural that death should now be privatized, and should become the most private thing of all [. . .] death now becomes the moment when the individual escapes all power, falls back on himself and retreats, so to speak, into his own privacy” (248). Rather than constituting a moment of freedom from power, death constitutes a moment in which the individual is no longer known by power, a gap into which the individual estranged from the species of the living slips without notice because, according to the standards of biopower, the event of death is essentially an event for the living. As such, death constitutes a fundamentally unknowable region in which power’s absence provides to the dying no respite because life, and with it meaning and political viability, apply only to those things that can be situated with respect to norms constituted by reference to the population.

Whether biopower disqualifies the political content of such experience on the margins by locating its source in an immutable attribute, such as homosexuality’s rootedness in biology, or by pushing such experiences further into the margins where, like death, it can “literally [ignore]” (248) them, its operations display the same strategy of disqualification by personalization, or

⁹⁹ In identifying the resultant effect of Foucault’s analysis of biopower as the condition that “[w]e can no longer even say that death transforms life into a destiny, an ‘indivisible and decisive’ event, but rather that death becomes multiplied and differentiated in order to bestow on life the particular features, and consequently the truths, which life believes arises from resisting death” (Deleuze 1988, 95), Gilles Deleuze astutely characterizes the politicization of death as a tool for resisting biopower.

what is the same, citing an experience's marginal status, as an explanation for its political insignificance. Revealing these mechanisms and the strategies they promote paralyzes their ability to disqualify marginal cases as either instances of general laws of nature, or as perfectly inexpressible and therefore practically insignificant. Because revelation illustrates the degree to which biopower relies on strategies of disqualification, it jeopardizes the view that such experiences are somehow naturally endowed with an aura of biological significance or political insignificance. Through demystification, both biopower and the norms it upholds appear mortal, that is, born within the specific tensions of disciplinary society and maintained through a subtle modification, reorientation and integration of discipline's mechanisms of observation and training. Mortality renders biopolitical strategies visible as political investments that govern life by continuously situating some, those representing the norm, in a position of privileged ignorance of the operations of power relative to others, those at the margins, whose disqualified experience makes them all too familiar with the politics of life and death.

While the Fourierists and their contemporaries seemed to understand their resistance to discipline in terms of a timeless battle between the irrepressibility of human nature and the merely cultural, criminal preferences of the bourgeoisie, Foucault is quick to point out the historical conditions for the possibility of their resistant appeal. In the case of the Iranian Revolution, Foucault cites the revolutionaries' awareness that the political potential of Islamic government rests in its historically anachronistic quality, a sign that political spirituality, as a form of resistance, uses different techniques to exploit the strategies of biopower than he observed in the Fourierists' practice of "indiscipline." Strategies of resistance thus change in step with the mutation of power, however, it is instructive to reflect on how this parallelism occurs. As Halperin points out, for a time the irrepressibility of the immutable characteristic of

homosexuality effectively stifled disciplinary modes of normalization¹⁰⁰ but it consequently substantiated more grotesque processes of normalization under the regime of biopower.

Considering the aftermath of the Iranian Revolution, it would be hard to underestimate the truism that one generation's revolutionary is another generation's oppressor. Thus, it might appear that the historical contingency of Foucault's analysis of power comes to an end in the midst of manifold beautiful, obscene tactics of power that leave room for the conclusion that "[l]ife henceforth consists only of taking one's place, or every place, in the cortège of a 'One dies'" (Deleuze 1988, 95). Despite the variety of historical mutations in the operation of power, at present both power and its persistent intensification remain inescapable facts.

While it is true that, for Foucault, resistance is a historically contingent possibility that impacts specific power relations with focused acts of insurrection, there is reason to believe that the historicity of resistance bolsters rather than diminishes its significance. In his essay, "Foucault: Intellectual Work and Politics," Keith Gandal suggests that the tendency to interpret Foucault's analysis of power relations as nihilistic and lacking in a positive political program is owed to a misunderstanding of the relationship between Foucault's political work and his scholarship.¹⁰¹ "[T]here is no discrepancy between theory and practice with Foucault," Gandal

¹⁰⁰ German gay-rights advocates "succeeded so well in convincing early sexologists of their view that a number of influential, mid- and late-nineteenth-century accounts of 'sexual inversion' relied for their data on the self-representations of gay polemicists" (Halperin 1995, 33).

¹⁰¹ Halperin will amplify this claim by highlighting the connection between the dismissal of Foucault's "anarchist politics" and the rejection of his "nihilist" scholarship, both of which "far from reassuring liberal critics, [seem] actually to have contributed to their mistrust of him" (Halperin 1995, 23). According to Halperin, that concerted effort to resist acknowledging the connection between Foucault's politics and his scholarship owes to the pervasive homophobia embodied in the norms of liberal political theory, which "imply that getting beaten up by the police presents to academic philosophers the sort of seductive appeal that only an austere and strong-minded person, capable of holding out against the temptation to indulge his taste for fashionable causes, can withstand—as if keeping one's distance from violent street demonstrations did not in fact represent to intellectuals the path of least resistance" (24). Homophobia may not be an intentional motivation for such scholarship. Rather, it emerges from scholars' real or feigned ignorance about the political status of their own work and their subsequent interest in denying the political viability of scholarship that does not meet normalized assumptions about the standards of detachment for acceptable scholarship in particular and political speech in general. As a homosexual demonstrating on behalf of others marginalized by biopolitical norms, Foucault seemed to lack the necessary restraint to keep his

proposes; “one of his achievements was to establish a new and effective relation between the two” (Gandal 1986, 122). The charge of nihilism derives from the sense that nothing underlies genuine political action in Foucault’s work. Consequently, every revolution’s inevitable integration into mechanisms of power makes politics not only meaningless but impossible as well. Such a realization of politics’ meaninglessness and impossibility seems to indicate a more profound nihilism than even Foucault is willing to accept, nevertheless he

understand[s] that resistance cannot stand in pure opposition to the powers that be, but that, instead, struggle and change always take place through co-optation, that, in fact, change is made possible because of co-optation because, in the process of co-optation, in assimilating the resistance, the terms of power change (122).

According to Gandal, Foucault’s scholarship both supports the conclusion that power inevitably assimilates forms of resistance and opens the possibility of new forms of political action by changing the terms according to which power operates. A non-nihilistic reformulation of the inevitability that power will assimilate its political rivals might point out that by being assimilated into the operation of power, resistance successfully alters the conditions of intolerability from which it arose.¹⁰² One might even go so far as to say that due to the inevitability that power relations change in consequence of their assimilation of resistance, the inevitability of domination and freedom are simultaneous.¹⁰³

personality apart from his politics. In addition to the howls of protest from Foucault’s liberal critics, Halperin cites James Miller’s *The Passion of Michel Foucault* as a case in point where the tendency to interpret Foucault’s work in light of its biographical rather than its political resonance upholds homophobic norms that disqualify queer speech and discourage political action that might resist those norms (Halperin 1995, 143-184).

¹⁰² One might compare the reciprocal operations of power and resistance to the epistemological reflexivity of genealogical analysis that serves as the basis for both differentiation and solidarity between subject and objects. (Cf. footnote 44, above.)

¹⁰³ I would like to distance myself from such an equation, however, because I believe that Foucault’s historical accounts of power relations do not tell us that “struggle and change *always* take place through co-optation” (my emphasis) or that power inevitably assimilates and therefore dominates its other. Rather, a historical interpretation of the mutation of power relations seems to indicate that there are many ways that power can affect the relations between individuals and groups. There are also possibilities for affecting power relations that have not been developed. The dichotomy of domination and freedom are two very broad and uninformative ways of characterizing these effects in general. Given the interaction between biopower and resistance, the meanings of freedom and

Taken as a whole then, Foucault's analysis of power attempts to highlight and mobilize the mechanisms by which multiple social forces come to bear in specific historical circumstances. The act of demystifying or revealing these mechanisms does not appear to be, in itself, a resistant political act. Genealogical demystification and defamiliarization is calibrated to the production of effects specific to biopower. Thus, genealogy seems to depend upon a kind of biopolitical relation that creates acceptability by obscuring the relation between these mechanisms and their effects.¹⁰⁴ This dependency involves both practical and discursive dimensions. Practically, it results from and aims at transforming the operation of power relations in the present because its strategy of resistance relies on those points of reversal inhering in the contingent fact of biopolitical strategies of regulation. Discursively, Foucault's development of strategies of resistance highlighting the specific effects of biopower depend on his observation of similar strategies and the impairment of their approaches in contexts of other modes of power relation. Thus, from the biopolitical present, the spectacle of sovereignty appeared to suffer from the costs of its displays and engendered the gradual socialization of power wherein sovereign authority was delegated throughout the social body and exercised in the name of society as a whole. This process of delegation continued until the claim that sovereignty represented the whole of society could no longer be tolerated in a disciplinary political environment composed of infinitely specified bodies whose distinctive features could not be appreciated from the central

domination are almost always relative to *particular* asymmetries of power. To say that power *always* co-opts resistance, as Gandal suggests, or that resistance is the dominant mode of cultural power today, as Nealon suggests (Nealon 2008, 109), has the immediate effect of impairing the urgency of paying attention to specific sites of domination or practices of freedom for their characteristic functions.

¹⁰⁴ One wonders, for instance, whether sovereignty might be immune to the political effects of demystification. Reflecting on the historical basis for biopower's use of misdirection, Foucault points out that the institutions of sovereignty, whose power rested on the use of spectacle, operated by "present[ing] themselves as agencies of regulation, arbitration, and demarcation, as a way of introducing order in the midst of [many] powers, of establishing a principle that would temper them and distribute them according to boundaries and a fixed hierarchy" (Foucault, *The History of Sexuality: an Introduction* 1990, 86-87). From its exclusive reliance on visibility, it is hard to imagine that the effects of sovereignty would be significantly impaired by rendering them more visible. However, one doesn't have to be Oedipus, Plato or even Nietzsche to appreciate the blinding effects of too much light.

standpoint of the sovereign or the invariant category of the social will. With discipline, power relations become so minutely variegated that they seem to disappear altogether until the tiny canals, etched by disciplinary practices into the lives of individuals, allow them to apply these mechanisms to themselves without the instruction of skilled overseers or a cluster of related disciplinary institutions embodying the remaining vestiges of sovereign authority. Finally, with discipline removed from structures of sovereignty, the quintessential problem of how to connect the unpredictable behavior of individuals to the mass of humanity assumed primary authority under the auspices of not only representing but also promoting the cause of life itself.

In the name of looking to their own interests as expressions of the interests of life writ large, individuals refer themselves to the norm established by popular practice, thereby ignoring the political significance of that which lies outside the norm, including mechanisms that train individuals and regulate populations by enabling constant referrals to the norm. The constancy of such referral surfaces in tendencies to deny the reciprocal constitution of observer and object by predicating observation on the activity of a constitutive subjectivity or as an effect of a more basic underlying reality. With biopower the epistemic gap between objective and subjective strategies of evaluation closes around the identification of the subjective constitution of reality as the underlying objective reality of lived experience. In that context, the problem of the reflexive constitution of reality through observation no longer presents a political problem because it has become unavoidable and, due to this inevitability, preference is granted to what normally passes for real according to the bulk of “humanity.”

By viewing epistemological structures in terms of their political effects, Foucault’s genealogical critique of biopower in the present attempts to dramatize the conditions of its own analysis as they entail political implications for the present. Looking at the epistemological

dimension, which consolidates itself by taking subjectivity as an objective fact that discharges the problem of self-reflexivity, epistemological consolidation functions by producing political effects that disqualify attempts to evaluate the subject-object pairing in terms of the political underpinnings of subjectivity. Without claiming these political relations to be ontologically prior, and thereby suggesting that the political dimension supervenes upon the epistemological dimension, Foucault's genealogical analysis problematizes the priority of epistemological reflection by pointing out those political premises it renders insignificant. In so doing, Foucault historicizes his own analysis in a way that demands scrutiny of its own political commitments rather than undermining, in advance, the possibility of critique by exempting it on apolitical epistemological or ontological grounds. The next step in evaluating Foucaultian critique thus amounts to testing this strategy in terms of the discourses and political strategies it opens up rather than accepting its formal congruity for an indication of its practical worth.

Part III: *Politics*

Introduction: *Genealogical Politics of Discursive Displacement*

In the preceding parts of the dissertation, on Critique and Power respectively, I have attempted to develop the claim that the ethos of Foucaultian critique is characterized by its identification and problematization of the delimiting historical circumstances that constitute it, that is, by the attempt to historically contextualize and problematize genealogical critique itself. This is not a programmatic endeavor that attempts to identify the conditions of possibility for the validity for any possible critique, but neither is it an idiosyncratic project whose significance applies only to Foucault, his students, his readers and perhaps more broadly, but nonetheless restrictedly, the twentieth century continental tradition of philosophy. There are limits to this critique, but they are not the limits of finitude and generality. Rather, they are the limits of strategic relevance, a critique whose potential in the early twenty-first century remains circumscribed by the discourses of universalism and particularity as they affect intellectual practice. If the previous sections of this work have succeeded to some extent, then the reader will be aware that Foucault's critical practice falls within the lineage of Kantian critical philosophy. As such, Foucault's genealogy of Enlightenment constitutes a theoretical response to the Enlightenment just as his genealogy of the power relations that shape and operate within subjectivities in modern Western European societies develops out of and proposes to intervene upon the constitutive arrangements of sovereignty, discipline and biopower that articulate Western political agency. In this, the final section of the work, I therefore attempt to describe how these two projects come together not in the consummation of theory and practice, but in a form of politics marked by the displacement of discursive practices whose inscription as polar opposites underwrites a form of political alliance whose effects cannot be formulated as political

problems because, as they are inscribed in contemporary discourse and practice they defy the syntax in which sensible political discourse in the West must be articulated.

At various points throughout this project, I have referred to the effects of Foucault's work as inducing a state of paralysis in the habitual functioning of critical attitudes and power relations. Though I prefer the language of paralysis for its textual authority—paralysis is one of the words Foucault uses for the reported effects of his writing—and its conceptual lineage,¹⁰⁵ for the purposes of my immediate readership the term “recoil” may be more appropriate. As Charles Scott uses the term in reference to Foucault, “recoil” denotes several reflexive effects that destabilize the relation between Foucault and his work, while also referring to the forces that affect the reader's relation to Foucaultian genealogy.¹⁰⁶ If we are normally in the habit of identifying an author or thinker with her work, this account of the recoil that separates the author

¹⁰⁵ That lineage goes back to Foucault's genealogical predecessor, Friedrich Nietzsche, but owes more broadly to the historical trends in political attitudes and tastes that Nietzsche discerned in his contemporaries. Nietzsche seems play the curmudgeon when he uses the image of paralysis to describe what he does “*not* mean by freedom” in §41 of *Twilight of the Idols*: “In times like these giving in to our instincts is just one more disaster. The instincts contradict, disturb, destroy each other; I even define *modernity* as physiological self-contradiction. A rational educational system would have *paralysed* at least one of these instinct systems with iron pressure so that the other could gain force, become strong, take control” (Nietzsche, *The Anti-Christ, Ecce Homo, Twilight of the Idols, and Other Writings* 2005, 216). By this I take Nietzsche's dominant schoolmaster pose to be a half-ironic condemnation of the way that modern liberalism, characterized by a letting go of the instincts, becomes the standard that has taken hold “with iron pressure” so that the only value that can be positively invested in politics and art is one that promises an ultimate liberty and freedom from all compulsion. In this context, to reinvest the value of training and asceticism is meant to have the effect of paralyzing the kind of freedom that Nietzsche views in terms of “decadence” and degeneration.

¹⁰⁶ Scott identifies three types of effect or “recoils” that allow Foucault's genealogical writing to displace and redeploy the forms of power relation that constitute the tradition out of which Foucault writes. Schematically speaking, the three types of recoil that Scott identifies involve, first, a kind of explosive, disruptive recoil that approaches its subject with regard to “the mutations and disruptions that [epistemic orders] have systematically ignored” (Scott 1990, 58), second, a kind of twisting recoil that derives its force from “the torsion of the concealing and uncovering that go on in Foucault's genealogy” (59), and, third, a repulsive, countermovement of “wincing [. . .] wincing away from its own ‘sexuality,’”—a term that Scott employs in fidelity with Foucault to indicate a kind of discourse providing the elements of an essential form of self-identification—“in the direction of pleasures that, as a discourse, it does not know how to embody” (60). Additionally, there is a fourth type of recoil that is occasioned by Foucault's work, although it is a type of recoil that takes one out of the orbit of genealogy. This type of recoil, rather than pushing the reader away from the kind of implicit self-relation that silently dominates one by telling her who she is, forces the reader back into herself at the expense of denying the significance of what she has read in Foucault's genealogies. Though still a form of redeployment of power relations in the sense of codification and concentration, this form of recoil does not immediately contribute to the reversal of discursive priorities, but may nevertheless contribute to such a movement through the articulation of more obvious, impassive and intolerable discursive totalities.

and the work can help to establish a strategic alliance with the reader to the extent that Foucault becomes the first reader of his own work and thus, in the writing of a text, shares the reader's experience of undergoing something in the process of reading a text. This is an element of Foucault's work that slips past the term "paralysis" to mark a clear shift of emphasis between these two terms. Whereas the recoil that Scott describes indicates a sense of reflexivity that verges precariously on the boundary of self-reference,¹⁰⁷ the language of paralysis may omit the manner in which Foucault's recoil from his own work serves as a basis for solidarity with readers.

Nevertheless, the strangeness of this solidarity, which allows Foucault and his readers to experience similar, though formally distinct effects of repulsion,¹⁰⁸ allows the language of paralysis to have its place in the way that this term invokes the effects of Foucault's critical practice upon those who do not read or experience his work in any direct fashion. In this regard, it is notable that when Foucault refers to the paralytic effects of a work like *Discipline and Punish*,¹⁰⁹ he is not referring to his readers as the recipients of either his work or such paralysis,

¹⁰⁷ Though walking dangerously close to self-reference, Scott's analysis stresses that Foucault's critique of self-constitution makes an unproblematic form of reflexivity untenable. Rather, genealogical critique functions in a manner akin to the middle voice tense that displaces the need for prediscursive subjects and objects. Though one of the few remnants of the middle voice in our language, for the reflexive form to accurately recreate the effects of the middle voice, "[w]e need to bracket the implication 'of itself' when we say that becoming becomes, for example, because there is no distance of self-relation or self-objectification. There is neither an active subject nor a passive object, and the peculiarity of that structure for our grammar is lost by the reflexive form" (Scott 1990, 19). In recalling the middle voice through genealogical critique, I believe that Foucault employs a linguistic relic whose foreignness from our current usage is on center stage precisely to highlight the hegemonic influence that the structure of self-constitution exerts through the constraint of self-reflexive grammatical forms operating through the undisturbed use of the subject-object distinction. Accordingly, Foucault's critique is neither reflexive nor middle voiced but attuned to the interpretive tensions that hold one in relation to the other.

¹⁰⁸ This is a dynamic solidarity because it does not exist among political allies bound by either ideology or material circumstances. Foucault is repulsed by the tradition from which he emerges, which is made apparent through his genealogical efforts, while his academic readers are often repulsed by Foucault's account of that tradition, leading them to dissociate themselves from *his* traditions of historiographical and philosophical research, which they do not understand themselves to share in any significant way. Thus, they are bound by repulsion, though the reasons for that repulsion differ significantly from the perspective of each.

¹⁰⁹ Foucault stresses that the point of his work is largely instrumental and that the effects he hopes it to produce are not those felt immediately by his readers:

but to those with whom, for whom, and on whom his readers work. He refers to all whose struggles are implicated in his work either directly, as readers, or indirectly, those dealing with his readers, as the recipients of his work.

Paralysis refers to the effects Foucault's work produces on his readers with respect to non-readers. There are at least two distinct ways that one can "read" Foucault and the effects of each type of reading will no doubt elicit very different responses. Generally, one can react in a manner sympathetic to Foucault's genealogical discoveries and ask the paradigmatic "what is to be done?" question or one can react unsympathetically, repudiating Foucault's research as baseless conjecture and unfounded denunciation, thus sending the reader off to search for or rearticulate the core principles to substantiate that rejection. Though they may be diametrically opposed on one level, on another level both types of response can be characterized by a kind of paralysis, experienced either as an anxiety that seeks respite in the articulation of a more robust, adequate formulation of the principles ambiguously impugned by Foucault's so-called genealogies or else as a worry that one has missed Foucault's positive program for action and that the question "what is to be done?" has not been sufficiently articulated, far less answered. The choice of *paralysis* as the operative descriptor for these experiences emphasizes their

Who has been paralyzed? Do you think that what I wrote on the history of psychiatry paralyzed those people who had already been concerned for some time about what was happening in psychiatric institutions? And, seeing what has been happening in and around the prisons, I don't think the effect of paralysis is very evident there, either. On the other hand, it's true that certain people, such as those who work in the institutional setting of the prison—which is not quite the same as being in prison—are not likely to find advice or instructions from my books that tell them 'what is to be done.' But my project is precisely to bring it about that they 'no longer know what to do,' so that the acts, gestures, discourses that up until then had seemed to go without saying become problematic, difficult, dangerous. This effect is intentional. And then I have some news for you: for me, the problem of the prisons isn't one for the 'social workers' but one for the prisoners (Foucault, *Power* 2000, 235).

In one sense, it is precisely by paralyzing one part of the articulation of power relations, that other domains can gain leverage. In another sense, however, paralysis does not simply name an act of stasis, but "an awakening to a whole series of problems" in which "the difficulty of doing anything comes to be felt" (235). Yet, even here paralysis is not purely an anesthetic or destructive "end in itself" but a provocation such that in not "know[ing] which way to turn, this just goes to show that they're looking and, hence are not anaesthetized or sterilized at all" (236).

interruptive, constraining, overtaking aspects, but the term “recoil” contributes a no less significant sense of how these experiences send the reader in search of something that their reading has explosively, jarringly and forcefully knocked loose. Nevertheless, the shared implications of both terms may miss Foucault’s explicit reference to those who are not among his immediate audience, sympathetic or not, but who comprise a distinct, though problematic, “audience” to which his work is addressed.

My preference for the term “paralysis” has to do with the meta-discursive effects that extend beyond what Foucault’s work may reasonably promise. Normally, this would be a source of shame for any self-respecting scholar or writer. Yet, in retrospect this allowance seems warranted by Foucault’s quite explicit reference to the lateral effects of his enterprise. Foucault notes that it is only for reformers, whose practices have been circumscribed by his genealogies, that the experience of reading is paralyzing. Even so, this paralysis has the effect of liberating those who are normally the targets of would-be reformers because the reformers “no longer know what to do” and no longer knowing how to unconsciously carry out those projects of improvement that would limit the proliferation of effects that ripple outward from reform’s stated goals, the grip of their authority slips. This reference is significant not only for the way that it reverses the traditional emphasis on the reader by shifting attention away from the individual reader toward those with whom the reader might have contact, but also for the manner in which it bypasses traditional allusions to non-readers who become the objects of the reader’s interest through the articulation of concrete goals and urgent demands. Instead of speaking for others, attention to the lateral effects of discourse permits expression of the concern that one addresses the non-reader when deliberately *not* attempting to articulate their interests through the pursuit of reformist projects.

In this respect, Foucault does not simply reverse the priorities of audience but effectively articulates the possibility of a new form of address: one that, rather than remaining tethered to binding practices of direct address, is attuned to the identification and production of lateral effects. This creation of a new domain of discourse and practice founded upon reflection directed toward articulating and rearranging existing discursive practices valorizes a practice of liberty that is relational and practical rather than attempting to name a definitive property or characteristic belonging to the subject of discourse.¹¹⁰ The practicality of this freedom means that in some sense, Foucault's discourse must affect its conditions of possibility by engaging its own historical delimitations, founded on the ideals of liberal self-constitution and autonomy, by deploying the imperative of self-constitution against itself so that "the liberty of individuals to develop all manner of codes and knowledges and to give them governing power by accounts of prescriptive origins and foundations—that liberty becomes a threat to the particular authorizing knowledge" (Scott 1990, 90) involved with self-constitution. For Foucault and his readers, this will take the form of paralyzing the impulse for both self-revelation and self-determination promoted within regimes of biopower with a certain kind of broadly defined genealogical suspicion "that what we ordinarily take to be satisfaction and the good conceal suffering that we have an investment in maintaining because of who we have come to be" (112). Because conceptions of the good differ as widely as individuals' modes of investment in maintaining both senses of selfhood and practices of self-constitution, genealogy will naturally gravitate toward an account of the various techniques and permutations that affect the modes of suffering produced by specific discourses and the practical forms of concealment developed to ignore those productions.

¹¹⁰ As Scott notes, "[r]ather than contending that freedom is a characteristic of human subjectivity, [Foucault] locates freedom in the reversibility, instability, and problematic formation of the relations of knowledge and power in patterns of direction and influence" (Scott 1990, 88).

Understanding his work within a Western tradition oriented by an ideal of self-constitution,

Foucault cannot put in question the operators of power and the subjection of individuals that they effect if he merely changes the meanings and the authorities. He sees the need, rather, to break the totality that characterizes the formation of self and the power inherent in the formation. Unless this is done, his thought will replace one kind of subjectivation with another, and the process of subjectivation is the thing he wants to think through, from which he wants to keep his distance and detachment (55).

Consequently, the self-constitutive practices informing Foucault's work lead to the renunciation of such a project, precisely by showing self-constitution to be the primary mechanism through which the continuity of Western traditions of domination are perpetuated. Nevertheless, this renunciation, rather than offering a prescription to Western or non-Western readers that Foucault addresses either directly or indirectly, serves to draw immediate attention to the "danger" involved in discursive practices of totalization: "[E]verything is dangerous, and that presumed fact leaves us without an unquestioned arbitrary sovereignty or an internalized discipline of subjectivation to inspire in us overwhelming conviction and ethical passion" (55). In this respect, the paralysis that Foucault inspires in his readers is one that quells ethical conviction or passion by pointing to the arbitrariness and danger of presuming one type of ethical project or consideration, one form of subjectivation, including the general form that asserts the need for some one dominant mode of subjectivation itself. Genealogical critique thereby creates a state of paralysis by engendering counter-discourses informed by, but not dominated by, the West's emphasis on ethical and political projects of self-constitution.

This attunement to the dangers of totalizing interpretive practices has earned Foucault considerable criticism from feminist and postcolonial scholars who find his detachment from traditional political practices and concerns to be an embodiment of characteristically masculine, European forms of privilege. Rather than affirming or denying these critiques in their entirety, in

this section I would like to investigate the extent to which these discourses identify a set of dangers that derive from Foucault's project, after posing the question of whether the existence of such criticisms undermines or may even further Foucault's attempt to engender counter-discourses that develop from the loosening authority of Western practices of self-constitution.

Accordingly, I will begin by outlining some of the dangers attendant on these criticisms by evaluating them in terms of Scott's discussion of the reader's recoil. In the fourth, unspecified, type of recoil mentioned above, Scott characterizes a possible effect of Foucault's "anarchic" thought as "undergo[ing] the transformation of the metaphysical patterns and habits of thought that are in the text" that "occasion[s] a hostile recoil on the part of the reader in the sense of shrinking back, wincing, or quailing in the face of the transformative process" (61). After distinguishing this kind of recoil from the recoil of self-overcoming that allows one to reconfigure power relations by developing a sense for the contingency of the process of becoming a self-constituting subject, or one's subjectivation within power relations,¹¹¹ Scott elaborates two forms of "violence" that this form of recoil might trigger against the text:

This reaction is evident in some discussions of Foucault, which reinscribe his work in a metaphysical concept or problem, such as the necessity of a constructive concept of subjectivity, an implicit ethics, or a hidden humanism. Others read him as an historicist or historical relativist by ignoring the fact that the meaning of these orientations derives from a way of thinking that polarizes transcendental and temporal reality, a polarization that is problematized and largely eliminated in Foucault's thought (Scott 1990, 61).

I regard these two forms of reader recoil away from self-overcoming as symptoms of the consolidation or communication of Western discourses of self-constitutive autonomy insofar as both result in the production of "suffering that we have an investment in maintaining because of

¹¹¹ For a detailed account of the various types of recoil affecting Foucault's texts, cf. footnote 106, above. Also, it may be good to recall Foucault's distinction between subjectivity—simply being, embodying and enacting the specific features of a subject or else the structure of that activity—and subjectivation—the historical and discursive process of becoming and coming to view oneself as a subject characterized by certain attributes.

who we have come to be” (61). I do not understand this distinction between self-overcoming and *non*-self-overcoming forms of recoil to reflect valorizations made by Scott, but rather to note different kinds of effects engendered by Foucault’s work and the strategies into which they may all too easily be enlisted. In discussing specific examples of each kind of recoil, it is therefore my intention to highlight the possibilities and limitations made possible by my own habits of interpretation. I understand my analyses of two type of recoil away from Foucault’s work to be “a genealogy of this manner of perverting Foucault” (61) that is not primarily motivated by an emphasis on exegetic orthodoxy that is perhaps implied by the term perversion, but that instead seeks to find “a reentry into the self-overcoming that is carried negatively in this reaction” (61). That is, conducting an analysis of the strategies that envelop, support and ultimately become possible on the basis of Catherine A. MacKinnon’s and Gayatri Spivak’s critical readings of Foucault from the standpoints of feminism and postcolonialism constitutes both an attempt to see their work in light of the untapped possibilities for critique that their engagement with Foucaultian genealogy makes possible, as well as an attempt to paralyze some of those totalizing interpretive gestures that a comparatively isolated reading of Foucault might allow.

In that light, I will turn to two powerful critiques of Foucault’s genealogical efforts to see how they each exhibit the reader’s recoil away from genealogy and the kinds of dangers that that recoil might create. In distinct, yet related, ways, the recoiling motion Scott describes can be discerned in both MacKinnon’s general critique of “postmodernism” in her essay “Points Against Postmodernism” (2000) and in Spivak’s particular criticisms of Foucault in essays such as “Can the Subaltern Speak?” (1994) and “Subaltern Studies: Deconstructing Historiography” (1988). Whereas MacKinnon’s critique follows the liberal tendency of rendering Foucault as a historical relativist and thus implying a critique on the grounds of genealogy’s structural

insufficiency, Spivak's criticism picks up another strand of liberal recoil and concludes that the consistency of Foucault's relativism ultimately implies a colonialist reassertion of European subjectivity that ultimately issues from the metaphysical underpinnings of his approach and so proves susceptible to Spivak's postcolonial deconstructive critique of European metaphysics.

As we shall see, this characterization of the respective recoils made from the liberal and the postmodern wings of criticism is somewhat arbitrary; not only does MacKinnon voice her own critique of metaphysics, which will be discussed in the next chapter, while Spivak commits herself to a defense of Marxist materialism and a performance of gender essentialism on "strategic" grounds, but both approaches harbor political and strategic practices which I believe complement Foucault's work precisely by bringing its omissions into question. Although MacKinnon and Spivak will each appear to engage in that which they critique, namely, versions of class, gender, racial and sexual essentialism, by reading their respective analyses as practices of discursive displacement that use essentialist tropes to accomplish strategic objectives we can see how opening these approaches to critique, in much the way Foucault's own work opens itself to critique, occasions the possibility of a new discursive technology which is not undermined but empowered by critical discourse.

The generosity needed for reading each of these critiques outside of the recoiling structure described by Scott requires the reader to check his or her own tendency to recoil away from the feminist and postcolonial discourses articulated, respectively, by MacKinnon and Spivak. Of course, this generosity is neither purely largess nor toleration; rather, it puts in question motives and strategies that might overtake one's reading and so prescribe it, whether favorably or unfavorably, in such a way that the result is the blind compulsion to repeat one's habits of support, repulsion and everything between. Generosity requires one not to reject these

criticisms out of hand and it also requires, simultaneously, a degree of reserve or holding back in order that one not subsume the still nascent possibilities opened in these exposures by too quickly and too casually appropriating them into what one already knows. Generosity, understood to be neither obligatorily tolerant nor enthusiastically appropriative, reveals that Foucault's reluctance to use his genealogies to speak for others assumes neither the role of a blasé relativist, nor the role of the passive metaphysician.

In the following chapters, I will attempt to practice this generosity by analyzing the feminist critique of Foucault advanced by MacKinnon and the postcolonial critique advanced by Spivak with an eye for the dangers entailed by the discursive strategies to which they may subscribe and enable. Machiavelli offered his work to Lorenzo de Medici by observing that “[w]hen painters want to represent landscapes, they stand on low ground to get a true view of the mountains and hills” while alternately “they climb to the top of the mountains to get a panorama over the valleys” (Machiavelli 1977, 3). I offer these observations based on my perspective, and do so with the hope that the same generosity would be shown to me if someone were to reveal the dangerous tendencies of my analysis by taking it up from another perspective. Accordingly, when I say that MacKinnon's emphasis on the materiality of women's lived experience fetishizes unmarked white racial and class privilege, it is because I discern other strands in her practice of feminist jurisprudence that resist this tendency and so may be capable of paralyzing it if a genealogy of the biopolitical roots of class, gender and racial opposition could expose the limits of their complicity. Similarly, when I suggest that Spivak's reading of Foucault uncharacteristically promotes the conditions for the history of the metaphysics of presence that it claims to question, it is not because I oppose postcolonialism's use of deconstruction, but because the metaphors of representation and textuality it uses as the foundation for any possible

critique establish a rigid hierarchy of critical priorities that might be described as a reassertion, representation or re-presencing of Western metaphysics. In both cases, my critique is aimed at questioning the strategies and priorities into which these projects are drawn rather than their intentions or unconscious necessities.

Rather, critique might be advanced for strategic reasons that do not require discursive totalization. It is in this strategic sense that I understand totalizing references to the “universality of sex inequality,” “strategic essentialism,” and the ubiquity of power relations as made by MacKinnon, Spivak and Foucault, respectively. While each thinker can be read as resolutely opposing discursive totalization for its variously catastrophic political effects of practical domination, each has had recourse to these interpretive gestures as a basis for critique. However, there is a difference between the operation of totalizing discourses and the use of apparently totalizing language in critiques opposing totalization. Just as the reversal of totalizing claims can have the effect of perpetuating disparities that remain in operation because they are excluded as the proper subject matter of a certain discourse,¹¹² so such reversals can develop critical, interpretive practices that resist this lapse into totalization. This requires sensitivity not only for

¹¹² One may take the theme of sexual difference, or “sex inequality” in MacKinnon’s work, as a case study of the attempt to oppose discursive totalization by reversing the terms of discourse: Whereas Western metaphysics might be said to enshrine masculine values in a gender-neutral discourse of objectivity, which produces real gender disparities that are discursively unidentifiable, the feminist critique of metaphysics by emphasizing sexual difference and the universality of sex inequality effectively reverses this tradition by suggesting that gender disparities are, if not directly, then indirectly involved in everything, including those things held to be most objective and gender neutral. The strategic value of this gesture seems to involve displacing and circumscribing the metaphysics of objectivity with questions of its unstated, but assumed gender biases. This displacement effectively paralyzes the unacknowledged equivocation between masculinity and objectivity that produces and maintains gender disparities without asserting a new metaphysical starting point apart from its politico-discursive effects. One does not need to positively identify the gender structure of metaphysics to produce these strategic results. For critique to work in this case it is enough to highlight the signs of gender’s intrusion into the gender-neutral sanctum of objective certainty. However, there are also dangers that compromise this strategic project either by separating the discursive from the metaphysical, and attempting to construct a metaphysical discourse based on sexual difference—a process which often hinges on questions of the possibility of accurately characterizing women’s experience in feminist discourses or recovering subaltern consciousness in postcolonial discourses—or attempting to articulate the transdiscursive link between discourse and metaphysics, which usually amounts to the consistent relativism that always places discourse at the foundation of any possible critical or metaphysical enterprise.

the disparities and strategies upon which critical discourses rely, but also for the possible disparities they may create.¹¹³ At the same time that I would like to show this sensibility as operative in the discourses of “strategic essentialism”¹¹⁴ and power, I would also like to suggest that such a sensibility requires the critic to excavate the differences between strategic essentialism and, as with “political spirituality,” to render the discursive commitments and dangers in each case clear for use by others.

This means, effectively, denying that others will share the strategic possibilities available from any one perspective; but such denial does not mean that this strategic opening is only of comparatively limited significance. One situation’s strategies will not be available for immediate use by another perspective; they might, however, be taken up and redeployed in the pursuit of different strategic goals without necessarily compromising others’ strategic interests. For this process, the identification of strategic commitments implicit in one’s perspective, but which might differ from one’s explicit goals, would be extraordinarily helpful, not because it reveals an implicit contradiction or necessity allows one to clarify “what one really means,” but because it reveals evolving conditions in which new options are available where none were discernible

¹¹³ In this context, “create” does not imply an unprecedented emergence, but should be understood in terms of strategic possibility or opportunity discernible from a specific genealogical perspective. For example, drawing upon a lineage of sex inequality that operates precisely through the denial of effects inflected on the basis of gender “creates” the possibility of another form of critique that is at once more general and more specific. This other form of critique might amount to an elaboration of the various mechanisms used to dissociate causes and effects, such as the way that Western objectivity dissociates itself from gender inequality by claiming to possess a more comprehensive, gender-neutral perspective. Such an approach may be described as being more general to the extent that it seems to abstract from conditions affecting gender alone, and can speak for the experience of those marginalized on the basis of race, class, sexuality, culture or ethnicity. On the other hand, such an approach may be described as more specific to the extent that it names a very distinct phenomenon that affects many distinct traditions, including traditions of sexism, racism, homophobia and ethnocentrism, but at the same time only names one function, one manner in which those discourses operate, namely the prioritization of totality over particularity. The creativity of strategic possibilities in discourse does not favor either of these trajectories much less require one that unifies them into a single process. Rather it attempts to remain open to the creation of strategic possibilities, but also the closing of others and to calculate the dangers presented in either case.

¹¹⁴ Here, Spivak’s term, “strategic essentialism,” is used to denote both the strategies of MacKinnon’s emphasis on universal sex inequality and Spivak’s emphasis on subaltern experience rather than implying MacKinnon’s exclusion.

before. Since bringing up these options might serve any of several strategic goals, ranging from refutation, persuasion, currying favor or to ridicule, among innumerable other possibilities, there is no necessity of a shared goal or ideological common ground in such activities just as there is no assurance that such an endeavor will provide inviolable security or expose one to inescapable danger. Moreover, this is not merely a matter of individual intention because, depending upon one's audience, being exposed in a contradiction could mean many things, only a few of which are at the discretion of the discourse's immediate interlocutors.

We can see the results, or, rather, the possibilities of widening senses of communication, audience and, ultimately, politics through Foucault's practice of genealogical critique by briefly recalling Jürgen Habermas's objection to Foucault's 'relativism' and 'cryptonormativism':

Both charges come down to rejecting Foucault's conception of critique because it rests on so-called 'Nietzschean' foundations and thus has no rational grounding. [. . .] Foucault's challenge to interpretation and 'authorship' leads to a change in the very rules Habermas and others must presuppose in their critiques of Foucault. Habermas's criticisms presuppose the very set of ground rules (on which interpretation is based) that Foucault's texts problematize, and this is why Habermas misrecognizes Foucault's maneuvers and takes them as mistakes (Chambers 2003, 120-121).

Just as the objective of Foucault's critique is not simply, or even primarily, a refutation of his interlocutors but an attempt to shake the rules of criticism supporting them, so his sense of readership and audience extends beyond the scholarly and intellectual public who buy and read his books to those whose lives are shaped by the professional activities of his immediate readership. As the preceding account of critique suggests, the manner of address that Foucault prefers in speaking to his audience, broadly construed to include both readers and non-readers, is characteristically indirect and attuned to maintaining the openness and mobility of practical relations precisely by highlighting those relations' tendency to fall into codified hierarchies whose functioning depends on their being unnoticeable, indirect or lateral.

This openness to strategic relations is itself a strategic decision dictated, in part, by the deployment of a particular subject matter in its political context, and it indicates Foucault's pervasive involvement in, rather than detachment from, political practice. Whereas the rules of criticism that Foucault questions dictate that the critic remove himself from narrowly political or strategic undertakings by endeavoring to articulate the neutrally rational and systematic basis for critique, Foucault's practice of genealogical critique highlights its political entanglements in order to indirectly affect the critical standards that call for the elision of those entanglements. Discussing Foucault's genealogy of madness, *History of Madness*, Scott characterizes such indirection and its curative effects on therapeutic practices whose indirect political significance is expressed in terms of their reliance upon images of pathology and illness:

It is curative in the sense that it releases the traditional fissure of unreason/reason from the anxious belief that unreason is 'itself' illness, immorality, or mental weakness. The caesura occurs without resolution, and like chaos, it borders the book's meaning and good sense. The language by which madness is confronted recoils from the confrontation in the knowledge, not of unreason, but of its own limits as rational; it suggests that in facing unreason the tradition of reason may follow a process of self-overcoming or it may reconstitute unreason blindly in reasonable attempts at suppression and cure. In Foucault's own discourse rational incorporation of unreason undergoes the self-overcoming of knowing itself, *in its reasonableness*, to have no power over reason (Scott 1990, 70-71).

Far from being an "inevitable failure of all projects of mastery," Foucault's genealogical work emphasizes the contingency of the freedom within power relations constituted by their "reversibility, mortality, transitional and mutational aspects and arbitrariness of orders of knowledge and practice" (92). The limits of the discourse of reason regarding madness do not seem to be either the effects of reason discovering its limits through rational reflection or reason's being impressed into a certain form by the overpowering forces of unreason. The discovery that madness escapes this dichotomy does not seem contemporary though it takes place within a critical legacy that stakes the validity of critique on terms of self-founding

consistency or other-directed responsibility. Rather, the discovery of these precise limits of rational discourse vis-à-vis madness are attuned to the political strategies of the present, which are given in part by the dominant regime of biopower understood in terms of the power to make live or let die for the sake of the population as a whole. In biopolitical terms, the threat of critique whose credentials are not vetted in advance by a self-sustaining systematicity is akin to the communication of a virus, the movement of unregistered aliens across national boundaries or the free play of pleasures unfettered by biological necessity.

Without placing too much weight on biographical resources, it is certainly plausible that Foucault's recoil away from the biopolitical assertion of the power to make live or let die through the technique of exposing individuals to death for the preservation of the human species, was precipitated by his own identification with those who were subject to such life-affirming practices as institutionalization, confinement, extermination, restrictions on mobility and political rights, subjection to intense training and corrective educational techniques, etc. Foucault is unapologetic about the influence on his work exerted by his experiences with mental hospitals, prisons, professional academic culture and the gay communities of Europe and North America. It would be hard to say that during the era of biopower, from the nineteenth century to the present, the mentally ill, criminals, students, teachers and homosexuals have not been subjects of intense biopolitical interest predicated on the need to protect and preserve society, the race, the species, and even life itself. The dynamic that Foucault identifies as being peculiar to biopower involves the idea that a part of something, whether it be a state, a culture, a species or even existence as such, might be destroyed to make not only the remainder but the totality stronger, more vital, less vulnerable, more secure and ultimately purer, more self-same, more consistently individual. One could hardly do better than to call the discursive strategy of biopower "totalization," though

Jeffrey Nealon's concept of "intensification" (Nealon 2008) comes close. My reluctance to use Nealon's term stems from the sense that it comes too close to providing an explanation for the logic of power, all power, to fit with Foucault's reluctance to provide an account of power such that it could be defined in all of its manifestations and the same may perhaps be said of "totalization" as well. Foucault's refusal to define power in terms that would assure reversibility and rule out domination speaks to his critical sense that such a formulations would necessarily engage in the type of discursive totalization that the technology of biopower recommends. Rather, like the phenomenon of "political spirituality", which sought to exemplify the contingency of the totalizing value that biopower set on life, Foucault sought to use his position within power relations heavily invested with biopolitical interests, namely, as a public intellectual and educational professional, to experiment with the possibility of going beyond the singular forms of valuation prioritized within biopolitics. Far from condemning biopolitics by proclaiming the inevitability of its failure, this would mean treating its success, and by this one means the total success of biopower, which consummates itself by exposing the entire population to death, as a very real and dangerous possibility, but hardly the only possibility.¹¹⁵

It seems that it is this possibility of impossibility that undercuts the necessity of Foucault's genealogical method and keeps it from forming an ethic that exerts a compulsion for

¹¹⁵ Foucault makes several references to the possible success of the "suicidal" structure of biopower. His examples range from "racism in its modern, 'biologizing,' statist form" to genocide (Foucault, *The History of Sexuality*, Volume I: An Introduction 1990, 149-150) and from nuclear holocaust to biological warfare (Foucault, *Society Must be Defended* 2003, 253-254) and suggest that the possibilities of annihilation, total mastery and domination, rather than being doomed to failure, have a disturbingly good chance of success in the twentieth and twenty-first centuries. Of course, not being prone to apocalyptic visions, Foucault often spoke of the totalizing effects of biopower in terms of the satisfaction of desires rather than universal destruction. The idea that individuals could be made to have everything they want and could be made to want everything they have, constituted a far more potent and disturbing vision of biopolitical domination than the image of universal destruction. Ultimately, it is the ascetic overtones of this image of hell that leads Foucault to an examination of the care of the self as a form of experimentation with the forms of self-relation and self-discipline that would allow the individual to live differently as "the point of intersection of the discipline of the body and the control of the population" (Foucault, *Truth and Power* 1980). In terms of intellectual work exposing the operations of biopower within critical discourse, Foucault's interrogation of the biopolitical fulfillment of desire highlights the costs involved in fulfilling the demands for autonomous, systematic political critique.

others to follow, rather than articulating an equally totalizing discourse oriented around the inevitable failure of all projects of self-mastery. In this context it is because there is no limit to the strategies in which we are complicit and because these strategies can produce potentially catastrophic consequences for some or all others concerned that we have the possibility, and, in some instances, the duty, to act otherwise. Rather than simply compelling an ethic, this opens a kind of practical strategic evaluation in our ethical thinking and political activity, which currently operates in the shadow of biopower, so that without the compulsion to engage in critique, one may engage in forms of critique even in those areas where ethical and political urgency is apparently lacking. In what follows, I will try to show the possibility that undertaking a critique of projects whose claims to priority are made on the basis of absolute ethical or political criteria is useful for advancing a critique of the biopolitical priorities that those projects necessarily entail at this point in history. In addressing the significance of colonialism with respect to homophobia in Uganda; the function of misogynist, racist, bourgeois tropes in critiques of postmodernism organized around claims to the primacy of material conditions in relation to the detrimental effects of “fragmented subjectivity;” and, finally, the ahistorical colonialism of invoking the public intellectual’s duty to represent those disqualified by the international division of labor, my aim will be to show the potential assertion of biopolitical tactics in liberal progressive politics and to highlight the lateral interpretive linkages that constitute the dangerous totalizations of such reassertions.

Chapter Six: *Displacing Questions of the Real in Discourses of Feminism and Postmodernism*

I will begin my analysis by considering some of Catherine MacKinnon's remarks about postmodernism. I believe she misconstrues certain key features of the movement, including its relationship to so-called identity politics, its relationship to history and epistemology, and its understanding of the political. Because MacKinnon's remarks on postmodernism in general are beyond the scope of this chapter, I will focus my reading on her claims about postmodernism as they address the work of Michel Foucault in particular and by implication. My interest in MacKinnon's remarks owes not only to the specific connection I see between her work and the work of Foucault, but to the possibility for critique that reading one in light of the other seems to invite. As a feminist legal scholar interested in forming coalitions among multiple, variously oppressed groups of women, MacKinnon is certainly qualified to address the political implications of scholarly methods such as postmodernism. A consideration of the theoretical sophistication of her work in feminist jurisprudence also highlights the philosophical astuteness of her critique. As such, a reading of Foucault in light of MacKinnon's critique and a reading of MacKinnon in light of Foucault's genealogical project helps clarify the strategic limits of each approach, thereby suggesting the political potential of each as well.

MacKinnon's critique of postmodernism hinges on what she takes to be its tendency to abstract from reality. Throughout my analysis I would like to call the reader's attention to this term, "reality," and the disqualifying role it plays in the development of MacKinnon's critique of postmodernism's ethical basis and political potential. For good reason, she questions the practical wisdom of a strategy that begins from a denial of reality. At the same time she wants to go further, claiming that there are ontological and epistemic grounds beyond mere strategy that warrant the consideration that reality is radically different from what we think about it.

Representing them as failing to recognize this difference, or perhaps strategically setting themselves against it, MacKinnon claims that postmodernists address the “question, large in Western philosophy, of whether the world exists independently of our ideas of it [. . .] by stating that the material world has objective reality but the social world does not [. . .]. [I]n human society [. . .] there is no reality, hence no knowing, like that. The idea is, if you believe the social equivalent of the world is flat—like, say, that women are inferior to men—it is. In society, there is no reality, there is only what is thought to be real” (C. A. MacKinnon 2000, 707-708).

According to MacKinnon,¹¹⁶ beyond mere political ineffectiveness, the regressive ontological and epistemic claims of postmodernists result in callous indifference, or perhaps even positive injury to the lives of real people, “the world of women and men” (711). While it is certainly reasonable to be weary of much of what has passed under the name of postmodernism and its history, often viewed as “decades of metatheory, talking *about* theory, rehashing over and over in this disconnected way how theory should be done, leaving women’s lives twisting in the wind” (711), there is also reason to be skeptical of the humanist-inspired ontologies that MacKinnon relies upon to disparage postmodern theory production.

One problem is that in many academic and non-academic contexts, one encounters an attitude that fails to understand feminism, much less postmodernism, as a discourse about reality. In such contexts, feminism does not “mak[e] the word woman a ‘name of a way of being human’” (692), but rather makes the same anti-realist ideological assault that MacKinnon attributes to postmodernists. In 2011, nearly ten years after MacKinnon’s essay and forty years after feminist theory began entering the American academy, students still offer the dismissive

¹¹⁶ A theme developed throughout MacKinnon’s critique involves disparaging postmodern feminists who “seldom build upon or refer to the real lives of real women directly,” preferring instead to “build on the work of French men”—Foucault is mentioned by name in the following sentence—“if selectively and often not very well” (C. A. MacKinnon 2000, 702).

response to feminist theory, such as MacKinnon's, that we should be promoting *humanism* rather than *feminism*. Those who offer such responses view feminism as a distortion rather than an abstraction, strictly speaking. According to this thinking, feminism may address real, legitimate concerns of women, but these concerns—confirming the findings of many feminists—are thought to be marginal and secondary to concerns understood to be common to women and men. To those who desire such common ground, MacKinnon's critique that for a long time the image of humanity has been fashioned after a specific segment of humanity (namely men) and in that segment's interests (namely through the domination of women) appeals to the same sense of humanity's centrality that authorizes the dismissal of feminism as a special interest which distorts the rightful priority of interests common to human beings regardless of gender. In other words, regardless of the reality of whether humanity always names a gendered perspective—I take MacKinnon's point to be that it does—humanism has historically been deployed to deny this reality and still exerts the same force in many instances of its usage.¹¹⁷ Accordingly, it would seem at least as worthwhile to consider the reality of humanism's deployment alongside the realities obscured by the ideological abstraction of humanism; however, that would require a small degree of epistemic and ontological skepticism when calling upon reality-claims in discursive settings.

¹¹⁷ Elsewhere, MacKinnon places much more emphasis on the way in which the attempt to neutralize sexual difference is a characteristically male enterprise: “[i]f objectivity is the epistemological stance of which women's sexual objectification is the social process, its imposition the paradigm of power in the male form, then the state will appear most relentless in imposing the male point of view when it comes closest to achieving its highest formal criterion of distanced aperceptivity. When it is most ruthlessly neutral, it will be the most male; when it is most sex blind, it will be most blind to the sex of the standard being applied” (C. A. MacKinnon 1983, 658). In highlighting the gender of the perspective that attempts to neutralize sexual difference in an appeal to the impartiality of the law, MacKinnon notes a tendency for self effacement observed in discourses on race, colonialism, queer theory and postmodernism as well. Without suggesting that, for example, the masculine neutralization of sexual difference corresponds to the white effacement of racial difference in every detail, I intend to examine postmodernism and the genealogical strand of postmodernism associated with Foucault in particular, as attempts to investigate the historical contingencies that link these gestures.

Nevertheless, MacKinnon frames the question in terms of empiricism, noting that “[h]uman rights in the real world are proving far less attached to their Enlightenment baggage than are the intellectuals who guard theory” (711). In the same way that postmodernism fails to address the real lives of women and men, so it fails to consider the actual career of humanism as it is constructed from the reality of particular experiences, “the reality of violation” (711), which serves as the basis for a “credibility” (693) naming its own distinctive form of power quite apart from the neutralizing effects of humanism deployed as a technology of masculine domination. Humanism’s contemporary potency owes to the radical purposes for which it has been employed despite being overlooked by postmodernists’ backward examination of the term’s history for signs of its future vitality.¹¹⁸

Despite attempts to confound binary logics that seek to represent feminism as an idealistic projection beyond material circumstances or the outcome of determinations by material conditions,¹¹⁹ MacKinnon generally casts her lot on behalf of materialism when she challenges postmodern critics. This materialist presupposition underlies the criticism that postmodernism betrays feminists due to its inability to provide “the sexual and material conditions for this theory” (709-710). This may be a tactical decision on MacKinnon’s part, since many, including me, consider the strategy of revealing the incoherence of discursive alternatives, as when feminism rejects the alternatives of materialism and idealism, to be postmodern method *par excellence*. Yet if the characterization of this maneuver as *only* tactical means to delegitimize MacKinnon’s demand to know the conditions for granting postmodernism some degree of

¹¹⁸ Without denying her point, it might be reasonable to consider whether the fact that theoreticians took such an interest in the historical deployment of humanism in some way opened the possibility for the radical repurposing of humanism observed by MacKinnon. In other words, might a theoretical reluctance to take up and determine the value of humanism have been just the moment of paralysis that enabled the term’s counter-deployment?

¹¹⁹ MacKinnon offers a concise rejection of this alternative in her essay “Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence,” when she notes that her “approach is more complex than transgression, more transformative than transvaluation, deeper than mirror-imaged resistance, more affirmative than the negation of our negativity. It is neither materialist nor idealist; it is feminist” (C. A. MacKinnon 1983, 639).

critical authority over discourses of sexuality or materiality, it would no longer be fair to characterize MacKinnon's materialism as contradictory or haphazard. In that case, MacKinnon would stand on solid strategic and epistemic grounds in her demand to learn one's reasons for thinking feminism reducible to idealism or materialism in the first place, or, failing that, to a set of aims commensurable with what a naïf might consider to be worthy political projects. In short, rather than being merely contradictory or merely tactical, MacKinnon's materialism elicits reflection on the strategic interests that seek to incorporate feminism into the binary of materialism and idealism, or else its subversion through *postmodern* discursive displacement.¹²⁰

The point that the tendency to view feminist discursive displacements as a subset of postmodern discursive displacements is well taken if one considers the relative autonomy in which postmodernist and feminist theory developed during the seventies and eighties. MacKinnon's reference to the "credibility" of experience through violation as mode of power gendered female bears some semblance to the modalities of sovereignty, discipline and biopower revealed throughout Foucault's genealogical investigations. However, feminism and postmodernism's shared attention to the contingencies and modalities that differentiate power along historical and social continua grew up with little direct collaboration. For her part, MacKinnon's chronology of her own work tracks her discussion of sexuality and power back to the early seventies, though continuously revised throughout the seventies and eighties before appearing in book form as *Toward a Feminist Theory of the State* in 1989 (687n.3). Foucault's published work on the topics of power in *Surveiller et punir* and sexuality in *La Volonté de savoir* appeared "unknown to [MacKinnon] [. . .] around the same time or slightly later" (687n.3)

¹²⁰ Since MacKinnon's questioning of the basis for postmodernism's displacement of the binary of idealism and materialism is itself a kind of discursive displacement, feminism is less opposed to the idea of discursive displacement than it is opposed to the idea that anything attempting discursive displacement should be considered postmodern by virtue of that gesture.

in 1975 and 1976, respectively. On the other hand, Foucault's reluctance to analyze gender has been heavily criticized by feminist critics, including MacKinnon,¹²¹ thereby offering some credence to the claim that Foucault was not significantly influenced by feminist theory in general and MacKinnon's work in particular. Despite a vague semblance of correspondence, it would seem that the historical record makes any attempt to integrate feminism within the ambit of postmodern theory untenable. Furthermore, the tendency to assume feminism within the realm of postmodernism raises the troubling question of the degree to which practitioners of such a reduction purvey a tacit idealism, and with it a tacit sexism, that can only be revealed through the parodic inversion of their performance in the names of materialism and feminism, respectively.

So, what factors would encourage this reduction? One tendency, which I think Foucault and MacKinnon both reject, is that postmodernism discursively, whether by logic or ontology, subsumes feminism by speaking to a wider range of issues and experiences. Foucault's insistence on the importance and ubiquity of power relations speaks to his skepticism that one discourse could completely transcend and thereby determine another. Similarly, MacKinnon views what she considers postmodernism's attempt to extract itself from power relations as parallel to an attempt to claim a more objective standpoint, and as such, an appeal to a specifically masculine form of authority:

What postmodernists want, I have come to think, apart from to live in their heads instead of the world (that old dodge), is to vault themselves out of power methodologically [. . .] Feminism has faced that you don't know what is real by getting outside your determinants (which you can't do anyway) but by getting deep inside them with a lot of other people with the same foot (even feet) on their necks. Abdicating this, feminism's source of power, postmodernism has

¹²¹ For her part, MacKinnon regards Foucault's study of sexuality particularly aloof, despite the promising start to his earlier work on madness, medicine and delinquency: "Foucault studied some real practices, though he mostly missed gender, which from the standpoint of feminism is a rather big thing to miss" (C. A. MacKinnon 2000, 702). The critique that Foucault did not seriously investigate gender has also been generalized to identify Foucault's philosophical silence on a number of topics within the field of criticism generally assembled under the banner of identity politics. In addition to gender, Foucault has been notably criticized for failing to address race, homosexuality and colonialism.

swallowed the objective standpoint while claiming to be off on a whole new methodological departure (C. A. MacKinnon 2000, 703-704).

Obviously, Foucault's remarks about power¹²² and the tradition of scholarship that constructed and condemned the "totalizing cage" image of power (Nealon 2008, 3) in his work make it hard to apply to him MacKinnon's remarks about postmodernism's wish to gain objective purchase and exempt itself from power. Nevertheless, the charge that postmodernism's analysis of power amounts to an attempt to gain an objective vantage on power and thereby exempt itself from power holds some sway, or at least points out the need for clarification regarding what is at stake in specific attempts to analyze power.

Part of my reservation regarding Nealon's use of the term "intensification" has hinged upon the sense that the ramifying ubiquity of power relations it describes attempts to name an unencumbered fact. If that were its purpose, that would clearly be an attempt to vault oneself from power methodologically. In hindsight, my reservations toward intensification apply better to the totalizing cage image of power with its suggestion that power "follows an iron, centralized logic dedicated to wholly eradicating otherness" (100) because such a singular vision of power's operation blinds us to the possibility, much less the actuality, of power's changing modalities and shifting sites of mobility and problematization.¹²³ In a sense, these reservations point toward and

¹²² At least two remarks from Foucault's 1984 interview "The Ethics of the Concern for Self as a Practice of Freedom" are relevant on this point. The first is his clarification that he uses power and power relations interchangeably to mean "relations that exist at different levels, in different forms; these power relations are mobile, they can be modified, they are not fixed once and for all" (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 292). Based on this clarification, Foucault offers a distinction between power and domination, with "power relations [being] possible only insofar as subjects are free. If one of them were completely at the other's disposal and became his thing, an object on which one could wreak boundless and limitless violence, there wouldn't be any relations of power"—a condition Foucault identifies as "domination" (292). The second relevant remark is Foucault's explicit rejection of the claim that one should desire to abolish power: "that idea, which is very far from my way of thinking, has often been attributed to me. Power is not evil. Power is games of strategy. We all know that power is not evil! For example, let us take sexual or amorous relationships: to wield power over the other in a sort of open-ended strategic game where the situation may be reversed is not evil; it's a part of love, of passion and sexual pleasure" (298).

¹²³ If any reservation about intensification remains, it is due to the possibility that the ubiquity of power and its intensification, because they are predicated on the irreducible freedom of subjects, might foreclose the possibility of

consolidate a univocal image of power that parallel the privilege in which “objectivity—the nonsituated, universal standpoint, whether claimed or aspired to—is a denial of the existence or potency of sex inequality that tacitly participates in constructing reality from the dominant point of view” (C. A. MacKinnon 1983, 636). To insist upon or to uncritically reject the meaning of power’s ubiquity means to participate and uphold persistent inequalities and conditions of domination that develop out of the accretion of power relations. Accordingly, in the previous section I attempted to show, first, how Foucault details the fluidity of power’s operations and their contingent yet wholly intelligible localization in historical, geographical, cultural and discursive terms and, second, the factors shaping this fluidity in order to show that Foucault is not primarily interested in a general theory of power, but the specific manifestations and strategies for which power is mobilized in present relations.

While it may be tempting to view Foucault’s approach as applicable to a general analysis of power relations, MacKinnon’s warning that this preference corresponds to a historically masculine deployment of power, characterized by its preference for the general at the expense of the particular and its tendency to exercise this preference by denying the particularity of its own interest, counters this temptation. Moreover, Nealon’s reading of power’s intensification as what calls for an interrogation of and attention to the modalities of power relations suggests that this impulse runs contrary to Foucault’s project as well. Yet in the process of amplifying

power becoming synonymous with domination. While this is certainly not a goal, it should be considered a danger, and it is as such a danger that I remain hesitant about the language of intensification. One discerns an area for the development of such domination by looking at the apparatus of sexuality for Foucault, or heteronormativity in many feminist discourses. For example, Foucault describes amorous relationships as an example of power enacted in “a sort of open-ended strategic game where the situation may be reversed” (Foucault, *The Ethics of the Concern for Self as a Practice of Freedom* 1997, 298). MacKinnon describes a very different picture of “amorous relationships” in which compulsory heterosexuality creates gender roles that are neither open-ended, nor reversible. To insist that women and men implicated in sexuality as “a power relation of gender” (C. A. MacKinnon 1983, 652) are free to reverse the flow of power or augment its modality by virtue of gender’s categorization in terms of power only takes attention away from the ideological and behavioral impediments restricting the mobilization of power relations. Taking this perspective into account, it would be wise to refrain from citing the irreducible relationality of power until one has take some consideration of the strategies into which such a concept of power may be recruited.

MacKinnon's objection, it becomes questionable whether this methodological insight regarding Foucault's genealogical project obviates or accentuates the criticism leveled by MacKinnon. One might answer this alternative by asking another question. Would the methodological clarification of genealogy occur outside a context in which genealogy appears as the postmodern expropriator of insights gleaned from feminist theory? Alternately, if we suppose that feminism simply marks a standpoint or perspective within postmodern projects of discursive displacement, will feminist critique carry the force necessary to displace the discursive practices introduced by postmodern theory itself? What would feminism's critical value be if it were precluded from turning its critical lens against the theoretical structures that ostensibly grant its meaning?

In light of MacKinnon's critique that postmodernism appropriates the "methodological pretensions and gestures [of] feminism" (C. A. MacKinnon 2000, 710),¹²⁴ it seems reasonable to amend the view that postmodernism, much less Foucault's genealogical project insofar as it falls under the rubric of postmodernism, assumes feminist discursive politics. MacKinnon's point that postmodernism displaces neither misogynist practices nor the generalizing discourses that consolidate these practices indicts the prevalence of this assumption as proof of postmodernism's ineffectiveness. In light of this point—and considering MacKinnon's claim that feminists never said "that gender is all there is," that "it explains everything," or "that everything reduces to gender" (695)—it would be similarly inappropriate to reduce postmodernism to an incomplete or ineffectual form of feminism. Combining feminism and postmodernism need not involve conflating them, but this can only be avoided if we try to identify the particular struggles in which feminist and postmodern theorists figure. That means not only understanding these

¹²⁴ Insofar as these misogynist tropes continue to hold sway throughout postmodernism's expropriation of women's experience, it is possible to recognize in this gesture a discursive maintenance of priority and codification of position as well. In attending to this continuity, one might add to the list of questions that concluded the last paragraph a moment of hesitation about whether this level of discursive activity would be available without the moment of reflection compelled by critics such as MacKinnon.

theoretical efforts in terms of the experiences from which they ostensibly derive, but understanding the experiences and strategies they enable as well. As this discussion of the exchange between postmodernism and feminism suggests, identifying these struggles will not reveal the particular struggles of feminists and postmodernists to exist in isolation from one another, but to be informed in large part through the process of critical exchange. Fleshing out the meaning of this exchange—which may be regarded as the shared struggle that simultaneously differentiates and allows for alliance between not only feminists and postmodernists, but also those for whom the rigorous distinction between feminism and postmodernism appears untenable—will constitute the work of the following chapters. For now, we can say that if neither feminists nor postmodernists find their point of collaboration in the discursive practice of reducing one to the other’s terms, they collaborate in appealing to and eliciting the critique of as yet unnamed others.

What does it mean to say that postmodernism and feminism *share* an appeal to criticisms by others? Maybe just as important is the question of whether one can even talk about this sharing without presupposing the kind of subjective privilege that undermines the particularities of feminism and postmodernism in a gesture that turns sharing into a kind of identity. This much may be clear from what has been said so far: It is doubtful that feminism and postmodernism’s shared appeal for the articulation of critique by others constitutes a formal advantage over other discourses, although the existence of such an appeal and the manner in which it is made constitutes a distinguishing characteristic from other discourses, which I have classified elsewhere¹²⁵ interchangeably as “totalizing,” “ontological,” and “metaphysical” in contrast to what I take to be the “political” discourses of feminism and postmodernism. Each of these discourses is incomplete and unjust without appeal to others, though political discourses are no

¹²⁵ For totalizing, cf. Part I; for ontological and metaphysical, cf. Part II; for political, cf. Conclusion to Part II.

more or less complete for their attempt to incorporate that appeal methodologically. This is because there is no end to such appeals, no perfect state in which such appeals are finally justified, yet the assumption of such a state, whether explicitly or implicitly, commits one to a methodology in which the appeal to others becomes optional in practical terms because they are assumed to be supplied by formal demands of justice. To say that political approaches possess a formal advantage over totalizing approaches implies that an appeal to others could be formally codified and thereby presupposes a state of justice in which appeals to others have a formal characteristic that would undercut the differences that would make appeals potential, much less urgent, critical projects.¹²⁶

The asymmetry of power in both the political discourses of feminism and postmodernism represents less an ontological fact—or what is the same, an epistemic misunderstanding of an ontological fact—than a target of political intervention or discursive displacement. Accordingly, Foucault defines power relations in terms of their reversibility and open-ended strategies, thus emphasizing the urgency of their transformation rather than their eradication. Similarly, MacKinnon ties power and sexual difference together in an unstable yet persistent relation: On the one hand, she states that feminism “has a theory of power: sexuality is gendered as gender is sexualized. Male and female are created through the erotization of dominance and submission. The man/woman difference and the dominance/submission dynamic define each other. This is the social meaning of sex and the distinctively feminist account of gender inequality” (C. A. MacKinnon 1983, 635). But she simultaneously insists that “[i]f the sexes are unequal, and

¹²⁶ As we shall see in Chapter Eight, there is considerable dispute about what justice to marginalized others created on the basis of gender, race, colonialism or sexuality requires. To the extent that such disputes themselves produce the conditions of justice or injustice, I would term them political in the sense discussed here. To the extent that parties to these disputes and other observers construct narratives that attribute the disputes to misunderstanding or epistemic error based on psychological factors or simple ignorance of metaphysical facts, I term such interpretations totalizing in the broadest sense.

perspective participates in situation, there is no ungendered reality or ungendered perspective” (636). Beyond the superficial continuity of terminology, Foucault and MacKinnon’s interest in power and sexuality appears linked by the consideration that asymmetries of power relations, such as the erotization of dominance and submission in gender, constitute sites of political intervention or discursive displacement that prioritize an analysis of power as a critical strategy rather than an epistemic or ontological constant. By identifying the asymmetries of power or the inequalities of sexual difference, strategic considerations aim to mobilize the conditions that maintain specific inequalities as manifested by the impact those inequalities have on experience, the lives of individuals, groups and institutions. The appeal made to these others is not an appeal to others generally, whose experience constitutes a secret removed from power, but an appeal to others whose experience is differentially figured in relations of biopower that in a contemporary globalized context strongly bear the influence of gender disparities produced by sexuality in the European colonial context.

The difficulty of describing this shared endeavor in the abstract is testimony to how thoroughly the discourses of postmodernism and feminism appeal to specific others whose experience is discursively singularized by their point of contact with power, and thus enabled to authorize, but also call into question, the presuppositions that enable and authorize these discourses themselves. The experience of the researcher on the one hand and the experience of those who might fall within the purview of this research on the other hand (e.g., feminists and women, respectively) is bracketed by the methodological concession that whatever value these terms denote is limited to the medium of discursive practices. Rather than codifying a general theory of power in terms of gender or gender in terms of power, this methodological concession has the effect of rendering the concepts of power and gender as critical resources for one another.

To affect or alter one necessarily affects or alters the other. Because of this relationality, to mobilize one pole of opposition necessarily mobilizes the range of experiences affected by it. For MacKinnon, this can be seen in feminism's attempt to mobilize the concept of masculinity, which "is a social and political concept, not a biological attribute. As I use it, it has nothing whatever to do with inherency, preexistence, nature, inevitability, or body as such. It is more epistemological than ontological, undercutting the distinction itself, given male power to conform being with perspective" (636n.3). Because sexual inequality mobilizes power relations that have traditionally organized the distinction between being and knowing, to displace the meaning of a concept central to that distinction means to undercut not only that distinction but everything that derives meaning from it. Consequently, and by way of a rude example, it is not simply that the weaker sex is the stronger or that epistemology grants ontology, because such reversals preserve the centralizing distinctions that organize these discourses despite reversing their priorities. Rather, to mobilize power relations that undercut the central discursive distinctions that organize the objects of discourse means not only to call into question the meaning of those objects themselves, but also to experiment with the manner in which objects are created within and by discourse. In apparent contradiction to MacKinnon's objection that postmodernists deny the world exists independently of what they think about it (C. A. MacKinnon 2000, 707), because power and its objects exist at the same discursive level, they become critical in determining one another, but only insofar as one is determined in relation to another. In other words, the independent existence of the world, much like the independent existence of experience, drops out of the picture for discursive analysis. Yet because the postmodern genealogist is constituted by the discourses she investigates and attempts to displace,

she agrees with feminism by not simply denying the reality of biological sex, but attempting to displace its priority within a network of interrelated discourses.

Though elsewhere MacKinnon's analysis seems to complement the work of postmodernists such as Foucault, her critique of postmodernism seems premised on the view that the movement denies the reality of sexual inequality and human rights, especially in its appropriation of feminist methodologies and subsequent consolidation of power relations of dominance and submission breaking along lines of biological sex and social gender roles. If MacKinnon's earlier sympathy for discursive displacement is similar to postmodernism's practice of discursive displacement and is not purely illusory or else contradicted by her later critique of postmodernism, we may regard her criticism as strategic—not expressing a strong claim to the enduring reality of her accusations, but questioning the role that postmodernism might play in strategies that contribute to sexual inequality. I have tried elsewhere to suggest that this offers a fruitful reading of postmodernism that helps practitioners of such an approach better understand the implications of the discursive techniques they employ. Nevertheless, a critique of MacKinnon's invocation of reality and particularly her reliance upon discourses of human rights, the universality of sexual inequality and materialism provides the opportunity for a similarly fruitful discursive analysis. If these concepts are carelessly deployed, or even if they are carefully deployed, they can have the effect of consolidating strategies that the critic might otherwise wish to oppose. MacKinnon voices this concern when she stresses that the critical edge of feminism does not rely on the claim “that the objective stance fails to be truly objective because it has a social content, all the better to exorcise that content in the pursuit of the more truly point-of-viewless viewpoint. The criticism is that objectivity is largely accurate to its/the/a world, which world is criticized; and that it becomes more accurate as the power it represents and extends

becomes more total” (C. A. MacKinnon 1983, 638). In other words, objectivity isn’t problematic because it is particular rather than general. Nor is its problematic content a function of its inaccuracy, which renders it largely unreal, distorting or abstracting from reality; after all, objectivity is largely accurate to its world. The most problematic aspect of the objective stance has to do with the way it positions those who operate it in a situation of domination from which they can only be dislodged with the greatest difficulty. The use of abstraction to generalize objective effects and the way that this practice obscures the particular realities from which it emerges are only ploys or strategies that insulate particular uses of objectivity from critical inspection. In an opposite direction, MacKinnon’s use of a concept like “universality” exhibits a strategic awareness that offsets its generalizing tendencies, when she invokes it to highlight the pervasive character of sex inequality, which “is not only pervasive but may be universal (in the sense of never having not been in some form)” (640). The same strategic use of universality is at work in her criticism that postmodern objections to her use of such totalizing concepts belie an interested denial of “the idea that women are unequal everywhere” (C. A. MacKinnon 2000, 697). As opposed to the insulating gesture of objectivity, MacKinnon uses the concept of sex inequality’s universality as a salutary gesture designed to invite critical scrutiny of her claims rather than deflect it. By inviting scrutiny MacKinnon does not encourage her interlocutors to neutrally agree with her observation, but provokes them to identify the conditions that permit and maintain universal sex inequality so that they may be changed¹²⁷ and inequality might become a limited phenomenon.

Perhaps the urgency with which MacKinnon’s use of the term universal strikes me owes to my belief that the sex inequalities that she refers to are decisions—even if they are decided by

¹²⁷ Rhetorically, MacKinnon’s assertion of sex inequality’s universality functions similarly to Jonathan Safran Foer’s observation regarding violations in the meat processing industry: “one violation might be an accident. Eve[n] ten might. Seven thousand violations is a plan” (Foer 2009, 174-175).

not deciding—and thus not simply realities upon which our ideas have no impact. Yet to say that these realities are decisions accessible to reinterpretation does not mean that they are only problems of interpretation. Female genital mutilation is a practice strongly dependent upon cultural images of femininity and ideas of what a woman is, yet as a practice dependent in many cases upon such ideas it nonetheless has effects whose actualities greatly outstrip hermeneutic redescription. In the face of such actualities, to claim that women are unequal everywhere has less to do with diagnosing an empirical fact than it has to do with assisting particular women (from all over the world and throughout recorded history) in struggles for which the universality of the concept of sex inequality is a useful device for highlighting the common situation of individuals who would otherwise lack a basis for political solidarity.

If we accept MacKinnon's starting point that sex inequality and gender are co-determinative, as when she claims that "[t]he man/woman difference and the dominance/submission dynamic define each other" (C. A. MacKinnon 1983, 635), we may validly infer the universality of sex inequality to be coextensive with the universality of gender, as MacKinnon implies when she questions Foucault's omission of gender in his *History of Sexuality*.¹²⁸ Because a logic of strategy rather than a logic of either induction or deduction rules Foucault's and MacKinnon's approaches, this valid inference might result in the deployment of an inferentially valid concept that proves either worthless or counterproductive, strategically speaking. We might see a gap between gender and sex inequality if we ask whether gender, and perhaps more specifically the universality of gender relations, is always the prudent concept to invoke in attempting to displace conditions that result in sex inequality.

Before attempting to respond to this hypothetical question, I would like to note that the proposition that strategy might dictate instances where using gender to address sex inequality is

¹²⁸ Cf. footnote 121, above.

counterproductive remains commensurate with the claim that gender is not determinative of women's experience. More importantly, the claim that gender fails to fully determine women's experience remains consistent with the earlier claim that the discursive displacements practiced by feminists and postmodernists bracket the question of prediscursive experience because "women's experience" does not name a prediscursive experience prior to the deployment of gender. Rather, the tendency to view women's experience as a determination of gender or else an appeal to a prediscursive subjectivity prior to gender is the very discursive gesture that bringing up the co-constitution of gender and sex inequality is meant to emphasize and displace. To bracket the question of predicursivity in women's experience thus means neither to hypothesize nor to deny its existence, but to observe the features of discourse that prescribe its usage in relation to the concepts of gender and sex inequality: bracketing women's prediscursive experience shows that it is a concept indebted to the concepts of gender and sex inequality, but neither reducible to them, nor determined by them. To reiterate, this methodological conceit, which is structurally similar to the "credibility" that MacKinnon claims as the characteristic of women's power, necessarily foregoes an account of its timeless origins, or the legitimating conditions for its authority:

Feminism [. . .] criticizes male totality without an account of our capacity to do so or to imagine or realize a more whole truth. Feminism affirms women's point of view by revealing, criticizing, and explaining its impossibility. This is not a dialectical paradox. It is a methodological expression of women's situation, in which the struggle for consciousness is a struggle for world: for a sexuality, a history, a culture, a community, a form of power and an experience of the sacred. If women had consciousness or world, sex inequality would be harmless, or all women would be feminist. Yet, we have something of both, or there would be no such thing as feminism (C. A. MacKinnon 1983, 637).

Women's power through powerlessness is not the same as masculine power, which claims to possess exclusive preemptive authority, but rather depends to some degree on its exclusion from

such a right, the right to sovereignty, the right to world, the right to consciousness.¹²⁹ In the same way that women's power is not simply the absence of power, of consciousness or of world, but rather a performance of power that reiterates the binary of presence and absence, "something of both" and neither, I claim that women's experience occupies a similarly (non)intermediary space in discursive analysis. In that case, despite the apparent proximity between women's experience, sex inequality and gender, it would not necessarily follow that the attempt to mobilize the power relations that structure any one of these concepts would have to aim to mobilize them all. In fact, if we view the situations in which women are most thoroughly circumscribed by these concepts as the places where power relations depend upon the most rigorous applications of these concepts, then displacing just one of these terms may better destabilize the entire structure than the attempt to place equal pressure on all three.

In terms of deductive or generally propositional logic, who makes a statement does not significantly impact its meaning, but in the logic of strategies, the speaker, understood as someone identifiable by their position within the social continuum, matters a great deal. Thus, it is not the same statement, strategically speaking, when MacKinnon speaks of what it would mean "if women had consciousness or world" and promotes women's "struggle for world," and when Martin Heidegger speaks of animals as being poor in world.¹³⁰ While MacKinnon's claims

¹²⁹ Moreover, neither "women's power" nor "masculine power" denotes a reality that can be wholly isolated from MacKinnon's aim to disrupt the gendered power relations that uphold conditions of sex inequality at present. Like Foucault's differentiation of sovereign, disciplinary and biopower, MacKinnon's differentiation of women's power as a power centered on themes of powerlessness and credibility rather than themes of exclusion and continuity serves the goal of disrupting power relations that make up the present through an analysis that displaces the discursive gestures that maintain them.

¹³⁰ Heidegger's development of this thought in Part II, chapters two through five of *The Fundamental Concepts of Metaphysics* and the scholarship it has generated goes far beyond what can be said here. However, Derrida's reading of Heidegger's thesis that the animal is poor in world helps illuminate MacKinnon's parallel claim that woman is without world and in the sense that this poverty is not simply a lack. Derrida begins by distinguishing Heidegger's claim that the animal is poor in world, from the prevalent interpretations that (a) animals possess a qualitatively similar, though quantitatively disparate experience of world or (b) animals have no experience of world:

position her in opposition to women's lack of consciousness and world, Heidegger's declaration is frequently interpreted to accept, if not approve of, animals' worldly poverty. Without venturing to speculate on Heidegger's meaning, we could say that this interpretation of Heidegger receives support and sustenance from discourses in which women and animals are

The difference [Heidegger] is talking about between poverty and wealth is not one of degree. For precisely because of a difference in essence, the world of the animal—and if the animal is poor in world, and therefore in spirit, one *must* be able to talk about the world of the animal, and therefore of a spiritual world—is not a species or degree of the human world. [. . .] The lack of world for the animal is not pure nothingness, but it must not be referred, on a scale of homogenous degrees, to a plenitude, or to a non-lack in a heterogeneous order, for example that of man (Derrida, *Of Spirit: Heidegger and the Question* 1989, 49).

The parallels to MacKinnon's insights are clear: women's lack of world or consciousness cannot simply be a degree of deficiency because such a quantitative distinction accepts, unquestioned, not only the superior magnitude of masculine consciousness, but the qualitative distinctions such as rationality and irrationality, activity and passivity, being and appearance upon which that quantitative evaluation is said to be made. To put it in milder, more methodological terms, the distinction between poverty and wealth cannot be quantitative because such an interpretation already assumes to know the quality of world, which is being quantified in this comparison. On the contrary, Derrida points out, and I believe, that MacKinnon would agree that the lack of world denotes a qualitative difference from the possession of world or consciousness by men and the pure absence of consciousness in stone. Accordingly, "[t]he *without* of the *without-world* does not have the same sense and does not bespeak the same negativity, for animal and for stone: privation in one case, pure and simple absence in the other. The animal has a world in the mode of not-having, or, conversely, it is deprived of world because it *can* have a world" (50). This having world by not having world or being deprived of world leads Derrida to attribute a striking conclusion to Heidegger, "[t]he animal *has* and *does not* have a world" (50), which is striking not only for its explicit contradiction, but for its recollection of MacKinnon's claim that in the struggle implying women's lack of consciousness or world, "we have something of both," (C. A. MacKinnon 1983, 637), which constitutes the distinct experience of feminists.

Derrida's reading of Heidegger's remarks on animal experience finally offers a point of caution regarding the kind of comparative reduction that might be implied in the comparison between women's lack of world and animals' lack of world. In defining *the* animal as that which is poor in world, whose "not-having is a mode of its being-able-to-have" (Derrida, *Of Spirit: Heidegger and the Question* 1989, 55), Derrida notes that Heidegger hypothesizes "that there is one thing, one domain, one homogeneous type of entity, which is called animality *in general*, for which any example would do the job" and that "[t]his is the thesis which in its median character, as clearly emphasized by Heidegger (the animal between the stone and man), remains fundamentally teleological and traditional, not to say dialectical" (57). There is the danger then that in representing *the* animal as one self-identical thing that Heidegger contributes to totalizing discourses that maintain themselves in the vacillation between being and nothingness that places the complex variety and interplay of forces ostensibly located "between" those alternatives in the straightjacket of a forced dichotomy. The same warning could be applied and amplified for the attempt to formally compare Heidegger's statements on animals to MacKinnon's statements about women, or perhaps more accurately, feminists. Without denying this accusation completely, because a complete denial may be impossible for those who write within discourses indebted to sex inequality, one might meet this objection by noting that the modes of having and not having that differentiate the worlds of humans and animals, men and women could be used to differentiate women from animals—since sex inequality does not operate by exactly the same discursive structures as anthropocentrism, though there may be similarities—but instead differentiate women from women—since, otherwise, "all women would be feminist" (C. A. MacKinnon 1983, 637) due to the varied effects of sex inequality. Rather than suggesting an identity among all animals, much less between women and animals, the preceding comparison simply aims to promote inquiry into the differentiated effects produced by a formally similar theoretical structure according to which both women and animals are said to be deprived of world.

equated, consciousness is held up in opposition to the lack of world attributable to women and animals, and the struggle for world or consciousness means the struggle for the consciousness and world that enlightened male Europeans claim to have. Yet these discourses have little to offer MacKinnon, who understands women's lack of world to specify "women's situation" rather than serving as the formal criteria for allegiance with others, including other women as much as animals. Moreover, the specificity of women's situation does not simply amount to the desire for masculine, European consciousness, but constitutes for MacKinnon a distinctive kind of power, agency, consciousness or world defined not only by its exclusion from masculine privilege, but a form of opposition that operates by undercutting, rather than reversing, the distinctions and exclusions upon which masculine privilege is based.

It seems obvious to me that MacKinnon appreciates the point that words do not name inert realities, but rather are recruited into strategies that draw on words' extant meanings to transform the conditions in which those words are used, who can use them and how, in effect, the use of words affects the way words may be used. Appreciating this agonistic reality means highlighting the existing usages that affect the modifications that can be made to the meanings and purposes to which words are put. Just as certain discourses that define both women and animals in terms of their lack of consciousness emerge with ease to identify Heidegger among the many targets of MacKinnon's critique, so a different set of discourses fills in the gaps of interpretation that result in a condition in which "to be *rapable*, a position which is social, not biological, defines what a woman *is*" (C. A. MacKinnon 1983, 651). To be sure, the respective conditions of hermeneutic interpretation and rape are not equivalent. Considering that the crime of rape and acts of sexual abuse are all too often dismissed as misunderstandings or misinterpretations, one could even find the comparison insulting. If I have run the risk of insult,

it is because I thought the comparison striking for its ability to highlight the construction of interpretive interests that might otherwise and be considered monstrous.

The point then is not to find the right words for objects, but to determine how words affect the actualities we implicitly or explicitly revere with the honor of objectification in our use of terms that reify particular discursive strategies and practices. Those strategies include terms that biologize gender relations in terms of sex and those that fetishize dominance and submission through social institutions that enforce compulsory practices of heterosexuality, such as marriage and the nuclear family. By identifying the practices responsible for the deployment of these concepts and strategically anticipating the effects of these practices, feminism participates in a method of discursive displacement that links practitioners identifiable by their use of the terminology of postmodernism, postcolonial theory, critical philosophy of race, queer theory and critical theory, yet in identifying this alliance, one discerns a strategic interest without the necessity of an ideological coalition or shared material conditions. But where feminism displaces the dominant discourse by revealing the unspoken requirements of masculine objectivity, including compulsory heterosexuality and the fetishization of dominance and submission, objectivity exerts its discursive force by operating in exactly the opposite manner, by presenting its coercive strategies as bare facts. Accordingly, objectivity shrouds sex inequality in a mythic reality for which there is nothing left to say. MacKinnon's understanding of feminism's insight involves the identification of masculine privilege as a condition for sex inequality, but the deployment of the term white privilege, denoting a similar habit by which white subjects assume their perspective as the norm from which all other raced perspectives depart,¹³¹ indicates that the

¹³¹ Marilyn Frye discusses white privilege almost exclusively in terms of power relations in which epistemological habits of convenient and interested ignorance play a constitutive role. Frye locates the disparity at the heart of white privilege in having "a choice—a choice between the options of hearing or not hearing" (Frye 1983, 111) objections that the raced perspective of whiteness does not neatly encapsulate or exhaustively represent the experience of race,

diagnosis of ontological privilege does not belong solely to the work of feminists. More broadly, if the terms masculine privilege or white privilege have value, it is not primarily because they denote realities for which feminist theorists and race theorists, respectively, are particularly well suited to identify, but because these terms function politically to reconfigure the actualities they describe.

Of course the effects these terms produce, just like their value, will depend upon where and how one is situated relative to gender norms and heteronormativity. The operative question for a brand of critique that aims to displace the discursive practices that hold these concepts together will not always be whether sex inequality is present in a given situation or whether gender is responsible for it. It will not even concern identifying who benefits or suffers due to such inequalities. In many cases the operative question will concern how it is that the present deployment of gender, sex inequality or heteronormativity furnishes the discursive formulations

which is provided by the circumstance of living in a white supremacist society. Shannon Sullivan develops the concept of white privilege in a more epistemological direction when she defines it primarily in terms of “ontological expansiveness”:

As ontologically expansive, white people tend to act and think as if all spaces—whether geographical, psychical, linguistic, economic, spiritual, bodily, or otherwise—are or should be available for them to move in and out of as they wish. Ontological expansiveness is a particular co-constitutive relationship between self and environment in which the self assumes that it can and should have total mastery over its environment. Here can be seen the devious maneuvers of unconscious habits of white privilege to obstruct their transformation. The very act of giving up (direct) total control over one’s habits can be an attempt to take (indirect) total control over one’s habits by dominating the environment. The very act of changing the environment to disrupt white privilege paradoxically can be a disruption that only reinforces that which it disrupts (Sullivan, *Revealing Whiteness: The Unconscious Habits of Racial Privilege* 2006, 10).

Though Sullivan’s account of the epistemic entanglements of white privilege make it out to be something that can only be displaced with considerable difficulty, Ladelle McWhorter argues that the deployment of the concept in terms of an objective statement about existence or else a persistent psychological feature of white experience does little to highlight the discursive features that maintain white privilege because “wherever we see the concept of white privilege operating, we can be sure that the conception of power that is also operating is the traditional juridical conception that construes power as the possession of a preexistent subject” (McWhorter, *Where do White People Come From? A Foucaultian Critique of Whiteness Studies* 2005, 545). Without endorsing McWhorter’s conclusion that the concept of white privilege always operates according to a logic of power in which agents are the holders rather than the products of power, we can see the way in which white privilege fluctuates between the poles of empirical observation and psychological constant in the respective views of Frye and Sullivan. McWhorter’s observation that these interpretations both rely upon a juridical conception of power highlights the practical conditions guiding either approach.

that help reiterate and solidify these effects. Because the themes of sex inequality, gender and heteronormativity have pressing urgency at present for the subject of discourse, these concepts become crucial tools of analysis for present conditions, but they also threaten to recreate those conditions. To displace the reciprocal relations according to which the present yields the tools for its reinscription does not involve looking deeply into the meaning of those concepts and excavating the sites where their usage has been obscured or underappreciated, nor does it involve understanding those concepts as only ideological ephemera tossed up to obscure and occlude investigation into the material conditions that constitute the present. Rather, displacing those relations means first identifying the discursive practices by which the present reinscribes its features across the face of history and then comparing those discursive gestures to the manner in which other presents, whether historically, geographically or psychologically, insist on their reinscription in order to discern the points at which present discursive practices might be vulnerable to disruption or reversal through a strategic misreading and alternate performance of their dictates.

That is a very abstract way of saying that rather than subsuming feminism within an overarching analysis of discursive formation and displacement, postmodernism as it figures in Foucaultian genealogy operates alongside feminism as a critical discourse useful for reflecting and thereby indicating the sites at which the organizing principles of feminist theory threaten to reinscribe the conditions of sex inequality from which feminism ostensibly derives its meaning. There is no necessity that feminism and postmodernism be linked in this manner, however. Whatever urgency may be attached to this critical association owes to those who do not find the discourses of feminism or postmodernism sufficient to displace practices that they find intolerable. In the following chapter, I will suggest locations within struggles over

heteronormativity, race, class and colonialism that do not benefit from deployments of feminist and postmodernist criticisms that insist upon their isolation.¹³² As this discussion progresses, I would like to show that compounding and layering these critical discourses provides a strategic reservoir for critical practice that is only abstractly formulated in the previous paragraph.

¹³² Indeed, Foucault's analysis of biopower, characterized in Part II as the prevalent mode in which power functions today, offers an account of the relations between feminist, critical race, queer and postcolonial theories that is neither exclusive nor totalizing. Since biopower names a way in which power functions to link the individual and the population together in a circuit that justifies the murder of some part of the population for the benefit of the whole (cf. footnote 115, above, footnote 140, below), the genealogist might link these respective discourses together within the field of effects produced by the tactical deployment of biopolitical logic. McWhorter cites the regulation of abnormalities and the prevention of degeneracy, which "[i]n its new [biopolitical] incarnation [. . .] was no longer the name of a state of being but rather the name of a process, the opposite of normal development" to illustrate the biopolitical process of regulating individual behavior for the purposes of managing the population as a whole. Yet for me, what is remarkable is the way that biopower mutates and generalizes its concerns to affect not just those deemed abnormal, but applies to everyone in the name of controlling the processes that lead to abnormality, though even here certain groups like women, the disabled, the poor, criminals, homosexual and racialized subjects get the worst of it: "Since degeneracy was believed heritable, steps had to be taken to control those who exhibited any symptoms of it. Laws were passed to prohibit degenerates from marrying; those judged likely to propagate outside of marriage (the criminal, feeble-minded, and insane) were sterilized. Because race was the mark of abnormality, racial populations might well harbor not only individuals whose development was arrested, but also true degenerates" (McWhorter, *Where do White People Come From? A Foucaultian Critique of Whiteness Studies* 2005, 543). Since biopower expands or intensifies through the production of racialized, gendered, classed and sexualized subjects, it seems that the genealogist necessarily takes an interest in the techniques that are employed in these processes of subjectivation. Moreover, it seems that the identification of these processes as they operate differentially in the creation of diverse forms of subjectivity that share similar conditions of political marginalization could serve as a political discourse capable of affecting those exclusions for better or worse.

Chapter Seven: *Implicit Strategies of Totalization: Colonialism and Homophobia*

§1 Critical Practice without Critical Alliance

In this chapter, I would like to pick up the thread of discursive critique identified in the last chapter as operating in the feminist theory of Catherine MacKinnon. Rather than attempting either to subsume feminism to postmodernism, one to another, or suggest that they refer to distinct unrelated problems and discourses, I have sought to show the influence of feminism upon postmodernism and postmodernism upon feminism as instances of discourses affecting one another laterally by working at different levels of discursive practice. Thus, in addressing the practices of feminism, postmodernism or the practice of relating the two,

[i]t's not a matter of locating everything on one level, that of the event, but of realising that there are actually a whole order of levels of different types of events differing in amplitude, chronological breadth, and capacity to produce effects. The problem is at once to distinguish among events, to differentiate the networks and levels to which they belong, and to reconstitute the lines along which they are connected and engender one another (Foucault, *Truth and Power* 1980, 114).

In short, the problem is not simply to show that the discursive strategies of feminism either do or do not reduce to the strategies of postmodernism because of their intentional or formal assumptions, but how each, working within their own networks of discursive practice, produces transverse effects that bring entirely new orders of influence to bear on the other. These new orders of influence and capacities to produce effects constitute the strategies orienting feminism and postmodernism toward one another, not in the manner of a dialectic, but in the manner of war, struggle or play. This is not necessarily to say that feminism and postmodernism oppose each other like adversaries on a battlefield or in conflict, but that their strategic and tactical relations to one another as friend or foe are “intelligible and should be susceptible of analysis down to the smallest detail—but this in accordance with the intelligibility of struggles, of

strategies and tactics” for which “neither the dialectic, as logic of contradictions, nor semiotics, as the structure of communication can account” (114).

In the previous chapter, I tried to make this methodological point by outlining the practical intelligibility of discursive displacement, which appears to be shared among postmodernists like Foucault and feminists like MacKinnon. In this and following chapters, I would like to identify the strategies reinforced and displaced by distinct discourses including feminism, queer theory, critical philosophy of race, and postcolonialism. In drawing upon these respective discourses, my point is not to show the existence of a broad coalition, nor an unbridgeable chasm among and between these respective interpretive practices. Rather, my point is to show how a kind of practical politics links these interpretive activities by a piecemeal logic of struggles that may be mobilized for the purposes of alliance or critique depending upon the critic’s insertion into specific struggles organized by power relations at many levels.

In the preceding chapter, I criticized MacKinnon’s use of the terms reality, humanity and universality, before suggesting that they might be read as instituting a strategic logic of critical dialogue rather than continuing the monological discursive strategies for which these terms are often reserved, and of which MacKinnon is rightly critical. Notwithstanding this “reading” of MacKinnon’s use of these terms, MacKinnon’s critique of postmodernism includes an insistence that these gestures are not *merely* strategic. In distancing herself from the strategic considerations of postmodernism, which MacKinnon identifies with the belief that “there are no facts; everything is reading, so there can be no lies” (C. A. MacKinnon 2000, 703), MacKinnon attempts to insulate her work from the kind of critical dialogue that would render it useful for the strategies of others on terms other than those of its own making. Nevertheless, feminist theory’s strategic use is not solely dependent upon its authors’ intentions, so a critique of MacKinnon’s

discursive deference to “reality” as a preemptive maneuver can be used to show that not only is an insistence on the preeminence of gender not the most strategically valuable approach to all conditions of sex inequality related to the deployment of sexuality, but that the gesture of preemption operative in MacKinnon’s appeal is structurally similar to racist and colonialist discourses that receive implicit support from MacKinnon’s use of those tactics, insofar as they find the conditions of alliance around their use of a common set of rhetorical techniques emphasizing the reality of their appeals by reference to biological and social fact. I would like to begin this chapter with a consideration of MacKinnon’s attempt to exempt her work from the critical appropriation and use by others as the continuation and support for a discursive technique that is either the hallmark of many historical and contemporary sexist, racist, homophobic and colonialist discourses, or in precise instances, not an optimal strategy for struggling against inequalities of gender, sexuality, race and colonialism.

To claim that MacKinnon shares interests with misogynists, racists, homophobes and colonialists because they both deploy discursive strategies that aim to insulate themselves from critical use and undermine the credibility of others by making an appeal to the exclusive use of their concepts of reality is a contention similar to saying that Americans and Iranians have the same interests because they both drive cars. The facile structural parallel omits important political, cultural and strategic differences and falls into gross overstatement. Yet, in an age where the global North shirks its responsibility for climate change because of a shared “way of life” dependent upon industrialization and the intensive use of fossil fuels, the banal commonality of driving cars is far more of a basis for alliance than a perspective attuned to the political differences between the United States and the Islamic Republic of Iran might first appreciate. A closer parallel to postmodernism might apply to Foucault’s use of the positivity of

internment to analyze the treatment of madness in *History of Madness* or the use of disciplinary training to analyze highlight a continuity among schools, prisons, hospitals and the military in *Discipline and Punish*. Like the practice of exempting oneself from critique by making a bedrock appeal to ontological or conceptual privilege, the positivities Foucault studies allow the critic to identify a common interpretive practice that ignores significant differences, yet is nevertheless essential to “[t]he way power [is] exercised—concretely and in detail—with its specificity, its techniques and its tactics” (Foucault, *Truth and Power* 1980, 115-116). Despite these significant oversights, which deserve their own critical elaboration, and in reference to his own work, Foucault indicates that the stakes of this kind of analysis involve questioning values that determine how critical work may progress,

To put it very simply, psychiatric internment, the mental normalisation of individuals, and penal institutions have no doubt a fairly limited importance if one is only looking for their economic significance. On the other hand, they are undoubtedly essential to the general functioning of the wheels of power. So long as the posing of the question of power was kept subordinate to the economic instance and the system of interests which this served, there was a tendency to regard these problems as of small importance (116).

Just as questions of internment and normalization are not considerations from a perspective shaped by economic interpretation, so the questions of shared habits of petrochemical usage may not rise to the level of scrutiny from a perspective informed by international policy disputes. This failure to pose the question of the specific techniques and details that result in these ways of formulating problems is not neutral, but results from the consistent decision concerning the issues of importance by performing critique in the prescribed way.¹³³ In terms of the preceding

¹³³ Duncan Kennedy’s discussion of legal education provides an example of the critic’s implication in the effects of discursive power and the significance of the failure to either critique or allow the critique of that performance when he points out that “[b]ecause students believe what they are told, explicitly and implicitly, about the world they are entering, they behave in ways that fulfill the prophecies the system makes about them and about the world. This is the link-back that completes the system: students do more than accept the way things are, and ideology does more than damp opposition. Students act affirmatively within the channels cut for them, cutting them deeper, giving the whole a patina of consent, and weaving complicity into everyone’s life story” (Kennedy 1982, 591). Drawing on the

chapter, the point is that the discursive position invested in the maintenance of the distinction between Iranian and American national interests finds indirect, transversal support from the attitude that dismisses such common activities as driving automobiles as too widespread and general to serve as the basis for political alliance at the specific sites where these values are applied. Rather than saying that such an attitude is simply an example of strong reasoning or else an infinitesimal idiosyncrasy, I would prefer to follow Foucault in saying that this attitude has not only a history in which it was constituted but a destination in the present, to the extent that it provides practical, if neither material nor ideological, support for present practices of biopower.

§2 Common Discourse and Local Practices

Discourses may prove to be either useful or ineffectual because of their transversal connections, which permit them to exert influence in constantly shifting ways. To illustrate the point, I would like to revisit MacKinnon's discussion of the universality of sex inequality before addressing the adequacy of the concepts of sex inequality and gender for addressing the recent attempt to criminalize homosexuality in Uganda. While MacKinnon's deployment of sex

critic's institutional role, as a member of the academy as well as a scholar dispensing wisdom to the uninitiated, the critic's appeal to the real—in Kennedy's analysis, "the world"—brings attention to the context of MacKinnon's appeal to reality as the basis for her critique and dismissal of postmodernism, which explicitly and implicitly draws on her institutional role as a legal professor and scholar to reinscribe the appeal to reality as the hallmark of reputable critical practice and thus possesses the added danger that the form if not the content of this appeal will be reenacted affirmatively, strengthening the obligation to repeat this critical gesture of discourse. By contrast, Kennedy's own critical strategy moves in a different direction, but one closer to the discursive critique of power for which Foucault employs genealogy. Thus, Kennedy promotes a critical strategy of "utopian thinking. By this I mean, not the attempt to discover an ideal form of social arrangement which would put an end to historical struggle and uncertainty, but a process of formulating demands so as to reveal the hidden ideological presuppositions of institutional life. An effective utopian proposal honors all the 'practical' constraints that center liberal administrators appeal to when asked to explain the way that their institutions work, so that it can't be dismissed as flatly impossible or beyond the capacities of those who would have to carry it out. On the other hand, an effective utopian proposal will have no chance at all of being adopted (at least in the near future) because it violates the unspoken conservative norms that guide administration in fact, if not in name" (613). Thus, Kennedy's utopian thinking addresses another level of "reality"—alas, he even invokes the specter of "fact," which is also a habit of Foucault's, as when he invokes the "reality of conflict" (Foucault, *Truth and Power* 1980, 115)—but this use of the term functions to disrupt the attempt to use the appeal to reality or facts to ground and prioritize one critical discourse over another. If anything, Kennedy's promotion of utopian thinking recognizes the "reality" that the power of names and discourse often displaces the power of facts.

inequality and gender in her analysis of the law¹³⁴ brilliantly reveals the heteronormative assumptions implicit in Western legal conventions, I am not sure that this critique, whose fine attunement to its subject constitutes its force, can or should be generalized in all cases that seem to be explicit occasions of sex inequality and heteronormativity. For instance, MacKinnon skewers the assumptions of anti-rape legislation founded on the concept of legal consent by pointing out that the importance the legislation places on men's concepts of consent, (first with the rapist's representation of his victim's willingness, and subsequently with the legal apparatus's appraisal of whether the victim had in fact withheld consent), effectively rendered a legal definition of women as "rapable." Such an analysis garners its force by purporting to say nothing more than what the law itself says, but to say it more explicitly, and thus by violating the tacit agreement to remain silent about the effects of the law, as though law could only operate on a symbolic level that didn't produce effects elsewhere. One could argue, as MacKinnon has, that this tacit agreement organizes not only American jurisprudence, but Western jurisprudence in general, and in a much more allegorical form, the organizations of societies into "States" the world over and throughout history, but I am not so sure that it would have the same force that it has in its particular context. Rather than undercutting MacKinnon's fundamental insight that law and social institutions operate according to a tacit agreement that discourages overt assaults on individual autonomy, such as rape, in exchange for a generous analysis of law that assesses it in terms of its foundational legitimacy rather than its effects, the hesitation about generalizing her critique comes from an appreciation of the particular effects it creates and a sense that a more radical "generalization" of her approach might involve carrying out acts of discursive criticism that are attentive to the particular contours of discursive context and practical potential. Such

¹³⁴ That is, the law, generally speaking or the American legal system in particular, not the proposed Ugandan law that will be discussed shortly.

criticism may yet proceed from the conviction that sex inequality is “universal,” but instead of entailing the use of conceptual tools such as heteronormativity and gender, the struggle against this universality would require developing a sense for the local techniques according to which that inequality is produced, and strategically enlisting the local practices and discourses that assist in the process of disrupting the conditions that produce sex inequality. The recent proposal of an anti-homosexuality bill in Uganda represents a case in point where the deployment of concepts of gender and heteronormativity do little to counter the conditions of sex inequality and homophobia from which the proposed law emerged.

In April 2009, Ugandan Member of Parliament David Bahati passed a resolution allowing him to propose a bill strengthening Uganda’s laws criminalizing homosexuality to include death sentences for cases of those convicted of carrying out “homosexual acts” and severe punishments for those found to have abetted these crimes, including human rights workers, medical providers and those who knew or suspected others of committing acts defined as homosexual under the law. While such a law is apparently susceptible to critique on the grounds of its blatant heteronormativity, coercive enforcement of gender norms and human rights abuses, the most affecting critique of the law has not relied on either gender or heteronormativity for the bulk of its testimony, but has relied upon the themes of family, anti-colonialism, legal practicality and lastly, a significantly imprecise account of human rights for its critical force. To say that these are the most affecting approaches to critique the Bahati Bill is somewhat misleading, since this implies that the approach has special appeal for either myself, a general audience or some specialized audience with special relation to the controversy, and my use of the term involves none of these claims. Rather, by affecting, I have in mind simply that these were the terms in which Ugandans close to the law politically, professionally and

personally chose to frame the debate. These terms are triggered by those subject to the law that, however imperfectly, encapsulate the contested ground on which the Bahati Bill constitutes only a recent and highly visible tactic. Thus, to call the reaction of Ugandan critics of the Bahati Bill the most affecting does not imply that this strategy will succeed, but simply that understanding the terms in which those on the front lines of this struggle chose to pitch their battles seems far more sympathetic and informative than condescending to tell those who fight what their struggles are really all about.

Just as listening to a Ugandan critique of the Bahati Bill does not imply that such critique has special relevance to myself or others, nor that such a strategy is tactically superior to others because it expresses the will of the people, this approach to hearing and evaluating the terms of the debate is more concerned with the way that the Ugandan critique opens strategic possibilities than with any respect in which its superiority might be considered essential or inherent. This reaction is not only grounded in a Foucaultian notion of power relations and the critical possibilities that a logic of play, reversible struggles and, even, warfare entails, but also in an estimation of the role of the critic and how that role changes within particular conflicts. Foucault's view that "[t]he intellectual's role is no longer to place himself 'somewhat ahead and to the side' in order to express the stifled truth of the collectivity; rather, it is to struggle against the forms of power that transform him into its object and instrument in the sphere of 'knowledge,' 'truth,' 'consciousness,' and 'discourse' " (Foucault and Deleuze, *Intellectuals and Power* 1977, 207-208) has been a source of significant criticism,¹³⁵ because its apparently hands-off approach to critical intervention appears inadequately critical according to the terms in which controversies are framed and, therefore withholds the only support the intellectual is qualified to

¹³⁵ For the purposes of this chapter, the most notable criticism of Foucault's position can be found in Gayatri Spivak's essay "Can the Subaltern Speak?" (G. Spivak, *Can the Subaltern Speak?* 1994), which will be discussed below in Chapter Nine.

offer while perhaps surreptitiously denying the conditions that establish the European intellectual tradition as the norm for critical reflection. Nevertheless, the gesture that refrains from telling those involved on the front lines of conflict how their struggles ought to aim also counters the colonial gesture that inserts its own values into the heart of every conflict.

Instead of arguing against the colonial gesture on moral, epistemic or ontological grounds, which would thereby consolidate her authority, the Foucaultian genealogist aims her critique at identifying the internal dynamic of conflicts, not because they are internal and therefore superior for their more faithful representation of what the conflict *really* amounts to, but because they challenge the Western critic's colonial impulse by presenting a more or less coherent counter-narrative or counter-memory that enlists a particular struggle in strategies completely distinct from those the European intellectual might deem universal and therefore fundamental.¹³⁶ The plausibility of this counter-memory paralyzes the European intellectual's colonial impulse to read her story into the lives of others and thereby loosens a single thread in

¹³⁶ In discussing his work in *Discipline and Punish* and his subsequent activism with the *Groupe de l'information sur les prisons* (GIP), Foucault alludes to what I would like to call resisting the colonial impulse, namely claiming the right to speak for and represent the true interests of others, when he explains that "if pointing out these sources – denouncing and speaking out—is to be part of the struggle, it is not because they were previously unknown. Rather, it was because to speak on this subject, to force the institutionalized networks of information to listen, to produce names, to point the finger of accusation, to find targets, is the first step in the reversal of power and the initiation of new struggles against power. If the discourse of inmates of prison doctors constitutes a form of struggle, it is because they confiscate, at least temporarily, the power to speak on prison conditions—at present, the exclusive property of prison administrators and their cronies in reform groups" (Foucault and Deleuze, *Intellectuals and Power* 1977, 214). Several parallels between our present analysis and Foucault's remarks are significant here. If we can entertain the doubtlessly problematic substitution of the discourses of colonized subjects for the discourses of inmates, then the parallels between the power relations affecting inmates and administrators on one hand and colonized subjects and the European intellectual tradition, on the other hand, become clearer. First, the discourses of inmates and prison doctors are already known, they are not secret, unconscious or unknowable. Rather, second, they exist in the terms that prison administrators use to describe them or avoid describing them. Neither the discourse of the administrator nor the inmate can claim priority in that neutral ether of truth or reality because their discourses are each implicated in the political conflict over the meaning of truth. Which means, third, that the peculiar force of not mimicking the privilege of replacing the discourse of inmates with the discourse of administration or, what is the same, reformism (because it predicates its good work on the assumption that inmates have nothing to say, have not been heard or are incapable of adequately formulating their demands), owes to the reversal of discursive priorities, power relations and channels of information that normally leave inmates speechless. Fourth, just as important as what these counter-narratives accomplish in reversing the contemporary order of discourse governing discursive potential are the reversals and realignments that these disruptions permit as they ripple toward the outer edges of discursive practice.

the network of power relations that renders the counter-discourse impossible. In the case of the Bahati Bill, the genealogist's resistance to the colonial gesture is not simply a negative act in which one refrains from endorsing either side by remaining neutral, but because, in the analysis of Ugandan critics, the Bill turns out to hinge on questions of colonial influence, genealogy becomes a positive act of solidarity with the Bill's critics. Genealogy creates this solidarity by creating the space in which the postcolonial critique can differentiate its position from the position of liberal critics.

In a speech delivered at Makerere University on November 18, 2009, just over a month after the proposal of the Bahati Bill on October 13, 2009, Dr. Sylvia Tamale began to outline her criticism of the Bahati Bill by assuring its sponsor, Hon. David Bahati, that they were in agreement on the three fundamental points of the legislation: "to strengthen the nation's capacity to deal with emerging internal and external threats to the family unit [. . .] to protect the cherished culture of the people of Uganda [and] to protect Ugandan children and youth who are vulnerable to sexual abuse and exploitation" (Tamale 2009). In opening her critique with mention of the shared values that motivate the Bahati Bill and her criticism of it, Tamale offers a concrete performance of what Foucault might call the ubiquity and commonality of power relations, which is nonetheless significant for its utter banality. Rather than amounting to a program that can be appealed to as a more fundamental reality to resolve dispute, the commonalities of family, cultural identity and future generations shared by Tamale and Bahati serve as sites of contestation rather than sites of refuge. Because the value of these sites differs with one's insertion within the practical context, sharing these values implies neither that one shares the meaning they are given in particular discourses, nor that one supports the goals of the strategies in which these terms are enlisted, but rather that one nonetheless contributes however

obliquely and however unintentionally to the struggles and sites of contest in which these terms are deployed.¹³⁷

Tamale begins by unpacking the concept of the “traditional African family” to show that the object ostensibly targeted for protection by the Bahati Bill has not been sufficiently codified to be well served by the proposed legislation. In genealogical fashion, Tamale observes the difficulty of identifying a particular institution of kinship arrangement as the “traditional African family” because “matrimonial relations among various African communities have differed a great deal” (Tamale 2009). To exemplify this point, Tamale cites examples of marriage among first cousins, “the phenomenon of *chigadzamapfihwa* where the family of a barren wife among the Ndaus of Zimbabwe would ‘donate’ her brother’s daughter to her husband to become a co-wife and bear children on behalf of the barren woman,” non-sexual cohabitation “marriages” among women “for the purposes of coping with the various reproductive, social, and economic problems,” and the practice of levirate marriage¹³⁸ (Tamale 2009). The question that emerges

¹³⁷ Foucault describes some of the stakes involved in viewing the terminology of the dispute as part of the contested field when he explains his preference for the discourse of power rather than the Marxist discourse of exploitation, “as soon as we struggle against exploitation, the proletariat not only leads the struggles, but also defines its targets, its methods, and the places and instruments for confrontation” (Foucault and Deleuze, *Intellectuals and Power* 1977, 216). Marxism’s emphasis on exploitation narrows the field of relevant discourse, restricting solidarity to not only relevant ideological content, but orthodox practices of resistance as well. By contrast, “if the fight is directed against power, then all those on whom power is exercised to their detriment, all who find it intolerable, can begin the struggle on their own terrain and on the basis of their proper activity (or passivity)” (216). As a target, power is more inclusive, but it is inclusive as a site of contest rather than a shared condition or identity. Not only do the terms of resistance become far less restricted and exclusive allowing for the involvement of “[w]omen, prisoners, conscripted soldiers, hospital patients, and homosexuals [who] have now begun a specific struggle against the particularized power, the constraints and controls, that are exerted over them,” but this diffusion of what counts among legitimately resistant (or coercive) struggle and who definitively belongs to the revolutionary class provokes the creation of new forms of resistance, rather than accepting “a new disposition of the same power with, at best, a change of masters” (216).

¹³⁸ Though this tallying of historical diversity behind the image of a static concept is in some respect emblematic of genealogy, being on prominent display in Nietzsche’s *On the Genealogy of Morality*, Foucault connects this retrospective view toward the history of a concept with a prospective use of genealogy for the creation of concepts in much of his later work concerning the care of the self. An emblematic example of the prospective use of genealogy can be seen in Foucault’s view that gay men should not simply endeavor to achieve equal treatment under the law, but should endeavor to create a gay lifestyle. For instance, when an interviewer questions him regarding the expansion of inheritance rights to cover same sex couples unrelated by blood Foucault responds that such an expansion, much like the expansion of our view of what constitutes a marital bond or family, “represents only a first

through these examples concerns which type of family Hon. Bahati's bill aims to protect, and under what justification it extends protection to some while denying it to others, especially when we consider that the prevailing image of the "traditional African family" is a set of relationships in flux, without exclusive organization by logics of blood, material circumstance, sexual difference, monogamy or heterosexuality. In short, when the "traditional African family" is an unstable multiplicity of relationships, how does one justify enacting legislation designed to protect none of the autochthonous varieties mentioned by Tamale, but instead and only the nuclear family of European provenance? Moreover, when one considers the "emerging internal and external threats to the family unit" as Tamale has described them, the main dangers are things like infertility, poverty, warfare and disease. It is completely unclear how strengthening laws criminalizing homosexuality confront these dangers. Thus, by addressing the theme of the "traditional African family," Tamale's criticism draws attention to contentiousness at the heart of

step, because if you ask people to reproduce the marriage bond for their personal relationship to be recognized, the progress made is slight" (Foucault, *The Social Triumph of the Sexual Will* 1997, 158). The poverty of this progress owes to the fact that such improvements or reforms consolidate implicit power relations codified in heteronormative marital laws, while operating under the veneer of a radical break and reformulation. This is not to say that such incremental changes are unimportant, but that their importance does not rest simply on the gradual dawning of enlightenment regarding the true content of social relations or institutions such as marriage or the family. Rather their importance also lies in what can be done with these incremental reforms. The enfranchisement of gay couples through access to equal protection under the law could equally contribute to the codification of specific intragender roles modeled upon the heterosexual couple—later in the same interview, Foucault complains that he is not interested in a gay lifestyle that involves "one of the partners having to play the nelly [*éphèbe*] or the effeminate, fragile boy" (162)—or it could serve as the basis to "secure recognition of relations of provisional coexistence, adoption . . . [Foucault's interviewer offers "Of Children?"] Or—why not?—of one adult by another. Why shouldn't I adopt a friend who's ten years younger than I am? And even if he's ten years older? Rather than arguing that rights are fundamental and natural to the individual, we should try to imagine and create a new relational right that permits all possible types of relations to exist and not to be prevented, blocked or annulled by impoverished relational institutions" (158).

Mirroring the variety of marital customs and social relations they invoke in Tamale's critique of the Bahati Bill, Foucault offers a prospective vision of genealogical practice that situates the present as a point of creativity rather than termination. If we combine the retrospective vision of Nietzschean genealogy with the prospective vision of Foucaultian genealogy, the result is something like this: since the past is hardly the monologue it is remembered as in the present; there's no reason to insist upon the past's determination and destruction of the present. This means that there is neither an automatic priority to recover the past in the sense of remembering those voices which are forgotten in our current historical narratives nor any such priority in the sense of trying to unburden the future of its historical debt because both of these accounts amount to misrememberings with specifiable effects. The recovery of the past and disburdening of the future each play strategic roles in reconfiguring the present, which means that each is an element in a process of creation. Each has its tactical role to play, and the function of the genealogical scholar is to identify those tactical values within the space of discourse she not only occupies, but inhabits and practices.

the phrase, invoking the need not only to recover its dispersed sources, but the contemporary urgency to reinvent the phrase in light of the dangers that currently beset African families.

Though citing the variety of traditions from which the “traditional African family” might be constituted, Tamale indicates that her vision is set on creating the family in the present by offering a hypothesis, “[p]erhaps, the undisputed value that is a common denominator in all traditional institutions of family in Africa is the group solidarity that we have embedded in our extended family networks” (Tamale 2009). In contrast to Bahati’s legislation, which aims to identify and promote the one true or, at any rate, most desirable family arrangement, Tamale’s hypothetical “perhaps” is distinct not only for its lack of exclusivity, but for its identification of the positivity of familial relations as ongoing, collaborative projects. Rather than identifying the kinds of relation that qualify as familial, Tamale identifies familial relations by the effects of “support, stability, love and respect” that such relations produce. Thus, the common denominator that unifies the “traditional African family” becomes the production of regular effects of solidarity, support, stability, love and respect engendered by social networks linked to one another according to extended practices of kinship. This is obviously not a claim about what type of family exists purely and simply without the threat of contradiction. It would be hard for many Westerners to hear the claim that “the phenomenon of *chigadzamapfihwa* where the family of a barren wife among the Ndaus of Zimbabwe would ‘donate’ her brother’s daughter to her husband to become a co-wife and bear children on behalf of the barren woman” is purely or simply for the production of effects of solidarity, support, stability, love and respect and not rather a testament to what MacKinnon has called the universality of sex inequality, in this case informed by the characterization of woman as chattel to be “donated” according to need. Genealogical analysis does not claim that there is no difference between these two

characterizations, but neither does it take as its fundamental *raison d'être* the task of identifying which of these positions properly belongs to the interests of African families. Rather, the genealogist's task would involve identifying the line of descent that contributes to these respective visions, and then attempting, as if writing fiction, to imagine what effects might be enjoined by adopting one strategy or another.

Tamale's interlocutor is not Western feminist discourse, but the familial concerns of the Bahati Bill. Accordingly, we may view her hypothesis as posing the question of the likely effects of adopting her nonexclusive, open-ended and, frankly, utopian¹³⁹ account of the traditional African family as weighed against the image of the family promoted by the Bahati Bill. If one were to examine and rank the factors that threaten the African family (and moving on to Bahati's second concern, the welfare of African children) presently and historically, Tamale suggests that the negative effects of behaviors identified as homosexual under the Bill would rank somewhere far down the list, if being present at all. Tamale identifies several practices that supersede "homosexuality" in their scope and intensity of threat, including: child sacrifice, rape, molestation, domestic violence, child marriage, children's armies, HIV/AIDS orphans, patriarchy and poverty. In identifying these more immediate and widespread threats to children and the family, Tamale highlights the curious tactical blindness of the Bahati Bill. If the primary danger of homosexuality according to the Bill "is a threat to the continuity of humankind and that it will lead to the extinction of human beings in the world" (Tamale 2009), then not only is the phenomenon of homosexuality too infrequent to be taken seriously, but the intense dangers of

¹³⁹ On utopian thought in genealogical practice, cf. footnote 133, above.

war, poverty, disease and violence should be far more urgent concerns for anyone seriously concerned about the preservation of the human species.¹⁴⁰

The claim that the Bahati Bill is not seriously concerned about the preservation of the human species is not intended to address the honesty or intensity of Bahati's motives, but rather to draw attention to the priorities promoted and diminished by the Bahati Bill's focus on homosexuality. As we have already seen, the state focus on homosexuality and race in the context of preserving and improving the species as a whole is linked to the projects of

¹⁴⁰ The Foucault scholar cannot resist commenting on the overtly biopolitical underpinnings of Bahati's allegations and noting that the origination of this official practice of state racism in Europe lends added credence to Tamale's forthcoming claim, that the Bahati Bill represents a colonialist, rather than a strictly homophobic or heteronormative project. Foucault's remarks about the link between sexuality and modern racism in *La Volonté de savoir* are particularly germane for tracing the thread tying sexuality to colonialism:

Beginning in the second half of the nineteenth century, the thematic of blood was sometimes called on to lend its entire historical weight toward revitalizing the type of political power that was exercised through the devices of sexuality. Racism took shape at this point (racism in its modern 'biologizing,' statist form): it was then that a whole politics of settlement, family marriage, education, social hierarchization, and property accompanied by a long series of interventions at the level of the body, conduct, health, and everyday life received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 149).

In his course from the same year, *Society Must be Defended*, Foucault elaborates that racism and the attendant practices of colonialism and genocide operate within, and are substantially produced by a biopolitical economy of power relations characterized as "a power that has taken control of both the body and life or that has, if you like, taken control of life in general—with the body as one pole and the population as the other" (Foucault, *Society Must be Defended* 2003, 253). Like sexuality, whose "political significance" Foucault attributes "to the fact that sex is located at the point of intersection of the discipline of the body and the control of the population" (Foucault, *Truth and Power* 1980, 125), racism, colonialism, genocide and political disqualification acquire fundamental biopolitical significance as techniques that first "introduce a break into the domain of life that is under power's control: the break between what must live and what must die" (Foucault, *Society Must be Defended* 2003, 254) and second constitute a positive valuation of murder resulting "in the elimination of the biological threat to and the improvement of the species or race" (256). In other words, the biopolitical problem of race, as of sexuality, is neither an ideological dispute among individuals or a pervasive hostility among sects, but the linkage between the murder of some individuals or groups to ensure the health and safety not of some other groups, but of the population, of the species, of life itself. Accordingly, "[i]n the nineteenth century—and this is completely new—war will be seen not only as a way of improving one's own race by eliminating the enemy race (in accordance with the themes of natural selection and the struggle for existence), but also as a way of regenerating one's own race. As more of our number die, the race to which we belong will become all the purer" (257).

The justification for the Bahati Bill imports the theme of eliminating the dangerous biological threat for the sake of the species as a whole, and it is for this reason that supporters of his legislation will not be dissuaded by the charges of homophobia or the violation of human rights. Implicit in the biopolitical logic of murder for the sake of health are "both the systematic genocide of others and the risk of exposing oneself to a total sacrifice" (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 150). According to this logic, the charges of homophobia and human rights violations confirm the rectitude of Bahati's cause rather than undermining it, because these charges confirm that Bahati and his sponsors have effectively isolated a threat that others lack the will or capacity to eliminate.

colonialism and genocide in Foucault's thought.¹⁴¹ Tamale's legal expertise confirms this analysis by tracing the origination of anti-sodomy legislation underwriting and authorizing the Bahati Bill to the introduction of colonial legal, social and familial institutions. At first glance, linking homophobia and anti-sodomy legislation back to colonialism appears to be the simple inversion of Bahati's claim, which identifies homosexuality's threat to the human species as the "internal" threat to the "traditional African family" while advancing the thesis that the cause of that internal threat involves the importation of homosexuality from Western colonial influences, but this is a facile connection.

Tamale's claims that "the idea of destroying homosexuality came from colonialists" and that "homosexuality was not introduced to Africa from Europe as many would have us believe. Rather, Europe imported legalized homophobia to Africa" (Tamale 2009) primarily identifies the strategic interests in labeling homosexuality as an "external" threat and only secondarily addresses the existence of same-sex relations as the indigenous roots of African homosexuality.¹⁴² Whereas the primary question for Bahati involves the point of origination for African homosexuality, for Tamale the primary question raised by Bahati's legislation concerns the strategies for which an account of an imported African homosexuality can be mobilized. The

¹⁴¹ For more on the connection between sexuality and colonialism in Foucault's theory of biopower, cf. footnote 140, above.

¹⁴² We see the same concern for the possibility of discerning strategic interests in Foucault's repeated warning that Greek pederasty should not be regarded as a precursor to or ancestral variant of contemporary homosexuality in *The Use of Pleasure*. Noting the distinct "discursive activity" of Greek pederasty, Foucault objects that "we would be [. . .] remiss if we assumed that [the texts outlining the discursive rules of Greek pederasty] were only an attempt to cloth the love one could direct to boys in an honorable justification: such an undertaking would presuppose condemnations or disqualifications, which in fact were declared much later" (Foucault, *The Use of Pleasure* 1985, 193). Moreover, in a 1980 interview, Foucault addresses the task of inventing or creating "gay culture" distinct from the Western biopolitical phenomenon of "homosexuality" because it involves "invent[ing] ways of relating, types of existence, types of values, types of exchanges between individuals which are really new and are neither the same as, nor superimposed on, existing cultural forms" (Foucault, *The Social Triumph of the Sexual Will* 1997, 159-160). As a form of invention or creation, "gay culture" names a possibility rather than a positivity and thus becomes distinct from homosexuality as a documented, determinate and determined set of power relations. Rather, "[i]f it's possible, then gay culture will be not only a choice of homosexuals for homosexuals—it would create relations that are, at certain points, transferable to heterosexuals" (160).

answer to Bahati's question consequently involves the criminalization, quarantine and elimination of the foreign body invading the homeland, thereby surreptitiously extending and strengthening the colonial influence. Tamale's response by contrast identifies legalized homophobia in terms of the same colonial legal rules condemning "customary marriage as mere 'wife purchase'" and thereby drawing Bahati's legislation for the preservation of the "traditional African family" into the same economy as the colonialist project of instituting and circulating the model of the European family.

Tamale's approach not only identifies the strategies of colonialism, but transforms the meaning of colonialism from "a sort of ideological operation that allows States, or a class, to displace the hostility that is directed toward [them], or which is tormenting the social body, onto a mythical adversary" toward a specific "technique of power [. . .] that is obliged to use race, the elimination of races and the purification of the race, to exercise [. . .] sovereign power"¹⁴³ (Foucault, *Society Must be Defended* 2003, 258). As a result, colonialism no longer names an external threat with internal sympathizers but involves a kind of practice patterned on the model of colonial authority and discovered by the inducement of colonial effects. Such effects include the destruction of indigenous family structures to be sure, but they also include misdirection and feints that consolidate colonial authority by creating a manageable threat to draw attention from a more intractable one, as when "the re-criminalization of homosexuality is meant to distract

¹⁴³ In the context of the preceding chapters, especially Chapter Five, dealing with the modifications in the operation of power relations studied in Foucault's genealogies, we can see that Bahati's legislation employs a remarkably sovereign or juridical conception of power aiming at removing the external threat and shoring up one's borders by promoting a rigid orthopraxis identified as the "traditional African family." Nevertheless, Tamale's objection highlights the biopolitical investments in Bahati's sovereign deployment of law. According to Foucault's outline and Tamale's analysis, Bahati's effort not only misses the mark by attempting to consolidate its own sovereign authority in combat against other sovereign authorities because colonialism does not fundamentally constitute an invasion by a homogenous, sovereign force, but rather operates according to a logic of biopower, which uses the technology of the sovereign right to kill for the purposes of preserving life itself. In other words, Bahati's misunderstanding of the technique of power that supports the colonial threat allows that technique to take hold all the more, insinuating itself in the very techniques designed to identify and eliminate the threat itself. This lesson is not only significant for Bahati, but, should serve as a warning for those of us who would dismiss Bahati as an ignorant homophobe whose bigoted legislation constitutes a fundamental threat to humanity as such.

attention from the real issues that harm us. It conveniently diverts the attention of the millions of Ugandans who have been walking the streets for years with their college certificates and no jobs on offer” (Tamale 2009).¹⁴⁴

In concluding her analysis of the Bahati Bill, Tamale turns to the question of practicality, asking whether the legal language of the Bill would even allow it to achieve its goals of responding to emerging internal and external threats to the family unit, preserving Ugandan culture and protecting Ugandan children if it were implemented. According to Tamale, there are several reasons for concern about the kinds of practices that would be engendered by ratification of the Bill. First, the broadness of the statute’s language, which criminalizes “touching another person with the intention of committing the act of homosexuality [. . .] is highly prone to abuse and puts all citizens (both hetero- and homosexuals) at great risk” (Tamale 2009). Like the disciplinary concept of delinquency or the normalizing concept of abnormality, the legal institution of provisions criminalizing behaviors performed “with the intention of committing the

¹⁴⁴ One may even discern a parallel between the effect of distraction created by inventing a false threat in the Bahati Bill and MacKinnon’s identification of postmodernism as a “career-promoting” (C. A. MacKinnon 2000, 712) form of political “disengagement originating in academia with the academic elite, not in the world of women and men, where feminist theory is rooted” (711) and therefore “out of touch and unaccountable to the lives of the unequal” (711). While postmodernism may have flourished in other areas of the humanities, it has not done so (in a careerist, job-garnering way) in philosophy, and with the current state of humanities departments in the United States, it is questionable whether career-promoting postmodernists constitute anywhere near the threat that MacKinnon attributes to them. It is far more likely that the identification of postmodernism as a target conceals more serious threats to academia. As John McCumber has noted, professional philosophy in America has studiously ignored “the emigration of philosophers from the profession” (McCumber 2000, 64), “the overwhelmingly disastrous job market” in which “the number of completed philosophy Ph.D.’s who would ever have tenure” is estimated at “5 percent” (64), and the continued rise in graduate student enrollments (65), due to the increased number of Ph.D. programs in philosophy (67) despite persistently dismal job prospects and the fact that there are increasingly fewer philosophy departments and majors in American colleges and universities (66). Like the actual threats of war, unemployment, disease and hunger obscured by the hypothetical threat to the human species posed by homosexuality, American philosophy—and not just philosophy, but the entire academy, if MacKinnon is to be believed—draws attention away from the real threats of unemployment, political and intellectual irrelevance by characterizing itself increasingly as an empirical science whose “quasi-scientific concept of truth [. . .] remains in the psyches of many American philosophers today, too deeply rooted to be stated, let alone challenged” (71). And when this commitment to truth is motivated to political action, it comes about as condemnation or “bafflement” that, for example, “Derrida’s essays, like those of other postmodern philosophers, do not center on the theses he is trying to prove but finish, typically, on the brink of a number of unasked questions” and “that such a thing could even be worth doing, let alone that it could have any right to be called philosophy” (71) or count more generally as valid and valuable, politically engaged academic labor.

act of homosexuality” captures a whole range of individuals and actions with no discernible relation to the phenomenon in question. This prohibition on touching in turn generates a prohibition on certain kinds of knowledge, in which case “any person with authority over a homosexual,” such as a parent, teacher, doctor, aid worker or supervisor, “who fails to report the offender within 24 hours of acquiring such knowledge” may be punished for facilitating “the act of homosexuality.” Finally, rather than protecting the family unit and Ugandan culture, the Bill would criminalize certain traditional same-sex family structures immediately while wreaking havoc upon others by “requir[ing] family members to ‘spy’ on one another” thereby undermining the abiding “solidarity” of the “traditional African family” unless individual family or extended family members were willing to subject themselves to punishments under the Bill.

The sustained message that comes through Tamale’s remarks is an emphasis on the importance of strategies rather than a claim regarding a more fundamental reality. Even those instances when she invokes the language of human rights and “traditional African family” structures fulfill strategic rather than metaphysical or epistemic purposes. For instance, Tamale’s reference to child marriage as one of the main threats to Ugandan children and the African family, and the practice of *chigadzamapfihwa* as one of the “traditional African family” activities to be preserved, would be a blatant contradiction if Tamale were subordinating strategic political goals to epistemic or metaphysical realities. As it is, even the decision to view this arrangement as “strategic” rather than metaphysical involves an interpretive decision on the reader’s behalf; however, making this decision is not without its political significance. Consequently, if one discerns a choice of strategic emphasis rather than logical contradiction in Tamale’s distinction between two types of child marriage, this may be in part because one values alliances in terms of

evolving social and historical relations over epistemic and metaphysical continuities, at least for the moment.

It is this same evaluation of strategic alliance that allows Tamale to deploy the language of human rights, calling upon the legacies of internationalism and Biblical truth in the process. Near the conclusion to her analysis, Tamale addresses the humanistic significance of the Bahati Bill, “by appealing to members of parliament and all Ugandans that believe in human rights and the dignity of all human beings to reject the Anti-homosexuality bill.” The only other point at which Tamale mentions human rights in the grand sense of an inherent human dignity denoting a specific human nature, her remarks formulate this claim by calling upon images of international agreement and ecumenical Christianity to bolster her claim. Considering the role of both Christianity and internationalist humanitarian organizations in the history of colonialism, this gesture would seem curious at best for any straightforwardly anti-colonial discourse.¹⁴⁵ The tensions these references introduce, along with the apparent contradictions regarding the practice of child marriage and the preservation of “traditional African family” structures, establishes a difference between the anti-colonialisms of Bahati and Tamale while pointing to the practical and strategic considerations that bring these anti-colonialist projects into conflict.

¹⁴⁵ Binyavanga Wainaina’s satirical article “How to Write About Africa” (Wainaina 2005) highlights a number of ways that Tamale’s speech would serve the process of colonialism if we were not to read her use of colonialist discourses, including the discourses of human rights predicated on a distinct human nature as strategic decisions allowing another form of colonial practice to come into view. In this respect, the points at which Tamale follows Wainaina’s “advice”—including “treat[ing] Africa as if it were one country,” avoiding insult to “celebrity activists and aid workers,” and “end[ing] with Nelson Mandela saying something about rainbows or renaissances”—are as telling as the taboos she violates—including mention of “ordinary domestic scenes, love between Africans (unless a death is involved), references to African writers or intellectuals, mention of school-going children who are not suffering from yaws or Ebola fever or female genital mutilation,” “having the African characters [. . .] struggle to educate their kids, or just make do in mundane circumstances [without] illuminat[ing] something about Europe or America in Africa”—because they turn the colonial discourse against itself and thereby allow those subject to that discourse to perform their discursive roles differently or even set particular roles aside altogether. Unlike the relatively straightforward and strategically ineffectual anti-colonialism promoted under Bahati’s attempt to rid Uganda of Western influences promoting homosexuality, Tamale’s account of colonialism operates through recognizing that the colonizers are not the only colonialists and that this requires a use of discourse that is strategic rather than essentialist.

The sense for strategy that the Bahati Bill lacks and that Western critics of the Bahati Bill may betray with their analyses framed in terms of the totalizing phenomena of human rights or sex inequality borne of heteronormativity is also called “historical sense.”¹⁴⁶ This term refers to a kind of sensibility to the political effects of not only concepts, but also how their meanings change over time, resulting in the positive experience and practical possibilities that we call the present. The retrospective use of historical sense reveals the extent to which the solidity of the present depends upon a forgetting of the variability of the past. A prospective use of historical sense builds upon the past’s destruction of the present to discern the opportunities and the dangers involved in the creation of a future composed of multiple intersecting strategies. The non-strategic use of anti-colonial and even human rights discourses seems to view the variability of the histories to which those concepts belong as fundamentally distinct, as though the abuses of colonialism could only be practiced in one way, or the discourse of humanism could no longer serve to politically disqualify those only marginally endowed with humanity or “world.”

Given Tamale’s strategic uses of the terms “human rights” and “solidarity,” I do not discern a reference to an implicit human nature or the solidarity of those unified by commitment to a singular ideology, but rather an attempt to recreate these concepts with novel uses in specific conflicts. By contrast, the Bahati Bill’s anti-colonial rhetoric simply redirects the colonial impulse “arriving at a new disposition of the same power with, at best, a change of masters” (Foucault and Deleuze, *Intellectuals and Power* 1977, 216).

¹⁴⁶ Samuel Chambers develops Foucault’s notion of historical sense while also discussing its debt to and distinction from historical sense as Nietzsche uses it. Whereas for Nietzsche historical sense is “just that—a sixth sense (of which few are capable) that remains attentive to history” (Chambers 2003, 148) its contingencies, its reversals, its slow and sudden changes, Foucault “advises his readers to study history with an eye to discourse, while always considering the position of discursive practices *in* history” (136-137). The distinction between the prospective use of historical sense in Foucault and the primarily retrospective use of genealogy by Nietzsche is secondary to the common theme, in both Nietzsche and Foucault, that the history of concepts has political consequences for their use in the present.

At this point, it would be completely unfair and verge on criminal libel to suggest that MacKinnon's critique of postmodernism and Bahati's persecution of homosexuals has anything but the most tenuous connection. Moreover, it would be laughable for its overstatement if its criminality were dismissed as a joke. Nevertheless, risking libel and mockery, I have developed this analysis of Tamale's opposition to the Bahati Bill not only to outline the limits of totalizing discourses such as the discourse of human rights and pervasive heteronormativity, but to show how these discourses might be deployed strategically with the result of suggesting that MacKinnon's critique of postmodernism, particularly the genealogical work of Michel Foucault, has opted for the totalizing use of humanism and sex inequality devoid of any historical sense for the way these terms have been deployed, or how they might serve contrary strategies even within her own discourse. That is not to say that MacKinnon is homophobic, abusive toward human rights, or sexist, but that the fabric of discourse that supports these practices also functions prominently in her work as the insistence that humanity and its material conditions constitutes a more primordial reality that determines the value of discursive practices according to a single order of priority. Such a singular standard of evaluation threatens to undercut the historical sense and possible strategic alliances that not only link critics and their objects of criticism, but also link distinct discursive practices in the production of specific political effects. Moreover, I would like to examine the manner in which MacKinnon's promotion of the concept of materiality—which she associates with “reality” in opposing postmodernism—unwittingly, and in contradiction with its stated intentions, also promotes a tradition of racism and socio-economic inequality that thrives on the equation between the agencies of certain socio-economic and racial groups and so called “material circumstances.”

In this chapter, I have attempted to show that the conceptual and strategic proximity of discourses pertaining to sex inequality, heteronormativity and (anti-) homophobia often coalesce into an apparent relationship of identity that jeopardizes the subtle strategic alliances discernible from a secondary perspective. In the following chapter, I would like to show that even discourses aimed at compromising totalization can contribute to the codification of power relations responsible for intolerable political effects, when those discourses attempt to exculpate themselves from the production of discursive effects, often by denying the political liabilities of their discursive practices. The most frequent form of denial comes from the rhetorical gesture of delivering a definitive word,¹⁴⁷ and thus drawing to conclusion a particular discourse whose struggles have yet to be formulated. I believe that this conclusiveness is at work in Bahati's understanding of dangerous Western influences, but also in MacKinnon's remarks that one cannot profitably write a history of sexuality without addressing gender directly or that postmodernism's rejection of humanism amounts to a form of detached apoliticism. The consequences of these gestures are at a minimum to define what will count as true and false between certain discourses, but become much more, constituting anchoring points for an entire political practice bearing real, material consequences for individuals precisely to the extent that discursive practice is accepted as being an unimportant, unreal or illegitimate object of critique.

¹⁴⁷ The attempt to deliver a concluding remark after a long history of question marks is indicative of a lack of historical sense, as Chambers points out in quoting from *On the Genealogy of Morality*, "the search for philosophical truth, a comprehensive definition, or a definitive theory could only go on at the expense of historical sense: 'only that which has no history is definable.' To maintain a historical sense is to commit oneself to a certain untimeliness" (Chambers 2003, 128). Invoking the theme of untimeliness from his title, *Untimely Politics*, Chambers reminds the reader that the stakes of this rhetorical-discursive gesture are thoroughly political, aiming at a minimum to frame what will count as legitimate and persuasive among arguments and behaviors.

Chapter Eight: *Collateral Damage: Postmodernism and Political Engagement*

One area where MacKinnon's critique of postmodernism raises questions regarding the strategies in which her analysis participates concerns the intersection of race and class and the manner in which her analysis implicitly supports the maintenance of discursive habits of addressing race- and class-identified subjects. In three distinct ways, MacKinnon's critique of postmodernism rehearses themes borrowed from discourses of race and class, failing, I believe, to recognize the roles these themes play in the production of race- and class-identified subjects, but just as importantly, failing to discern how these themes politically disqualify individuals on the basis of race and class. Those themes include the preservation of three dichotomies, each of which acts to prescribe carefully calibrated roles to subjects enabling limited forms of political agency and preserving invisible forms of subjugation, namely the dichotomy of totality and particularity, the dichotomy of unity and complexity, and the dichotomy of intellectual generalization and professional specification. As touched upon in the preceding chapter's discussion of the Bahati Bill, participating in a discursive practice does not boil down to espousing a particular ideological position, but renders the meaning of support infinitely more supple and dangerous, such that certain kinds of opposition serve as important ligaments and tendons that hold particular discourses together just as well as ideological conformity. In terms of the Bahati Bill, the vocal anti-homophobic discourse of Western human rights advocates and critics does not diminish the rhetorical force of Bahati's characterization of homosexuality as a dangerous external threat and colonialist ruse. Similarly, in MacKinnon's case, it is precisely her insistence upon the particularity of material conditions as the correction to totalizing principles, on authenticity as the remedy of factionalism, and on comprehensive theoretical vision as the antidote to specialist myopia that helps propel the continuation of discourses that operate on the

invisible currency of subjective truth and the veracity of discursive representations thereof¹⁴⁸ for political life. Moreover, this continuation of a politics organized around the representation of the subject, characterized by a blindness to the political stakes that result from that form of political practice, turns out to embody specifically European, white, middle-class attitudes and habits that cannot be easily discerned or questioned until the practical effects of this discourse are understood as a problem. To the extent that MacKinnon's discourse impugns critical work that raises the question of discursive practice as a problem by labeling it as nothing more than an anti-realism divorced from the reality of daily struggles, her work operates as a form of blackmail,¹⁴⁹ asserting itself by insisting that one is either for or against this floating signifier

¹⁴⁸ This is a way of saying that the contemporary political significance of a discourse ties back to that discourse's ability to represent the lives of individuals and accordingly restricts politics to forms of identity affirmed on the basis of their representability, stability and specificity. This effectively reverses the traditional liberal prioritization of the political over the personal, changing the valence of the personal—it is no longer something to be set aside for making political decisions—without questioning the fundamental dynamics according to which the personal acquires its marginalized, or now valorized, political significance. Though strategically minded, such reversals of discursive priority can also contribute to conditions of domination if they fail to account for their own historical specificity in relation to multiple discursive contexts and practices.

In contrast, Foucault wishes to fundamentally displace the significance of subjectivity and thus rearrange the relationship between the personal and political by invoking the political construction of individuals as a means to broaden not only the significance of subjectivity, but politics as well. While allowing that identity can function as a kind of “procedure to have relations, social and sexual—pleasure relationships that create new friendships,” Foucault warns that the attempt to link political practice to the problem of representing identities such that “people think that they have to ‘uncover’ their ‘own identity,’ and that their own identity has to become the law, the principle, the code of their existence” leads “back to a kind of ethics very close to the old heterosexual virility” (Foucault, *Sex, Power and the Politics of Identity* 1997, 166) embodying a juridical model of politics out of step with the contemporary biopolitical world. In effect, this reference to identity responds to a consolidation of juridical power within biopower, which operates by ceding “the process of political creation” to “great political institutions and great political parties,” and seeking to restrict political creation to a process of articulating “a political program to take over power” (172) or else denying the creation of political authority or significance altogether.

¹⁴⁹ Like Foucault's refusal of the blackmail of the Enlightenment, this refusal of a discourse of reality restricted to the antipodal relations between materiality and ideality does not equate to the simple rejection of the concept of reality, but functions to problematize the discursive practices to which reality is historically wedded. This refusal of a certain discursive practice is apparent in Foucault's explanation that the blackmail of the Enlightenment consists of a compulsion to repeat the formulation of the Enlightenment as a particular kind of problem that one is either for or against. Historical sense for this discursive practice and its consequences permits one to “refuse everything that might present itself in the form of a simplistic and authoritarian alternative: you either accept the Enlightenment and remain within the tradition of its rationalism (this is considered a positive term by some and used by others, on the contrary, as a term of reproach), or else you criticize the Enlightenment and then try to escape from its principles of rationality (which may be seen once again as good or bad)” (Foucault, *What is Enlightenment?* 1997, 313). By contrast, MacKinnon's critique of postmodernism is predicated not only on the continuation of the blackmail of reality and the blackmail of Enlightenment, assuming as it does that postmodernism is predicated on the explicit rejection and supersession of Enlightenment: “postmodernism claims to supersede modernism,” but “it is not

called reality, without considering the history of strategies for which that concept has been recruited or the stakes of the strategies of discourse operative in the immediate activity of critique.

§1 Totality and Particularity: Reversing Terms, Maintaining Priority

The preceding chapter's discussion of MacKinnon's dismissal of postmodernism's relevance for politics focuses on the possible dangers of using a universally attributed phenomenon such as sex inequality as a totalizing analytical tool to evaluate conflicts in which the strategic associations of the concept are poorly understood or are open to recategorization. In the case of the Bahati Bill to encourage the strict criminalization and punishment of homosexuality in Uganda, I wanted to show that the obvious existence of heteronormativity and homophobia, which are frequent cohorts of sex inequality, did not ultimately recommend that these would be the optimal concepts around which to organize resistance to the proposed legislation at the level of Ugandan politics despite being the customary lines of critique used by Western intellectuals. Rather, one would have to consider the legislation and opposition to it in terms of the range of actual conflicts that the legislation would influence. Examining Sylvia Tamale's opposition to the legislation and the explicit rationale for the legislation itself revealed that the discourse of colonialism motivated the legislation more strongly than the related discourses of heteronormativity and homophobia. Moreover, it became clear that the discourses of heteronormativity and sex inequality to which many Western critics may be attracted served to

claiming to address modernism's concerns better than [modernism] does, just to scratch a different itch [. . .] Perhaps part of the problem here is that women's concerns are a lot more urgent and life threatening than itches" (C. A. MacKinnon 2000, 704n.43). MacKinnon's logic is transparently an equation between postmodernism's refusal to accept the goodness or badness of the Enlightenment as a provocation to "address modernism's concerns better" and a political disengagement that views effects of sex inequality as trivial "itches" rather than "urgent and life-threatening" social realities. This equation implicitly promotes the discursive blackmail of the Enlightenment by insisting upon discourse's continuous alternation between the poles of totality and particularity.

strengthen the Bahati Bill's credibility as an anti-colonialist strategy and thus formed an intractable polemical discourse linking Bahati with his Western critics. In short, rather than destabilizing Bahati's legislation, Western criticism in the name of human rights and sexual equality enabled Bahati's legislation to play the role of the anti-colonial discourse and accordingly strengthened its credibility in the context of Ugandan politics. In this section, I would like to build upon this analysis of discursive alliance to show how MacKinnon's dismissal of the political significance of postmodernism effectively disqualifies not only the contributions to feminist theory by postmodern feminists, but the political value of their concerns as well. In the process, MacKinnon advocates an image of political agency that can only derive its force from the particularity of material circumstance, while restricting potential bases for political solidarity to a discourse's ability to provide an adequate representation of these circumstances.

MacKinnon expresses her disapproval for postmodern feminists' tendency to abstract from "the real lives of real women," which she understands as a preference to "build upon the work of French men [. . .] selectively and not very well" (C. A. MacKinnon 2000, 702). As an example of postmodern feminists' sloppy appropriation of French philosophy, MacKinnon notes postmodern feminists' reluctance to acknowledge Foucault's proclaimed "empiricism"¹⁵⁰ as an

¹⁵⁰ MacKinnon draws this characterization from an interview in which Foucault describes himself as "an empiricist" (Foucault, *On Power* 1988, 106). Curiously, in this interview both of Foucault's references to any "empirical" tendencies on his part operate within a context of treating discursive practices as real causal forces rather than simply as theoretical abstractions. The causal force that Foucault attributes to discursive production has been provocatively used in feminist discourses to construct "empiricist" accounts that understand empiricism as a "theory of evidence, not justification" and therefore a theory that "offers explanations for how our beliefs have been arrived at" in such a way that they "are consistent with our experiences" (Tuana, *The Radical Future of Feminist Empiricism* 1992, 107), rather than a theory of objective justification characterized by "rigorously adhering to the rules of empiricism to remove and avoid sexist and androcentric biases in the practice of science" (113n.7). As Lorraine Code has observed, Foucault's "empiricism" resembles an attenuated skepticism insofar as "[h]e never doubts that there *are* things, institutions and practices whose genealogies and archaeologies can be written" (Code 1993, 42). Just because he denies that these things, institutions and practices possess the permanence and continuity that we normally attribute to them does not make Foucault an extreme skeptic. Rather, it allows him to examine the relations between belief and practice and to determine in what ways those relations might be changed.

In the first characterization of his empiricism in the interview MacKinnon cites, Foucault describes his interest in the history of madness as being "able to look at things in a fairly open-minded, fairly neutral way, outside

instance where postmodern feminists were willing to look the other way to ignore “the realities of the subordination of women” and exercise their peculiar good fortune relative to other women (702). In making this claim, MacKinnon indicates that postmodern feminists are either not proper women or not proper feminists because they do not analyze or discuss the realities of the subordination of women or the experience of women according to the standard codes of sex inequality and gender. In so doing, she predicates feminist politics on the possession of an authentic form of women’s experience and, by contrast, presents misogynous politics as simply the disqualification of the political significance of that experience. In the context of a Foucaultian analysis of power in which experience is not only subjugated but also subjectified,

the usual codes, that led me to become aware of this extremely strange quality that we call confinement” (Foucault, *On Power* 1988, 96). The neutrality to view things “outside the normal codes” stems from Foucault’s insertion in a discursive context that differs from the usual medico-psychoanalytic approaches that would otherwise provide a strong justificatory interpretation of behaviors associated with confinement. There is no claim to something like objectivity or a comprehensive vision that would be distinct from the determinations of discourse.

Similarly, on the occasion where Foucault freely admits “I’m an empiricist” (106), it is hard to tell whether this statement is meant as a straightforward endorsement of empiricism as a theory of justification or its role in problematizing customary justifications. Around the time of this interview, Foucault began discussing the possibility that critique could reveal or even create new orders of causality in which observation consists of accounting “for a multiplicity of relationships, a differentiation between different types of relationships, between different forms of necessity among connections, a deciphering of circular interactions and taking into account the intersection of heterogeneous processes. There is, therefore, nothing more foreign to such an analysis than the rejection of causality” (Foucault, *What is Critique?* 2003, 276-277). Understood in this respect, empiricism would seem to refer to the critical need to identify and make intelligible different orders of causation rather than adherence to an objective schema borrowed from the natural sciences. Foucault seems to confirm this interpretation when he notes his broadly empirical interest in analyzing “how science, in Europe, has become institutionalized as a power” such that science “is, literally, a power that forces you to say certain things, if you are not to be disqualified not only as being wrong, but, more seriously than that, as being a charlatan” (106-107).

In one final note of irony for how non-objective and therefore non-straightforwardly empirical his empiricism is, Foucault concludes by noting his own implication in the process of the codification of (scientific) discursive power relations by observing that “science has become institutionalized through a university system and through its own constricting apparatus of laboratories and experiments” (107). This elliptical remark about the status of the university in the institutionalization of specific discursive practices related to objectivity can be profitably compared to Foucault’s remarks about the role of the intellectual in speaking for others (cf. footnote 136) and the political potential unlocked in the specific intellectual’s description of her own practice in which “a new mode of the ‘connection between theory and practice’ has been established” due to intellectuals’ becoming accustomed “to working, not just in the modality of the ‘universal’, the ‘exemplary’, the ‘just-and-true-for-all’, but within specific sectors, at the precise points where their own conditions of life and work situate them (housing, the hospital, the asylum, the laboratory, the university, family and sexual relations). [. . .] This new configuration has a further political significance. It makes it possible, if not to integrate, at least to rearticulate categories which were previously kept separate” (Foucault, *Truth and Power* 1980, 126-127). In this context, MacKinnon’s characterization of Foucault as an empiricist and reading into this an allegiance to strict objectivity on his behalf provides an example of the political effects of discursive practices that selectively deny evidence in the process of justifying what is assumed to be a more pressing epistemic account of reality.

not only repressed but also made to be capable of repression, MacKinnon's linkage of political significance to an authorized form of experience seems inadequate to the task of comprehending and working within contemporary power relations. Without worrying about the intention behind the inadequacy of MacKinnon's account, one can note in it the strategic danger that by focusing attention upon an antiquated mode of sovereign, juridical power, MacKinnon's feminism becomes strategically valuable for the misogyny it opposes.

In contrast to her critique of postmodern feminists, MacKinnon's earlier contributions to feminist theory seem to reject the kind of essentialism that would either identify women as feminist solely on the basis of sex or reject the apparently regressive views of other women as anti-feminist, and in that respect display a kind of strategic sensibility for the possibility of political alliances formed outside the dichotomy of material (e.g. bodily) circumstance and ideological orthodoxy. Like the creation of a form of solidarity among extended kinship networks for Tamale, or the refusal to accept the blackmail of the Enlightenment for Foucault, MacKinnon's description of "the unwillingness, central to feminism, to dismiss some women as simply deluded while granting other women the ability to see the truth" (C. A. MacKinnon 1983, 637) speaks to the importance of strategy rather than discursive orthodoxy. Working within the opposition between subject and object in which women are usually enmeshed, MacKinnon advances a theory of feminism that identifies the difficulties of viewing women exclusively in terms of either sex or ethos for which "our problem is this: the false consciousness approach," which would define feminists on the basis of ideological orthodoxy, "cannot explain experience as it is experienced by those who experience it" while "the alternative" of affirming women's experience on the basis of sex, no matter what its ideological content "can only reiterate the terms of that experience" (638). Though these remarks accept that effective political agency will

begin with an account of “experience as it is experienced by those who experience it,” that is, a prediscursive account of subjectivity that frequently redraws the boundaries of political practice without altering the manner of practice, because it accepts the necessity of a totalizing discourse, MacKinnon’s earlier struggles with the political significance of two dominant modes of feminist practice centered around the body and ideology show a decidedly more strategic sensibility and potentially provocative understanding of women’s “experience”¹⁵¹ than MacKinnon’s later dismissal of postmodernism and with it the possibility of a postmodern feminism.¹⁵²

As a result of her disqualification of postmodern critics as being inadequately feminist, MacKinnon’s later work appears to contradict the sense of strategy in her earlier work. That approach rendered feminist theory more like a creative project designed to intervene in specific struggles without presupposing the existence of a given datum of valid feminist experience that would authorize intervention. Moreover, considering the valence of material, bodily experience and particularity as the very source of feminist credibility, it is hard to view MacKinnon’s critical journey without a narrative of progressive purification that advances by rendering its critical concepts consistent rather than exploiting the strategic potential of their inconsistency. What once served as a tool for rejecting the discursive practice of ignoring certain women’s experience because such a practice foreclosed the value of “the experience of those who experience it” becomes, in MacKinnon’s later work, a claim that only the particularity of an experience has

¹⁵¹ The understanding of experience that I have in mind here is organized by and related to Ed Cohen’s understanding of the political significance of “gay experience” in Foucault’s work. Rather than naming the content of personal, lived experience, Cohen explains that the historical significance of “gay experience” means that the term “experience” “is a crucial (semiotic) ground for rearticulating the relation between the ‘personal’ and the ‘political’ without mystification” (E. Cohen, *Foucauldian Necrologies: 'Gay' 'politics'? Politically Gay?* 1987, 100) because it refers to the constitutive factors that produce individuals of one type or another, and thus provides an account of the content of experience in the context of social production rather than isolated individualism. Accordingly, references to experience are not only discursively requisite, but serve as the disputed terrain on which the significance of experience may be problematized.

¹⁵² MacKinnon underlines her scorn for the possibility of feminists profitably using postmodernism to their advantage by never identifying feminists as postmodern, but always using the term “feminist” to modify “postmodernists,” as when she criticizes the feminist pretensions of “feminist postmodernists” (C. A. MacKinnon 2000, 702).

value in itself, and that this prioritization is not merely a strategic gesture, but constitutes the basis of all authentic political agency. In that context, the gestures that appear closest to Foucault's genealogical analysis, which aims to discern the orders of causation that render events singular in their capacity to produce discursive effects in the present, now appear as crystallizations of a new form of totalization oriented around the discursive priority of the marginal, the particular, the material or the subaltern, as such, without regard to the political valence of these terms. In this context, the political impurity of the claim that women's experience becomes "intelligible" in "locally specific forms" becomes sanctified as the claim that only locally specific forms of experience possess political significance, and thus constitute the *sine qua non* that must be discerned before any valid political project can be undertaken. In short, the local becomes global, the particular becomes the key to the universal, which is nevertheless the key to any political effort that could claim our attention.

The political significance of MacKinnon's reversal is not completely regressive. In its reversal of the priority of totality over particularity, it constitutes a new form of discursive totalization that reveals the extent to which the terms of the totality-particularity dichotomy are exchangeable without fundamentally altering the dynamic functioning of the pairing at a different level. It may be that due to MacKinnon's inversion, women are not politically disqualified in the same way in those places where MacKinnon's version of second wave feminist theory has taken hold, but this does not mean that women who employ the language of postmodern, third wave feminism are any less disqualified, or rather subjectivated, because of the practical and theoretical advances made by second wave theorists.¹⁵³ If anything,

¹⁵³ The use of second and third wave feminist vocabularies here is more of a hypothetical possibility than something definitively borne out by this project's research. The value of such a vocabulary owes to the view that the infighting among second and third wave feminists mirrors grounds upon which MacKinnon dismisses postmodern feminists as insufficiently connected to their material conditions. Without displacing the value of second wave feminism's

MacKinnon's dismissal of postmodern feminists exemplifies the difficulty that discourses of postmodern feminism have in articulating their political concerns. In comparison with the "urgent and life-threatening" problems of real women, these women's use of postmodern "metatheory" is derided as disengaged and perhaps even regressive. In this chapter, I would like to use the discourses of critical race theory and the recent phenomenon of "whiteness studies" within critical race theory to exemplify and clarify some of the significance of MacKinnon's mode of criticism. My claim will be that uncritical theories of race wavering between biological and social "essentialisms" undercut attempts to formulate critical philosophical accounts of race that articulate the experience of race that results from the complex interaction of biological and sociological discourses on race. This narrative parallels and extends the preceding account of MacKinnon's reliance on the interplay of totalizing and particularizing discourses for the dismissal of critical approaches that do not fit neatly into one half of that dichotomy or the other.

Whereas it may currently appear that the dichotomy of totality and particularity—whether in the dichotomy of ideology-materiality or the dichotomy of biology-sociology—restlessly recreates itself, the refinement of my claim will reveal that the manipulation of the terms of opposition affect and destabilize the discursive practice of the dichotomy itself, which is both why its persistence can easily go unnoticed and why that persistence is susceptible to countless points of resistance. The task, which is neither rare nor exceptional, is to indicate how

emphasis upon the materiality of women's experience, third wave feminism may be profitably understood to take as its primary object of analysis not only the material conditions of women, but also the impact of the analysis of those conditions on the lives of a new generation of women. Rather than being defined exclusively by material conditions leading to states of sex inequality, the lives of feminists today must be understood against the historical consequences of feminist theory precisely because their lives emerge partly as the effects of those discourses. The short stories collected in David Foster Wallace's *Brief Interviews with Hideous Men* suggest that the contemporary situation of men, too, must be understood in light of feminism's impact, further underlining the significance of understanding feminist theory in terms of the effects of feminist interpretive practices. This form of interaction between discourse and subject-formation crosses over into other discourses as well. By way of example, later in this chapter I will turn to the discursive emergence of marked forms of whiteness that result in part from the discursive significance of analyses of race that understand whiteness largely in terms of economic, epistemic, ontological, political and social privilege.

the terms of dichotomy might be allied to other concepts that do not necessarily or even profitably encourage each other's reinscription and whose decoupling might be politically viable and useful. One way that these terms can be seen to fall out of step with one another is to see how the reinforcement of one by the other, rather than—or even precisely through—the cancellation of one by the other perpetuates the maintenance of specific political effects, practices and institutions. The disqualification of postmodern feminists by other feminists provides an example of how the opposition between ideology and materiality perpetuates effects of women's political disqualification, but the emerging field of whiteness studies reveals a similar pattern in the critical philosophy of race, in which the continuous association between white socioeconomic prosperity and black or brown political exclusion reinforce implicit assumptions about the merely ideological, merely sociological character of “whiteness” and the significantly biological character of blackness in particular, but explicitly racially identified subjectivities in general as well.

§2 Some Power that Hardly Looks Like Power: White Deployments of Race

The use of dichotomous structures in discourse has the effect of implicitly or explicitly defining a domain of discourse in which, for example, the comprehensiveness or specialization of a discourse becomes the source of its power. Rather than defining the range of all possible discourse and thereby constituting part of what we mean by discourse as such, the dichotomy imparts a genuine and distinctive flavor of its own to practical politics by acknowledging a relatively limited domain of discursive effects that operate by way of the dichotomy's totalizing sweep. This can be seen in the previous section in the way that ideological and material accounts of feminist theory, and implicitly, experience, maintain a definite exclusion of women's political

agency by deauthorizing the significance of postmodern feminist accounts. This maintenance appears to result from the dichotomy's inability to accept the inconsistency or "impurity" between poles of opposition that render the poles of ideology and materiality into a consistent state of asymmetry, and may accordingly imply the exclusion or repression of this middle region, which is characterized neither by the neutralization of the alternatives, nor the projection of an altogether unrelated transcendence of the dichotomy.

Rather than saying that the dichotomy acts by means of repression alone, the negative valuation of the impurity of the in-between invokes a transdiscursive means of signifying the acceptability or unacceptability of a discourse. For instance, when the ideological incorrectness of postmodern feminists results from their lack of familiarity with the real lives of real women defined by the materiality of their subjugation, materiality and ideology converge in the rejection of postmodernism's experience of admixture and fragmentation, which is arranged in relation to, though incommensurate with, the extremities. Besides relying on the dichotomy of totality and particularity, MacKinnon's rejection of postmodernism relies on a second dichotomy oriented by the themes of simplicity and complexity, purity and impurity, which can be illustrated not only by her rejection of postmodern feminism, but through the application of her remarks about postmodernism's valorization of fragmented subjectivity to discourses of race and colonialism, that is, discourses in which subjectivity is characteristically fragmented or doubled.¹⁵⁴

¹⁵⁴ The language of W. E. B. Du Bois's "double consciousness" provides a pragmatic analogue to the fragmentation of subjectivity in postmodern discourses. Insofar as postmodernism uses the concept of fragmentation to explore the possibilities of political agency in the absence of a totalizing ideological or discursive framework provided by the multiple, discontinuous strands of historical memory, Du Bois's articulation of the political consequences of African Americans' double consciousness is strangely prescient. Du Bois describes double consciousness in ambivalent terms as a gift "of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity" (Du Bois 1994, 2). According to that world, African Americans are viewed and in turn view themselves through largely anti-Black racist tropes. Accordingly, political agency will not simply amount to the task of setting aside racist stereotypes, but working through racist habits of spectatorship and political structures based on those habits, such as segregation, so that instead of happening "either haphazardly, or through the will of white people [. . .] Black people would benefit" by "thoughtfully and strategically plan[ing]"

In his ethnographic work, John Hartigan Jr. examines the consequences of binary categorizations of race based on the division between white and black.¹⁵⁵ His point is that besides impairing our ability to adequately theorize the complex dynamics of race, this binarism also makes it impossible to respond to the specific political effects of racial categories and discourses.¹⁵⁶ Of particular interest to Hartigan is the interaction of race and class, yielding the

their segregation, developing black churches, schools, banks, and other institutions that would improve black people's lives" (Sullivan, W. E. B. Du Bois, 1868-1963 2004, 202). Like Foucault's vision of the creation of a distinctively gay culture that attempts to get "away from the categorization homosexuality-heterosexuality" by forgoing the attempt to "re-introduce homosexuality into the general norm of social relations" defined according to heteronormative standards, and instead "trying to create a culture that makes sense only in relation to a sexual experience and a type of relation that is their own" (Foucault, *The Social Triumph of the Sexual Will* 1997, 160), Du Bois's image of strategic segregation attempts to capitalize on a history of social devaluation to construct a form of valuation that would not only escape the disparities resulting from that history but also the compulsion to perform the kinds of valuation that made those disparities possible in the first place.

¹⁵⁵ Hartigan follows similar paths in both *Racial Situations* (1999) and *Odd Tribes*; (2005) however, I will focus primarily on Hartigan's discussion of the intraracial effects of racist discourses surrounding marked forms of whiteness in the chapter "Talking Trash: White Poverty and Marked Forms of Whiteness" of *Odd Tribes* (147-166).

¹⁵⁶ We might regard this collaboration as an example of an "epistemology of ignorance," a concept Nancy Tuana describes as being characterized by "the realization that ignorance should not be theorized as a simple omission or gap but is, in many cases, an active production. Ignorance is frequently constructed and actively preserved, and is linked to issues of cognitive authority, doubt, trust, silencing, and uncertainty" (Tuana, *Coming to Understand: Orgasm and the Epistemology of Ignorance* 2004, 195). In the case of tracing the transdiscursive effects of particular discursive enunciations, my interest is not only to "trac[e] what is not known and the politics of such ignorance" in order to make such practices into "a key element of epistemological and social/political analyses" because they "ha[ve] the potential to reveal the role of power in the construction of what is known and to provide a lens for the political values at work in our knowledge practice" (195), but also to carry out these genealogies in terms of specific forms of discursive reinforcement and support. In this case, the manner in which biopolitical accounts of race produce specifically racialized effects by constructing racial discourses that operate through blindness of their production of, for example, so-called "marked forms of whiteness" becomes problematized, and the connection between the construction of racially marked subjects and the perpetuation of overtly racist discourses and institutions serves as the basis for political activities whose political content could not be recognized in the state of ignorance that keeps those conditions in place.

Far from constituting "a pristine nothingness" or bare "silence and nonexistence" (G. Spivak, *Can the Subaltern Speak?* 1994, 102), these genealogies of ignorance constitute a political strategy of their own rather than resulting from the abandonment of the political. As Tuana goes on to explain vis-à-vis women's bodies and pleasures,

The bodies of my attention are those of women, the pleasures those of orgasm. But bodies and pleasures are not outside the history and deployment of sex-desire. Bodies and pleasures will not remove me, the epistemic subject, from the practice of desiring truth. Bodies and pleasures, as Foucault well knew, have histories. Indeed the bodies that I trace are material-semiotic interactions of organisms/environments/cultures (Tuana, *Coming to Understand: Orgasm and the Epistemology of Ignorance* 2004, 197).

By making these strategies appear, genealogical analysis provides a tool with which these silences might be made audible and susceptible to resistance, which is not the same as saying that the silences can be made to speak, or that there is nothing beyond what is said about a thing:

impression that whiteness uniformly implies socioeconomic advantage, while blackness corresponds to pervasive socioeconomic disadvantage. This discursive arrangement not only contributes to the impression that whiteness is not a racial category in the same way that blackness is, tacitly reinforcing biological interpretations of race, but it also obscures intraracial effects of racist attitudes. These attitudes cannot be adequately formulated in dichotomously linked biological or sociological discourses because they are the consequence of the asymmetrical interaction of these discourses within an open-ended game of discursive practices.

While colorism has long been an acknowledged strand of intraracial antagonism among African-Americans, Hartigan notes that the explicit association between whiteness and social advantage has served as a cover to intraracial antagonism among white Americans in particular. Though highly inflected by class, geography and culture, these intraracial attitudes among white people provide lateral support for interracial forms of racism, just as the pervasive focus on overt forms of racism are supported by structural practices of racism at the same time that they provide reciprocal support for implicitly racist practices. Because this intraracial antagonism and its support of overtly racist practices mirrors the intra-gender antagonism linked to overt practices

Bodies and their pleasures are not natural givens, not even deep down. Nor do I believe in a true female sexuality hidden deep beneath the layers of oppressive socialization. But women's bodies and pleasures provide a fertile lens for understanding the workings of power/knowledge-ignorance in which we can trace who desires what knowledge; that is, we can glimpse the construction of desire (or lack thereof) for knowledge of women's sexuality. I also believe that women's bodies and pleasures can, at this historical moment, be a wellspring for resisting sexual normalization (197).

Finally, because the investigating subject will inevitably be tied into a politically volatile relationship with her object of study, genealogical analysis is marked by a speaker's attempt to situate herself within discourse:

What we do and do not know is often "local" to a particular group or a particular culture. I locate my "we" in this section as the common knowledge of laypeople in the United States both because the studies and surveys that I will employ were limited to this group and in recognition of the fact that knowledge-ignorance about women's sexuality varies tremendously from one culture/country to another (228n.8).

Far from being the kind of abdication that MacKinnon and Spivak, among others, have attributed to Foucault, this gesture of localization or incomplete self-marking is an attempt to work within in the open-ended power relations of which the genealogist only has partial knowledge.

of sex inequality analyzed previously, in this section I will focus on the discursive collaboration between racist discourses oriented around the themes of black-white dichotomies and the support they receive from, and provide for, the intraracial discourses oriented around the marked forms of whiteness labeled “redneck,” “hillbilly,” and “white trash.” Rather than simply exemplifying a theme of lateral discursive effects theorized by postmodern scholars such as Foucault, my rationale for this potential digression is that these analyses actually reveal, inform and reconfigure the political exigencies of Foucault’s project, and thus fulfill one of its explicit yet undefined goals of mobilizing subjugated knowledges.

Marked forms of whiteness not only confirm but complicate what Hartigan describes as “arguably the greatest insight generated by whiteness studies [. . .] that whites are racially interested and motivated social actors rather than unmarked, normative paragons of the mainstream” (Hartigan Jr. 2005). Yet, the interests and motivations of whites remain primarily opaque and normatively paradigmatic to the extent that theorists insist “that whiteness is strictly equivalent with forms of domination and privilege” (148) because like biopower, which functions differentially along various points within the continuum of the population, whiteness is highly inflected by not only economic class, but various degrees of social and cultural identification. It is not that whiteness is understood and experienced globally as a racially unmarked category, nor that whiteness is uniformly indicative of social prestige and economic advantage, but that the reluctance to recognize the validity of racially and class situated inflections of whiteness contributes to the static image of white racial subjectivity as universally characterized by privilege, thus constituting a monolithic experience that by its exemption from racial categorization determines the normative values of non-white and marked-white forms of racial subjectivity.

Hartigan's critique of homogenizing racial discourses bears comparison to the practice of feminism represented by MacKinnon in her critique of postmodernism. As noted in the preceding section of this chapter, MacKinnon treats the academic privilege of postmodern feminists as significant enough to dismiss their contributions to a feminist political theory and activity organized around the material conditions of subordination and the experiences that those conditions produce. Yet, writing in 1983, MacKinnon is much more ambivalent about the significance of subordination in "women's experience" in particular, and political agency more generally, with her claim that "[f]eminism aspires to represent the experience of all women as women see it, yet criticizes antifeminism and misogyny when it appears in female form" (C. A. MacKinnon 1983, 637). At this point, it may be pertinent to ask, who are the women that feminism aspires to represent? The question may not be as facile as it may first sound, because it asks about the epistemological status of those represented rather than simply about feminism's constituency. By invoking the epistemological status of those feminism claims to represent, I hope to ask whether feminism aims to discover or recover a form of women's experience that is prediscursive, to the extent that it is thought to reside beyond the effects of feminist or misogynous discourses, which serve to mask or otherwise silence this experience without fundamentally altering or affecting it.

To the extent that it takes women's experience to be characterized by subordination, in the sense that those women who do not base their political projects on the experience of a particular form of subordination are not properly feminist and perhaps questionably women, MacKinnon's critique of postmodernism suggests that women's experience is perpetually defined in terms of subordination in a way that makes it indistinguishable from subjectivity. Whereas MacKinnon's later identification of women's experience with subordination reflects a

use of subordination as the defining property of feminist critique, her earlier account of women's subordination in terms of "the eroticization of dominance and submission" in which case "altering the participants' gender is comparatively incidental" (651) presents an image of subordination as a site of critical discursive production rather than a preexisting feature or condition of subjectivity. As a site for the production of discourse rather than a feature with inherent value, MacKinnon's account of subordination in the sense of the eroticization of dominance and submission "such that the acted upon is feminized, is the 'girl' regardless of sex, [and] the actor is correspondingly masculinized" (651) functions more to problematize the positive and negative valuations and effects of the activity-passivity dichotomy¹⁵⁷ than to invoke

¹⁵⁷ Scott's account of the middle voice illustrates what I have in mind regarding the productive use of subordination feminist discourse, rather than the representative function of feminism advocated by MacKinnon in her later work. In a very basic way, the logic of representation employs a metadiscursive practice that relies upon the poles of activity and passivity that a nonrepresentative practice of discourse has the opportunity to compromise. Similarly, rather than upholding the transdiscursive effects of representation in which "[t]he dominance of the active and passive voices makes inevitable the priority of the spectator-subject for philosophical thought, [. . .] the middle voice yields a different way of thinking that is marked by undergoing a movement rather than by either active assertion or passive reception" (Scott 1990, 18-19). Though for MacKinnon feminism claims to represent the experience of women *as such*, which means effectively *as subordinated*, this apparent reflexivity need not posit an underlying prediscursive feminine subject, but may instead imagine a feminist agency that is created through the activity of feminist discourses, so that "[o]n the one hand, [the middle voice] may be reflexive, and on the other, it may speak nonreflexively of an action in the action" (19). In this sense, the middle-voice function of feminist discourse is specifically implicated in the operation of biopower in which such paradigmatic objects of discourse as sexuality, normalization, but also gender and race, etc., are individually "not simply a hinge, a point of exchange between a mechanism of power and a function" but "way[s] of making power relations function in a function, and of making a function function through these power relations" (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 206-207). Like the pattern of using death to make the population, not just more secure, but stronger, biopower consists of tactics that enlist discursive objects into processes of creating progressively more "intense," subtle, pervasive and unobtrusive power relations affecting the manner in which individuals live and discourses operate in addition to composing the distinctive attributes of each kind of being. As a historical phenomenon of biopower, this functioning within a function, is uniquely susceptible to critique employing the middle voice, because "[t]he middle voice is used when the subject is in some way specifically implicated in the result of the action but is neither the active subject nor the passive object of the action" (Scott 1990, 19) and genealogical critique aims to change the very mechanisms by which discourse functions to create subjects, the manner of subjectivation, rather than simply asserting an individual's right to discursive regard through the elimination of subjugation.

Accordingly, "[t]he reflexive form by which we now retain the middle-voice function is not entirely appropriate" because within middle-voiced usage there is no positing of a discursive subject apart from discourse, and this suggests that discerning the discursive potential of the middle voice "[w]e need to bracket the implication 'of itself' when we say that becoming becomes, for example, because there is no distance of self-relation or self-objectification. There is neither an active subject nor a passive object, and the peculiarity of that structure for our grammar is lost by the reflexive form" (19). Instead of eliciting the middle voice process of becoming a subject, whether feminist or otherwise, "[t]he reflexive form indicates the whole event, but shapes that event in an expression by means of a self-relational structure that is often missing in the middle voice" (20) as though the subject was there

the duty to take up the charge against subordination understood as the enforced passivity of women. Without railing against the need to challenge the enforced passivity of women, the critical opportunity in MacKinnon's earlier work sounds very similar to Foucault's call for the creation of gay culture, Du Bois's provocative use of segregation, and the genealogist's attempt to bring together "all those on whom power is exercised to their detriment, all who find it intolerable, [so that they] can begin the struggle on their own terrain and on the basis of their proper activity (or passivity)" (Foucault and Deleuze, *Intellectuals and Power* 1977, 216).

Insofar as MacKinnon's earlier view presents the opportunity for a non-representative, effective political alliance between individuals whose agency is not exclusively oriented by the experience of subordination, while her critique of postmodernism effectively imputes a monolithic quality of subordination as the precondition for political significance, MacKinnon's

all along, rather than naming an ethically and politically significant production of discourse. In order to present a kind of politics based on the solidity and representational possibility of the subject, the reflexive use of the active voice posits a subject that preexists the discursive gesture and consequently obscures the political significance of instances "[w]hen a word has several, even countervailing, meanings," such as the distinct uses of the term feminism, in which "the middle voice can give expression to the word's multiple values without indicating a common, harmonizing meaning" (21).

The middle voice accounts for a word's happening and effects as an event rather than a communication of stable objects of meaning between several prediscursive subjects, and it is my claim that MacKinnon's earlier usage of women's experience of subordination functions more like a middle-voiced invocation of the subjectivity produced through subordination than her later discussion of the insufficiency of postmodern feminists' subordination, which establishes indefinite "material" conditions for consideration as feminist discourse.

Like a play, a middle-voiced understanding of feminism as an event "[i]n its being played," implicates women, understood as those implicated in the act of fetishizing gender roles predicated on dominance, in such a way as to bypass the dynamic of representation in which the features of an object, even a subject as object, are spoken for by a subject. Because feminism is not addressed to those women who are completely unaffected by the discursive effects of feminism, but to those women for whom feminism plays the part of disrupting or at least recasting gender subordination in some other way, feminism as an event "[i]n its complex ambiguity [. . .] occurs as the question of justice which binds, as a question, both the play and the people with the play in a voice other than action and passion" (23). By highlighting feminism's occurrence as an event by pointing to the middle-voice function of its discursive significance, one draws attention to feminism's functioning as a "question, transformation, anxiety, and a play of countervailing forces rather than the voice of the present identity or group of identities" (23). In order to avoid reinscribing feminist discourse into a discursive context organized by the primacy of the representationalist subject-object distinction we "need to be alert to the ways in which the loss of the middle voice functions in our account of it," that is, to the way that the political instability of feminist projects often places them precariously close to projects that might reinscribe unintended forms of subordination. If written in alertness to that danger, which means neither ignoring it nor setting out to escape it at any cost, feminism "could then give expression to its own loss of the middle voice and thereby delimit the inevitability of its loss" (24) without succumbing to the need to privilege some women's experience at the expense of others.

work highlights the political potential of attempts to develop critical discourses to resist or recast lateral power relations that laterally connect her earlier work on gender to Hartigan's contemporary work on race. By indicating this discursive continuity, I am attempting to highlight the practicability of such alliances without deferring to either the strategic or essentializing need to base political agency and solidarity on a more comprehensive ontological claim.¹⁵⁸

The purpose of this analogy between MacKinnon's dismissal of postmodern feminists and Hartigan's discussion of how intraracist discourses are often specifically ignored in both

¹⁵⁸ Though I will return to the theme of political representation in the next chapter, it should be noted to what extent the possibility of a non-representational political agency and political critique is undermined by accounts that root critical validity (cf. Part I) and political efficacy in a metaphysics of representation. In their own ways, both MacKinnon and Spivak remain largely trapped within a discursive context organized around themes of representation, even while each indicates a possibility for a way out of such dynamics.

To the extent that MacKinnon predicates valid political agency on the accurate representation of "the experience of all women as women see it," invoking the terminology of material conditions of subordination to indicate the content of that experience, she characterizes political action in explicitly representational terms. At the opposite end of the spectrum, in "Can the Subaltern Speak?" (1994) Spivak argues that the distinction and tension between representation in the sense of *vertreten*, "as 'speaking for', as in politics" and *darstellen*, "as 'representation', as in art or philosophy" serves as the basis for the practical effects of political critique so that "if such a critique and such a project are not to be given up, the shifting distinctions between representation within the state and political economy, on the one hand, and within the theory of the Subject, on the other, must not be obliterated" (70).

Where MacKinnon bases feminist political agency on the verisimilitude with which it represents women's material conditions of subordination, Spivak bases progressive postcolonial politics not on the understanding that the representation of the subject is inessential to politics—a view she imputes to Deleuze and Foucault—but on the accurate representation of the conditions that make an account of the subject impossible. Citing Derrida, Spivak notes approvingly that "[a]s a European philosopher, he articulates the *European* Subject's tendency to constitute the Other as marginal to ethnocentrism and locates *that* as the problem with all logocentric and therefore all grammatological endeavors [. . .] *Not* a general problem, but a *European* problem" (89). In identifying the limitations and blind spots of European discourse, Derrida enacts the responsible project of locating the origin of European subjectivity in "[t]hat inaccessible blankness circumscribed by an interpretable text," which occurs when European intellectuals conduct "[t]he itinerary of recognition through assimilation of the Other" and thereby provides "what a postcolonial critic of imperialism would like to see developed within the European enclosure as *the* place of the production of theory" (89). The value of Spivak's reading of Derrida's grammatological project involves but does not settle on the way it implicates MacKinnon's project as a typically European attempt to assimilate the other through the credibility granted to the materiality of subordination. Such a value even applies to her criticism of Foucault, although this criticism is misplaced in its assertion that Foucault forswears the possibility of speaking for others because he asserts the essential unrepresentability of others. By insisting on representation as *the* problem of politics, Spivak may unintentionally maintain the discourse of representation's hold over political agency. This can be seen in her attribution to Foucault of a position that he would never hold, namely the claim that individuals are fundamentally unrepresentable. Such a position would fundamentally undermine Foucault's view that everything is dangerous, by replacing ubiquitous sources of danger with a single source of danger found in the possibility of misrepresentation, which, despite its uniformity, may be possible in limitless ways. Again, rather than asserting that the retrieval of subjugated types of knowledge has inherent value, which thereby corrects the error of misrepresentation through exclusion, Foucault's concern is with what the retrieval of subjugated types of knowledge can do.

serious and hostile racial discourses is to show the lateral link between MacKinnon's model of standpoint theory feminism and the racist privilege of whiteness understood as both a racially and class-situated subject position. The point is not to assert that MacKinnon is a racist, only that her discursive commitments are easily appropriated by and contribute to elements of racist discourse and practices of interpretation. For example, a characteristic feature of white privilege involves the experienced non-necessity to identify oneself as a raced subject and extends to the general de-racialization of all features of public life, such that the abstract political subject appears race-neutral, as white people appear to themselves. Thus whiteness involves "a public decorum [. . .] that eschews direct invocation of racial self-identity" (Hartigan Jr. 2005, 152) such that the ability to forego such identification amounts to a kind of privilege associated with the assumption of normalcy, while also functioning as a kind of burden shifted to others, requiring racially marked subjects to predicate their political agency on an explicit acknowledgement of their racial subjectivity. This requirement of self-identification may be disproportionately applied to any of several marginalized groups¹⁵⁹ and is hardly a characteristic

¹⁵⁹ David Halperin's summary of Eve Kosofsky Sedgwick's *Epistemology of the Closet* (Sedgwick 1990) illustrates a dynamic of closetedness that cuts across several marginalized discourses:

The closet is an impossibly contradictory place: you can't be in it and you can't be out of it. You can't be in it because—so long as you *are* in the closet—you can never be certain of the extent to which you have actually succeeded in keeping your homosexuality secret; after all one effect of being in the closet is that you are precluded from knowing whether people are treating you as straight because you managed to fool them and they do not suspect you of being gay, or whether they are treating you as straight because they are playing along with you and enjoying the epistemological privilege that your ignorance of their knowledge affords them. But if you can never be in the closet, you can't be out of it either, because those who have once enjoyed the epistemological privilege constituted by your ignorance of their knowledge typically refuse to give up that privilege, and insist on constructing your sexuality as a secret to which they have special access, a secret which always gives itself away to their superior and knowing gaze (Halperin 1995, 34-35).

The image of the closet as a metaphorical and physical stand-in for the role of a normalizing discursive framework allows Sedgwick's analysis to apply schematically to any number of marginalized subjectivities. Consider what happens if one were to replace the references to sexuality above to references to gender: "you can never be certain of the extent to which you have actually succeeded in keeping your *femininity* a secret." The epistemology of the closet suddenly refers to an epistemic devaluation of the specificity of gendered perspectives, which is broadly operative in Western epistemological discourses. According to this devaluation, one's gendered perspective is understood to

of racial privilege alone, but serves as a generality linking the intelligibilities of several distinct kinds of privilege,¹⁶⁰ although the functioning of racial privilege helps inform, as well as being informed by discourses of feminism, queer theory and postcolonial theory.

A supplement to the prioritization of race neutrality in which “white, middle-class liberals learn very young not to use epithets with racial connotations” is that these same individuals receive “quite different messages from their parents concerning labels for poor whites, the most naturalized of which is white trash” (Hartigan Jr. 2005, 150). In short, the white, liberal, middle-class critic’s view that overt racism is the only racism that matters, or more subtly that racism amounts to the domination of one race by another, is effectively an authorized refinement of “white” people’s privilege not to be racialized subjects, a refinement which manifests itself in the free use of racially inflected disparagements for poor whites as a supplementary concealment of one’s own racial specificity based less on class antagonisms than the specific inflections of social class and biological race associated with biopower. Although MacKinnon never uses the term “white trash” or any other term for marked forms of whiteness,

introduce distortions whose unnoticed operation “result[s] in bad science” (Tuana, *The Radical Future of Feminist Empiricism* 1992, 101) and therefore must be carefully neutralized. Similarly, to the extent in which this characterization of marginalized identities is epistemologically contaminating, the epistemology of the closet enacts “the *European* Subject’s tendency to constitute the Other as marginal to ethnocentrism” (G. Spivak, *Can the Subaltern Speak?* 1994, 89) thus naming not only the privileging of a Eurocentric perspective, but the manner in which it is preserved through the incoherence attributed to non-European subjects. The epistemology of the closet ultimately names a system of discursive relations in which self-identification in terms of race, ethnicity, class, sexuality, and gender functions both as mandatory and a source of disqualification because any attempt to identify oneself in terms of any of these categories and thereby “refut[e] the routine slanders produced by the discourses of homophobia” (Halperin 1995, 37), sexism, racism, ethnocentrism or class “does nothing to impair the strategic functioning of discourses that operate precisely by deploying a series of mutually contradictory premises in such a way that any one of them can be substituted for any other, as different circumstances may require, without changing the final outcome of the argument” (37-38).

¹⁶⁰ Rather than constituting a totalizing generalization, Robert J.C. Young explains the significance of the generality in genealogy as something “against which you constitute events and arrange them in a series. The construction of that generality does not pretend to be the only possible one—the same event could operate in all sorts of different ways in different series, temporalities” for example the series or temporalities of sexuality, gender, race, class, etc., “which would mean that, strictly speaking, it was no longer the same event, for it would have been dispersed in their different rarefactions.” (Young, *White Mythologies: Writing History and the West* 2004, 118) Significantly, it is the open-endedness of the generality that permits it to be deployed in any of several discourses or “series” that constitutes the fictive aspect of genealogy in that it aims to produce or deploy generalities that were not conceptualized as such in each or even any of the indefinitely many series to which it belongs.

her analysis of postmodernism makes use of the same anxieties surrounding the intraracial marginalization of poor whites in racial discourses and thereby upholds and extends the significance and power of the tactics that uphold these specific forms of racist discursive practice.

These anxieties include an obsession with materiality, whether positively or negatively valued, and a concern with purity of identity and interest, both of which are linked in a mutually supporting circuit of evaluations. This linkage takes the juridical form of sovereignty according to which subjection to material circumstances implies a lack of autonomy that is indicative of contamination and determination by external forces. Although MacKinnon reverses this structure by staking freedom upon credibility gleaned from the experience of subordination, a theme she refers to as “the reality of violation” (C. A. MacKinnon 2000, 711), this reversal does nothing to compromise the dynamic emphasizing materiality as the source or boundary of political agency and autonomy. Furthermore, the prioritization of materiality as a source of agency links up with the theme of purity insofar as within the race neutral discourse of white racial subjectivity, white trash refers to a lamentable condition informed by “brute economic determinism rather than cultural identity” (Hartigan Jr. 2005, 152). Like a racist rephrasing of Silenus’ wisdom, the best thing for subjects is to have no racial identity at all, but failing that, to have a culturally informed identity rather than being constructed by either biological or economic circumstances. Such a view is necessarily reductive in the service of providing all individuals with a stable, positive basis for subjectivity that testifies to the overwhelming interest in reducing a complex identity to a single, albeit contradictory attribute that provides a causal explanation and justification for behavior.

Since the two themes of materiality and purity (in the sense of simplicity and the elimination of complexity) are linked in white discourses, and because I have already devoted significant attention to the ontological use of materiality, I will focus my attention for the remainder of this chapter on the function of purity in discourses of whiteness. Within these discourses, purity stands in for and grounds political agency such that the absence of a single-dimensional identity, whether ideological, cultural, biological or economic in character, serves to disqualify the significance of the discourses against which it is applied.¹⁶¹ Upon the juridical concept of power operative in discourses of whiteness, the specific kind of identity that one possesses is less important than that the identity be continuous, consisting of elements that can be assimilated into a coherent form. To affirm or even ask about an identity that might lack this functional continuity raises a series of dangerous questions for an account of political agency predicated upon the equation between purity and autonomy. Accordingly, when postmodernists produce accounts of fragmented or discontinuous sources of subjectivity, such as the historical processes of subjectivation analyzed by Foucault, these accounts become threatening to discourses relying upon the equation between political agency and single-dimensional forms of identity, such as MacKinnon's standpoint theory feminism¹⁶² and discourses oriented toward the

¹⁶¹ Foucault notes an unspoken rule of purity insofar as “[t]he history of ideas usually credits the discourse it analyses with coherence. If it happens to notice an irregularity in the use of words, several incompatible propositions, a set of meanings that do not adjust to one another, concepts that cannot be systematized together, then it regards it as its duty to find, at a deeper level, a principle of cohesion that organizes the discourse and restores it to its hidden unity. This law of coherence is a heuristic rule, a procedural obligation, almost a moral constraint of research” (Foucault, *The Archaeology of Knowledge* 1972, 149). Responding to this metadiscursive function of purity, Valerie R. Renegar and Stacey K. Sowards note the way that third wave feminists have begun push back against coherence discourses by exploring the possibilities of developing strategies of thought and resistance that problematize contradictions as “appealing because they explain the intricacies of an issue on multiple levels” (Renegar and Sowards 2009, 9) that exploit new discursive supports while compromising others rather than assuming a strategy of coherence and thereby leaving the value of purity undisturbed.

¹⁶² Within second wave feminism, many of the characteristics of MacKinnon's critique correspond to the primary themes of feminist standpoint theory, including Nancy Hartstock's contention that “theorizing be grounded in women's material activity” (quoted in Tuana, *The Radical Future of Feminist Empiricism* 1992, 102) and its underlying premise that “the activities assigned to women, understood through the categories of feminist theory, provide a starting point for developing knowledge claims that are potentially more comprehensive and less distorted

preservation of white privilege. The anxiety of such threats can be seen in MacKinnon's condemnation of postmodernism's interest in the "fragmented self," which she attributes to political indifference to "the material world" in which "[m]ultiplicity is created through extreme, usually sexual, torture at very young age," and thus supports the conclusion that

than those of privileged men" (102) such that "women's lives thus provide a heretofore untapped resource for research" (102).

Such a view may be informed by the Marxist reinterpretation of the Hegelian dialectic of recognition, which seems to be a reinterpretation of Aristotle's rationale for slavery in Book I, Chapters four and five of *Politics*. For Aristotle the more comprehensive rationality of a free citizen makes it "both expedient and right" to enslave one "who can be, and therefore is, another's," since "he who participates in rational principle enough to apprehend, but not to have such a principle, is a slave by nature" (Sommerville and Santoni 1963, 65); however, by the time Machiavelli offered his services to Lorenzo de Medici by pointing out that "to know the people well one must be a prince, and to know princes well one must be, oneself, of the people." (Machiavelli 1977, 3) political status had already begun to seem more like a practical skill than a natural endowment. Thus, without displacing rationality as the key entitlement to political franchise, with Hegel self-consciousness turns into a justification for the political reciprocity leading to rational development. Accordingly, the political problem in the age of discipline is no longer simply to separate those destined to lead from those destined to follow, but to determine the conditions that would lead to political stability through a more rationalized political process. Accordingly, a Marxist interpretation of the slave's loss of alienation through the creativity of labor follows labor to a self-consciousness in which the slave lays claim to more comprehensive knowledge than the master by virtue of knowing what it is to be both the subject and the object of knowledge. Using an analogy to a two-way mirror that "allows black people to observe white people unaware" Sullivan understands Du Bois's concept of double consciousness to bestow an epistemological advantage that I find similar to that provided by labor for Marx or standpoint for Hartstock, "the double vision had by black people places them in an epistemologically superior position to white people" because "black people can see clearly the lives, characters, and situations of white people, while white people cannot do the same with black people" (Sullivan, W. E. B. Du Bois, 1868-1963 2004, 200). More recently, feminists such as Maria Lugones have claimed a similar epistemic advantage for those "world travellers" forced by race, gender, language or class to negotiate several distinct social, cultural, political as well as linguistic and professional contexts.

Although there are numerous analogues to standpoint theory's contention that the marginalized subject accedes to greater knowledge than the privileged subject occupying the marginalized center of one or several intersecting discourses, other theorists, such as Frantz Fanon have raised explicit questions regarding this appropriation of Hegelian dialectic because to say that self-consciousness depends upon social relations has the side-effect of undercutting the value of self-consciousness depending on the strategic opportunities of one's political situation. As Darrell Moore explains, "Black experience of consciousness belies any simple answer to the question 'who are you?' or, to take the question to another level, 'with whom do you identify?' The difficulty of this question for the Black subject lies in the fact that this subject has never had access to the Hegelian notion of an identity 'in and for oneself.' The movement of self realization in and through the other is the prerogative of the white subject, for whom 'the black man has no ontological resistance'" (Moore 1998, 99). If I may extrapolate in applying Moore's reading of Fanon to the present critique of coherence in standpoint theory feminism, the attempt to discover self-consciousness in service to the prince, labor, double consciousness or "world travelling" take for granted that politics would always consist of making some discontinuous "other," whether it is labor, gender, race or any of several distinct "worlds" into one, coherently operating whole. Accordingly, it can hardly be wondered why the experience of subjects for whom self-realization "is always interrupted," such as the colonized subject in Moore's reading of Fanon, should always "frustrat[e] the ontological question and complicat[e] any notion of identification, psychoanalytic or otherwise" (99). In drawing attention to these inconveniences, my claim is that Foucault offers a similar account of subjectivation, such that its reversal need not name the limits of its politicization. Although this is an ungenerous reading of standpoint theory and I believe that many of the approaches I have compared it to offer resources far outstripping this shallow characterization, making the limits of this interpretation clear seems like a necessary first step in the process of constructing a more generous reading.

“[p]ostmodernists ought to have to confront the human pain of the ideas that they think are so much fun” (C. A. MacKinnon 2000, 706-707), implying that postmodernists are responsible for the psychological disorders and traumas that bear analogy to their practices of critique.

In much the same way that whites use intraracial markings to disqualify marked forms of whiteness among other forms of marked racial subjectivity, so MacKinnon disqualifies marked, postmodern feminists on the basis of their perceived indifference to material conditions of life for those whose fragmented psyches they casually appropriate, as when MacKinnon responds to Rosi Braidotti’s *Nomadic Subjects* (1994) by pointing out that “[b]eing a real nomad can include being forced to flee for your own survival as your family is exterminated in front of you” (C. A. MacKinnon 2000, 707).¹⁶³ In making the implicit charge that not being exposed to the threat of ethnic cleansing disqualifies you as a nomad, and dismissing the political relevance of Braidotti’s analysis on the grounds that it does not adequately reflect the lived experience of “real nomad[s]” or the psychological trauma named by *actual* fragmented psyches, MacKinnon’s emphasis on materiality affirms the basis for the political exclusion of those subjects characterized by unstable, complex or ambivalent determinations of identity. Unlike the discourse of objectivity, which privileges the relative freedom provided by its own material advantages, MacKinnon’s standpoint epistemology does not entirely ignore the importance of material conditions. Instead it takes them as the sole basis for credibility, provided that one’s understanding of those conditions is relatively comprehensive, serving as a pervasive reference point for self-identification that does not shift over time, mutate, or intensify under scrutiny. Yet, in accepting these exclusions, MacKinnon’s discourse comes to practice a form of privilege similar to that found in discourses of objectivity, namely, by assuming the privilege of determining what would count as the identity and ground of political agency for others. This

¹⁶³ Emphasis added.

exclusion persists to the extent that the traumas producing nomadic cultures or cognitively dissociative victims of abuse compromise the autonomous political agency of these individuals, rendering the apparent indifference of postmodernists problematic because of their failure to accept the exclusions that liberal political agency requires. It is because postmodernists fail to represent or even actively misrepresent those who cannot represent themselves by championing the apparent causes of their conditions that postmodern politics become regressive and toxic according to MacKinnon's account. In advancing this claim, MacKinnon maintains the primacy of the capacity to represent one's own material determinants or those of others as the primary criteria for political agency and authority. This emphasis effectively repeats the closeted, colonizing logic¹⁶⁴ in which politically negligible subjects are constituted in terms of contradictory attributes that defy rational intelligibility and positive political representation. In addition to disqualifying individuals based on gender, sexuality, class and ethnicity, this gesture is also a racist tactic, although one that affects different racially marked subjects in distinctive ways.

Though I will confine my analysis to the intraracial dynamics in which marked forms of whiteness are socially constituted by a discursive rule of white privilege that operates through silence regarding its own racial identity and the corresponding political conditions permitting that silence, these remarks seem at least superficially relevant to the other forms of identity formation to which I will allude.¹⁶⁵ A social arrangement in which one is required, either through phenotypic markers, distinctive behaviors or conscious self-identification, to announce one's identity as a precondition for political recognition and participation, while also being forbidden

¹⁶⁴ As we have seen (cf. footnote 159, above), this gesture is not only characteristic of heteronormative and colonial discourses, but the constellation of marginalizing discourses that operate within modern biopolitics (cf. footnote 132, above).

¹⁶⁵ This is not intended to be an exhaustive list and could easily be challenged on the grounds of its inclusions and omissions.

to do so because it will impugn one's qualification to make such a claim is a generalizable characteristic of representationalist political discourses such as liberalism. This generality, which works by continuously referring the political interests of the individual to the political needs of society, palpably embodies the biopolitical semiotic constantly underlining the relation between the organism and the population. By linking the possibility of all politics to the relatively limited domain of biopolitics, normalization effectively codifies power relations that through the accretion and integration of lateral discourses produce effects of domination. In the history of the West, groups identified in terms of their material conditions tend to have materiality applied to them before they apply materiality as a means of self-identification. In the case of marked forms of whiteness such as white trash, this is no different, since the social and economic circumstances that define the materiality of this identity range from poverty to the working class occupations and limited educational opportunities that foster suspicions of cultural, if not racial intermixture, typifying the use of this term as "primarily a distancing technique before it is an identity" (Hartigan Jr. 2005, 159).¹⁶⁶ Accordingly, the use of material conditions for the purposes of identification says as much about the rhetorical context in which such an appeal to identity can be made, as it says about those who apply those terms to themselves and others. In terms of rhetorical or discursive context, the ability to apply a term like white trash, even to oneself, situates the speaker in a position of relative advantage to those who

¹⁶⁶ The situation of white trash in the United States, as an identity characterized by its dispersion, which therefore mitigates its use as a term of valid political or self-identification bears a superficial similarity to the French colonial condition of the *Pieds-Noirs*. More importantly for the claim that postmodernism furnishes an attractive account of political and philosophical practice to colonized minorities, one may consider the *Pieds-Noir* backgrounds of eminent postmodernists including Louis Althusser, Hélène Cixous, and Jacques Derrida as testimony to the possibility that fragmented identity composed of historical contingencies, far from being a fashionable trend among academic elites, denotes a kind of material way of living all its own, for which the insistence on the triviality of this subject position marks a form of biopolitical discursive regulation. Furthermore, without being reducible to false consciousness or politically reactionary ideology, the contradictions that compose these identities serve as a source of political agency precisely to the degree that they problematize the value of biological, social, ideological, cultural or institutional coherence for their political significance.

cannot self-apply such a term because the standard usage of the term bars this reflexive performance. Yet, the discursive context is never completely distinct from the material context because one extends and articulates the significance of the other. Accordingly, self-application of the term “white trash” is impossible because “in terms of cultural *content* (body type, lifestyle and beliefs)” whiteness can and is often regarded as undifferentiated, “[t]hus, it is not the content to which white trash refers that distinguishes this term’s usage” (159). Observing a customary reticence on matters of white racial identity and yet being barred from the material advantages that typify whiteness, white trash is singular insofar as its “rhetorical dimension demarcates an order of whites definable strictly by transgressions of the social expectations that maintain the unmarked status of whiteness and facilitate its claims to power and privilege” (159). In other words, the political-discursive act of distancing oneself from “the wrong kind of white people,” those definable in terms of their economic and political exclusion, but also from the explicitness of racial (self-) identification, functions to consolidate the social privilege of unmarked whiteness, which assumes the privilege of assigning racial designations without possessing one of its own and not acknowledging the attempted designations of others. The discursive asymmetry of being identifiable in terms of transgression concerning norms of race and class is hardly isolated to racial and class designations, though the contours of the relations between race and class are highly specialized, and for this reason provide at best a pathway into and an analogy to the struggles involving gender, sexual orientation and colonialism among others.

§3 A Redder Shade of Neck on a Whiter Shade of Trash: Discursive Practices of Marked and Unmarked Racialized Subjects

While MacKinnon has ridiculed postmodernism’s image of divided or fragmented subjectivities as a form of political non-agency that crassly ignores the traumas leading to the

conditions of psychological dissociation upon which it is predicated, it is unclear whether MacKinnon's critique points to a danger of postmodern appropriation or else amounts to a reassertion of the same discursive privilege that used the pathologization of madness to disqualify women, members of the working class, criminals, members of certain racial and ethnic groups and homosexuals in an effort to paternalistically "treat" the abject conditions that led to their apparent abnormality in the first place. In short, it is unclear whether MacKinnon's critique rightly faults the indifference of postmodernists or assumes the right to speak in the name of those for whom postmodernism might constitute a valuable strategy for engaging in political action without attempting to claim the form of political agency promised, yet denied to them by liberal ideals of subjective integrity and autonomy.

If Spivak is right in diagnosing the condition of colonialism as the attempt to assign meaning to the non-European world, then the subaltern subjects of whom she speaks would stand to benefit from the possibility of exploiting the practical fissures revealed by the postmodern practice of excavating the genealogical fragments of contemporary political reality. That is to say that regardless of whether genealogy undertakes to reveal the history of the European construction of the subaltern, as Spivak demands, genealogy's capacity to point out the points of rupture within European subjectivity serves as a common site of play that can be exploited within or without the horizon of Western political theory. In a similar manner, María Lugones exploits the political potential of play in the Western dichotomy of simplicity and complexity for which fragmentation implies unification through the elision of incommensurability using her concept of the *Mestizaje* to challenge the primacy of subjectivities characterized by their purity, stability or unity.¹⁶⁷ Furthermore, as we have already seen in discussions of closeted and queer

¹⁶⁷ Lugones's reluctance to employ the language of fragmentation owes to the way that she sees this term caught up in opposition to the metaphysics of purity, insofar as "[a]ccording to the logic of purity, the social world is both

subjectivities,¹⁶⁸ the subjective experience of those marginalized on the basis of sexuality is often characterized by a condition of instability or slippage¹⁶⁹ that serves as the basis for political action rather than undercutting it. Finally, the instability and amorphous sources of Judith Butler's performance of gender using parody¹⁷⁰ serves as a basis for feminist struggles against

unified and fragmented, homogenous, hierarchically ordered. Each person is either fragmented, composite, or abstract and unified—not exclusive alternatives” (Lugones 2003, 127). According to this logic then, MacKinnon's habit of reinforcing the link between materiality and ideology according to a reversal and prioritization of materiality maintains the link between fragmentation and unification. The concern that postmodernists evince their callous indifference to material conditions in celebrating fragmentation then serves to strengthen the connection between the dichotomies of fragmentary-composite and abstract-unity by positing fragmentation as the only alternative to unification. Lugones's emphasis on the danger and possibility that seizes the *Mestizaje* seems to come closer to the sense of fragmentation that I would like to develop, because it foregoes both the unadulterated celebration of fragmentation that MacKinnon attributes to postmodern ideology and the disastrous pathology of psychic schism that she attributes to the reality of dissociative psychosis.

¹⁶⁸ Cf. footnote 159, above.

¹⁶⁹ It should be noted that this slippage is in no way an escape from danger but rather one of its conditions. As Spivak has aptly noted, “[t]he unrecognized contradiction within a position that valorizes the concrete experience of the oppressed, while being so uncritical about the historical role of the intellectual, is maintained by a verbal slippage” (G. Spivak, *Can the Subaltern Speak?* 1994, 69). In this case, the possibility of slippage may itself serve as an unintended, yet convenient pretext allowing for domination and exploitation, as when Western intellectuals casually ignore the slippage that occurs between the philosophical and political senses of *vertreten* and *darstellen* in Marx by accepting the one-dimensional “representation” to replace the senses of substitution and returning to presence involved in *vertreten* and *darstellen*, respectively.

For Spivak, Marx's notion of class-consciousness exploits this slippage by referring to a kind of substitution that occurs precisely to the extent that the interests of proletarians as a class can never be made wholly present (73). It is precisely this substitution for the absence of proletarian interests that constitutes Marxist political representation that cuts through the mystification of ideology to the founding of material relations. Because such slippage is ignored when speaking of and for non-European subjectivities, it permits European intellectuals to continue the unconscious, yet interested habit of constructing non-European subjectivities as unrepresentable.

Obviously, I do not agree with this characterization of Foucault's project. Rather, I think that his project seems to locate itself precisely along the fault line of effects that exploit the dynamic of slippage embraced by Marx and those involved in ignoring the history of the European intellectual—as Spivak alleges of Foucault—and in the process suggests Foucault's belonging to an epistemological shift in the thinking of history begun by Marx, but one that rather than simply “set[ting] up an alternative history, [. . .] contends that that alternative is part of a displacement that is in the process of replacing the history that preceded it” (Young, *White Mythologies: Writing History and the West* 2004, 115) thereby displacing the dynamic of representation and the dichotomy of same and other upon which it rests. Similarly, in attempting to highlight the political effects of slippage among identities, Spivak, like Lugones, Halperin, Sedgwick, Hartigan, Fanon and later Judith Butler, join postmodernists such as Foucault in redirecting our attention not to the rightful priority of slippage or agencies that take place in this slippage, but to the dangers of ignoring this activity, whether that ignorance comes from condemning such slippage altogether or exalting it as ontologically prior to stability.

¹⁷⁰ According to Butler, “gender parody reveals that the original identity after which gender fashions itself is an imitation without an origin. To be more precise, it is a production which, in effect—that is, in its effect—postures as an imitation. This perpetual displacement constitutes a fluidity of identities that suggests an openness to resignification and recontextualization; parodic proliferation deprives hegemonic culture and its critics of the claim to naturalized or essentialist gender identities” (Butler, *Gender Trouble: Feminism and the Subversion of Identity* 2006, 175-176). To the extent that the openness to resignification and recontextualization that Butler describes here can be attributed to Foucault's understanding of the performative character of identities formed within power relations, one should note a degree of pessimism linking Butlerian parody to Foucaultian critique.

misogyny and heteronormativity, which she believes are predicated on the assumption of a “natural,” “essential” or at any rate “fixed” gender identity. Though unique in their potentials for both progressive and regressive political agency, each of these modes of criticism highlights the political potential for discursive practices that demarcate themselves through the critique of a pure, stable, unified source of political agency.

If one of the defining privileges of whiteness involves simultaneously compelling other non-whites and not-sufficiently-white-marked-forms-of-whiteness to declare their own racial subjectivity, if not exactly their racial subjectivation, it is also a characteristic of whiteness to exert this compulsion without bringing its own racial identity to the foreground. Whiteness’s characteristic mode of functioning then is to compel the identification of that which it denies being. More appropriately for our discussion of Foucault, this operation of whiteness is characteristically biopolitical in the exertion of its claim to normative priority at present. That is, unlike the sovereign who compels others to death for violating his manifest law, biopolitical whiteness prohibits nothing, but rather encourages and provokes individuals to confess everything attributable to the identity of their flesh. In so doing, whiteness compels individuals to acknowledge and inherit all the marks of that flesh in the present down to the finest detail from which their identity and their activity appears to be the culmination of a long, Egyptian history (Foucault, Nietzsche, Genealogy, History 1998, 382) of contradiction and refinement. Meanwhile, whiteness forgets its markings and its situation within a continuing process of

Rather than denoting an open space beyond the reach of power or performative codification, the openness produced by parody is always available for reinscription into the formation and maintenance of as of yet unexpected configurations of power, “we can never be sure [that performances or pleasures will not be exploited in the service of dominating power relations]. In fact, we can always be sure *it will happen*, and that everything that has been created or acquired, any ground that has been gained will, at a certain moment be used in such a way” (Foucault, Sex, Power and the Politics of Identity 1997, 166-167). Yet, this assurance, rather than merely asserting the inevitability of domination, instead relies upon the continual instabilities and asymmetries of power relations that displace and reverse even those pleasures and identities we cannot imagine becoming sources of domination and exploitation in their own regard. In this respect, asymmetrical power relations holding the potential for domination serve as a check against the pleasures that we willingly accept without thought or hesitation.

development to take the opportunity to claim the authority to inhabit the spaces governing the relations among bodies such that it appears to itself as transparently discovering the markings of all that is apparently, essentially non-white.

Needless to say, setting out whiteness in its blindness to the centralizing role it has allocated for itself in the determination of the specification of its racial others is precisely to indicate the asymmetries that animate this discourse as much as it is to highlight the places where such a discourse might be effectively immobilized by being put into question. In another way, this analysis effectively repeats the discursive activity of whiteness as it appears to itself by insinuating itself between whiteness and its objects just as whiteness insinuates itself between the racial markings of bodies and in that repetition brings whiteness into contact with that which it excludes or otherwise aims to manage and control, namely the discursive practice of racial demarcation including both whiteness and its objects.

Yet, because the discourse of whiteness usually relies upon the elision of the discursive effects producing its own racial specificity this repetition is not simply a repetition of the same, that is, a repetition of the discourse of whiteness unadulterated. Rather, it is a kind of repetition that parodies and circumscribes whiteness with its own effects, and in this respect invokes the notion of series that Foucault adapts from Gilles Deleuze for his thinking of history. The rationale underlying this analysis, as with Foucault's thinking of history is, however, less an emphasis on the veracity of a series but the multiplicity of series suggested by the articulation of the series itself.¹⁷¹ In short, the installation of the series assigns to the historical artifact of

¹⁷¹ Young notes "Foucault recognizes in Deleuze's account of events as singularities, points or intensities on a surface ready to be actualized in any particular form or meaning, the potential for pushing further his own notion of history as a genealogical series. Such genealogy works by repeating the (non)event, as an event, in thought" (Young, *White Mythologies: Writing History and the West* 2004, 119). Furthermore, rather than "seek[ing] to lay claim to 'the real' or Truth as [such] Foucault inflects this model by focusing on the possibility of constructing the series so as to repeat the disruption and discontinuity of the (non-original) event" (119) by repeating a moment of implicit discursive codification in such a way as to make it explicit so that the previously unnoticed act of codification "gains

whiteness a character that failed to appear prior to the inauguration of the series for the purpose of disrupting the effects of that artifact on the present, if only by suggesting that it belongs to an indefinite number of series and discourses. Accordingly, articulating the discursive value of whiteness where this value has previously been an object of strict reticence makes whiteness available for any number of resignifications within an indefinite range of discourses upon which whiteness may be shown to produce effects (e.g. MacKinnon's assumption of a characteristically white privilege in assigning a positive valence to materialist discourses while denying the insufficiently political value of postmodernist discourse that question the need to ground political activity in the representational polarities of ideology and materiality).

Something of this dynamic of repetition informs postmodern criticism of the need for fixed, stable, unified or simple identities. Although from this perspective, whiteness would appear hopelessly complex and amorphous, its denial of the contingency of its insertion within discourse and its attribution of definitive, yet contradictory attributes to non-whiteness, allows it to assume an undifferentiated, self-sustaining appearance and thus to embody an apparently one-dimensional, dominating power relation. Subaltern, mestizaje, parodic, queer and Black subjectivities attempt to embody and remind whiteness of its characteristic effects of marking, and thus being marked, precisely by recounting and narrating the insertion of whiteness in the personal and institutional histories that have produced these subjectivities in the first place. Yet, these subjectivities are not only discourses addressed to the other of whiteness, they are discourses addressed to the others of whiteness, including marked forms of whiteness and any form of subjectivity acquired through the breach of conventions according to which whiteness insists upon its distinctive non-identity.

analytic attention in the present" and thus is "utilized by the historian so that the writing of history can itself become a disruptive event and consequently a form of political intervention" (120).

The requirement that one identify oneself in terms of determinants of identity such as race, gender, sexuality, culture or class refers to a biopolitical set of technologies insisting upon the assignment of discernible identities in the name of security for the population as a whole. Accordingly, for marked forms of whiteness the attempt to identify oneself in terms of racial whiteness is already an indication that one lacks the privilege allowing whiteness to exercise its characteristic power of racial neutrality, which means that marked forms of whiteness are also circumscribed by discourses that define whiteness in terms of its unproblematic access to unmarked racial (non-) identity. Usually, these discourses are operated by unmarked whites who use interest in racialized subjectivities to deflect questions concerning their own insertion into racial discourses and practices. Thus, since an avowal of racial identity is something that unmarked whiteness must avoid to maintain its privilege because such identifications potentially recoil on the presumptive neutrality of white subjectivity, marked forms of whiteness are particularly dangerous because the forms of subjectivity grouped under this heading are identified not only *as* white, but also for racist, misogynist, homophobic and bigoted propensities that threaten to reveal the unspoken discursive tactics that allow whiteness to retain its political hold.

In the same way that exclusive emphasis on overt practices of racism serves to draw attention from more varied, complex and controversial behaviors leading to racial inequity, so the existence of marked forms of whiteness serves to draw attention from less explicit forms of white privilege, if only because they are more intensely invested and closely associated with the social, political, intellectual and economic privileges of whiteness understood in a biopolitical light.¹⁷² The universal declamation of practices such as segregation¹⁷³ in the 1960s by well

¹⁷² That we are speaking of a kind of racism made possible and intensely recruited by biopower when we speak of the preservation of white privilege as a form of racism that functions by rooting out overt displays of racial hostility

educated, liberal, middle-class northern whites in the United States is emblematic of ‘respectable’ whites’ attempts to mark predominantly less wealthy, regionally and linguistically distinct southern whites as outside the conventions of whiteness by appropriating a discourse of universal rights and humanism to implicitly distinguish itself in terms of both race and class. Characteristic of this marking is that it operates by highlighting the specificity of others, while effectively deflecting scrutiny of the greater degrees of unofficial segregation and the phenomenon of “white flight” that affected liberal, middle class-whites in the north from the 1960s through the 1990s. What is worth comment is not simply the imbrications of class and

should not be overlooked. As McWhorter has noted “scientific racism [. . .] is a racism preoccupied not with attacking members of another race but with protecting the boundaries of *the* race, the only race that matters, the human race embodied in its ‘highest’ representatives” (McWhorter, *Racism and Sexual Oppression in Anglo-America: A Genealogy* 2009, 140), which, for the sake of cutting to the chase, we may understand as whiteness in its role as the neutral ground of race composed of the basic qualities of a humanity encompassing all races. By contrast, racially marked individuals do not need to be sanctioned because they are assumed to lack the highest, or alternately, the most common qualities of humanity that would allow them to transcend or subsume racial categorization: “This,” McWhorter continues, “is by definition a racism espoused by elites, not ignorant ‘rednecks,’ who were in fact among its victims, first as targets of its purification programs and later as scapegoats for its excesses” (140).

¹⁷³ Overt discrimination on the basis of sex exerts a similar effect on attention and in that respect may be considered as a form of interested inattention toward more nuanced forms of gender disparity. For instance, undergraduates are typically outraged that certain professions bar equal access to men and women. Where there is no explicit difference in the physical demands of a job, men and women are considered to be equal competitors for a professional position. Similarly, students have no sympathy for unequal pay for equal or comparable work, yet they are quite willing to accept it if pay disparity is predicated on the appearance of a choice. If women fail to obtain promotion and tenure in their professional fields because they choose to do things like have children or if women select less lucrative career paths then disparity is suddenly a matter of priorities rather than gender inequity no matter what kinds of social expectations and sanctions are brought to bear in arriving at that “decision.” And yet, it is precisely these choices that obscure significant disparities thanks to the generosity of a self-congratulating humanism that refuses to accept responsibility for disparity by refusing to acknowledge any charge of disparity that is not the product of overt sexual discrimination.

Ironically, MacKinnon’s studies in feminist jurisprudence suggest that what makes the law so dangerous to women is the law’s attempt to speak on behalf of women by predicating culpability for the crime of rape on intent, thereby defining rape as nonconsensual sex to elide questions of consent in heterosexual intercourse and thus excusing allegations of rape in cases of acquaintance and marriage (C. A. MacKinnon 1983, 646-655). The irony is not simply that more nuanced and indirect effects of misogyny prove as disastrous as more overt and direct forms of violence and exclusion, but that finding that gender disparity can result from instruments designed specifically to combat sexual violence and so divorced from explicit misogynous intent could prove as effective at producing and reproducing sexual disparity as any conscious motivation toward that end. In light of MacKinnon’s research, a feminist analysis of law would look at not only the areas of law that are explicitly tolerant of gender disparity, but also at how attempts to ameliorate disparity contribute to more insidious and perhaps more pervasive effects of gender disparity. If one were to apply these lessons to race, one might accordingly look to the reproduction and innovation of racial disparity—including the production of new racialized individuals—in anti-racist projects of identifying and delegitimizing overt practices of racism.

race, as though the two categories still retain their specificity, but the way in which class becomes a specifically raced phenomenon, as when anti-racist discourses employ an implicit equation linking whiteness to social advantage and blackness with economic disadvantage, and race becomes a specifically classed phenomenon, as when the white working class becomes racially distinct to the degree that it occupies a specific socio-economic position shared with non-whites.

Without offering an excuse for any exercise of overt or covert racism, and because my thesis is that anti-racist strategies provide for a form of self-identification as much as racist strategies, it might be fair to examine the use of racism as a form of self-identification and legitimacy by comparing it to Nietzsche's description of the manner in which the expiation of guilt in the creditor–debtor relationship allows for the generation of a form of pleasure deriving from the power to exchange pain for pleasure,

an enjoyment which is prized all the higher, the lower and baser the position of the creditor in the social scale, and which can easily seem a delicious titbit to him, even a foretaste of higher rank. Through punishment of the debtor, the creditor takes part in the *rights of the masters*: at last he, too, shares the elevated feeling of despising and maltreating someone as an 'inferior'—or at least, when the actual power of punishment, of exacting punishment, is already transferred to the 'authorities,' of *seeing* the debtor despised and maltreated. So, then, compensation is made up of a warrant for and entitlement to cruelty (Nietzsche, *On the Genealogy of Morality* 2006, 44-45).

In the same manner that inflicting cruelty is a form of identification through the exercise of power for the creditor, so for marked forms of whiteness do racism, xenophobia, misogyny, homophobia and anti-intellectualism exert a claim to identity made possible by exploiting the characteristically white privilege of invisibility and the appropriation of the right to freely identify or compel identification.

Whereas for Nietzsche the creditor's enjoyment of seeing the debtor punished is just as great whether he inflicts the cruelty himself or the punishment is meted out by the "authorities"

on his behalf, the use of overtly racist discourses by marked whites is partially a claim to take part in “the rights of the masters” that the socio-economic status of marked whites would otherwise prohibit. At the same time, it functions as a rebuke to institutional racism by violating the decorum of silence concerning white racial subjectivity. In identifying themselves as white *through* racist discourses and practices, and thereby highlighting the discursive function of whiteness as it identifies and differentiates racialized subjects, marked forms of whiteness not only attempt to differentiate themselves from non-whites, but also criticize unmarked whiteness by violating its code of racial neutrality. Yet, as Nietzsche’s analysis suggests, those who use this method of critique may disagree with who wields power but fundamentally agree with the manner in which power operates, thus effectively consolidating an operation of power that strengthens white racial neutrality by demarcating certain classes of whites as insufficiently white through their misguided practice of critique.

For marked forms of whiteness this means consolidating what Sullivan calls the ontological expansiveness¹⁷⁴ characteristic of white privilege by appropriating the power to identify and compel the identification of others in the process of asserting one’s own identity. Hartigan distinguishes between two distinct uses of racist discourse among marked whites. The first instance, exemplified by the xenophobic and homophobic remarks of John Rocker,¹⁷⁵ involves the ontological expansiveness described by Sullivan insofar as it understands racial

¹⁷⁴ Cf. footnote 131, above.

¹⁷⁵ John Rocker, a former professional baseball player, incited controversy when homophobic and xenophobic remarks he made to a reporter were quoted in *Sports Illustrated* (Hartigan Jr., *Odd Tribes: Toward a Cultural Analysis of White People* 2005, 149). For Hartigan’s purposes, Rocker is interesting for not only for the strategy he used to allay the public outcry over his overtly racist remarks, “[h]e insisted that he was not a ‘racist,’ just a ‘redneck’” (150), but also for “the public outcry his original remarks received and for how [. . .] his subsequent labeling of a teammate as “white trash [. . .] received scant media attention and provoked no public outcry at all” (150). For my purposes, it is significant that Rocker’s attempt to claim the privilege of whiteness to assign racial categories to others was limited to identifying himself as a “redneck” and a teammate as “white trash” while being sanctioned for the attempt to assign racialized attributes to non-whites, which would have drawn too much attention to the discursive value of whiteness itself if not for the appearance of intraracial distinctions among whites that permit a public discourse of middle-classed whites to maintain a veneer of racial insubstantiality.

hostility to be a necessary if, under an exceedingly generous reading, an unfortunate last resort of cultural survival. The second instance, exemplified by the rapper Eminem's performance of tropes of white trash debasement, arises in response to and parodies the expansiveness of the first. Whereas the first instance attempts to wrest a certain power of naming that it has no interest in dismantling and even helps to consolidate, the second instance not only draws attention to the subject who would attempt to consolidate such power, but to the manner in which subjectivation is carried out in and through the exercise of power over oneself and others.

The distinction Hartigan offers between the use of racist discourse in the service of cultural survival and for parodic purposes correlates roughly to attempts to consolidate a positive identity through the exercise of a specific kind of power and attempts to draw the effects of said power into question. Besides violating the unspoken norm of white racial neutrality by describing his remarks as "redneck" rather than "racist," Rucker's comments angered many by linking cultural identity to cultural subordination. Hartigan explains that "[q]uite simply, redneck is something that Rucker doesn't mind being; it is an identity that can be invested with valor, in contrast to the image of the white racist (though, for some, redneck and racist remain synonymous)" (Hartigan Jr. 2005, 150). Despite the tendency to ignore Rucker's distinction, self-identification as "redneck" attempts to affirm anxieties routinely labeled as xenophobic or homophobic as markers of "a separate and distinct people, with an honorable heritage and culture worthy of protection and preservation [. . .] entitled, like all people, to self-determination" (152-153).¹⁷⁶ It accomplishes this by inviting readers to identify with an implicitly white, heterosexual and often Southern identity that believes itself unfairly maligned

¹⁷⁶ These remarks are not Rucker's. Hartigan quotes them from the League of the South's Declaration of Southern Cultural Independence as an example of attempts to "assert a separate southern white identity [that] ruptur[es] a public decorum of whiteness that eschews direct invocations of racial self-identity" (152), though, in application to Rucker's comments, they illustrate the self-validating effect that he intended his remarks to have, even if this distinction was largely missed in media coverage of the Rucker affair.

as “racist” for attempting to preserve what it considers to be valid *cultural* attitudes, values and beliefs. In so doing, Rucker attempts to ontologically expand the conditions of marked, redneck racial subjectivity to all forms of subjectivity, which rightfully and understandably attempt to preserve themselves against real and perceived threats to individual and cultural autonomy. In this performance of racist discourse, the attack on other races appears secondary to the boundary demarcation that racist attitudes propose. In this respect, Rucker’s comments mark a form of ontological expansiveness that is explicitly biopolitical insofar as it warrants the marginalization and disenfranchisement of other races and perceived threats to redneck or Southern culture and identity for the purposes of preserving not only that identity, but also any identity whose self-determination and autonomy becomes imperiled from the perceived encroachment by others.

The actuality of this peril is doubtlessly a live issue as it is questionable to what extent the existence of the groups that Rucker singles out for ridicule—gay men and non-English speakers—actually threaten his or any other kind of identity, unless that identity is founded on its virulent homophobia and xenophobia, which Rucker denies. It would seem that the kinds of identity that Rucker finds so threatening are not the groups he identifies *per se*, but the kinds of identity that accept, tolerate and even promote the integration of gay men and non-English speakers into society and accordingly identify this acceptance, tolerance and nurturance as the only acceptable form of political identity that one could validly claim. In that case, it may be that Rucker’s comments were never uttered to intimidate the putative objects of his remarks, but to affect the attitudes of middle-class whites whose ontological expansiveness rivals his own. Much like Nietzsche’s small-time creditor, Rucker has no interest in disputing the system of exchanging punishment for pleasure, he only seeks to ensure that he is permitted to enjoy a small share of the *rights of the masters*, whether directly or indirectly. Consequently, the dispute over

the actuality of threat assumes great importance within this system of exchange even while the primary dispute, for Rucker, seems to rest on the ability to attribute racialized characteristics in the manner of unmarked whiteness. Rucker accordingly must make clear that the threat to his identity by these cultural others is real enough to warrant his claim to the privileges of unmarked whiteness that he seeks regardless of whether this means identifying the proper sources of injury or imagined scapegoats whose suffering can provide genuine recompense.

Among these scapegoats, Rucker includes those whites he considers under the term of disparagement, white trash. Like the white racist from whom Rucker attempts to distance himself by characterizing his remarks as redneck rather than racist, “white trash is something even John Rucker holds in low esteem. It operates here intraracially, inscribing a sense of contempt and distinction that even a self-identified redneck and publically pilloried racist feels is critical to maintain” (150). Again, like the middle-class whites whose ontological expansiveness Rucker attempts to supplicate and redirect, distancing oneself from white trash is not only a pastime of ontologically ambitious rednecks, but an agreed upon practice emblematic of allegiance to unspoken discourses of whiteness for which “the lack of public outrage over [Rucker’s] use of white trash also evinces a key component of this term’s operation. White, middle-class liberals learn very young not to use epithets with racial connotations, but they receive quite different messages from their parents concerning labels for poor whites, the most naturalized of which is white trash” (150). Like the white racist, white trash serves as an intraracial category whose declamation is all but mandated for those wishing to access the privileged discursive authority of whiteness.

As Rucker’s remarks and the reaction to them make clear, the connection between white racism and marked forms of whiteness is a pervasive one that helps to isolate these groups from

unmarked forms of whiteness who would otherwise avoid such direct invocations of race. Nevertheless, the function of racist discourse among marked forms of whiteness is varied and indicative of the racial dynamics that inform these modes of subjectivity. Although white trash are often singled out for ridicule for their expression of overtly racist, sexist, homophobic and xenophobic sentiments, Hartigan notes a difference between the operations of these tropes among various segments of marked whiteness. Like the usage of such tropes among marked whites generally, this usage is indicative of a performance of marked whiteness and not simply the expression of racially motivated hostility or contempt. Unlike the usage of racist tropes among rednecks and those marked forms of whiteness that use racist sentiments to establish the validity and value of a cultural or subjective content belonging to a particular marked form of whiteness, no discourse of positive white trash identity or subjectivity is possible within the customary usage of the term, and thus, those so labeled often self-apply markers of white trash subjectivity such as overt racism in parodic self-reference or else seek to deny these markers altogether. In neither case is there anything like the pretense to a valid subjective or cultural content that either serves as the condition for the possibility of political agency or characterizes the ontological expansiveness of whiteness generally.

Due to the absence of definitive cultural or racial content in the performance of white trash subjectivity and its implicit criticism of forms of subjectivity vying for the supremacy of conflicting practices of ontological expansiveness, white trash stands outside the dynamic of recognition that governs the contest between middle-class whites and marked whites affirming the specificity and authenticity of their racial identity. In this respect, white trash problematizes the dialectical relation between marked and unmarked forms of whiteness in a manner similar to the criticism Frantz Fanon makes of the Hegelian dialectic of recognition. According to Fanon,

the Hegelian dialectic attempts to consolidate a colonial authority that has constructed “Negro” subjectivity as characteristically lacking the power of recognition by identifying mutual recognition as the basis for self-consciousness and the ethical and political viability that follow from it. Because “[h]istorically, the Negro, steeped in the inessentiality of servitude was set free by his master. He did not fight for his freedom” (Fanon, *Black Skin, White Masks* 1967, 219) so, the dialectic of recognition’s restriction that “human reality in-and-for-itself can be achieved through conflict and through the risk that conflict implies” (218) does not apply. Rather, the model of recognition is a favorable autobiography of white, colonial or European subjectivity that is subsequently projected by colonial authority as the key ethical and political dynamic of subjectivity generally. Thus, rather than dispensing with the role of mastery, the predication of self-conscious agency to the existence of mutual recognition among all members of society codified the prerogatives of colonialism at the moment that “[t]he white man, in the capacity of master, said to the Negro, ‘From now on you are free’” (220).

Given Fanon’s account of the historical construction of the Negro and the genealogical insight that the possibility of achieving self-consciousness through mutual recognition is itself a reassertion of that history, many¹⁷⁷ wonder whether Fanon must reject the concept of race as a historical artifact without material significance for the colonized world, as when he speaks, for example, of “the lives of the eight-year-old children who labor in the cane fields of Martinique

¹⁷⁷ Kathryn T. Gines expresses the point succinctly when she asks us to “[r]ecall that in *Black Skin, White Masks*, [Fanon] wants to destroy the myth of the Negro” before asking directly “[d]oes this mean that Fanon must reject the notion of race altogether to achieve this aim” (Gines 2003, 62)? Ultimately, Gines argues that Fanon’s attitude toward the concept of race is implicated in his attitude toward the significance of history such that, like the concept of race, “[w]hile Fanon is not denying the significance of the past entirely, he is refusing to exalt the past at the expense of his present and his future” (62). This discourse of history, the language of memory as a way of describing but also altering the significance of the past denotes a genealogically minded historicism that understands historical discourse as a form of political intervention and practice rather than strictly or even primarily a medium of reflection, recognition or representation. In this manner, Fanon’s historical account of the historical construction of the Negro echoes, in advance, Foucault’s analysis of the event as the point of intersection and dispersion of historical series (cf. footnote 171, above).

and Guadeloupe” (230) for whom the concept of race is materially irrelevant. This anxiety leads Kathryn T. Gines to suggest that what would be required for these children and other colonized members of the African diaspora to achieve politically significant goals would be “thinking about authenticity and race consciousness specifically as it relates to blackness” (Gines 2003, 64), that is, “understanding the history of the concept of race, the historical constructions of blackness that have been negative, and even the acceptance of negative stereotypes as positive attributes” (64). Yet, coming to terms with that history either will not be enough or will be impossible in Gines’s account without “a positive perception of blackness that challenges the history of oppression and rejection that is associated with being black” (64). It may even appear that this invention or retrieval of a positive *perception* of blackness constitutes a strategic choice on Gines’s behalf precisely to the extent that it displaces the emphasis on an ahistorical *concept* of blackness by insisting on a historically instantiated practice of perceptive viewing. In that case, Gines effectively catches Fanon’s interest in redeploying the concept of race though I am not sure that she doesn’t also condition a positive perception of blackness on a discourse of racial identity and political participation organized by the dynamics of recognition rather than strategy.

What is clear, however, is the extent to which Fanon and his readers, such as Gines, see the historical deployment of the concept of race as strategically linked to the present political possibilities of racialized subjects, for whom a positive retrieval of racial self-identification may be a necessary precondition for success in those strategies. For my purpose, the strategic value of whether and how one uses a positive concept of identity based on race, class, gender, sexual orientation or any other historically constructed form of perception is linked to the political struggles in which such perceptions, practices and discourses intervene, rather than the existence of constants, such as a positive conception of racial identity, thought to be necessary for the

conduct of politically significant acts. According to this perspective it makes no sense to accept these perceptions or the practices they occasion as politically neutral and stable, as structures that cannot be put into play, on the assumption that political agency depends upon a dynamic of representation authorizing practices of ontological expansiveness that are otherwise implicated in the marginalization of those identities.

My hesitation over Gines's call for an *authentic* race consciousness, of MacKinnon's call for a *positive* conception of gender, and, more generally, the credibility of *material* consciousness and John Rucker's call for a positive consciousness of what it means to be a redneck is that each reinforces an image of identity that is immune to the tensions and political disparities that such abiding, stable perceptions of identity often thrive on ignoring. Thus, although Gines claims that an authentic consciousness of blackness "takes into account the fact that blackness comes in various shades and even that intra-racial conflicts have emerged in relation to the array of hues" (64), the consciousness she advocates aspires to "transcend shades of blackness and 'degrees' of blackness" (64-65) when it is precisely this transcendence and the practice of colonialism authorizing transcendence as a goal that a historical, genealogical or discursive analysis of race seeks to question. Rather than *transcending* these conflicts, I would like to see the authentic race consciousness that Gines invokes *redeploy* or *mobilize* the tensions that constitute the identity of authentic race consciousness in such a way that the possibilities of black political agency do not come down to the reassertion of a transcendent form of racial subjectivity.

Fanon seems to invite such a redeployment in a way that contrasts with the aim for a transcendent basis for racial consciousness very early on in *Black Skin, White Masks* when he affirms that "a Black man is not a man. There is a zone of nonbeing, an extraordinarily sterile

and arid region, an incline stripped bare of every essential from which a genuine new departure can emerge. In most cases, the black man cannot take advantage of this descent into a veritable hell” (Fanon, *Black Skin, White Masks* 2008, xii).¹⁷⁸ It is in the nonbeing of racial identity as it is given in discourses of metaphysics, ontology and psychology that Fanon questions the need for authentic race consciousness, the value of the history of colonialism for contemporary political struggles and, in short, the kinds of fragmentations and tensions that constitute the collective memory of blackness. Rather than seeking to repress, evade or transcend that history, Fanon’s critique seems to hinge on how that history and its subjects might relate to one another otherwise and this is not predicated on relating in a more adequate, authentic, true or correct manner, which would take for granted that there is some transcendent standard that could determine the adequacy or authenticity, etc. of said relations. Similarly, evacuating the concept of race of any meaning is almost as disastrous as the assumption of the desirability of a finally authentic consciousness of race if undermining any concept of race simply asserts the existence of an ontological priority belonging to gender, citizenship, class consciousness, humanity, etc. Rather than being for or against race or the hegemony of the dichotomy in responding to the questions of race, Fanon’s project involves asking about the possibility of exploiting the historical construction of race; in particular, by asking how the struggle for self-consciousness at

¹⁷⁸ I have chosen the more recent translation here because there is a significant disparity between it and the original translation which speaks of Fanon’s zone of nonbeing as a place “where an authentic upheaval can be born” (Fanon, *Black Skin, White Masks* 1967) thus feeding into the significance of authenticity that I understand Fanon to place in question. The original French reveals that both translations take liberties in their choice of emphasis; it reads: “[i]l y a une zone de non-être, une région extraordinairement stérile et aride, une rampe essentiellement dépouillée, d’où une authentique surgissement peut prendre naissance” (Fanon, *Peau noire, masques blancs* 1952, 6). While providing a more literal and straightforward translation, Markmann fails to fully reflect the sense of accident and contingency implied by Fanon’s use of “dépouiler,” which is etymologically related to the English term “despoil” denoting a violent theft or stripping bare of one’s clothing or possessions. Within Fanon’s discussion of racial consciousness and particularly whiteness as a kind of threadbare costume whose removal would be not only desirable but also excruciating, the theme of despoliation in Fanon’s usage implies an experience of trauma and transformation rather than transcendence. Accordingly, the image of an authentic transcendence or realization of racial consciousness appears illusory and regressive for Fanon, leading Philcox to draw from the sense of violent expropriation in “dépouiler” that no authenticity is possible based on this foundation.

the heart of dialectic and subtending the dream of transcendence functions to maintain present practices of racial subjugation and colonial oppression.

§4 White Trash and Other Performances of Subjectivity

It is in the current of this reading of Fanon that Carl Hancock Rux invokes the racial performance of the rapper Eminem. According to Rux, Eminem is in some sense *the* exemplar of white trash racial subjectivity whose performance of racial identity raises serious questions regarding liberalism's persistent ontological commitments to materiality as a trope of authenticity that provides a transcendent basis upon which to determine and identify racial subjectivity. White trash, like other marked forms of whiteness can be characterized by its breach of whiteness's norm of eschewing direct reference to race, but unlike other forms of marked whiteness and unlike attempts to ground racial or gender identity in materiality, white trash does not lay claim to its materiality as a more adequate, foundational basis for racial identification to legitimate its politics. While drawing upon discourses that emphasize the social and biological materiality of white trash subjectivity, Eminem's performance of racialized subjectivity brings those discourses to bear in order to highlight the contingency and contradiction that characterizes not only white trash, but, to the degree that it is codified by distinguishing itself from white trash, whiteness as well.

One can begin to see white trash's performance of discourses emphasizing the material sources of its identity by comparing the usage of racist tropes in white trash performances of racial subjectivity to the use of racist tropes among other forms of marked whiteness. As I have noted, marked forms of whiteness frequently use overtly racist language and behavior coupled with overt misogyny, homophobia and xenophobia in order to assert the cultural specificity of

marked whiteness against the putative neutrality of unmarked whiteness by claiming the right to participate in practices of cultural preservation and boundary policing deemed basic to any valid cultural identity whatsoever. In using such behaviors to demarcate redneck cultural attitudes for example, these forms of marked whiteness evince continuity with the right of self-identification belonging to whiteness proper insofar as redneck culture distances itself from the ignorance and poverty of white trash racists whose racist discourse is a product of material necessity rather than deliberate cultural production and preservation. In the characterization of white trash racism as the product of material circumstances one of the features of white trash racial subjectivity hinted at, but not explicitly indicated, in Hartigan's analysis involves either an absence or an extreme fluidity of racial identification such that "with white trash we reach a terrain where the depravities facing poor whites are so stark or severe that representational struggles are simply not a priority" (Hartigan Jr. 2005, 160).¹⁷⁹ This fluidity may be a consequence of the fact that, historically, white trash are transplanted Appalachians "scattered in pockets of inner-city neighborhoods in the Midwest" as a result of a combination of poverty and geographic scattering, white trash often inhabit neighborhoods in which they constitute not only numerical

¹⁷⁹ Hartigan's reluctance to explore the reasons for the absence of a claim to a foundational basis for identity among white trash may be the result of his own understanding of the primacy of materiality in the determination of identity insofar as the "depravities" that distance white trash from representational struggles are almost certainly socio-economic in nature and thus correspond to at least a colloquial understanding of material circumstances. While the historical accidents that transplanted white trash from the hills of Appalachia to the ghettos of Midwestern cities are certainly explicable in terms of economic factors describing the destruction of rural communities by agribusiness-oriented farm policies and the exploitation of natural resources by corporate interests, my concern is less to dispute the validity of this intelligibility than to suggest that the commonality of nomadism unifying Foucault's itinerant scholarship, Braidotti's nomadic subjectivity and even Spivak's thoroughly cross-cultural deconstructive project of decolonization serves as another strategy of intelligibility that brings new, or at any rate unrecognized, modes of subjectivation and power relations to light in the constitution of white trash subjectivity. In short, each of these projects aims to create or produce rather than discover or retrieve a political relation in the present that is not easily or simply a relation of identity or continuity with historical processes. Looking forward to the next chapter's discussion of Spivak's analysis of subaltern subjectivity and comparing that to the present analysis of white trash subjectivity, the commonality of nomadism that unifies these projects means that individuals designated as either white trash or subaltern do not seem primarily harmed or restricted by an inability to express their historical (i.e. material conditions), they seem primarily impacted by the inability to alter those conditions and thus to enact a political relation in and to the present configuration of those conditions that has not existed historically.

but social minorities and accordingly take on the cultural forms of those around them.¹⁸⁰ Accordingly, when Rux summarizes Eminem's biographical profile, he is quick to note the sociological factors that distance him from the traditionally privileged determinants of white experience: "spending the better part of his impoverished childhood in Detroit, Michigan—which, by the way, is about 90 percent ethnic minority and has one of the highest concentrations of African Americans in the nation, at 83 percent, while non-Latino whites comprise only 12 percent of the city's population" (Rux 2003, 20-21). In emphasizing this point, Rux not only bears out Hartigan's point that "whites are not uniformly privileged or powerful because of their skin color" (Hartigan Jr. 2005, 158), but he also underscores the contingent, transitory and factional nature of racial (and, potentially, all) identity: "Eminem may have been born *white* but he was socialized as *black*, in the proverbial hood—and the music of the proverbial hood in America for the last twenty-five years has been hip-hop music" (Rux 2003, 21), meaning that the white trash performance of racial subjectivity exemplified by Eminem can be understood neither as the simple absence of racial identity, nor its stable inherence in a physical body or cultural norm, but instead only as an unstable assemblage of discursive practices of race and racism, misogyny, homophobia and their concerted interaction in the formulation of abiding systems of biopolitical representation and self-reference that not only make up, but also transform the political-discursive context of the present.

Without drawing on discourses that prioritize the recovery of a positive identity, racial or otherwise, the performance of white trash subjectivity is itself a parody of tropes brought to bear

¹⁸⁰ As we shall see, this practice of mimesis or reproduction often includes and exaggerates what is normally ignored or otherwise elided by the discourses being appropriated. In this respect, the act of mimesis produces an effect less like realist replication than mannerist parody or pastiche. Finally, since the parodic effect appears to exaggerate that which is excluded in realistic reproduction, those who fail to see the parodic affect of these performances take them to be not only exaggerations, but thoroughly hostile toward or ignorant of the reality they depict, thus promoting a discourse of antirealism, whether that antirealism takes the form of idealism or materialism.

in the biopolitical determination of marked whiteness. Mimicry and parody are *essential* components of white trash in its standard usage,¹⁸¹ and as such white trash constitutes a kind of nonbeing¹⁸² that strips bare “every essential from which a genuine new departure can emerge” and thus redeploys the determining discourses of morphology, social class, economic status, intellectual capacity and cultural tradition in ways that jeopardize the mythology of whiteness.¹⁸³

¹⁸¹ Hartigan highlights this feature among others that identify white trash in the same terms of biological threat that have been used to legitimate nearly every form of racism, sexism, homophobia, colonialism and generally every targeting of “abnormality” since the nineteenth century advent of biopower when he quotes P.J. O’Rourke’s typical white, middle-class characterization of “Eminem as ‘a beyond-Faulknerian specimen of double-Y chromosome white trash who mimics all that is loathsome and stupid in ghetto thug culture—resulting in a toilet mouth recording’” (Hartigan Jr., *Odd Tribes: Toward a Cultural Analysis of White People* 2005, 161). O’Rourke’s description is beautiful for its naïveté as it “reproduces a hackneyed image of ‘bad breeding’ in the extreme, but one that has yet to lose its social luster for ‘respectable’ whites staring out at the likes of white trash” (161). The beauty of this characterization, like all beauty, has to do with the proportion of its composition. It meticulously incorporates themes of mental disability and genetic defect, subjective instability or indeterminacy, the threat of racial and cultural mixture—if we correctly interpret loathsome and stupid “ghetto thug culture” as *black*—and poverty—if, as we have noted, *black* is wrongly but pervasively used as a signifier of social and economic disadvantage in American popular discourse—all of which characterize the racial boundaries and demarcations that circumscribe white trash subjectivity.

¹⁸² When reusing Fanon’s term here, it is imperative that nonbeing be understood outside the context of dialectical opposition, for example, between being and nonbeing. Rather nonbeing seems to imply the actuality of a being in contradiction.

¹⁸³ Derrida’s phrase is apt here more for its poetic form than for its theoretical value, as Derrida’s critique appears to appropriate the ontological privilege that it attributes to whiteness. For example, Derrida claims that metaphysics constitutes “the white mythology which reassembles and reflects the culture of the West: the white man takes his own mythology, Indo-European mythology, his own *logos*, that is, the *mythos* of his idiom, for the universal form of what he must still wish to call Reason” and thus that “[w]hite mythology—metaphysics has erased within itself the fabulous scene that has produced it, the scene that nevertheless remains active and stirring, inscribed in white ink, an invisible sign covered over in the palimpsest” (Derrida, *White Mythology: Metaphor in the Text of Philosophy* 1982, 213) and in so doing condenses whiteness into a single act of erasure, though one repeated *ad nauseam* throughout history of the West. That is, Derrida’s critique seems primarily to collect the whole of Western thought and culture into a single act of “formula—brief, condensed, economical, almost mute—[that] has been deployed in an interminably explicative discourse, displaying itself like a pedagogue, with the derisive effect always produced by the prolix and gesticulating translation of an oriental ideogram” (213).

In contrast to Derrida’s prophetic vision of the interminable resignification of the Orient at the heart of the Occident, the interpretive practice that I am attributing to Foucault and that I see resonating in the work of feminists such as Lugones and Butler, postcolonialists like Fanon and Spivak and operative in the very functioning of white trash subjectivity under examination here points to the contingencies that formulate identities in their fleetingness and inessentiality. It is thus not, as Derrida suggests that the West is defined by an agency that endlessly repeats itself, but that the heterogeneity that becomes apparent whenever the West is seriously interrogated (e.g. as in the process of genealogy) is repeatedly, though—and this is significant—sporadically met with interpretive attempts to discover continuity instead.

What genealogy reveals is thus less a history of the West as it actually existed than a history of the West consciously delivered under the influence of a present whose overriding character remains partial and thus politically unstable in its practical potential. Still, Derrida’s appeal may possess a strategic value comparable to Nietzsche’s identification and concentration of the millennia-long slave revolt in morality: “But you don’t understand that? You don’t have eyes for something which needed millennia to achieve victory? . . . There is nothing surprising about that: all long things are difficult to see, to see round” (Nietzsche, *On the Genealogy of*

In contrast to the disembodied universality of whiteness or the hostile individualism of marked forms of whiteness such as the redneck, Eminem marks his racial distinctness with the physical enunciation of words, thus highlighting not only a racial subjectivity that social norms of whiteness thrive on ignoring, but his performance of and parody of those norms as well.

To appreciate the distinctness of this performance and the dangers it entails, one must consider what Rux points out as “an uneven exchange” in which white artists are not only allowed but also encouraged to appropriate black cultural forms and in effect imitate blackness, “[t]here are allowances made for some to a greater degree than others. From jazz to rock’ n’ roll, white representation in black music forms is completely accepted and rarely questioned” (24). Yet, unlike these permitted appropriations, which aim at representing authentic blackness in terms of cultural capital or social reality, Eminem consciously and overtly performs the performance of this appropriation “he maintains his whiteness with quirky Jerry Lewis-like phrasing and a bright Greek-god bleached-blond buzzcut” (27). The result of this performance is

Morality 2006, 19). By condensing the erasure of these identities into a brief, condensed, economical, almost mute formula, which has the effect of making that muteness extremely conspicuous and thereby effectively paralyzing some of its effects, the conspicuousness of that formula appears more as a destiny or an inevitability than an opportunity for reversal or critique. This destiny in turn swallows up the singularity of the present beneath the inevitability of a history whose repetition is ensured rather than being put in question.

Yet, doesn't this strategic value help only to identify the most general effects such that tracing the unbroken line from what is most distant to what is nearest becomes its own form of pedagogical orthodoxy? Certainly, I have a very difficult time applying the Western translation of the oriental ideogram to the condition of white trash in any intelligible way since the condition of white trash seems to be an instance of the West's production of another within itself through an ascetic consumption of itself rather than the exertion of colonial dominion on another implied by Derrida's testimony concerning Europe's appropriation of the ideogram. Moreover, to insist upon the point that relations are always between self and other seems to willfully ignore the West's history of asceticism and the significance of that event for the present, which was perhaps the heart of Nietzsche's employment of a similar strategy. That is, condensing the centuries-long struggle between contending practices of moral valuation has significance for Nietzsche because it provides historical and political context for what was apparently without precedent, namely the invention of humanity as such, thus the “*internalization of man*” (61) becomes an event rather than a substance. Certainly the ontology of the event and the ontology of substance seem to be at work in ways that vary from moment to moment. Discerning the opportunity of that moment requires one to be attuned to the multiple voices that present themselves in any unity, not by assembling them into a single gesture of identity, but by paying attention to the various ways in which they strain against one another and thus articulating the lines of fracture that threaten to dissolve that identity as much as they could be said to constitute it.

less the representation of authenticity aimed at by his colleagues in cultural appropriation than an identity based on the performance of “a macabre comedy of internal warfare” (28).

Accordingly, the use of politically regressive tropes of sexism, homophobia and bigotry in Eminem’s performance of white trash functions very differently from the mode of confessional self-assertion that operates in other performances of marked white racial subjectivity,¹⁸⁴ such as John Rucker’s dubious plea for redneck cultural autonomy. Insofar as this performance dramatizes itself as a source of valuation that at the same time precludes the possibility of authenticity in that performance precisely because it appeals to discursive circumstances that create a political interest in authenticity, Eminem’s performance of white racial subjectivity occupies a space of subjective contradiction similar to Halperin’s queer subjectivity, Butler’s parodic subject or Fanon’s zone of nonbeing, but remains distanced from Spivak’s subaltern, Gines’s black subject, MacKinnon’s feminist and perhaps Lugones’s *Mestizaje* because while both types of analysis privilege the role of contradiction in the formation of the subjectivities they describe, the latter (Spivak, Gines, MacKinnon, and Lugones) suggest that some remainder exists besides whatever determination might be given through a process of contradiction. By contrast, the former (Halperin, Butler and Fanon, and I would include Foucault as well) seem to understand contradiction as a determinative form of subjectivation or subject production, not simply something that must be removed in order to end

¹⁸⁴ Nealon may overlook this point when he notes “that virtually every successful rapper or neorapper raps largely about him- or herself: Snoop Dogg raps about Snoop Dogg, Eminem about Eminem” (Nealon 2008, 87) as the point of the discussion above is that Eminem’s performance exploits the absence of an authentic self, whether material or ideological, without at the same time evacuating the political significance of the performance of the self. There is no claim in such a performance that ‘this’ is who I really am or ‘that’ is the reality of any identity whatsoever. Rather, what is at issue is a dizzying and unstable set of power relations and discourses in which, for the moment, what counts as self-knowledge and self-disclosure is imbued with incredible political currency precisely to the extent that the possibility of this knowledge is put in question. To highlight the discursive requirements of that assemblage in a context in which the functioning of political discourse depends upon locating political agency in the self serves not only to displace the significance of the self, but also to displace the system of representation that places the self at the center of its operations, or in the case of biopower as one of the two linked foci defining its elliptical circuit.

subjugation. Before discussing these approaches and granting specific attention to Spivak's account of the subaltern, I would like to conclude this chapter by briefly identifying what I take to be the critical import of locating a kind of subjectivity in this contradictory space.

Whatever controversy surrounds individuals who employ this model seems to settle on the question of whether such a model can provide a continuous basis for transformative political efforts. This critique assumes a model of politics governed by a dynamic of representation as I have noted previously. Accordingly, collective political action aimed at changing the material circumstances of individuals while preserving their subjective continuity becomes an essential component of any acceptable political thinking and this displaces attention from the political significance of thought itself in such a way that it produces widespread political effects, not the least of which involves the restriction of political activity to those matters which can be shared by a community, usually of like minded individuals or shared material circumstances (e.g. living conditions, economic relations, class domination or exploitation, political values and ideology etc.). These doubtlessly involve significant political concerns and it is not my point to contradict them here. Rather, my point is to ask what, if anything, might be lost or tacitly kept in place by such evaluations, which function so automatically as never to even occur to most individuals as decisions in the proper sense.

I have used white trash artlessly in this chapter to suggest that there might even be a constituency for whom such a model of political agency would be representative, but this only confuses the point by resurrecting the specter of representation. The more radical and ambitious outcome of these reflections must be to identify what might be at stake in conceiving and attempting to put into practice a politics that is not grounded in representation, but rather depends upon making the stakes of such an arrangement the targets of direct political action. Rather than

identifying a constituency of such a politics then, direct political action against discourses of representation must take the form of identifying and exploiting a gap, a way out or point of reversal and reinscription in discursive schemas organized by the priorities of representation.

Identifying and exploiting this “gap” in a context of political agency predicated on the preservation of the subject, regardless of whether that subject is the unmarked subject of whiteness, the autonomous subject of Europe, the material subjects of gender or class or even the biopolitical subject of “life,” the species and the population does not depend upon the political allegiance of the subject in question, but the consequences of preserving such a subject by staking politics on the possibility of representing the subject’s interests. It would appear that the consolidation and preservation of a subject occurs at the expense of the tensions and conflicts that would allow that same subject to become capable of different performances, experience different pleasures, as well as augment power relations that develop within and out of representational priorities. Todd May summarizes assumptions behind that claim this way: “the terms in which we conceive ourselves are products of a politically vexed history. We are made to understand who we are, and to be who we are, through a legacy of practices that are at once historically specific and, since we are immersed in that history, unavoidable” (May 2007, 136). According to this logic, at least part of political agency involves investigating the consequences of the unavoidability of this history to determine—or rather, imagine, since there do not seem to be a definite set of agencies made possible or impossible, but instead an infinitely graduated range of agencies made more or less difficult or dangerous according to a ramifying network of values—the kinds of agency it makes possible and rules out, rather than viewing history as a series of events that befalls a single individual or perspective and thus positing a monolithic standard of historical subjectivity.

If that mode of politics appears valuable, and there is no methodological requirement that it must, then certain normative commitments obtain:

We cannot speak in the name of others as to who they are or who they must be. We must be vigilant about the dangers of what we create of ourselves, recognizing that whatever practices we create will have effects of which we are unaware. We must bear in mind that intolerable power relations are not reducible to a single node or center but are dispersed and filtered in our everyday practices (137).

Though May characterizes these observations as normative commitments, the strongest formulation he uses, “[w]e must presuppose the equality of each person involved in struggle” (137), suggests less a normative commitment than an empirical ambiguity. If equality is presupposed then this means that it is not itself a goal or outcome to be attained by our commitments but the fabric from which they are woven. Like history, which is both our object and the medium through which we analyze our object, the presupposition of equality names a condition of relations that affect us as much as they may be mobilized to affect others. Equality cannot then function merely as a goal to be achieved because the semblance we have of it is only partial. That partiality itself implies only that in the degree to which we imagine something like equality or subjectivity we have imagined only that those images (e.g. race, gender, sexuality, class, culture, etc.) might be performed otherwise or might even become practically irrelevant.

To seize on the positivity of identity as the basis for political action or the formation of culture then acts on the basis of inequality to reject the presupposition of equality as a goal, but to enact a performance of identity drawing upon the fissures and contradictions that inform identity affirms the presupposition of equality as the possibility of identity being performed otherwise, even in a manner that fails to validate the interests of coherence and simplicity that a politics of identity often presupposes. In discourses of race informed by a history of colonialism the decision to embrace a positive racial identity based on appeals to an absolute cultural or

biological specificity often furthers racist strategies by promoting a style of identity claiming the same immunity to historical change, an immunity that presupposes fundamental *inequality*, which racist discourses establish as a goal. Fanon observes this phenomenon as the racialized subject's attempt to rediscover her tradition and instead "living it as a defense mechanism, as a symbol of purity, of salvation" in which "the decultured individual leaves the impression that the mediation takes vengeance by substantializing itself" (Fanon, *Racism and Culture* 1988, 42). In a political context in which what one is made to be and what one takes oneself to be can be recruited to produce effects of domination, such as the biopolitical deployment of racism, racial identity can be no more rejected outright than it can be embraced unproblematically. Accordingly, the most dangerous counterattack against the presupposition of racial inequality consists of radically historicizing the concept of race in order to bring its practical contradictions to light, thereby interrupting its facile deployment of inequity within political discourse.

The white trash performance of racial subjectivity practiced by Eminem is significant in precisely that it points out the impossibility, or rather the intolerability of such a demarcation of identity without attempting to appropriate the effects of racist discourse by laying claim to a more fundamental, unified, substantial mode of subjectivity. Moreover, since white trash works to specify the unmarked racial privilege of whiteness without predicating this specificity on any kind of subjective essence or matrix, the goal of whiteness as cultural ahistoricity and nonspecificity becomes destabilized without pointing to a path of recourse by which any form of sovereignty might be regained:

[W]hat makes [Eminem's] archetype of nonordinary reality a significant landmark of the American dream [. . .] is how he has refashioned an old symbol that appeals to popular culture and its boilerplate concepts to race, class, and identity, to fit a new generation in a new yet strangely redundant way—and how that old symbol has transmogrified in the last hundred years, owing its present-

day existence not to the historical performance of *blackness* but the historical performance of *whiteness* and the ingenuity of human dreams.

There is something called *black* in America and there is something called *white* in America and I know them when I see them, but I will forever be unable to explain the meaning of them, because they are not real even though they have a very real place in my daily way of seeing, a fundamental relationship to my ever-evolving understanding of history, and a critical place in my interactive relationship to humanity. If one believes in race, it is because one needs to believe in the existence of self (within a culture that relies on race as an important variable of human existence). One needs to believe in culture, and the products of culture that define identity and inform history (Rux 2003, 36).

According to Rux, if Eminem is somehow significant for his performance of white racial subjectivity it is not simply because he performs within the tropes discursively attributed to his race, his class, his gender, in short his historical situatedness, but that he overtly performs them in a way that calls attention to that performance and *its* situatedness or contingency.

If the norm of whiteness is precisely to be unmarked in such a way as to characterize racialized subjects as performing an identity that is defined in terms of their difference from whiteness, then the overt reference to the performance of whiteness invoked by the racial specificity of white trash has the effect of making the norm of whiteness, complete with its procedures of evaluation and modes of calculation and differentiation, available for examination. This opening to examination would be unremarkable, given the historical appropriation of the right to perform *blackness*, but it becomes significant as an overt performance of whiteness, notably *whiteness* in its appropriation of and constitution by *blackness*, because the innocuousness of the norm of whiteness typically renders its judgments as facts rather than decisions.¹⁸⁵ Rather than performing the authenticity of the white underclass, and thus preserving

¹⁸⁵ In this manner, a performance of white trash can itself be genealogical in the sense that in revealing the contingencies of whiteness and the racial subjectivity it forecasts, like genealogy, it “hopes to glimpse instabilities where we often see inevitabilities, to imagine possibilities where we resign ourselves to necessities, and thus to learn to think and live otherwise than we supposed imaginable heretofore” (E. Cohen, *A Body Worth Defending: Immunity, Biopolitics and the Apotheosis of the Modern Body* 2009, 23). Of course, the exemplary character of white trash is not that it gives a special insight on subjectivity, but that it gives no special insight or, to put it another

an effect of whiteness's unmarked pretension even while paradoxically denying exclusive access to those pretensions to white people, Eminem performs the inauthenticity of white trash "in a new yet strangely redundant way" and by extension suggests the fundamental inauthenticity of claims to authenticity. White trash never appears so white as when it is caught in the act of appropriation, but to be caught, to be displayed and portrayed in that activity is precisely not to appear white at all; *qua* white trash, Eminem "has not *arrived* at black culture . . . He has *arrived* at white culture with an authentic performance of whiteness, influenced by a historical concept of blackness" (37).¹⁸⁶ This is all part of the discourse of race in contemporary American usage and highlighting this fact is not to say that race is not real, that it doesn't exist, but that it does not exist as a the kind of being that transcends interpretive practices. Rather, its actuality emerges precisely within the restrictions and possibilities that discursive displacement renders available for inspection.

way, that it gives a highly circumscribed insight on the dynamics of race, class and gender in twenty-first century North American academic and popular discourses on race.

To put it yet another way, it provides insight on *this* present, which is as special and as banal as any other, thereby pointing to and calling for a profusion of discursive practices rather than attempting to discover or narrow discourse to an established and verified set that would serve as the principle of historical closure that is anathema to the equality that underlies genealogical practice: "we should have the modesty to say to ourselves that, on the one hand, the time we live in is not *the* unique or fundamental or irruptive point in history where everything is completed and begun again. We must also have the modesty to say, on the other hand, that [. . .] the time we live in is very interesting [. . .] It is a time like any other, or rather, a time that is never quite like any other" (Foucault, *Structuralism and Post-structuralism* 1998, 449).

¹⁸⁶ In revealing aspects of whiteness that gain their authority from their inconspicuousness, Eminem's performance of white trash subjectivity does for racial discourse what Foucault's deliberately Eurocentric performance of scholarly conventions does for the status of knowledge in European political discourse. Rather than arriving at the colonial world through scholarship, Foucault arrives at the European intellectual tradition through its historical relation to colonialism, namely insofar as it assumes the right and need to speak for others. Like the foregrounding of whiteness's racial performance as the right and need to remain racially neutral in the process of assigning racially marked subjects their identities that characterizes Eminem's white trash persona, Foucault's European intellectual persona parodies and exposes the power struggles that have typified European intellectual history. In neither case is the authenticity of racialized or colonized subjects presupposed. Rather, in both cases the highly mediated and historically contingent performance of subjectivities becomes the object of analysis. And it is due to this displacement at the discursive level, that, with respect to Foucault and genealogical analysis, discursive analysis cannot be said to ignore and thus tacitly continue the construction of the subaltern Other of discourse.

What are these possibilities? Why might one need to believe in race? Robert J.C. Young indicates that this question is less a concern for identity than a concern for the effects of discourse and one's proximity to those effects:

Foucault's 'discourse' describes the particular kind of language which specialized knowledge has to conform to in order to be regarded as true (for example, medical discourse, the discourse of theoretical nuclear physics, of computers, of literary criticism, love...). According to Foucault, discourse always involves a form of violence in the way it imposes linguistic order on the world: knowledge has to conform to its paradigms in order to be recognized as legitimate (Young 1995, 2).

One might wish to say that provided one is neither the object nor the subject of discourse, one is not impinged upon by it, but this is overly simplistic because the "violence" of contemporary biopolitical discourse is precisely to regulate the instability at the borders of discourses surrounding life, such that there is never any permanent matter which belongs to or is disconnected from discourse, while all elements fall within biopolitical discourse according to an intelligible pattern. Accordingly, the attempt to identify and retrieve the experiences of those held in an indefinite state of domination by contemporary biopower, takes a strategic backseat to identifying and attempting to exploit the mechanisms by which biopower develops and settles into patterns of domination.

Conceptually, this means shifting focus from the operators and objects of biopower to the mechanisms of biopower. "According to Foucault," Young elaborates, "the whole attempt to represent 'other voices' that have been silenced and excluded by discourse represents nothing less than a conceptual error. Just as power and resistance are necessarily imbricated within each other, so discourse also enacts its own effects of destabilization" (4). Thus, Young affirms Foucault's interest in exploring the possibility that discourse, as the hinge between power and knowledge, constitutes "a multiple and mobile field of force relations, wherein far-reaching, but

never completely stable, effects of domination are produced” (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 101-102).¹⁸⁷

Though Foucault speaks as though this variability and transience were part of discourse’s essence, I understand him instead to be noting something akin to the practice of discourse, which emphasizes the political currency of discourse rather than its ahistorical meaning and substance. Accordingly, discursive analysis is linked to projects of self-constitution according to which “man” becomes an object of his own knowledge. To ignore these effects is not only to accept the historical, political circumstances and power relations that contribute to our present, but to ignore the historical roots of this situation in the development of the human sciences, notably ethnology and psychoanalysis, as specifically European disciplines privileged “because they are directed towards that which, outside man, makes it possible to know, with a positive knowledge, that which is given to or eludes his consciousness” (Foucault, *The Order of Things* 1994, 378).¹⁸⁸ To make the costs of such ignorance visible, Foucault articulates the reciprocal and totalizing relationship that links ethnology and psychoanalysis as precisely that mutually supporting and mutually enclosing relationship between the individual and the population that he will later call biopower:

psychoanalysis makes use of the particular relation of transference in order to reveal, on the outer confines of representation, Desire, Law, and Death, which outline, at the extremity of analytic language and practice, the concrete figures of finitude; ethnology, on the other hand, is situated within the particular relation that the Western ratio establishes with all other cultures; and from that starting point it avoids the representations that men in any civilization may give themselves of themselves, of their life, of their needs, of the significations laid down in their language; and it sees emerging behind these representations the norms by which men perform the functions of life, although they reject their immediate pressure, the rules through which they experience and maintain their needs, the systems against the background of which all signification is given to them (378).

¹⁸⁷ Quoted in (Young, *Foucault on Race and Colonialism* 1995, 5)

¹⁸⁸ Quoted in (Young, *Foucault on Race and Colonialism* 1995, 7)

In other words, the discursive effects of psychoanalysis and ethnology like biopower involve the constitution of a continuum linking the individual to the population such that through speculation on what is most essential to the individual (e.g. Desire, Law, Death) one may be led to an account of the population as a whole that obviates the need to examine the “representations that men in any civilization may give themselves of themselves” precisely because the organizing principles of an individual *as a representative of the species* already spell out individual possibilities in comprehensive detail.

Though this image seems to place Foucault among those who would call for the representation of the excluded by the excluded, his attention remains steadfastly on the performance of discourse, particularly the performance of a discursive couplet or assemblage linking psychoanalysis to ethnology so as to encapsulate discursive significance within the binary of adequate and excluded representation. In that case, the insufficiency of that alternative comes to light in Foucault’s discursive analysis. It is this same insufficiency that seems to make Foucault’s work parodic in much the way that Butler describes the parodic effects of drag gender performances and that Eminem’s performance of white trash racial subjectivity proves disruptive to the implicit norms of whiteness.

Yet, rather than view this similarity as indicating a common source, or ontological cause, it may be more fruitful to view this similarity as providing the opportunity for a common political cause. Nevertheless, the practices of discursive displacement and parodic gender or racial performance are met with a similar anxiety, namely the fear that they consolidate power by christening new ontological formations to maintain existing conditions of domination. Just as Foucault’s analysis presents the possibility of resituating politics within an ontology of discursive practices and so possibly conserves rather than disrupting the dominant status of

European subjectivity, so Butler's account of parodic gender performance may be seen to consolidate naturalizing gender norms by resituating gender within an ontology of performativity. Butler admits that parody may preserve these effects in at least two ways, either because it "reengage[s] and reconsolidate[s] the very distinction between a privileged and naturalized gender configuration and one that appears as derived, phantasmatic, and mimetic—a failed copy, as it were" or because it promotes "a politics of despair, one which affirms a seemingly inevitable exclusion of marginal genders from the territory of the natural and the real" (Butler, *Gender Trouble: Feminism and the Subversion of Identity* 2006, 186). In the first instance, the reality, and hence the ontological significance, of something like gender would appear as a territory to be conquered, diagramed, mastered and otherwise understood and represented, thus preserving a system of power relations based on representation through the recognition of the ontological nuance of questions raised by gender relations. In the second instance, the belief in the reality of gender appears as something so thoroughly ingrained that it is habitual, so exclusion appears necessary if not exactly desirable.

Parody seems to compliment the first possibility through an endless proliferation of gender criticism aimed at establishing a progressively more adequate understanding of the reality of gender despite numerous failed efforts in that direction. By apparent contrast, parody pays homage to the politics of despair by continually drawing attention to the exclusions actualized by the latest gender performance so that even if a more adequate account of gender proves impossible at least everyone will get their fifteen minutes in the spotlight. Yet, in both of the apparent difficulties of parody analyzed by Butler, the anxiety that discursive analysis simply consolidates a new regime of dominating power relations derives from the attempt to translate

discursive analysis into a self-referring system of ontological commitments rather than an attempt to work through the problems displacement presents for such attempts at consolidation.

In both of the scenarios analyzed by Butler, parody seems to fail to confront the fundamental discursive dynamic at work—that of the antithesis of being and seeming that is operative in the discourse of representation—and so parody amounts to little more than the elaboration of an ontology of representation by engaging and consolidating the political significance of being and seeming without putting that opposition into play. Rather than confirming parody's refusal or inability to meet the challenges of representation, Butler proposes “that this failure to become ‘real’ and to embody ‘the natural’ is [. . .] a constitutive failure of all gender enactments for the very reason that these ontological locales are fundamentally unlivable” (186). In another context, Butler points out that for Foucault a critique of Western moral codes of subjectification could dispense with a chronicle of the varieties of self-formative experience because “such a history cannot tell us how these codes were lived and, more specifically, what forms of subject-formation such codes required and facilitated” (Butler, *What is Critique? An Essay on Foucault's Virtue*. 2002, 217). This standard of intolerability in Foucault's work or livability in Butler furnishes

a critical move as well, for the subjective relation to those norms will be neither predictable nor mechanical. The relation will be ‘critical’ in the sense that it will not comply with a given category, but rather constitute an interrogatory relation to the field of categorization itself, referring at least implicitly to the limits of the epistemological horizon within which practices are formed (217).

Thus, rather than marking a failure to meet the normative expectations of gender categorization on the one hand, or at least taking up a parodic relation to those standards and seeking to produce a more adequate, real or valid form of categorization on the other, parodic subjectivity uses the contingency and reversibility of the dynamics of representation to interrogate its authority regarding gender and other determinative categorizations of identity and their significance to

politics. This interrogatory relation in which parody functions thus enacts something of an incongruity, gap, outburst or reversal: “a subversive laughter in the pastiche-effect of parodic practices in which the original, the authentic, and the real are themselves constituted as effects” (Butler, *Gender Trouble: Feminism and the Subversion of Identity* 2006, 186-187).

This is the self-destabilizing effect of discourse, which, because it emerges from the very norms by which a particular discursive practice is maintained and upheld, though viewed from a slightly skewed, interrogatory perspective, fails to consecrate a more adequate representation when its discontinuities emerge. Under the explicit influence of Butlerian parody, Richard Dyer characterizes the intensification of emotion as one of the most significant effects of pastiche, but also an effect that is not diminished or undercut by parody’s failure to either fulfill existing norms or else offer a more adequate alternative to the norms it puts in question. In fact, the twin senses in which parody reengages and consolidates existing norms allows pastiche to become “here the feeling form of what at the level of theory is endless Derridean deferral or Butlerian performativity, the perception that everything in the end is a copy of something else and we know it and can never get out of it” (Dyer 2007, 173). It is this anxious sentiment, which Butler describes as reengaging the fallacy of gender essentialism, that heightens rather than diminishing the imitative effects of parody precisely because they are manifestations of the anxieties that parody provokes rather than its refutations. More accurately, they are manifestations of the instabilities among norms whose coordinated performance produces effects of coherence, or the desire for coherence, despite the practical, technical issue that performance itself requires considerable variability and incoherence, “[i]n other words, acts, gestures, and desire,” which gain their specificity from the fact that they could have been very different, “produce the effect of an internal core or substance, but produce this *on the surface* of the body, through the play of

signifying absences that suggest, but never reveal, the organizing principle of identity as cause” (Butler, *Gender Trouble: Feminism and the Subversion of Identity* 2006, 173).

Set against a discursive backdrop in which gender is non-reflexively produced and maintained “as the truth effects of a discourse of primary and stable identity” (174) the pastiche effect of gender parody is to “[*reveal*] *the imitative structure of gender itself—as well as its contingency*” (175). Recalling Butler’s claim that “gender parody reveals that the original identity after which gender fashions itself is an imitation without an origin” (175)¹⁸⁹ we may note that the coherence that gender fabricates is already engaged in a process of constituting heterogeneity and that the imitative structure of (gender) identity is precisely to deny this process of fabrication. Accordingly, Butler, like Rux reading Fanon suggests that all identity amounts to a kind of performance, something one perhaps needs to believe in within certain practical constraints, but something which is nonetheless optional and contingent even in its rejection of contingency and performativity. Since imitation is at once so contentious and banal, Dyer concludes that the apparently superficial, mimetic aspect of pastiche “may (or may not) be a source of interest or anguish at the level of philosophical generality,” this may be because philosophical insight has often staked its value on its ability penetrate the apparent discontinuities that parody takes as its *raison d’être*, in the face of which parody “becomes anger, anguish and dyspepsia faced with the incommensurability of betrayal and grief” (Dyer, 173).

When faced with the impenetrable superficiality of performance insisted upon by pastiche, the slightest disturbances have the potential to redirect emotional, much less political commitments. It is something like Foucault’s ethic of discomfort, the sense that “the new manifest truth is always a bit of an idea from the back of your mind. It allows you to see again

¹⁸⁹ Cf. footnote 170, above.

something you had never completely lost sight of; it gives the strange impression that you had always sort of thought what you had never completely said, and already said in a thousand ways what you had never before thought out” (Foucault, *For an Ethic of Discomfort* 2000, 447-448). That is, the interrogatory mood of pastiche has the capacity to reveal the instability and variance of what is seemingly most familiar, whether that familiarity breeds fondness or contempt and this destabilization of established affect has the potential to inaugurate new emotions whose impossibility was ensured by the inhabitation of unquestioned configurations of discourse.

When, under the eye of the parodic genealogist, race and gender become discursive performances¹⁹⁰ rather than positive realities, the performances of white trash and drag exhibit similar pastiche effects that highlight and insist upon the performative, imitative structures of identities and so prevent self-referential, stabilizing effects of identity from determining either racial or gender discourses. With white trash then, the heterogeneous identities defined and excluded by whiteness manifest themselves as both physically and culturally implicated in practices of whiteness in much the same way that drag manifests the imitative structure of gender as the founding moment of heteronormativity. It is not so much that drag simply mocks the pretensions of heteronormativity but that it follows them out in excruciating detail, imitating fully and with awareness the contingencies and tensions of gender rather than permitting the accidental or habitual suggestion of an underlying unity, yet in this very awareness drag betrays heteronormativity’s attempt to repress¹⁹¹ its own imitative economy.

¹⁹⁰ Obviously this is in no way to deny the reality of race or gender but rather to determine how one addresses that reality or better yet affects it, whether through the discursive transparency of ontology or through an account that takes the effects of ontology into effect in discussing matters of race and gender.

¹⁹¹ Strictly speaking there is no heteronormativity *as such* that represses. Heteronormative goals may be pursued and this pursuit may require the denial of an imitative economy as its claim to *real* authority, but this is a strategy employed in order to frame discourse for the achievement of specific heteronormative goals rather than a psychological constant. Despite her earlier work in which Butler understands Foucault’s genealogy of the modern soul to displace the fundamental inner/outer distinction that organizes the relation between body and soul, (Chambers 2003, 137-138) the psychoanalytic emphasis in Butler’s subsequent work is more amenable to the

While drag and parody generally obtain their credibility by consciously appropriating performances that exploit the elision of this performative dimension, this level of self-conscious reflexivity should appear optional. To insist otherwise would seem not only to insist upon the sufficiency of self-recognition that Fanon critiques as a technology of colonialism and that Foucault identifies as being beyond the scope of genealogical analysis in “Lives of Infamous Men” when he points out that the experiences presented in genealogy depend solely upon “the

language of repression than this terminology would otherwise be within Foucault’s genealogical examination of discursive acts. I have followed Chambers in retaining the terminology of psychoanalysis here to examine not only the effects of Butler’s recourse to psychoanalysis as a means of grounding the political legitimacy of genealogical interpretive practice, but also to indicate how genealogy preempts recourse to psychoanalysis and serves as a kind of political activity that dispenses with the need for a foundational subject that otherwise hobbles political discourses of race and gender with the burden of identity. In particular, Butler relies upon the language of a psychoanalytic, prediscursive “Spinozan ‘desire to exist’ by continually emphasizing the significantly exploitable ‘desire to survive, ‘to be’ [and] candidly ask[ing] her readers to ‘accept Spinoza’s notion that desire is always desire to persist in one’s own being’” (146), which is discursively unaccounted for and indicates a reluctance to dispense with the association between performativity and consciousness, hence a tendency to speak as though consciousness constituted a basic psychological or subjective constant rather than a strategic, political opportunity.

By contrast, it does not seem that Foucault’s understanding of genealogical critique requires consciousness as a precondition for political critique. Butler’s insistence that political resistance, such as parodic gender performance be given a psychological explanation flattens what Chambers calls the distinction between normalization and conformism, namely that “one can be judged, measured, calculated, and disciplined *in relation* to the norm, *even if* one resists normalization. Clearly one need not desire normalization,” or, I would add, even be aware of it, “in order to be subject to its effects” (140). Yet, in familiarizing oneself with the process of normalization it is also necessary to avoid the substantiating effect that psychoanalytic themes of repression imply by importing the sense that processes of normalization operate in a centrally coordinated fashion for the preservation of identity. Because “[a] norm does not need a psychic desire for its sustenance” due to its functioning “not simply in spite of but *because* of our resistance to it” (140) the tactical value of political strategies carried out on the basis of conscious awareness and knowledge proves doubtful in the extreme. Accordingly, the most politically significant criticism Foucault offers centers around the impossibility of conscious autonomy, as when he highlights rationality’s failure to capture madness, thereby identifying madness as an effect of rational discourse before reversing the problem to suggest the manner in which rationality becomes an effect of madness, thus effectively displacing the discursive priority of the distinction between madness and reason. Or again, Foucault’s later work suggests that the truth of sexuality and the duty to reveal that truth to ourselves and others constitutes both an elaboration of and a significant hindrance to the ideal of self-knowledge belonging to the Western tradition of governmentality. In other words, consciousness becomes a kind of psychological preoccupation within a discursive tradition that finds in individual psychology a contested ground of political authority wherein conscious autonomy is not the neutral ground on which the dispute is adjudicated but an interested party to the dispute. Foucault’s reluctance to endorse that tradition by employing the language of repression to describe the loss and distortion of subjugated knowledges owes to his suspicion that in the twentieth century, an era dominated by biopower, discursive emphases on individual consciousness and so psychological constants such as repression play a significant role in the governance of populations. Identifying and retrieving repressed memories may hold great potential for increasing individual satisfaction, contentment and understanding, but with the limitation that “the subject who professes it can hardly spur a politics of resistance” since “the desire to exist is always figured by Butler as a given aspect of the subject” so that “any resistance to the subordination involved in psychic identity can itself only prove to be psychic” (149) with the result that Foucaultian genealogy pursues strategic goals that politicize the “struggle for psychic preservation” involved in repression instead.

encounter with power; without that collision it's very unlikely that any word would be there to recall their fleeting trajectory" (Foucault, "Lives of Infamous Men" 2000, 161) and so all recognition, including self-recognition acquires its discursive, political force from an encounter with power which is never complete. Because "[a]ll those lives destined to pass beneath any discourse and disappear without ever having been told were able to leave traces—brief, incisive, often enigmatic—only at the point of their instantaneous contact with power [. . .] it is doubtless impossible to ever grasp them again in themselves, as they might have been 'in a free state'" (161). The demand that political activity be grounded in self-conscious autonomy can only insist upon a politics dominated by the facts of subjugation as they are recognized at the present. Such an insistence limits political import to what can be shown to be the case currently and thereby not only ignores what cannot be established as a fact presently (precisely the *lives* of the infamous men in question and the subjectivity of the subaltern¹⁹² to be addressed shortly) but

¹⁹² Anthony Alessandrini reads Spivak as making a similar point that "subaltern voices can only be found second-hand, in the official reports of the colonizers or the narratives of the elite nationalist movement [. . .] But this is simply the *effect* of a larger problem: the subaltern cannot be empirical because there is no subaltern. The desired archive cannot exist. The term 'subaltern' is a negative one, defining all those who are not 'elite'" (Alessandrini, 75). Because the subaltern is defined differentially, "between the language of quantification—*demographic* difference—which is positivistic, and the discourse of a definitive difference—*demographic difference*" (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 204) the discourses of positivism and ontological specificity are not only complicit in the formation of the subaltern subject, but are for that same reason inadequate for politicizing subaltern experience, which these respective discourses can only endlessly posit in terms of one another. Accordingly, the political value of the subaltern will not be appreciated in either the retrieval or the erasure of subaltern experience, but by focusing attention on the discursive ambivalence and constitution of that experience, which thereby destabilizes the circuit connecting positivism to ontology from within.

Spivak names this politicization of subaltern experience "strategic essentialism" because within the network connecting positivism to ontology the political action of contemporary researchers cannot take place without beginning from the subaltern subject-effect "as though it provides a starting point for their work. And, as a result, it does." Yet, rather than seeking to maintain the category of the subaltern, Spivak aims at its destruction because "[t]he existence of such a category is what leads to the necessity of undertaking the project in the first place, and part of the goal of the project is the elimination of this term, and what it represents" (Alessandrini 2009, 77). In other words, the fact of the effects of the subaltern category rather than the purity of subaltern experience itself compels Spivak's deconstructive analysis of the subaltern subject. Yet whereas Alessandrini characterizes Spivak's strategy as a response to the specifically biopolitical discursive linkage between positivism and ontology suggested by the concept of "demographic difference," Spivak's suggestion that the elision of subaltern consciousness, like the elision of any consciousness "is irreducible" (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 205) indicates a metadiscursive attitude that organizes strategies according to a discourse of representation rather than attempting to take the measure of representation's strategic value from its historical contingency. Rather than falling into the trap of attempting to articulate the inherent contradictions that nullify Spivak's effort in terms of this

also obscures the formative role of power relations, “one of the fundamental traits of *our* society” (161),¹⁹³ in that omission. By contrast, neither subject nor object acquire autonomy according to genealogical analysis; rather the relations by which one is said to be constituted by the other become the objects of examination and this examination cannot help but implicate the researcher in the present instance. Strictly speaking, one does not need to know whether the subjectivities of the delinquent, the subaltern, the homosexual, women, blacks, white trash are intentionally ignored or withheld by gestures of self-preservation in order to sense that behind this strict infamy “they no longer exist except through the terrible words that were destined to render them forever unworthy of the memory of men” (Foucault, *Lives of Infamous Men* 2000, 164) and to sense that in this infamy lurks an unsettling “disparity between the things recounted and the manner of telling them; a disparity between those who complain and those who have every power over them; a disparity between the miniscule order of the problems raised and the enormity of the power brought into play; a disparity between the language of ceremony and power and that of rage and helplessness” (171). That upset and that disparity, rather than authorizing a politics of despair or an infinitely self-reflexive economy of awareness, authorizes and even demands the production of a different discursive procedure involving an examination of discursive practice itself.

The pastiche effect of genealogy aims to retrieve this sense of disparity in an age for which “all this disparity would be swept away” beneath a “fine, differentiated, continuous network, in which the various instruments of the judiciary, the police, medicine, and psychiatry would operate hand in hand” (171-172) without insisting upon the retrieval of the individuals

interpretation, the preceding criticism and its elaboration in the next and final chapter of this dissertation simply attempt to imagine some of the strategic circumstances and goals for which Spivak’s project would be useless if not detrimental.

¹⁹³ Emphasis added.

affected by that disparity much less their experiences. Yet to forego that strategy is far from declaring that experience irretrievable or unimportant. The analogous experience of the subaltern who is likewise rendered into existence only by expert contemporary discourses needs to register *as lost* within a discourse that predicates itself on the ability to discover and preserve everything. Yet from within that discourse, this means responding to a limit that is habitually, almost essentially ignored amidst the ontological expansiveness characterizing not only whiteness, but also the West's tradition of colonialism itself. In other words, a limiting specificity needs to be acknowledged.

In this chapter, my point has not been to become an advocate for white trash, but simply to show that something like white trash, which is certainly produced and not made, exists and circulates within the same discourses that support the supposedly more stable identities of gender, race, sexuality, culture and class. The lesson of white trash is that the attempt to codify a more secure and enduring form of identity, such as one based on the materiality of the experience of gender, as MacKinnon advocates, and the political implications of this preference, including political recognition or representations for those subjectivities so defined in terms of their materiality, virtually assures the creation of new marginalized groups precisely where this feature is discovered to be absent. In other words, the history of marginalizing race, gender, sexuality and the non-European world has been a history of attempts to consolidate identity by claiming the privilege to assign identity to others, variously defined. What's more, this is not the history of all attempts to consolidate identity, but a very specific lineage that emerges with biopower and circulates through Europe and its colonies under the authority of the need to secure the material conditions of the life of the population no matter how broadly this need is defined.

Chapter Nine: *Genealogy and the Paralysis of Representation*

Foucault's repulsion at the requirement that critique be prefaced by personal confession (which in establishing the basis for critique seems functionally/rhetorically/discursively analogous to the requirement that one set out a positive agenda for political practice in critique in order to legitimate critical practice) sheds light on the methodological assumptions and goals that motivate genealogical critique and its reluctance to claim a totalizing moral or political justification. Kendall R. Phillips, speaking of Foucault's appropriation by the rhetorician Barbara Biesecker, describes the paradoxical relation between the confessional practice of articulating a political platform or agenda and transforming existing power relations by noting that "the very act of articulating a political agenda, to the extent that that agenda is intelligible, becomes enmeshed in relations of power" (Phillips 2002, 331). In framing an issue as a political problem with significant contemporary appeal, the critic necessarily justifies her critique on values structurally related to and indeterminately productive of the problem one seeks to resist. Accordingly, "[r]esistance, then, cannot be generated within these relations of intelligibility but emanates from the gaps within the lines of intelligibility. These gaps become the spaces from which resistant acts emerge to disturb relations of power" (331). Between the unenviable alternatives of mounting resistance *ex nihilo* or else codifying the political logic that she opposes, the Foucaultian critic exploits the fact that she "cannot create the conditions for such resistance [since] these points of potential rupture are immanent within existing sets of power relations" (331), meaning that the critic neither constructs an alternative discourse nor engages in haphazard or mercenary projects of critique, but that instead she emphasizes, identifies and fosters these gaps in political practice and discourse where intelligibility breaks down of its own accord.

It may be profitably read as a rejection of this requirement to articulate a political agenda naively in terms of *the already said* that Foucault attacks the notion of confessional discourse throughout his career. In *The Archaeology of Knowledge*, Foucault describes his mode of writing as “a labyrinth into which I can venture, in which I can move my discourse, opening up underground passages, forcing it to go far from itself, finding overhangs that reduce and deform its itinerary, in which I can lose myself and appear at last before eyes that I will never have to meet again” (Foucault, *The Archaeology of Knowledge* 1972, 17). The theme of using a particular mode of inquiry and the conclusions it makes not only possible but probable serves less to say “that everyone else is wrong [. . .] to reduce others to silence, by claiming that what they say is worthless” than to “define a particular site by the exteriority of its vicinity [. . .] to define this blank space from which I speak, and which is slowly taking shape in a discourse that I still feel to be so precarious and unsure” (17).

Years later, in the introduction to the second volume of *The History of Sexuality*, Foucault returned to the theme of uncertainty to ask about the value of discourses that merely yield “a certain amount of knowledgeableness and not, in one way or another and to the extent possible, in the knower’s straying afield of himself” (Foucault, *The Use of Pleasure* 1985, 8). What is striking about this continuity of concern in Foucault’s work is not how personal these remarks seem, but rather how they are calculated tactics which must embrace a degree of uncertainty to paralyze an interpretive habit that Foucault himself can scarcely articulate: “[c]onsidered from the standpoint of their ‘pragmatics,’ [Foucault’s genealogies] are a record of a long and tentative exercise that needed to be revised and corrected again and again. It was a philosophical exercise. The object was to learn to what extent the effort to think one’s own history can free thought from what it silently thinks, and so enable it to think differently” (9). In

short, uncertainty regarding the value and extent of the discourses that Foucault wishes to bring into question forecloses the possibility of a confessional moment in which one would articulate a justifiable political goal before the work of critique has begun and its effects have been felt.

At its best, critique will bring the terms that would justify it into relief as just so many supports for the regime it criticizes. Rather than sweep this facet of discursive practice under the rug and agree “that these games with oneself would better be left backstage” (8), Foucault uses his own uncertainty not only to underline the ruptures that belong to discourse immanently, but to invite the kinds of questions and criticisms that will allow him, along with his extended readership, to “[gain] so clear a view of the enterprise to which [he is] now inextricably linked” (Foucault, *The Archaeology of Knowledge* 1972, 17). Rather than promoting a project of narcissistic introspection, uncertainty mobilizes the distinctions between subjective interiority and objective exteriority by emphasizing the instabilities that implicate these boundaries in an effort to demarcate contemporary political practices and discourses. Accordingly, in this chapter I will attempt to describe how Foucault’s practice of genealogy impairs the functioning of a liberal politics of representation based on the assumption of the clear intelligibility of subjective interests.

§1 Paralyzing Assumptions of Representational Critique

For the purposes of bringing to light this shared historicity in which Foucault’s project continues to take shape, I would like to examine two broad but crucially related criticisms of his endeavor: those advanced by liberal critics such as MacKinnon and Habermas in the interest of defending modernity from postmodernism, who characterize the genealogical project as a form of despairing nihilism; and those of Foucault’s postmodern or antimodern critics who harbor the

similar sentiment that genealogical critique becomes invalid through a form of self-contradiction with its stated goals, such as when Derrida notes that

[i]n writing a history of madness, Foucault has attempted—and this is the greatest merit, but also the very infeasibility of his book—to write a history of madness itself. Itself. That is, by letting madness speak for itself. Foucault wanted madness to be the subject of his book in every sense of the word: its theme and its first-person narrator, its author, madness speaking about itself. [. . .] It is a question, therefore, of escaping the trap of objective naïveté that would consist in writing a history of untamed madness. [. . .] But it is also, with all seriousness, the maddest aspect of his project. And it is remarkable that this obstinate determination to avoid the trap—that is the trap set by classical reason to catch madness and which can now catch Foucault as he attempts to write a history of madness itself without repeating the aggression of rationalism [. . .] (Derrida 1978, 33-34).

In turn, this self-contradiction covers for the very type of domination that Foucault sought to displace and eventually becomes a hallmark mechanism through which a particular type of domination operates.

Modern and postmodern critics alike dismiss genealogy in terms of self-contradiction and accordingly propose various non-contradictory alternatives to genealogy. Unlike the Derridian trace, “*sous rature*,” which studiously marks “the absence of a presence, an always already absent present, of the lack at the origin that is the condition of thought and experience” (G. C. Spivak 1997, xvii), and openly “hostil[e] to the threat” of it (lxi), Foucaultian genealogy¹⁹⁴ necessarily repeats and perpetuates the violence of discourse, “imposing reason’s syntax on folly’s silence” (lx). Gayatri Spivak further implicates Foucault’s method of persistent critique based on the “captivating and mystifying category” of power in the perpetuation of colonial discourses in which “great care was taken to obliterate the textual ingredients with which a subject [constituted as the ‘Other of Europe’] could cathect, could occupy (invest?) its

¹⁹⁴ Though Spivak explicitly addresses Foucault’s archaeological projects and acknowledges that “this is a dated Foucault, the Foucault of the sixties” (G. C. Spivak 1997, lx), her reading of “My Body, This Paper, This Fire” and her subsequent analysis of Foucault’s explicitly genealogical works, including *Discipline and Punish* and the first volume of the *History of Sexuality*, suggest that she does not acknowledge a significant distinction, at the level of effects at least, between archaeology and genealogy. Since my analysis in this chapter does not depend upon asserting a strong methodological distinction, I have adopted Spivak’s practice of conflating the two.

itinerary—not only by ideological and scientific production, but also by the institution of the law” (G. Spivak, *Can the Subaltern Speak?* 1994, 75). In particular, they claim that genealogy’s habit of eschewing established analytic procedures, such as Marxism’s emphasis on the understanding of material conditions of labor and ideological production, in favor of the ill-defined concept of power effectively obscures the complicity of the theorist in the production of the events she studies:

However reductionistic an economic analysis might seem, the French intellectuals forget at their peril that this entire overdetermined enterprise was in the interest of a dynamic economic situation requiring that interests, motives (desires) and power (of knowledge) be ruthlessly dislocated. To invoke that dislocation now as a radical discovery that should make us diagnose the economic conditions (conditions of existence that separate out ‘classes’ descriptively) as a piece of dated analytic machinery may well be to continue the work of that dislocation (75).

Though both liberal and postmodern critics remain sympathetic to Foucault’s critical impulse towards developing a critique of Western traditions of Enlightenment humanism, these critics suggest that Foucault’s discourse must either reconstitute the history of domination from which it emerges or else blindly support any form of authorless activity, which thereby suggests that Foucault’s critique may be disqualified by its position between rigid, if unknowing, determinism and anarchic, but thereby vapid, freedom.

Yet the opposition that effectively disqualifies Foucault’s work is itself a historical phenomenon that Foucault analyzes and thus, as Halperin notes,

what most of them [i.e. Foucault’s liberal critics] are likely to have reacted against in his political theorizing is not a totalizing concept of power that would deny the possibility of resisting domination—a concept of power that, in any case, is quite alien to Foucault’s thinking—but something resembling its opposite: namely Foucault’s reversal of the standard liberal critique of totalitarianism [. . .] what might be called ‘liberal power’ [. . .] the kind of power typically at work in the modern liberal state, which takes as its objects ‘free subjects’ and defines itself wholly in relation to them and their freedom (Halperin 1995, 18).

By defining individuals in relation to the powers of subjectivation that form them and their desires, or madness in relation to the rationalistic techniques that seek to isolate it, Foucault undermines the positivity of these phenomena that is assumed by liberal politics and therapeutic institutions alike in their respective deployments of power . In so doing, he invites interrogation into the grounds of complicity that link these forces, e.g. liberalism and its institutions, together with the creation of the subjects they presuppose. From the perspective of an attitude that takes itself for the guarantor of freedom and justice, whether we are speaking of liberalism or Marxism, this gesture can appear politically regressive.

Specifically, these critics view Foucault's critique as an affirmation of the constructedness of human identity and thus no less totalizing (and colonizing) than Western discourses of humanism that insist on the ahistorical nature and ethical import of humanity.

Foucault regarded this opposition to his work as one that emerges from a failure, on his part, to frame political questions in terms of established nomenclature:

But why is it that the great theoretical-political apparatuses that define the criteria of consensus in our society have never reacted to the problems that I raise, general as they are? When I raised the problem of madness, which is a general problem in every society, and especially important in the history of ours, why is it that the first reaction was silence, followed by an ideological condemnation? [. . .] That's why I ask how I can be criticized for not posing general problems, never taking a position concerning the great questions raised by the political parties. In reality, I do pose general problems [. . .] [yet] I'm accused of not being capable of developing a whole series of questions in suitably general terms. But I reject the type of generality I've alluded to, whose principle effect, in any case, would be either to condemn me for the problems I raise or to exclude me from the work I do (Foucault, Interview with Michel Foucault 2000, 287).

Far from being a linguistic problem in which Foucault simply invents new words for established problems, Foucault identifies a political motive underlying these objections:

[t]his is an old leftist splinter-group reproach: accuse people who aren't doing the same thing as you of creating a diversion. The problems I deal with are general problems. We live in a society in which the formation, circulation, and consumption of knowledge are something fundamental. If the accumulation of

capital was one of the fundamental traits of our society, the same is true of the accumulation of knowledge. Furthermore, the exercise, production, and accumulation of knowledge cannot be dissociated from the power mechanisms with which they maintain complex relations that must be analyzed (291).

At a certain point the maintenance of a particular nomenclature, analytic, discipline or discourse becomes the political objective of those involved with them. By shifting the point of emphasis to a new kind of generality and explicitly raising the question of the relations between knowledge and power within and through those generalities, Foucault compromises the political function of established discourses because the generalities that he attempts to raise

are not directly assimilable to the type of generalities formulated by the political parties, which basically accept only those coded generalities that fit into a program, that are coalescing factors for their clientele, and that can be integrated into their electoral strategy. But it's intolerable for certain problems to be called marginal, local, or distracting just because they don't go through the filter of the generalities that are accepted and codified by political parties (291).

Foucault addresses this concept of intolerability in relation to the concept of political spirituality beginning with his reporting on the revolution in Iran from 1978.¹⁹⁵ That experience

¹⁹⁵ There is evidence from an interview conducted by D. Trombadori toward the end of 1978 that the theme of political spirituality began to coalesce for Foucault ten years earlier, in 1968, though due to his experience as a professor in Tunisia rather than in relation to the events of May, “[d]uring the month of May 1968, as in the period of the Algerian War, I wasn’t in France [. . .] I was in Tunisia. And, I have to add, it was an important experience for me” (Foucault, Interview with Michel Foucault 2000, 278-279). Foucault explains the importance of this experience in a manner that will closely mimic his description of political spirituality as he witnessed it in Iran: “liv[ing] in a third-world country, Tunisia, for two and a half years [. . .] was an experience that greatly affected me: a little before the month of May in France, some very intense student revolts occurred there [. . .] The police came into the university, clubbed many students, seriously injured several of them, and threw them into prison. Some were sentenced to eight, ten, even fourteen years behind bars—some are still in prison” (279). In writing on Iran, Foucault noted the pathetic lack of weaponry and funding possessed by the revolutionaries, which led to massacres, bloodbaths and murders (Foucault, *The Army--When the Earth Quakes* 2005, 190), but not to a rapprochement with either of the industrialized nations between which the revolution was caught, the Soviet Union and the United States.

Like the Tunisian students Foucault witnessed ten years earlier, the Iranian revolution was fueled by a “myth.” Speaking of these student revolts in 1978, Foucault asks “[i]n today’s world, what can prompt in an individual the desire, the ability, and the possibility for an absolute sacrifice, without there being any reason to suspect in their action the least ambition or desire for power and profit,” before going on to comment “[t]hat was what I saw in Tunisia, the evidence of the necessity of myth, of a spirituality, the unbearable quality of certain situations produced by capitalism, colonialism and neocolonialism” (Foucault, Interview with Michel Foucault 2000, 280). Though James Bernauer’s analysis of Foucault’s “ecstatic thinking” aptly points out the decidedly “antistrategic” disregard for political victory in these revolts, he curiously leaves the concepts of myth and fiction out of his otherwise fine analysis (Bernauer 1990, 175). Nevertheless, myth proves essential to Foucault’s understanding of political spirituality. Though the myth for the Tunisian students was a largely Western myth supplied by Marxist theory and the myth of the Iranian revolutionaries consisted of the idea of Islamic Government,

and the reference to spirituality that came of it have fueled criticisms of Foucault's Eurocentrism, which effectively echo and rehearse the implications of objections from Foucault's liberal critics, namely that the absence of a grounding principle of critique or definable agenda for political action render genealogical critique as practiced by Foucault at best a hapless support for whatever nominally resistant movement it finds itself attached to and at worst an unrepentant and interested tool of hegemonic authority.

The controversy surrounding Foucault's writings on Iran have served as a case in point of the disaster predicted by Spivak's claim that Foucault enjoins a quintessentially European privilege when he abdicates responsibility for the (self-) representations of the subaltern. Though Spivak does not write directly on the topic of Foucault's involvement with the revolution, her discussion of Foucault's homogenizing invocation of "the workers" and "[a] Maoist" (G. Spivak, *Can the Subaltern Speak?* 1994, 67) provides a hint of her attitude regarding Iran. Just as

the effects were largely the same: "[f]or the people who inhabit this land [Iran], what is the point of searching, even at the costs of their own lives, for this thing whose possibility we [the French] have forgotten since the Renaissance and the great crisis of Christianity, a *political spirituality*. I can already hear the French laughing, but I know that they are wrong" (Foucault, *What Are the Iranians Dreaming About?* 2005, 209). Where the prevailing wisdom of the era diagnosed the rebellion by the Tunisian students as a form of progress or modernization, and the Iranian revolutionaries as harkening back to an archaic past (Foucault, *The Shah is a Hundred Years Behind the Times* 2005, 194), Foucault saw similar elements of "spirituality" by which he understands the deliberate use of mythic, even utopian imagery to accomplish concrete, local political changes—Foucault takes the rebuilding of the city of Ferdows and the founding of the city of Islamiyeh as a very succinct example of Islamic spirituality's ability to make concrete changes to an institutional model that has lost its relevance—and which thereby paralyzes existing interpretive frameworks organized around the antitheses of modernism and anachronism, individualism and collectivism; cf. (Foucault, *The Army--When the Earth Quakes* 2005, 189-190) and (Foucault, *What Are the Iranians Dreaming About?* 2005, 207) for two accounts of the founding of Islamiyeh.

It is ultimately this effect of paralysis that accounts for the political aspect of the mythic or fictional image. In the case of the revolution, the Iranians' desire for "Islamic government" confounds Western experts, who took pride in summing up the contradictory nature (208) of the revolution with the repeated complaint, "[w]e know what they don't want, but they still do not know what they want" (205). Since the Iranians either do not know how or refuse to formulate their goals according to the standards of Western expertise, their efforts have a paralytic effect on efforts to maintain Western influence in the region. This situation of paralysis mirrors the kinds of effects Foucault associated with his own "fiction[al]" writing (Foucault, *Interview with Michel Foucault* 2000, 243), as well, which he understood as something besides "a matter of transporting personal," or, I speculate, collective "experiences into knowledge," but consisted instead of "mak[ing] possible a transformation, a metamorphosis, that is not just mine but can have a certain value, a certain accessibility for others, so that the experience is available for others to have" (243). Thus, like the myth that founds political spirituality, Foucault imagines the fictive experiences produced by his work to "be capable of being linked in some measure to a collective practice, to a way of thinking" (244).

Foucault's reference to workers and Maoism can be characterized as "[i]gnoring the international division of labor, rendering 'Asia' (and on occasion 'Africa') transparent (unless the subject is ostensibly the 'Third World'), reestablishing the legal subject of socialized capital" (67), one may guess that the same image of colonialist appropriation would apply to Foucault's thought regarding the Middle Eastern world generally and Iran in particular. Thus, notwithstanding Foucault's work in Iran, Spivak may note that "[i]t is a curious fact of Michel Foucault's career that, in a certain phase of his influential last period, he performed something like an abdication, refused to 'represent' (as if such a refusal were possible), and privileged the oppressed subject, who could seemingly speak for himself" (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 208). In this process, Foucault apparently rehearses a dichotomy that constitutes and maintains nearly every European thinking of its Other, which is "either caught in a deliberate choice of subalternity, granting to the oppressed either the oppressive subjectivity which ["the radical intellectual in the West"] criticizes or, instead, a total unrepresentability" (209). As a result of this alternative, which renders the Western intellectual completely transparent in her capacity to adequately represent the subaltern or else exculpates her from any responsibility before a radically unrepresentable subaltern subjectivity, "[i]t is almost as if the force generated by [this] crisis is separated from its appropriate field by a sanctioned ignorance of [Europe's imperialist] history" (209).

Others have addressed Foucault's specific interest in Iran and his general attitude toward the non-European world in similar terms regardless of whether they were writing in reference to Spivak's work itself or they simply considered the same materials and drew the same conclusions as Spivak. Fuyuki Kurasawa thus characterizes Foucault's work in the second and third volumes of *The History of Sexuality* as "[u]ncritically [. . .] wholeheartedly embrac[ing]

the myth of Greece as the birthplace of modern European ways of thinking and acting” (Kurasawa 1999, 148). Moreover, this uncritical introspection enjoins Foucault to regard the non-European world as the exotic Other of dissipated European modernity when he does venture to look beyond Europe, as in the case of Iran, in which case the fetishism and “exoticism” of Iran allows Foucault to cast “the cultural Other as ‘the spirit of a world without spirit,’ a breath of fresh air which will reinvigorate a fatigued modernity by injecting creativity and imagination into an era and a region bogged down in a self-generating morass of domination, exclusion and oppression” (150). Just as Spivak has characterized Foucault, Kurasawa too finds him rehearsing the tropes of Western radicalism either by representing the non-European world as unrepresentable or else valorizing the non-European Other as the sole source of authentic criticism capable of revolutionizing the West.¹⁹⁶

Concerning Foucault’s writings on Iran, Craig Keating identifies the complicity of Foucault’s “shameful,” if unintentional, “ignorance of the basic facts of Iranian history” as the source of his “[gross] misinterpret[ation of] the causes, dynamics and likely results of the

¹⁹⁶ The reading of Foucault’s fetishization of the non-European world as the only source of resistance against biopolitical domination must ignore the spiritual and mythic resonances that obtain between Foucault’s own retelling of European history and his journalism in Iran (cf. footnote 195, above). Moreover, if we exclude those inconveniences as examples of Foucault’s exceptional self-regard, as though they amounted to a claim that his work above all others constituted a link between Europe and its Other, one would yet have to contend with the revolutionary effects that Foucault attributes to certain documentary evidence constituting the history of European power relations. Thus, for example, Foucault’s “Lives of Infamous Men” aimed to use official documents, such as excerpted and unaltered *lettres de cachet*, to compose “an anthology of existences. Lives of a few lines or a few pages, nameless misfortunes or adventures gathered into a handful of words. Brief lives, encountered by chance in books and documents. *Exempla*, but unlike those collected by the sages in the course of their reading, they are examples that convey not so much lessons to ponder as brief effects whose force fades almost at once” (157).

In these documents, which compose the most mundane and dry, bureaucratic, reactionary elements of modern Europe—as opposed to its archaic past in Pre-Socratic Greece—Foucault finds “a certain effect of beauty mixed with dread” (159) not because these texts are “more faithful to reality than others,” nor “for their representative value” but because they “played a part in the reality they speak of” regardless of “their inaccuracy, their exaggeration, or their hypocrisy” (160). In other words, the documents Foucault assembles in this text, like his previous works (158), have a revolutionary potential similar to the bloody face-offs with power that he witnessed in Tunisia and Iran insofar as they too involved lives risked and decided by contestation with power: “their liberty, their misfortune, often their death, in any case their fate, were actually decided therein, at least in part. These discourses really crossed lives; existences were actually risked and lost in these words” (160).

Revolution” (187)¹⁹⁷ before making direct reference to Edward Said’s critical analysis of Foucault’s support for the Revolution. Yet, Said’s criticism is peculiar for the way that it appropriates genealogical methodologies in its criticism of Foucault’s. In this respect, Said’s remarks do little to compromise the functioning of genealogy as a discursive practice of critique. As Robert J.C. Young explains, Foucault’s rendering of discourse as a form of power relation that proves both restrictive and enabling proves pivotal for Said’s understanding of the discourse of Orientalism:

¹⁹⁷ Though Foucault’s misunderstanding of the Revolution cannot be dismissed, it hardly seems reasonable to disparage his analysis as the outcome of rank ignorance. Indeed, Keating seems to radically misunderstand Foucault’s hope for the Revolution when he attributes to Foucault the desire for “the creation of a new, broadly liberal regime [. . .] in which individual social and political rights would be respected [. . .] a regime which would make decisions based upon the will of the majority and which would remain accountable to the populace” through a Shiite interpretation of the Koran (Keating 1997, 187). Such claims are difficult to understand considering Foucault’s explicit questioning of the progressive political potential of Shi’a Islam based precisely on that which Foucault is accused of being shamefully ignorant, namely Iranian history: “[l]et us not embellish things. The Shi’ite clergy is not a revolutionary force. Since the seventeenth century, it has administered the official religion. The mosques and the tombs of the saints have received valuable donations. Considerable goods have been accumulated in its hands, leading to conflicts as well as complicities with the people in power [. . .] the mullahs are not ‘revolutionary,’ even in the populist sense of the term” (Foucault, *Tehran: Faith against the Shah* 2005, 202).

It seems that Foucault’s interest in the Revolution, rather than aiming at the creation of a liberal state, resulted from the questions it raised about the “effort to politicize structures that are inseparably social and religious in response to current problems” (Foucault, *What Are the Iranians Dreaming About?* 2005, 208). The rebuilding of Ferdows and the founding of Islamiyeh (cf. note 195, above) stand as a question to whether the politicization of traditionally social and religious structures can yield a form of political resistance offering a more effective response to contemporary problems than the refinement of biopolitical domination, because, at heart, the politicization of these social and religious structures appears to Foucault as an attempt to address the biopolitical link between the individual and the population.

As a question of strategy, it seems premature to judge Foucault’s analysis “as, at best, quixotic or, at worst, sadly misguided” (Keating 1997, 187) since the event of the Revolution, “the series of events to which it belongs, and which are its true law, are far from being over” (Foucault, *Preface to the 1972 Edition* 2006, xxxvii). For a sign of this we might go back to the rebuilding of Ferdows and the founding of Islamiyeh: “[u]nder the direction of a cleric, they collected the funds, built and dug with their own hands, laid out canals and wells, and constructed a mosque. On the first day they planted a green flag. The new village is called Islamiyeh” (Foucault, *The Army-- When the Earth Quakes* 2005, 190). Those who witnessed the protests in response to the rigged reelection of Mahmoud Amahdinejad in June 2009 will recognize the same green flag denoting Islam at the founding of Islamiyeh as one worn by the protestors and later banned by the authorities: “[o]n June 15, three days after the vote, the ire of Iranians coalesced in the most dignified demonstration of popular will I have ever witnessed. Seldom has silence been deployed with such force. From Enqelab (Revolution) Square to Azadi (Freedom) Square, over several miles, some three million people formed a sea of green. With cell phones and texting blocked, and Internet access spotty, they had gathered through word of mouth in a city of whispers” (R. Cohen 2009). It hardly seems credible to dismiss Foucault’s invocation of “political will” (Foucault, *What Are the Iranians Dreaming About?* 2005, 208) as feverish exoticism, devoid of all engagement with Iranian history while treating the political will of the 2009 protestors marching under the same green banner of Islam as a genuine expression of liberal freedom.

What enabled *Orientalism* to be so outstandingly successful, and establish a whole new field of academic inquiry? The key factor was undoubtedly the way in which the idea of Orientalism as a *discourse* allowed the creation of a general theoretical paradigm through which the cultural forms of colonial and imperial ideologies could be analyzed. [. . .] Following Foucault, Said argued that Orientalism was less a body of objective scholarly knowledge than a discursive construction, whose conceptual structure determined the way in which the West understood the East (Young 1995, 2).

What is significant about Young's account is not that Foucault perfectly articulates the problematics of Orientalism, but that the interpretive practice of genealogy allows a concept like Orientalism to be analyzed without insisting on the reality or mythic status of the phenomenon in question. Instead, genealogy allows one to view Orientalism as a concept that actively intervenes upon the reality it claims to describe and negatively shapes the realities we claim it misses or ignores. Like racism, which may be unreal as a response to a biological phenomenon, all the while shaping our understanding of biology (at least in the 19th century), Orientalism may be culturally or historically unreal even as it shapes what we mean by culture and history in decisive ways. Said and other critics are doubtlessly correct to pick up on the Orientalist tropes that operate throughout Foucault's work, but they do not, for that matter, dispense with recourse to Foucaultian genealogical critique because of those tropes since, in working against itself, Foucault's analysis seems to work against these tropes as it unfolds.

Young diagnoses Said's critique as failing to consider the enabling aspect of power relations that allows Foucault's analysis to restrictively insist on performing imperialist discourses of both Eurocentrism and The West, even as it cuts against these concepts and displays their effects, if not their origins, in a series of precarious conflicts, amalgams and exclusions. As noted previously, this ambiguity and wavering aspect of Foucault's method is what some liberal critics have called Foucault's cryptonormativity or Foucault's repressive theory of power. Said, for example, objects to Foucault's "overdetermined shift from the political

to the personal” (Said, Michel Foucault, 1926-1984 1988, 8) as a retreat from the “disillusion” Foucault experienced in seeing his “theories of impersonal, authorless activity [. . .] visibly realized” (9) in the Iranian Revolution. Said continues by connecting Foucault’s disillusioned retreat from the political indicated by his “exploring, if not indulging, his appetite for travel, for different kinds of pleasure (symbolized by his frequent sojourns in California)” while taking “less and less frequent political positions” (8) with his staggering Eurocentrism:

The most staggering of his blind spots was, for example, his insouciance about the discrepancies between his basically limited French evidence and his ostensibly universal conclusions. Moreover, he showed no real interest in the relationships his work had with feminist or postcolonial writers facing problems of exclusion, confinement, and domination (9).

Finally, while Said generously blunts the edge of his critique in Foucault’s obituary, he nevertheless repeats the charge that Foucault’s refusal to state a political goal ultimately undermines his critique. Although “Foucault specified rules for those rules” (i.e. rules of normalization governing Western institutions), ultimately “he was less interested in how the rules could be changed” (10). Outside the obligatory kindness that an obituary normally requires, Said indicates that the upshot of Foucault’s “unwillingness to take seriously his own ideas about resistance to power” leads to a “disturbing circularity” that renders “Foucault’s [history] ultimately textual, or rather textualized” by failing to grasp that “[i]n human history there is always something beyond the reach of dominating systems [. . .] and this is ultimately what makes change possible” (Said, *Traveling Theory* 1983, 246-247). Since Foucault speaks on the side of power, but strangely alongside power rather than appropriating its voice, Said suggests that Foucault does not feel the kinds of exigency that would prompt him to speak on behalf of those who resist. Wounded severely on occasions when his theory ventured beyond European borders, Foucault’s retreat from the political both makes use of the Eurocentrism that composes

much of his historical evidence and enjoys a quintessentially European privilege of not being forced to provide an account of political struggle.

As if to elaborate Said's reluctance to understand the productive aspect of power in Foucaultian critique, Ed Cohen suggests that Said's critique stems from the wounded assumptions of liberalism rather than the ostensibly "personal," "quietist" currents that Said identifies in Foucault's work. Cohen finds it "more than ironic that Said's 'politically correct' moral seriousness continues to haunt Foucault even after his death, since it was precisely the opposition between 'politics' and 'pleasure'—and, more globally, between 'the political' and 'the personal'—that Foucault took great pains to challenge in his life" (Cohen 1987, 88). Though it was wrapped in a veneer of homophobia, Cohen stresses that Said's refusal to confront the political challenge posed by Foucault's tactical decision to "call into question that which has been historically designated as 'the political'" by refusing "to enounce specific criteria for [legitimate] struggle" results from a characteristically liberal—and one might also add European, straight and male—preference "to establish a determinate—if not 'scientific'—basis for social change" (88).

Cohen goes on to challenge the liberal constellation of objections to Foucault's postmodern habits of insular apoliticism and passive reinscription of practices of domination, which I have identified in the work of MacKinnon, Spivak and Said, by addressing the contentious issue of Foucault's apparent Eurocentrism. Discussing the site of Foucault's 'overdetermined shift to the personal,' Cohen notes that Foucault's work on *The History of Sexuality*, rather than constituting "Foucault's 'journey to Greece'—as a departure from or deviation in his earlier thought [. . .] might just as well be interpreted in the light of his writings on gay politics as a necessary analytical move which enables him to link his personal, political,

and theoretical projects” (93-94). To the extent that Foucault’s later work identifies a culture and politics of individual pleasure linked with the birth of a European liberalism, which emphasizes the political virtue of subordinating personal pleasure to the needs of the body politic, Cohen contends

[t]hat Foucault intends his investigation of Greek and Roman civilization as a lever with which to prise open the ‘necessary links’ underlying normative structurings of social/personal experience [. . .] In both *L’Usage des plaisirs* and *Le Souci de soi* he investigates the ways in which earlier Western cultures made certain practices and relations ‘problematic’ so that he could establish ‘a tool for analyzing what’s going on now—and to change it (94).

It is crucial to this understanding of Foucault’s project as using an investigation of the history of the West to affect the behavior of contemporary Europeans (and by extension those impacted by European colonialism) that Foucault’s *History of Sexuality* not be understood to propose an alternative but to identify a distinct form of problematization. Accordingly, Greek and Roman care of the self serves less as a prescribed corrective to a repressive, post-Victorian-in-name-only model of sexuality than a point of contrast or altered style designed to question the political stakes and epistemological investments¹⁹⁸ in contemporary European knowledge of sexuality and the public-private distinction upon which it rests.

Although Foucault’s liberal critics rightly sense that his genealogical practice of identifying the fractious strains of political activity within political systems make it difficult to

¹⁹⁸ Citing Foucault’s Candidacy Presentation to the College de France, Arnold Davidson insists that Foucault’s project has always surrounded “knowledge invested in complex institutional systems” (Foucault, Candidacy Presentation: College de France, 1969 1997, 5). The complexity of such invested knowledges has partly to do with the contemporary reality that it is only partially characterized as written or spoken discourse, existing to a great extent as customary institutional practices, such as the Western practice of subordinating and regulating behaviors, including political and ethical questions—what Davidson calls ‘jurisdiction’—to empirical questions of verifiable existence and magnitude—what Davidson calls ‘veridiction.’ The analysis of invested knowledges following the transformation of Europe from a jurisdictional society to a veridictional society from the sixteenth to nineteenth centuries, though veridiction still wields significant authority, constitutes one of Foucault’s primary targets throughout his career, but especially in the first volume of *The History of Sexuality*’s comparison between *Scientia Sexualis* and *ars erotica* (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 53-73), and the themes of pleasure and care of the self in the second and third volumes of *The History of Sexuality*, respectively, according to Davidson (Davidson 2010).

accept the solutions proposed by political programs that thrive by truncating sites of political agency, they routinely disengage with the implication that genealogy's histories of problematization constitute political interventions of a somewhat different order. In that sense, these critiques are both apt and miss the mark by taking Foucault's problematizations as a series of questions without any possible response or else, what is the same thing, understanding Foucault to pose questions whose locution presupposes an immediate unequivocal and uncritical answer. I would like to engage Spivak's critique in particular as an example of a liberal, representationalist objection whose reliance on liberal themes of autonomy and democratic representation of rational agents leads her to reject Foucaultian critique as a reiteration of the unacknowledged colonialist discourses that underlie and authorize it. In other words, I would like to show that Spivak's critique, like those of Foucault's liberal critics, such as Habermas, MacKinnon and Said, imputes a type of authority to Foucault's genealogical discourse that it (genealogy) meant to put in question. Moreover, these critics sustain their objection by refusing to consider the significant self-scrutiny that Foucault brought to bear on his own project.

Rather than claiming a form of authority Foucault otherwise seems to challenge, evaluating this self-criticism on Foucault's part suggests that the politics of genealogical critique cannot be separated from the process of questioning or problematizing, as when one supposes an implicit answer or response guiding the process of critique in the first place. Finally, to the credit of the readers among Foucault's critics—MacKinnon, Spivak and Said deserve particular mention in this context—I would like to suggest that the misunderstandings of Foucault's genealogical project found in these critiques have not prohibited these theorists from making use of genealogical methodologies of their own. In general, MacKinnon's establishment of feminist jurisprudence by tracing the formation of misogynous practices and concepts of law to their

supposed gender and epistemological neutrality, Spivak's deconstruction of subaltern consciousness by analyzing the biased and contradictory imperial mandates for dealing with the practice of widow suicide or *sati* in the Indian colonial context, and Said's development of Orientalism as an analytic tool for reading Western accounts of the Eastern or non-European world display an appropriation of genealogical methods that cannot be reduced to Foucault's analysis of Europe, but which can hardly be imagined without that analysis either. Such unimaginable appropriations are themselves among the discursive practices made possible by Foucault's practice of genealogy. In particular, Foucault's genealogical approach opens the door to such appropriations by tracing the functioning of discursive threads and practices that effectively paralyze the subject of the European intellectual tradition's claim to preeminent theoretical authority.

§2 Genealogy, Deconstruction and Colonialism

As a representative of critique that both misconstrues Foucault's genealogical method and creatively appropriates it, Spivak's method of decolonization effectively identifies Foucault's rehearsal of certain European tropes indicative of colonialism which, if they were delivered as an ahistorical, psychological or ontological account would consolidate Western discourses of colonialism. Spivak identifies the consolidation of Western discourses regarding labor, gender and the presumed centrality of European subjectivity in theoretical discourses generally as specific objections to Foucault's critique of subjectivity. Toward that end, Spivak notes of Foucault and Deleuze's "critique of the sovereign subject" in "Intellectuals and Power: a Conversation between Michel Foucault and Gilles Deleuze" that their analysis "is framed by two monolithic and anonymous subjects-in-revolution: 'A Maoist' and 'the workers' struggle'" (G.

Spivak, *Can the Subaltern Speak?* 1994, 66-67). The unquestioned status of these subjects in the conversation between Deleuze and Foucault has the effect of maintaining an oversimplified image of non-European and laboring subjectivities characteristic of a European privilege capable of “ignor[ing] the international division of labor” and “incapable of dealing with global capitalism: the subject-production of worker and unemployed within nation-state ideologies in its Center; the increasing subtraction of the working class in the Periphery from the realization of surplus value and thus from ‘humanistic’ training in consumerism; and the large-scale presence of paracapitalist labor as well as the heterogeneous structural status of agriculture in the Periphery” (67).

Moreover, Spivak finds the “very innocence” with which Foucault and Deleuze causally refer to “*the workers*” and Maoism as a signifiers of the non-European subject, complicit in homogenizing non-European political interests, which renders non-European women as transparently supportive of the revolutionary activities of the subjects of labor and anti-colonialism. After carefully indicating the impact of Foucault’s historiographic research on the scholarship of the Subaltern Studies Group, Spivak argues that despite “the group [being] scrupulous in its consideration towards women [. . .] they overlook how important the concept-metaphor woman is to the functioning of their discourse” (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 215). Because the Subaltern Studies Group assumes subaltern women uniformly support the group’s opposition to colonialism, they overlook how “the figure of woman is pervasively instrumental in the shifting of the function of discursive systems, as in insurgent mobilization” (215). Just as labor discourses frequently invoke themes of femininity in casting sexual division of labor as a metaphor for social division of labor by class or by geographic region, “[q]uestions of the mechanics of this instrumentality are seldom

raised” (215), so the Subaltern Studies Group and, by implication, their theoretical progenitors Deleuze and Foucault seem to ignore the mechanisms by which gender is produced and controlled in concert with shifting processes of capitalism and colonialism.

Finally, Spivak notes that both of these aspects of Foucault’s discourse—that is, insofar as Foucault blithely invokes the political status of the workers and the non-European world while simultaneously collapsing them into distinct, yet monolithic entities—earn Foucault the enviable status of “deal[ing] with real history, with real politics, and real problems” (G. Spivak, *Can the Subaltern Speak?* 1994, 87), an honor that ultimately displays the “nostalgia of origins” operative in the work of Foucault and his followers. Just as the evacuation of the concept of gender within the dynamics of capitalism and colonialism renders women haplessly instrumental to both discourses, so “a nostalgia of lost origins can be detrimental to the exploration of social realities within the critique of imperialism” (87). In particular, “the substantive concern for the politics of the oppressed which often accounts for Foucault’s appeal can hide a privileging of the intellectual and of the ‘concrete’ subject of oppression that, in fact, compounds the appeal” (87).

How is it that the emphasis on the concrete subject of oppression and a hidden privileging of the intellectual subject compound Foucault’s appeal? It is precisely that Foucault’s genealogical attention to the discursive and practical mechanics of oppression, in the confinement of the mad for example, promises to “[let] the oppressed speak for themselves” (87) and thereby reconsolidates the privilege of the Western Subject to disavow his complicity in the constitution of oppression in the first place. For Spivak it is precisely Foucault’s refusal to represent the oppressed—that is, the refusal to represent madness (to extend the example above and the subject that motivated Derrida’s objection, which Spivak subsequently takes up in her critique)—that allows him to enact the quintessentially Western privilege of noninterference that

makes his “masquerading as the absent nonrepresenter” (87) so dangerous to actual subjects of oppression and so attractive to Foucault’s Western supporters.

This danger consists of two components that have the possibility of reinforcing one another. On the one hand, there is the danger that Foucault’s refusal to represent the oppressed corresponds to a typically European privilege of refusal reminiscent of the right of the masters in Fanon’s critique of the Hegelian dialectic of recognition. In that instance, the decision to represent or not represent is limited to the position of the oppressor, or at any rate the non-oppressed. For Fanon, recall that the dialectic of recognition prioritizes a goal of mutual recognition conspicuously at the disposal of the mastery side of the master-slave dialectic in the sense that the master possesses the right to acknowledge or ignore the humanity of the slave, while the slave, on condition of being freed, is virtually forced to recognize the humanity of the master.

The sense in which the slave is forced to recognize the humanity of the master upon being liberated points to a second sense of danger alluded to in Spivak’s critique. Insofar as Foucault’s refusal to represent the oppressed assumes that the oppressed can speak perfectly well for themselves and thus possess the capacity to represent their interests in the manner of the autonomous, rational subject assumed by liberal politics, it surreptitiously installs the standard of European subjectivity as the model for the experience of the oppressed. In that sense, the subject of oppression is simply a liberal European subject whom chance, circumstance and accidental misrepresentation have denied political representation so that all that would be necessary to reverse this injustice is to allow the oppressed to speak. In combination, Foucault’s assumption of the right to determine who can be represented and who cannot enjoins a basically European privilege to determine representation and recognition against a standard of European subjectivity,

while his refusal to represent the oppressed enjoins the comforting notion that political efficacy involves extending basically liberal modes of representation to all.

Though Spivak's criticisms can add a layer of analysis crucial to understanding Foucault's project, I believe they nevertheless ignore or overlook elements of Foucault's use of genealogy that would exculpate him from Spivak's most damning charges, if not establishing him as an ally in her opposition to the insidious processes of colonialism and gender disparity identified by her analysis. To begin by citing the charge according to which Foucault's discourse extends and perpetuates colonialist discourses that render the non-European world typically monolithic and thereby evacuates the differences of gender and class that remain no less volatile in the non-European context, Spivak overlooks Foucault's discussion of instances such as the Tunisian student revolts of 1968 and the Iranian Revolution in which monolithic banners of Marxism and Islam, respectively, are deployed to confront specific elements of colonial influence. While it is true that Foucault never addresses the European construction of these monolithic figures of "subjects-in-revolution," his discussion of their political viability in the context of anti-colonial struggle suggests that his interest in these discourses rests less on their representative value than on the way they shape very specific, historically delimited political struggles. That is to say that Foucault does not understand Marxism or Islam to contain the truth of revolution or struggle but to articulate very determinate modes of struggle that may be useful, or harmful, in other contexts.

Accordingly, Spivak's discussion of the continued marginalization of women in the subaltern context, Janet Afary's critique of Iran's oppression of women, and MacKinnon's rebuke that Foucault never mentions gender in his discussion of sexuality may exist as parallel practices of critique that are not ruled out by Foucault's analysis of modes of struggle. Instances

in which Foucault focuses his analysis on the strategic use of sometimes monolithic tropes rather than their representative veracity are characteristic of much of his work, serving as much to historicize his genealogical analysis as to historically delimit his objects of investigation. Foucault's reference to the recurrent themes of myth and fiction that characterize the effects of not only his own work (Foucault, Interview with Michel Foucault 2000, 243) but also the most patently documentary evidence of modern Western experience (Foucault, Lives of Infamous Men 2000, 160) do little to suggest the unproblematic model of European subjectivity that Spivak identifies as the legacy of genealogical critique.

As a result of genealogy's circumscription by its own historicity, it does not seem to be the formulaic antihumanism that derives its force from positing itself in opposition to humanism and that Spivak claims gains sustenance from a "sanctioned ignorance" of imperialism (G. Spivak, Subaltern Studies: Deconstructing Historiography 1988, 209) and of its own "implication in intellectual and economic history" (G. Spivak, Can the Subaltern Speak? 1994, 66), but rather an attempt to politicize the effects of humanism by using an antihumanist discourse as its strategy. Indeed, Foucault addresses the question of his refusal to represent others by making explicit reference to his implication in European intellectual history in the 1977 interview "Truth and Power." There, Foucault situates his work relative to a transition in the status of the Western intellectual from the "universal" intellectual of the 18th century jurist to the "specific" intellectual of 19th and 20th century biological and physical sciences (Foucault, Truth and Power 1980, 128-129). Though Said understands Foucault to identify himself with the specific intellectual (Said, Traveling Theory 1983, 244) and Spivak's critique suggests the remnants of the universal intellectual insofar as Foucault indirectly reinstates the centrality of the European subject of knowledge and politics, it is significant that Foucault situates himself in the

historical wake of the transformation from universal to specific intellectual practices at which point “the function of the specific intellectual needs to be reconsidered. Reconsidered but not abandoned, despite the nostalgia of some for the great ‘universal’ intellectuals and the desire for a new philosophy, a new world-view” (130).

The significance of this historical orientation toward the distinction between the universal and specific intellectual traditions is not that one type of intellectual activity espouses a truer or more just vocation for the intellectual, but that the function of the specific intellectual “is linked, in a society like ours, to the general functioning of an apparatus of truth” such that “the intellectual can operate and struggle at the general level of that regime of truth which is so essential to the structure and functioning of our society” (132). Although Foucault’s remarks on the history of the Western intellectual tradition are rather sparse, the thematic of the politics of truth provides a clue as to how these remarks relate to his broader theoretical interests. In particular, the emergence of the specific intellectual in the milieu of the biological and physical, specifically atomic, sciences suggests that Foucault is not merely making armchair speculations regarding the political status of intellectual work, but that the significance of the specific intellectual is tied to the functioning of biopower in contemporary society.¹⁹⁹

¹⁹⁹ On Foucault’s references to the significance of the atomic sciences in relation to biopower, cf. footnote 115, above.

To further underline the relevance of the specific intellectual regarding biopower and as a key to understanding the development of the theme of sexuality in Foucault’s later work, it is also useful to consider the function of the specific intellectual and the university system in the West more broadly as “‘exchangers,’ privileged points of intersection” between knowledge and power such that “[i]f the universities and education have become politically ultrasensitive areas, this is no doubt the reason why. And what is called the crisis of the universities should not be interpreted as a loss of power, but on the contrary as a multiplication and re-inforcement of power-effects as centres in a polymorphous ensemble of intellectuals who virtually all pass through and relate themselves to the academic system” (Foucault, *Truth and Power* 1980, 127).

The language of a structure through which diverse individuals necessarily must pass in order to access certain power-effects is exactly that which Foucault uses to describe the apparatus of sexuality, which “appears rather as an especially dense transfer point for relations of power: between men and women, young people and old people, parents and offspring, teachers and students, priests and laity, an administration and a population.” (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 103) As such a “transfer point,” or rather “*point de passage*” suggesting “forced routing through a single point” (Halperin 1995, 195n.25), the university, like

Finally, Spivak's interpretation of this attempt to politicize the effects of the European humanistic tradition through the use of a strategic refusal to represent the colonized world threatens to establish new discourses of representational essentialism which her practice of decolonization inspired by Derridian deconstruction attempts to displace. That is, decolonization threatens to become a metadiscursive structure for bringing material political interests to presence insofar as it is capable of identifying the respective discourses of humanism and antihumanism as symptoms of a Western colonial discourse based on the prioritization of the history of presence, which inevitably perpetuates the exclusion of the non-European world and women just as it establishes them as "Other." As Alessandrini points out,²⁰⁰ Spivak's practice of "strategic essentialism" is predicated on the irreducibility of a subaltern consciousness that "is simply the *effect* of a larger problem—there is no subaltern" because "[t]he term 'subaltern' is a negative one, defining all those who are not the 'elite'" (Alessandrini 2009, 75). In the absence of the subaltern consciousness proper, Spivak accordingly recommends that the project of retrieving the never-represented experience of the subaltern be "embraced as a strategy" because "then the emphasis on the 'sovereignty, . . . consistency and . . . logic' of 'rebel consciousness' can be seen as 'affirmative deconstruction': knowing that such an emphasis is theoretically non-viable, the historian then breaks his theory in a scrupulously delineated 'political interest'" (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 207). Only provided that the attempt to retrieve subaltern consciousness is justified by a contemporary "scrupulously delineated political interest" or stake in which the investigator comes clean and confesses, as it were, the specific policy aim that justifies the theoretical non-viability of her project can her

sexuality, "is not the most intractable element in power relations, but rather one of those endowed with the greatest instrumentality: useful for the greatest number of maneuvers and capable of serving as a point of support, as a linchpin, for the most varied strategies" (Foucault, *The History of Sexuality, Volume I: An Introduction* 1990, 103).

²⁰⁰ Cf. footnote 192, above.

“project be proper to itself in recognizing that it can never be proper to [itself]; that it can never be continuous with [its] situational and uneven entry into political (not merely disciplinary, as in the case of the collective) hegemony as the content of an after-the-fact description” (208).

Though Spivak apparently shares Foucault’s interest in the strategic use of discourse, she suggests that a metadiscursive feature of language as such is that “theoretical descriptions cannot produce universals. They can only ever produce provisional generalizations” (208). This metadiscursive claim by Spivak mandates a strategy of deconstruction by virtue of the nature of discursivity itself and thus that a subject equipped with such an understanding of the correct limits of theory can justify a contemporary disruption of theoretical protocols to satisfy urgent political interests. While supporting the subordination of theoretical concerns for contemporary political struggles, Foucault had no such certainty that an ahistorical account of the link between theory and practice could justify such a maneuver if the present political agents involved in the struggle were willing to admit their political need and their theoretical deficiency.

Whether or not such need were apparent, discursive practices of veridiction would nonetheless require a theoretical justification, and often these discursive practices would make it difficult for contemporary subjects to articulate their position at all, much less to scrupulously delineate their political interest. The upshot of Foucault’s skepticism is that there do not seem to be struggles only between fully articulate, rational political agents and those that have been condemned to silence, but that, for example, in the case of the elite and the subaltern, the elite too are defined differentially in relation to the subaltern according to a statistical practice that goes along with biopower²⁰¹ rather than due to an irreducible feature of language itself.²⁰²

²⁰¹ The significance of Spivak’s point that the subaltern is a kind of differentially constituted classification for individuals rather than an identity is not lost on Foucault. As Mary Beth Mader points out, Foucault’s understanding of the statistical norm, and by implication the normal and abnormal individual constituted when statistical

procedures are applied to the population, is highly attuned to the ontological assumptions that such procedures allow when they address actual individuals with concepts passed through statistical methodology.

One result is that the differential identities of the normal and abnormal individual no longer correspond to actual individuals, but virtual individuals assembled from the features of the population taken as a whole: “[t]he individual is characterized multidimensionally: it is situated relative to the relation of any other individual to the mean, and not simply or directly relative to any other individual. So, the individual is characterized relative to a feature attributed to the group of which it is a part, namely, the mean value of the total group” (Mader 2007, 19). Accordingly, every member of the population is imbued with a certain ratio of all the characteristics of a population and individuals are gradually differentiated and individuated by their relative degrees of normality or abnormality, for example.

There can be no question of normal consciousness or abnormal consciousness, much less elite or subaltern consciousness because the individualities so categorized are literally nowhere to be found among the individual members of the population these terms describe. Understanding this is largely a function of understanding the forms of power and knowledge that are at play in the construction of such identities, but also the way these identities are used to regulate the individual and the population alike. Once again, according to Mader, “Foucault’s insight is that it is intrinsic to this new notion of ‘law,’ that is, to the norm, that it combine prescription and description” (8). As such, attempting to “analyz[e] the norm into two separate kinds of norm,” namely a descriptive and prescriptive norm, “misses the effective nature of this new hybrid invention for social control” (8). Foucault’s sense that genealogy should attempt to trace the mechanics of this interplay between power and knowledge rather than trying to separate out what is proper to each stems from his view that individuals may work within power relations rather than needing to liberate themselves from power altogether.

Here, that view runs afoul of Spivak’s sense that the subaltern individual is nowhere to be found in the designation of the subaltern. The problem is that Spivak restricts herself to the epistemic half of the equation in which, as we have seen, the individual really is nowhere to be found in the statistical definition of the subaltern as a differential attribute of the entire Indian population. There is apparently no sense that those marked off as subaltern apply this designation to themselves in a more or less creative fashion despite the reductionist tendency of the term in Spivak’s claim that subaltern critics should pursue scrupulously political goals by using a strategic essentialism in the name of the subaltern.

²⁰² Where Spivak finds in deconstruction the attempt to situate oneself historically with respect to a European history of the metaphysics of presence built around the transparency and ahistoricity of the philosophical knower (G. Spivak, *Can the Subaltern Speak?* 1994, 89) and subsequently allies her project of decolonization with Derrida’s project of deconstruction, Foucault does not understand deconstruction to deliver on its methodological strategy.

Throughout his debate with Derrida during the late 1960s and early 1970s, Foucault often asserted the tactical barrenness of deconstruction by highlighting its indifference to what he elsewhere labeled “eventalization,” (Foucault, *Power* 2000, 226-229) or the historically or discursively specific modes of producing effects that belie attempts to construct metadiscursive narratives capable of escaping their own historical a priority.

Accordingly, in the essay “What is an Author?” Foucault makes a veiled critique of deconstruction’s ahistoricism by noting its tendency to reconsolidate what he calls “the author effect”—highlighting his interest in the forms of eventalization surrounding the notion of authority in writing, and thus connecting implicitly with his later articulation of the effects proper to the universal intellectual, who “*par excellence* used to be the writer” (Foucault, *Truth and Power* 1980, 127)—despite its invocation of the negation of authorial presence in calling upon the absence of the author in the form of writing. Thus, rather than “taking full measure of the author’s disappearance” and thereby gaining some measure of, if not exactly measuring, the effects of writerly authority, “the notion of writing” has the effect of “blurring and concealing the moment of this effacement and subtly preserving the author’s existence” such that “[t]o imagine writing as absence seems to be a simple repetition, in transcendental terms, of both the religious principle of the inalterable and yet never fulfilled tradition, and the aesthetic principle of the work’s survival, its perpetuation beyond the author’s death, and its enigmatic excess in relation to him” (Foucault, *What is an Author?* 1998, 208).

Though theoretically distinct and even opposed to accounts of authority that derive their currency by invoking the presence of authorial intention, the shift to the standard of writing understood as the trace of the author’s absence produces equivocal effects “of maintaining the author’s privileges under the protection of the a priori: it keeps alive, in the gray light of neutralization, the interplay of those representations that formed the particular image of the author” (208-209). By this I take Foucault to be identifying the discursive requirement that whether due to the keen insight of the author’s consciousness or due to the unthinking appropriation of values and habits by an absent consciousness, the author exerts a strange discursive compulsion that he or his double, the work,

Accordingly, Foucault cannot avoid “the strategic blindness that will entangle the genealogist in the chain” of discourse (208). But this was never the point of genealogy. Rather, the point was and is to paralyze the voice of the colonizer that speaks through the discourse of genealogy itself and this means orienting genealogy to the mechanisms according to which power and knowledge operate rather than looking behind those mechanisms to the voices of those represented or silenced by specific regimes of truth.

Despite Spivak’s critique of genealogy and the metadiscursive conceits that strategic essentialism acquires from its theoretical underpinnings in deconstruction, like Said’s analysis of Orientalism, Spivak’s critical practice of decolonization, which operates by demonstrating the manner in which the discursive technologies of colonialism shape the lives of actual individuals,

must be read by any reader wishing to claim expertise on a given subject. It may be taken as confirmation that Foucault has Derrida in mind with this criticism, by the fact that he parodies Derrida’s reading of Nietzsche, *Spurs*, with the question “[w]hat if, within a workbook filled with aphorisms, one finds a reference, the notation of a meeting or of an address, or a laundry list: is it a work or not? Why not? And so on, ad infinitum. How can one define a work amid the millions of traces left by someone after his death” (207)?

One may take the feud over Foucault’s interpretation of a few lines from Descartes in *History of Madness* as an example of such a persistent discursive requirement. In responding to Derrida’s critique of his appropriation of Descartes, Foucault’s veiled critique of deconstruction along the lines that the theme of absence simply repeats without changing the discursive practices linking madness to authority, unreason to reason, becomes less veiled as he connects the theme of absence to the Derridian concepts of the trace and writing *sous rature*. Thus, Foucault claims to identify Derrida as “the most decisive modern representative” of a system of discourse characterized by “the reduction of discursive practices to textual traces; the elision of the events produced therein and the retention only of marks for reading; the invention of voices behind texts to avoid having to analyze the modes of implication of the subject in discourses; the assigning of the originary as said and unsaid in the text to avoid placing discursive practices in the field of transformations where they are carried out” (Foucault, *My Body, This Paper, This Fire* 1998, 416). In other words, just as the elision of the author before the figure of the work does nothing to impair the author effect at the level of discursive practice, so too does Derrida’s criticism of Foucault’s reading of Descartes reconsolidate the discursive mandate to address madness only in the name of reason, such that madness itself could only be glimpsed relative to the work of reason as the absence of an *œuvre* (Foucault, *Madness, the Absence of an Œuvre* 2006).

To the extent that the discursive practices that link the experience of madness to the experience of reason and to the experience of authority fail to become objects of critical scrutiny, the practice of critique ultimately functions as a support for the exchange between knowledge and power that discourse represents for Foucault. Deconstruction’s reliance on the concept of absence, as opposed to presence, constitutes at best an elaboration of the tradition that rules discursive practice outside the field proper to critical analysis and thus relegates politics to a play of more or less accurate representations. Thus, while Spivak acknowledges that “the problem of the muted subject of the subaltern woman [is] not solved by an ‘essentialist’ search for lost origins” (G. Spivak, *Can the Subaltern Speak?* 1994, 91), she nevertheless finds that she must “tactically [confront] the immense problem of the woman as subaltern” (92). This means that when reading the discourses of subalternity one discovers that “one cannot put together a ‘voice.’ The most one can sense is the immense heterogeneity breaking through even such a skeletal and ignorant account” (93). In other words, when confronted with colonial discourses claiming to represent the subaltern woman, the most one can sense is her profound *absence*.

produces strategic opportunities for scholars and those affected by scholarly discourses alike. Comparing Foucault's approach to Said, but with obvious reference to Spivak, Young notes the parallel manner in which "Orientalism constitutes a system of apparent knowledge about the Orient but one in which 'the Other' which makes up the Orient is never allowed, or invited to speak: the Oriental other is rather confined to fantasy" (Young 1995, 3). As a result of this confinement and generated by resistance to it, "[t]he discursive representation of Orientalism has been balanced by attention to the reality which representation missed or excluded and has inspired a whole movement dedicated to retrieving the silenced subaltern: both in terms of the objective history of the subaltern or dominated, marginalized groups, 'counter-histories,' and in terms of the subjective experience of the effects of colonialism and domination" (3). In this respect, decolonization's critical encounter with genealogy produces genealogical effects that cannot be reduced to or assumed by Foucault's genealogical investigation of European subjectivity. By virtue of its attention to strategic variance and opportunity, genealogy thereby allows for the development of counter-discourses of Orientalism (or for that matter genealogical strains in feminism, queer theory, postcolonial theory and critical race theory) with explicitly political goals to emerge as practices that critically examine and displace the construction of identities established as marginal within the European critical tradition, without grounding the force of this critique in the authority or authenticity of the individual or her representatives.

Rather, Foucault uses genealogy to suggest the extent to which questions of representation in political rationality remain faithful to mechanisms of biopolitical normalization that produce marginalized subjects to begin with. If the differential identity of the subaltern is already invested with biopolitical technologies used to measure populations and derive descriptive-normative concepts that subsequently characterize all individuals, then the political

question of the subaltern's marginalization is no more a question of simple exclusion than it is one of inclusion. It is a question of the constitution of the subaltern and the practices of marginalization that affect individuals to which this concept is applied without reference to the experience of the subaltern as an individual possessing or possessed by the differential identity of subalternity. According to this analysis, the alternative that the colonizer either remain complicit with the process of colonialism or else arbitrarily refuse to represent and thus haphazardly promote colonialism's interests already assumes a framework of truth and error consisting of "rules that underline [. . .] failures and [rules by which] under certain definable conditions [one] might have succeeded" (Foucault, *Theatrum Philosophicum* 1998, 360), a framework in which the subaltern's interests may be represented and the subaltern's consciousness may be known to greater or lesser extent. In genealogical terms, then, along with such a framework, the postcolonial critic is induced to assume and lay claim to a subject-position capable of knowing and judging such a framework, which will not be reducible to either the framework itself or even less the specific errors and mistakes that operate within that framework.

The genealogist too is found within his or her own grid of intelligibility, which bears some similarity to the Foucaultian concept of an "archive," but unlike the postcolonial critic or the theorist of deconstruction, there is no question of escape, which would mean the complete disruption of the framework in which genealogical knowledge is constructed. If there is a question of escape or disruption, it is a question of opening up new activities and moving into new localities by using one concept within the same system to gain leverage upon another. Foucault thus calls this kind of scholarly activity "acategorical thought" not because it escapes the categories of truth and falsity, but because it focuses attention on the activity of categorical technologies of truth and falsity as "they instruct us in the ways of knowledge and solemnly alert

us to the possibilities of error, while in a whisper [. . .] guarantee[ing] our intelligence and form[ing] the a priori of excluded stupidity” (361). Yet in focusing attention on the work of the categories, the scholar becomes estranged from their effects without being reassured of the validity of her own discourse: “[t]o think in the form of categories is to know the truth so that it can be distinguished from the false; to think ‘acategorically’ is to confront a black stupidity and, in a flash, to distinguish oneself from it” (361).

To return to the alternative posed to genealogy by the postcolonial critic, the categorical response to this alternative is, as it were, already prescribed by the categories organizing the acceptability of the alternative itself: There will not be a response that will satisfy this alternative that does not tacitly affirm the rules in which the alternative appears because

[i]n actuality, dialectics does not liberate differences; it guarantees, on the contrary, that they can always be recaptured. The dialectical sovereignty of the same consists in permitting differences to exist but always under the rule of the negative, as an instance of nonbeing. They may appear to be the successful subversion of the Other, but contradiction secretly assists in the salvation of identities (358).

Phillips discovers an analogous structure in Foucault’s critical method, by analyzing his use of the concepts of dissension, freedom and thought such that these figures refer to a moment of discursive paralysis separate from and prior to the construction of an alternative, whether dialectical or otherwise. Without this momentary uncertainty, which occurs “in a flash,” critique can never sever itself from the rules underlying the dialectical formulation of the alternatives at hand. Even with this uncertainty, critique can never be sure of escaping the dimly perceived, implicit rules that may yet follow the critic to the other side of the aporia of stupidity that follows from the suspension of categorical thinking. Foucault’s use of critique to engender moments of paralysis “at which one can no longer live as one has” (Phillips 2002, 338) and in which “the subject is displaced from itself” (339) is both an admission of the power of dialectic—that we

cannot will ourselves out of the reasons we give to ourselves—and the use of this insurmountable character of discourse to tie itself in knots.

§3 Critical Transformation and the Moment of Paralysis

In contrast to genealogical critique, but also contributing to its urgency, the European intellectual tradition from the sixteenth to the nineteenth century that Foucault analyzes under the heading of the universal intellectual attempts to bypass this moment of displacement from itself, and in the process, “[t]he universal intellectual makes the fundamental mistake of completing the circuit connecting critique and transformation” (340). By linking moments of critique and political transformation in a manner comparable to the way in which the statistical norm of biopower integrates moments of description and normativity, the universal intellectual thereby constitutes an alternative that owes explicit allegiance to the critique that proposes and presupposes it, and thus which tacitly perpetuates the conditions that called the alternative into existence in the first place.

Foucault’s refusal to speak on behalf of the subaltern circumscribes the universal intellectual’s tendency in such a way as to make his continuation of that discourse more difficult, but this doesn’t happen by simply remaining silent about the subaltern (the mad, the criminal, the workers, the Maoists, women, homosexuals or any other of Europe’s internal or external “others”). It happens instead by bringing the discourses in which these others are constituted into conflict with not only one another, but internally, with themselves as well. Because this critique is designed precisely to tie itself in knots, it is hardly surprising that it gives those on the other side of that aporia (whether due to cultural, sexual, historical, psychological or any other differences—but differences which are nonetheless differences articulated within power

relations) the impression of constituting a self-referring whole. From the perspective of those marginalized by the European intellectual tradition as with Foucault's liberal critics who understand themselves to be that tradition's inheritors, the impenetrability of Foucault's discourse may be regarded as a sign of its effectiveness. In that case, this closure is actually a surface effect and symptom of a deep rupture that Foucault attempts to discover (or invent²⁰³) within the discourses he is attempting to paralyze.²⁰⁴

Working from within, Foucault cannot simply embrace the confessional, agenda-defining critical practices promoted by his liberal critics or the interpretive, hermeneutic practices of his deconstructive critics because each in their own way collapses moments of paralysis and transformation and thereby consolidates its own form of metadiscursive analysis implicating an externalized subjectivity or authority.²⁰⁵ Yet, to the extent that an outright repudiation of such

²⁰³ At some point the distinction between discovery and invention becomes equivocal for the genealogist, considering that genealogical critique is in some sense latent within the European intellectual tradition and yet the forms of discursive practice that take shape in the wake of the critical paralysis it induces remain inventions or lateral effects of that tradition rather than its children and inheritors. For more on the equivocation between the genealogical use of discovery and invention, consider Foucault's remarks on the fictional aspect of his enterprise, cf. footnote 195, above.

²⁰⁴ In this respect, the critical effect of genealogy that Foucault embraces draws on the method of "rational education" Nietzsche proposed as a corrective to European modernity: "In times like these, giving in to your instincts is just one more disaster. The instincts contradict, disturb, destroy each other; I even define *modernity* as physiological self-contradiction. A rational education would have *paralysed* at least one of these instinct systems with iron pressure so that another could gain force, become strong, take control. Today the individual would first need to be made possible by being *cut down and pruned*" (Nietzsche, *Twilight of the Idols* 2005, 216).

As Nietzsche observes, critique cannot be a question of selecting the best alternative "instinct" when the alternatives are each distinctly unappealing or the instincts are in conflict because giving in to the proposed alternatives or one particular instinct is just "one more disaster" in the sense that that the alternatives proposed or the instinct in question stem from the same categorical framework or system of instincts that proved destructive in the first place. On the one hand, there is no question of promoting a pathological alternative or instinct, since a genuinely pathological drive will terminate itself by definition. On the other hand, in the aftermath of that paralytic cessation new discourses and new instinct systems—new individualities—become possible.

²⁰⁵ While Foucault regards the implication of an authority relatively distinct from discourse as a powerful and recalcitrant element of the European intellectual tradition, genealogy does not entail destroying the notion of authority altogether, but instead altering the manner in which it functions. Authority need not be based on differentiating the author ontologically from discourse, but could involve simply shifting the author's proprietary relationship to discourse (Foucault, "What is an Author?" 1998, 211-212), such that between author and text there would exist relationships besides those of ownership and government of one by the other.

Thus, the shift from seeing the author as the external source of the internal organization of the text (213-215) to seeing the author as the effect of the text is less radical and affects that proprietary interest less than understanding the discourse of property and ownership linking the concepts of discourse and subjectivity in a

strategies would constitute a claim to its own form of totalization, Foucault cannot ignore these approaches either. What it means to tie such discourses in knots is to refuse the dichotomous logic that would call for a decision either for or against and thereby to accept and even promote a discourse's tendency to tear itself apart, instead of accepting the dichotomous proposition that discourse is already closed off, for better or worse, as the legible truth of the world or the absence of such truth.

Rather, genealogy primarily attempts to problematize this totalizing requirement of truth by rearranging the history of critique so as to reveal the dangers of strategies legitimated on the basis of their self-constituting awareness without undertaking to define the conditions of alternative practices. The manuscript to Foucault's 1982-1983 course at the *College de France*, *The Government of the Self and Others*, shows this practice at work. Here, Foucault sums up his career as the attempt "to define to some degree the possibility of the history of what could be called 'experiences.' The experience of madness, the experience of disease, the experience of criminality, the experience of sexuality are, I think, important focal points of experiences in our

relationship in which one guarantees the truth or error, being or nonbeing of the other. Foucault doesn't choose sides because the relationship between the sides of the alternative is his true object of study: "[i]t would be just as wrong to equate the author with the real writer as to equate him with the fictitious speaker; the author function is carried out and operates in the scission itself, in this division and this difference. [. . .] [A]ll discourses endowed with the author function," which is not to say all discourse, "possess this plurality of self" (215).

In this refusal, which points to the logic of implication by which authority is produced and maintained, Foucault points to one of an infinite number of points at which the author function is subject to paralysis and disruption: "[t]he author allows a limitation of the cancerous and dangerous proliferation of significations within a world in which one is not only thrifty with one's resources and riches but also with one's discourses and their significations. The author is the principle of thrift in the proliferation of meaning. [. . .] The truth is quite the contrary: the author is not an indefinite source of significations that fill a work; the author does not precede the works; he is a certain functional principle by which, in our culture, one limits, excludes and chooses; in short, by which one impedes the free circulation, the free manipulation, the free composition, decomposition, and recomposition of fiction" (221).

Far from being total, suggesting "a culture in which the fictive would operate in an absolutely free state, in which fiction would be put at the disposal of everyone and would develop without passing through something like a necessary or constraining figure" paralysis modifies the author function in a piecemeal fashion and counts on this quantitative approach to affect the overall quality of a discourse and the effects it can produce, such as the discourse maintained by the author function: "the author function will disappear, and in such a manner that fiction and its polysemous texts will once again function according to another mode, but still with a system of constraint—one that will no longer be the author but will have to be determined or, perhaps, experienced" (222).

culture” (Foucault, *The Government of the Self and Others* 2010, 5). At this point, the manuscript departs from the given lecture and Foucault poses the following question to himself: “What meaning is this enterprise to be given?” Rather than taking this opportunity to elaborate his discourse still more,²⁰⁶ Foucault addresses responses to his work that characterize it as historicist, nominalist and nihilistic. Yet his identification of these objections, “or to tell the truth, ‘reproaches,’” does not attempt to offer either an apology or a refutation because “in defending oneself from them one inevitably subscribes to what they maintain. Under these different objections/reproaches, a sort of implicit contract of theoretical decision is assumed or imposed, a contract whose terms disqualify historicism, nominalism, and nihilism from the start: no one dares to declare themselves such and the trap consists in not being able to do anything but accept [the] challenge” (5). In effect, Foucault wishes to point out that these terms, by the fact of their very accusation, imply a logic that can only be affirmed through acceptance or denial of the terms of debate. Rather than accepting those terms, Foucault attempts to identify them and their implicit rules of formation by “undertaking a historicist, nominalist, nihilist analysis of this current. By this I mean: not to construct this form of thought in its universal systematic character and justify it in terms of truth or moral value, but rather seek to know how the constitution and

²⁰⁶ After posing a similar question to herself in “Can the Subaltern Speak?,” Spivak opts instead to elaborate the *absence* of the feminine subaltern in *any possible discourse*: “faced with the dialectically interlocking sentences that are constructible as ‘White men are saving brown women from brown men’ and ‘The women wanted to die’, the postcolonial woman intellectual asks the question of simple semiosis—what does this mean?—and begins to plot a history” (G. Spivak, *Can the Subaltern Speak?* 1994, 93). My sense is that the history that Spivak proposes here is not the history of techniques leading to the construction of the subaltern, which would thereby allow for the paralysis of technologies contributing to the development and maintenance of the subaltern subject, but rather the history of the subaltern woman’s pervasive absence from any possible history of subaltern consciousness. That is to say that Spivak constructs the historical discourse of the subaltern that Derrida accuses Foucault of attempting to create for madness, namely a history that explains and thereby rationalizes the *absence* of the subaltern subject. Spivak’s point is demonstratively twofold. On the one hand, such a history confirms that the consciousness of the subaltern woman is beyond the possibility of apprehension by historical discourse. On the other hand, woman’s absence from historical discourse is not the matter of indifference that Spivak perceives in Foucault’s attempts to merely paralyze discourse; it is a matter of violent exclusion: “[b]etween patriarchy and imperialism, subject-constitution and object-formation, the figure of the woman disappears, not into a pristine nothingness, but into a violent shuttling which is the displaced figuration of the ‘third-world woman’ caught between tradition and modernization” (102).

development of this critical game, this form of thought, was possible” (6). While adding that “there is no question of doing that this year,” Foucault’s identification of a similar form of blackmail operative in contemporary attitudes toward the Enlightenment in his 1983 essay “What is Enlightenment?” (312-313) indicates that Foucault understands the role of the scholar spelled out during the Enlightenment to be crucially implicated in the development of forms of discursive totalization requiring justification in terms of the truth or moral value articulated by the investigating subject. Rather than taking the bait of being for or against the Enlightenment on the grounds of its truth or error, moral force or depravity, and rather than attempting to adequately speak for or of the subaltern or refusing to represent on the grounds of the subaltern’s essential absence from discourse, genealogy attempts to bring the discursive strategies that compel these alternatives into relief and thereby halt or at least modify their continuous operation.

Throughout his method of genealogical critique, Foucault secondarily seems to affirm, however provisionally, a subjectivity marked by dispersion, fragmentation and performativity, similar to those indicated by Bradiotti, Butler, Dyer, Fanon, Lugones and Scott (among others) and criticized as politically disastrous and disengaged by MacKinnon, Spivak and liberal theorists (to whatever extent that these critics may be gathered under a single heading). Yet because this dispersed, performed and enacted identity, rather than its essence or its essential elision, seems to be a strategy that some are enabled to use more than others rather than a necessary descriptor of any possible identity, Foucault’s critics have rightfully questioned the utility of such a theory of subjectivity for any possible theory of liberation whatsoever. While this objection reignites the question of liberation in Foucault’s analysis of power relations, it also raises the question of the value of the very favorable example Foucault seems to make of images

of dispersed subjectivity in his later work. There, Greek practices and discourses of care of the self suggest an image of dispersed identity in the making, a process of creation that in ancient Greece and today belongs to a special caste of society and is either practically or deliberately withheld from others. Foucault seems to recognize the disparity that makes Greek practices of *askesis* possible and rejects them from consideration as an alternative to ethical practices that have developed in Europe since the Enlightenment, noting that the emphasis on masculine virility and the pedagogical function of sanctioned same-sex attraction, for example, would not be at all desirable from the standpoint of contemporary women or homosexuals (Foucault, *On the Genealogy of Ethics* 1997, 256-257). One might add that the restriction of the rights of foreigners, as either slaves or metics, would hardly convince postcolonial or race theorists of the value of reinstating a moral economy based on the care of the self. Yet these objections, with which Foucault was aware, but incapable of elaborating in detail, serve to highlight the aspect of comparison between contemporary Europe and ancient Greece.

Foucault was not “looking for an alternative” because “you can’t find the solution of a problem in the solution of another problem raised at another moment by other people” (256), and thus in general “there is no exemplary value in a period that is not our own period . . . [;] it is not anything to go back to” (259). However, there is a comparison to be made of the way societies and individuals “problematize” experience and thus the comparison between contemporary Europe and ancient Greece serves to illustrate “an example of an ethical experience which implied a very strong connection between pleasure and desire” in the Greek care of the self, and “our experience now, where everybody—the philosopher or the psychoanalyst—explains that what is important is desire” (259). Rather than reorienting our experience to the model of the Greeks, one effect of this comparison is to cause the contemporary reader steeped in the

intellectual tradition of Europe to “wonder whether this [. . .] wasn’t a historical event, one that was not at all necessary, not linked to human nature, or to any anthropological necessity” (259). In other words, the exemplary value of Foucault’s apparent endorsement of Greek practices of the self and the more general promotion of a decentered, polyvalent, constructed subjectivity owes to the effect of paralysis or wonder that such examples make possible for his readers.

Of course, Foucault may have chosen any era that contrasted with his own if it were his project to simply bring up a contrast that might halt the unthinking processes that characterize and animate contemporary European modes of subjectivation. Why not, for example, follow up on the distinction between practices of *ars erotica* and *scientia sexualis* that Foucault introduced in the first volume of the *History of Sexuality*? As postcolonial critics note,²⁰⁷ this was one of the few, if patronizing, references to the non-European world in Foucault’s oeuvre and accordingly would have allowed Foucault to confront his earlier assumptions regarding the transparency and uniformity of the non-European world. Yet Foucault seems to doubt this approach could work, noting that he “should have opposed our science of sex to a contrasting practice in our own culture” (259). I do not believe, however, that this doubt stems from the attempt to consolidate a “civilizational” identity for Europe at the expense of historical difference as Kurasawa suggests. It is not only an admission of ignorance on Foucault’s behalf, but also an admission that to make such a comparison would be “to make an answer of the question itself” (Foucault, *The Use of Pleasure* 1985, 10). That is, in contrasting *ars erotica* to *scientia sexualis*, Foucault must decide whether to locate the discordant view of sexuality indicated by practices of *ars erotica* and later

²⁰⁷ Of Foucault’s shift from the discussion of *ars erotica* and *scientia sexualis* to ancient Greek and Roman ascetics, Kurasawa notes the tropes of exoticism that organize Foucault’s discourse: “the *ars erotica* of ancient Greece and Rome, as well as the ‘Orient’ (whether it be in China, Japan, India or ‘Arabic’ and ‘Muslim’ societies) is contrasted with the modern West’s *scientia sexualis*. Asian civilizations are here represented as mysterious, erotic, wild and untamed, the contemporary Western world as disciplined, rationalized, controlled. Ancient Greece and Rome are also used as figures of alterity by Foucault, yet they play specific roles: those of the historically different but civilizational same” (Kurasawa 1999, 148).

Greek and Roman arts of existence outside the European world or within the heart of European self-representation. The origin of discord outside of Europe is a readily available response to a non-native *ars erotica* and undermines its exemplary value for European readers from the start.

A similar problem haunts Foucault's decision to shift focus to ancient Greek and Roman practices of sexuality, apparently leaving aside modern European concerns. Confronting the question of why he broke off his analysis of modern sexuality, Foucault responds that the answers for the gaps between contemporary attitudes regarding sexuality and those of say, Victorian Europe, were too readily forthcoming due largely to the psychoanalytic tradition's analysis of desire. More importantly, there is some doubt whether these responses adequately perceive the limitations of a modern system of sexual ethics based on interdictions and the possible modifications to this approach. Thus, not only do we fail to see what is distinct between *ars erotica* and *scientia sexualis*, but we fail to see what difference this distinction makes: "it shows a failure to recognize that the ethical concern over sexual conduct is not, in its intensity or its forms, always directly tied to the system of interdictions. It is often the case that the moral solicitude is strong precisely where there is neither obligation nor prohibition. In other words, the interdiction is one thing, the moral problematization is another" (10). Thus, moments of interdiction and problematization are superimposed, and to some extent a false identity is established such that as soon as the question of identity can be raised, it is immediately swallowed up by a proposed solution. More significant, however, is that this superimposition undercuts the possibility of alternative practice (for lack of a better term) because it evacuates the interrogative moment of paralysis in which critique necessarily operates and subsequently allows for an identity, e.g. "Europe," to not only consolidate itself anew, but produces the image of its necessity as well.

The implication of this methodological point for Foucault's critics is that critique redirects discourse rather than seeking to get beyond it by discovering the essential identity or absence of identity that orients discursive practices. With reference to Spivak in particular, one senses that the attempt to displace colonial discourses that shape the subaltern takes place by referring to the more rigorously elided position of the subaltern woman as an indicator of the economy of absence that rules over all discourse. The strategy of Spivak's essentialism, then, is to not only redirect discourse but to amend it by orienting it to the pervasive absence that shapes all discursive utterance. Accordingly, contemporary political discourses such as those represented by Deleuze and Foucault tacitly reaffirm the exclusion of gender at a theoretical level and women at a practical level by virtue of a method of "masculine radicalism that renders the place of the investigator transparent" (G. Spivak, *Can the Subaltern Speak?* 1994, 91). Yet for its supposed radicalism, Spivak points out that this exclusion animates wide-ranging discourses of diverse and even opposed political aims, from colonialism, to insurgency, to psychoanalysis, to postmodernism insofar as each understands its history to be based upon an "undifferentiated preoriginary space" (93) in which women are rendered as either isolated individuals supporting the view that their fate is theirs alone ("the women wanted to die"), or else they become the charge of responsible, European men ("white men are saving brown women from brown men") (93).

To the extent that Spivak's analysis remains oriented by the absence of women's voices not merely as a historical event, but as a condition of discourse in which "[t]he most one can sense is the immense heterogeneity breaking through even such a skeletal and ignorant account" as colonialist discourse, Spivak's project of decolonization remains bound to a coherentist, dialectical logic of representation that has difficulty dealing with conditions in which power

“incites, provokes, produces” effects of exclusion according to which “[i]t is not simply eye and ear: it makes people act and speak” (Foucault, *Lives of Infamous Men* 2000, 172). One can see this allegiance to representationalist accounts of discourse in which value is based on the sufficiency or insufficiency of discourse to its object with Spivak’s discussion of widow suicide (*sati*) generally, and, in particular, with her story of a young insurgent woman’s suicide in response to the contradictory and intolerable demands of feminine ideals promoted by colonial authorities and insurgency.

Spivak introduces her “example” by circumscribing an immediate, yet flawed interpretation of its significance: that of prioritizing “nostalgias for lost origins,” whether in the form of a religion- or gender-based nostalgia constituting “a plea for some violent Hindu sisterhood of self-destruction” (G. Spivak, *Can the Subaltern Speak?* 1994, 103). Yet in a note, Spivak is also quick to add that “a position against nostalgia as a basis of counterhegemonic ideological production does not endorse its negative use” (110), such as assuming for example that “the current Indian working class crime of burning brides who bring insufficient dowries and of subsequently disguising the murder as suicide is either a *use* or *abuse* of the tradition of *sati*-suicide” (111). The problem with such a facile connection would be that one might assume the positivity of something like a “tradition of *sati*-suicide” that could give rise to modifications such as wife burning and exaggerate what is merely “a displacement on a chain of semiosis with the female subject as its signifier, which would lead us back into the narrative we have been unraveling” (111). That is, in assuming the positivity of a tradition of *sati*-suicide rather than recognizing the semiotic modification of the figure of woman at the heart of both discourses as their hinge and point of articulation, we necessarily contribute to the continued erasure of woman, which would be just as dangerous if we endorsed the “sheer genitalism” that would

accompany a nostalgic promotion of violent Hindu sisterhood. Insofar as it paralyzes discourses of colonialism and insurgency alike in their promotion of misogyny, Spivak's example proves quite genealogical in the sense that I associate with Foucault. Moreover, it is significant that Spivak too finds herself forced to confront charges of nostalgia and unquestioned progressivism similar to those faced by Foucault.

By itself, then, Spivak's recounting of the suicide of Bhuvansewari Bhaduri and reactions to it is a wonderful, or perhaps awful, example of the pervasive dangers that paralyze discursive attempts to reintegrate events into established discursive practices. Bhaduri's suicide stifled the attempt to characterize her death "as the outcome of illegitimate passion" (103) because she was menstruating at the time of her death, which ruled out the possibility of pregnancy, while on the other hand ruling out religious devotion since the rite of *sati* could not be performed during menstruation, thus crippling the attempt to explain her death as a form of penance. Upon the discovery of Bhaduri's "involve[ment] in the armed struggle for Indian independence," the puzzle seemed to be solved by the interpretation that her suicide resulted from her inability to conduct a political assassination with which she had been entrusted, and for which suicide allowed her to carry the secret to the grave. It is unclear when Spivak notes that "Bhuvansewari had known that her death would be diagnosed as the outcome of illegitimate passion" whether Spivak is referring to the same documentation that verifies Bhaduri's suicide, or whether she is engaged in a moment of strategic essentialism, forecasting Bhaduri's true intent behind the traces left by her actions in order to suggest that Bhaduri "perhaps rewrote the social text of *sati*-suicide in an interventionist way" (103). Nevertheless, Bhaduri's intent remains crucial to Spivak's analysis as it is only on this condition that Bhaduri's suicide can compromise the attempted explanations that seek to appropriate her act for the Hindu insurgency, by casting it as "an

unemphatic, ad hoc subaltern rewriting of the social text of *sati*-suicide as much as the hegemonic account of the blazing, fighting, familial Durga” (104). Moreover, it is only on the condition of Bhaduri’s intent to rewrite social discourse that the documentation and popular memory of the “fighting mother” composed “through the discourse of male leaders and participants in the independence movement” can indicate Spivak’s thesis that “the subaltern as female cannot be heard or read” (104). Accordingly, it is difficult to tell whether the elision of gender operative in Spivak’s example is a result of the accumulated traces left by that event signaling the polyvalence of discourse, or whether such an elision is a fundamental trait of discourse that results from the meaning of the text as such. To the extent that I, as a white, European-influenced, male intellectual am stifled by this uncertainty, the effect of Spivak’s example seems to be conducive to the sense of paralysis that I associate with genealogy. If Spivak did not regard the equivocation with which this uncertainty seems to coincide as a sign of indifference and detachment, I would be tempted to describe them as the effects she intended. But while the question of intent inflects discourse, it does not stifle it altogether, so I will note an uneasy contiguity, if not continuity, between Spivak’s practice of decolonization and Foucault’s practice of genealogy.

The result of this contiguity among discourses is that alternative practices are never left completely to others any more than they can be sanctioned on the basis of the purity of intent or the adequacy of representation. The concreteness of discursive displacement as a political act develops largely from the lateral effects of a discourse that undermines any perfect isomorphism between a verifiable outcome and authorial intention. In this lateral sense, one may observe an intersection between genealogy and decolonization, or even liberalism for that matter, but these intersections will always impair the discursive supremacy of authorial intent and modify

discursive practice just as they establish the conditions for new lateral connections without necessarily sanctioning the authority of one rather than another. That is, the critical effect of genealogy is to engage in and begin practices of discursive displacement that participate in and enable projects of critique that genealogy alone cannot envision.

Conclusion

Foucault avoids totalization in his use of genealogical critique by focusing his attention on the mythology of European self-constitution, most significantly in the singular constitution of the Western intellectual who appears less as the voice of the universal and more as a product of a critical tradition that, with Kant, superimposed the public and private functions of thought on the name of the universal and the body of the scholar.²⁰⁸ Foucault effectively problematizes his own behavior as an intellectual and questions the uniformity of the legacy that insists upon the intellectual's duty to speak for others in contrast to the work of specific intellectuals who reject Kant's requirement "to conduct themselves passively in order that the government may direct them, through an artificial unity, to public ends" with which "one is certainly not allowed to argue; rather, one must obey" (Kant, *An Answer to the Question: What Is Enlightenment?* 1996, 61). He also makes the intellectual's insertion into the political machinery of society a source of discursive production and a basis for the modification of power relations. By doing so, Foucault attempts to bring to light the lines of filiation that authorize his own scholarly activity and the power relations that animate it: "[H]is studies of these historical conditions [. . .] were aimed not at revealing some innate truth about these relations but at provoking an experience of the limits of these relations in the present" (Phillips 2002, 339).

²⁰⁸ Although Kant's answer to the question "what is enlightenment?" addresses many professions, it never addresses the professional scholar. While for the priest, the soldier, the doctor and the public official, there is a distinction between public and private uses of reason in which the public use calls for unfettered scrutiny and the private use consists of strict obedience to authority, it is hard to imagine what form of restriction this would involve for the scholar, "who through his writings speaks to his own public, namely the world" and "enjoins, in the *public* use of his reason, an unrestricted freedom to employ his own reason and speak in his own person" (Kant, "An Answer to the Question: What Is Enlightenment?," 1996, 61). Although Foucault sees in this response an oblique perception of the professional status of the scholar—"we see the appearance of the question of the present as a philosophical event to which the philosopher who speaks of it belongs" (Foucault 2010, 12, emphasis added)—the lack of reference to the professional status of the scholar in Kant's text should be enough to convince the reader that Foucault is talking more about the influence of Kant on his, Foucault's, own philosophical present than he is analyzing Kant's work according to its own idiom.

Rather than “buy[ing] a self-contained version of the West [that] is symptomatically to ignore its production by the space-timing of the imperialist project” (G. Spivak, *Subaltern Studies: Deconstructing Historiography* 1988, 210), the critical function of genealogy allows one to identify the discursive practices that frame the alternative between the imperial subject of Europe and the colonized subject outside Europe, as well as the multitudes of “others” constituting European identity. Instead of being ignorant of his role in the production of ideology, Foucault circumscribes the alternative between consolidating ideology and working against it by identifying its practical underpinnings. Thus, he neither works to repudiate the universal intellectual nor to sanctify the specific intellectual, but to make the implicit strategies involved in the construction of each to appear, to bring them to thought, and thereby provide an experience of concrete freedom “at points of contingency within which no clear path can be prescribed” (Phillips 2002, 336). Such an experience results from paralyzing present habits by “confronting the present with contradictory accounts” of itself in which “the existence of spaces of dissension and freedom are revealed” (340), permitting acts of reflection that call for acategorical thought “disburdened of the subject and the object” (Foucault, *Theatrum Philosophicum* 1998, 354).

Genealogical critique thus involves circumscribing subject and object with their historicity such that, as events, the thought of each encounters the possibility of being performed otherwise: “The thought-event is as singular as a throw of the dice; the thought-phantasm does not search for truth, but repeats thought” (354). In other words, the history of the singularity of the European intellectual and by way of implication, the objectifying relationship it has with the non-European world, but also the objectification of private realm within itself—that is the entire architecture of the public-private, subject-object distinction that holds European subjectivity in

place—comes under scrutiny and is momentarily disabled in encountering itself as an event without a convenient mechanism of exculpation that would come with attributing that event to a distinct entity or agent such as the immanent unfolding of European selfhood or the eminent fulfillment of European selfhood through imperialism.

In bringing the continuation of European subjectivity as it has been practiced to a momentary halt, thought rearticulates the question of the subject's ability to conceptualize its own interests, which is a question haunting critical theory, political philosophy and philosophies of gender, race, class, sexuality and postcolonialism alike. In contrast to the sense that the subaltern would be perfectly capable of articulating his or her interests, as Spivak understands Foucault to suggest (G. Spivak, *Can the Subaltern Speak?* 1994, 69), Foucault's objective would seem to be informed by his pessimistic optimism in which not "everything is bad, but [. . .] everything is dangerous, which is not exactly the same as bad" (Foucault, *On the Genealogy of Ethics* 1997, 256). Such a strategic outlook based on pessimism eliminates the possibility of ranking alternatives on the basis of their conformity with a subject's interests because the danger of strategies entails that there is no strategy that cannot turn into a form of domination under the right conditions: "[W]e can never be sure. In fact, we can always be sure that *it will happen*, and that everything that has been created or acquired, any ground that had been gained will, at a certain moment be used in such a way" (Foucault, *Sex, Power and the Politics of Identity* 1997, 166-167).

Accordingly, as an event political activity is not predicated on an identification or articulation of interests: "Without a program does not mean blindness—to be blind to thought. [. . .] Being without a program can be very useful and very original and creative, if it does not mean without proper reflection about what is going on, or very careful attention to what's

possible” (172). In reflecting upon subjectivity as an event in which the articulation of an interest has “[s]ince the nineteenth century” been used by “great political institutions and great political parties [to confiscate] the process of political creation; that is, [. . .] to give to political creation the form of a political program in order to take over power” (172), individuals and groups become sensitive to the possibilities that those commitments undercut. Such sensitivity awakens one to “the fact that there has been political innovation, political creation, and political experimentation outside the great political parties, and outside the normal or ordinary program” (172). Moreover, it shows that “[t]hese social movements have really changed our whole lives, our mentality, our attitudes, and the attitudes and mentality of other people—people who do not belong to these movements” (173). *Qua* event, subjectivity is linked to political activity according to an incomplete and modifiable causality of lateral connections between practices. To insist on a causality of representation or its impossibility is to accept one set of dangers of lieu of others, but it is not without its own price.

In calling attention to the price of a politics of representation, Foucault does not then set genealogy and a politics that questions the costs of representation outside the laterally expanding framework of dangers that accompany all decisions, but instead he finds it within that network, which entails that the lifespan of genealogical criticism is both as long as the history of representation that it confronts and as short as the vision of the present upon which it acts. Since genealogy aims chiefly to disrupt the discourse of political agency based on the distinction between subject and object without articulating an alternative vision of politics, the event of genealogy is practically instantaneous.

Nevertheless, the instantaneous quality of genealogy is not the same as abdicating responsibility or leaving action to others, since thought and action are intimately linked:

“[T]hought does exist, both beyond and before systems and edifices of discourse. It is something that is often hidden but always drives everyday behaviors. There is always a little thought occurring even in the most stupid institutions; there is always thought even in silent habits” (Foucault, *So Is It Important to Think?* 2000, 456). Instead, a mode of criticism aimed at engendering thought in the moment when “people begin to have trouble thinking things the way they have been thought” constitutes both the Western intellectual’s duty since the Enlightenment and a way of putting that duty to the test of alternative practice, “to see how far the liberation of thought can go toward making these transformations urgent enough for people to want to carry them out, and sufficiently difficult to carry out for them to be deeply inscribed in reality” (457).

The charge that Foucault abdicates the intellectual’s role of clarifying thought in the name of truth and that this abdication is based on an ignorance of the history of intellectual work and its current implication in politics is thus doubly false and tangibly dangerous. It is doubly false, first, because Foucault simply does not abdicate the role of the intellectual and, second, takes the identification of the intellectual’s role in politics as fundamental, not for the clarification and regulation of thought to be sure, but rather as a way of enacting its political potential, which is an outgrowth of the history of Western intellectual activity rather than its denial. In addition, the criticisms of genealogy that have organized this dissertation—namely that as a form of critique genealogy must supply its own justification, that as a form of knowledge (of power) genealogy must rigorously distinguish between its epistemic and political content, and that as a form of politics genealogy must adhere to a logic of representation that makes the dignity and autonomy of the subject its focal point—all threaten a kind of danger that genealogy attempts to circumscribe and immobilize. It seems to me that at their basis, these criticisms pine for the rehabilitation of a kind of scholarly activity that supplies an autochthonous discourse

capable of rigorously distinguishing and purifying every concept in the service of a single mode of practice that operates under the heading of truth. In other words, these criticisms seek to revive or otherwise elaborate a mode of thought that is quintessentially the privilege of the universal intellectual, that is, the male, heterosexual, European intellectual of the eighteenth and nineteenth centuries.

In his books, Foucault often concludes with a dreamlike premonition or attempt to imagine a moment when the conditions he describes will no longer obtain. The moment he imagines has not begun, even in germinal form, in the moment at which he writes, but the moment of paralysis in which thinking occurs and the possibility of that imagined moment begins to take shape and has already been felt first by Foucault, in his experience or writing, and later by his readers, in the experience of reading or being implicated into a reading. *History of Madness* thus concludes with the suggestion that the promised circumscription of madness as the absence of the oeuvre may not be borne out. Instead,

[t]hat ruse is a new triumph for madness. The world believes that madness can be measured, and justified by means of psychology, and yet it must justify itself when confronted by madness, for its efforts and discussions have to measure up to the excess of the oeuvres of men like Nietzsche, Van Gogh and Artaud. And nothing within itself, and above all nothing that it can know of madness, serves to show that these oeuvres of madness prove it right (Foucault, *History of Madness* 2006, 538).

The Birth of the Clinic continues this image of thought perched precariously at the historical limits of its own understanding:

In the last years of the eighteenth century, European culture outlined a structure that has not yet been unraveled; we are only just beginning to disentangle a few of the threads, which are still so unknown to us that we immediately assume them to be either marvelously new or absolutely archaic, whereas for two hundred years (not less, yet not much more) they have constituted the dark, but firm web of our experience (Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception* 1994, 199).

Yet, despite the consistency of this theme in Foucault's conclusions, a reader is perhaps struck, in the case of the relatively famous image of the death of man in *The Order of Things*, by the contingency of Foucault's formulations:

If those arrangements were to disappear as they appeared, if some event of which we can at the moment do no more than sense the possibility—without knowing either what its form will be or what it promises—were to cause them to crumble, as the thought of Classical thought did, at the end of the eighteenth century, then one can certainly wager that man would be erased, like a face drawn in sand at the edge of the sea (Foucault, *The Order of Things* 1994, 387).

Far from being a prediction of what must or can be his future, Foucault's conclusions point to the contingency of their foundations and thus serve as a strategy “to overcome certain preliminary difficulties,” the most intractable of which is to differentiate oneself not only from one's history but from one's thinking:

They have probably found it difficult enough to recognize that their history, their economics, their social practices, the language that they speak, the mythology of their ancestors, even the stories that they were told in their childhood, are governed by rules that are not all given to their consciousness [. . .] They cannot bear (and one cannot but sympathize) to hear someone saying: ‘Discourse is not life’ (Foucault, *The Archaeology of Knowledge* 1972, 210-211).

Far from sounding an apocalyptic tone in philosophy or in scholarship, Foucault's pessimism is based on a knowledge of the contingency of its history rather than its futurity: “In this central and centralized humanity, the effect and instrument of complex power relations, bodies and forces subjected by multiple mechanisms of ‘incarceration,’ objects for discourses that are in themselves elements for this strategy, we must hear the distant roar of battle.” Accordingly, Foucault must “end a book that must serve as a historical background to various studies of power” (Foucault, *Discipline and Punish: The Birth of the Prison* 1995, 308). As such a historical background based on the contingency of a thinking that tends to identify itself transparently with its objects, one senses both a great danger and an irreducible

possibility that one day, perhaps, in a different economy of bodies and pleasures, people will no longer quite understand how the ruses of sexuality, and the power that sustains its organization, were able to subject us to that austere monarchy of sex, so that we became dedicated to the endless task of forcing its secret, of exacting the truest confession from a shadow” (Foucault, *The History of Sexuality*, Volume I: An Introduction 1990, 159).

Yet, because for the moment this present is our reality, and we cannot see beyond this, just as the shifts in ancient Greek and Roman practices of the self could not anticipate the consolidation of those practices within Christianity (Foucault, *The Use of Pleasure* 1985, 253-254), Foucault’s impulse is to paralyze the most essential necessities that seem to animate our thought so that “one [may] not be misled by the analogy” (Foucault, *The Care of the Self* 1986, 239) into thinking that a single network of necessities governs thinking, when in fact the promise of such a necessity serves only different strategies, which “may well remain analogous, but they will derive from a profoundly altered ethics and from a different way of constituting oneself as [an] ethical subject” (240).

Perhaps one day scholarship will no longer be guided by the interdiction to speak on behalf of its blind necessity but will be content to identify the variable dangers of the strategies in which it only partially understands itself to be implicated. In tracing his practice of genealogical critique back to the standards of criticism developed between the sixteenth century and the Enlightenment and then elaborated through the twin developments of phenomenology and critical theory throughout the nineteenth and twentieth centuries, I believe Foucault began to promote the sense of historical contingency that would paralyze that necessity. Of course, one would need to encounter that contingency not only at the level of discourse and knowledge, but at the level of power and practices as well, so one must note that in addition to locating the origin of his scholarship in the history of European critique, Foucault sought to develop an account of power that would articulate without hierarchizing the relationship between power and

knowledge. Finally, in identifying a necessarily unstable and reciprocally affecting link between power and knowledge, one must question, as Foucault had, the possible political effects and uses of one's work by seeking to stifle every exculpatory or emancipatory gesture by focusing instead upon the multiple and inexhaustible dangers that beset every practice. Without either the necessity or possibility of completing this task, I have found that undertaking it does impair one's ability to think and live as one has before and can thus be claimed effective to that degree. "Was I right to take these risks? That is for others to say" (Foucault, *The Use of Pleasure* 1985, 9).

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Dissertation

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Publications

- “Friendship” *The Cambridge Foucault Lexicon*. Edited by Len Lawlor and John Nale. Cambridge University Press, 2011. (1000 word entry)
- “Navigating the Perfect Moral Storm: Ethical Problems With Cost Arguments About Climate Change Policies.” Co-Authored with Donald A. Brown. Under review with *Environmental Values*.
- Contributor to several summary articles on ClimateEthics.org
 - “Ethical Obligations of States, Regional and Local Governments, Organizations, Businesses, and Individuals to Reduce Greenhouse Gas Emissions.” Co-Authored with Donald A. Brown. ClimateEthics.org, November 17, 2009.
 - “A Perfect Moral Storm of Climate Change, Intergenerational Ethics and the Problem of Moral Corruption: a Summary of a paper by Stephen Gardiner.” ClimateEthics.org, October 18, 2009.
 - “Conceptualizations of Justice in Climate Policy: a Summary of a Paper by Sonja Klinsky and Hadi Dowlatabadi.” ClimateEthics.org, October, 9 2009.

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