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Critique and Neoliberalism in Michel Foucault

Neal Miller

A dissertation presented in partial fulfillment of
the requirements for the degree of
Doctor of Philosophy

May 2018

Directed by Dr. Peg Birmingham

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the vortex of creation is the vortex of destruction
the vortex of artistic creation is the vortex of self-destruction
the vortex of political creation is the vortex of flesh destruction
    flesh is in the fire, it curls and terribly warps
    fat is in the fire, it drips and sizzling sings
    bones are in the fire
        the crack tellingly in
        subtle hieroglyphs of oracle
    charcoal singed
the smell of your burning hair
for every revolutionary must at last will his own desteruction
rooted as he is in the past he sets out to destroy

–Diane Di Prima, Revolutionary Letter #12

What good is a book that does not even carry us beyond all books?

–Friedrich Nietzsche, *The Gay Science*

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Introduction: *The Impossibility of Foucaultian Commentary, The Exhaustion of Neoliberalism, and Critique*

The student has no interests. The student's interests must be identified, declared, pursued, assessed, counseled, and credited. Debt produces interests. The student will be indebted. The student will be interested. Interest the students! The student can be calculated by her debts, can calculate her debts with her interests. She is in sight of credit, in sight of graduation, in sight of being a creditor, of being invested in education, a citizen.[1] (Moten and Harney 2013, 67)

0.0 Arriving at the Point of Departure

To write critically is to take up a position that one is always already in the act of leaving. The gesture of critique is not only a certain refusal of the given, but flight, abandonment, or desertion. As Foucault once said, "My problem, or the only theoretical work that I feel is possible for me, is leaving the trace, in the most intelligible outline possible, of the movements by which I am no longer at the place where I was earlier." (*GL*, 76)

But in truth, this dissertation is an attempt to *arrive* at something that has for some time now *already been evident*. The anonymous insurrectionary collective Tiqqun put it forward in 2004. Situated between September 11, 2001 and the global financial crisis of 2007 – 2008, they asserted an ethical-political *starting point* when they wrote:

> The "we" that speaks here is not a delimitable, isolated we, the we of a group. It is the we *of a position*. In these times, this position is asserted as a double secession: secession first with the process of capitalist valorization; then secession with all the sterility entailed by a mere *opposition* to empire, extra-parliamentary or otherwise; thus a secession with the left. (Tiqqun 2016, 10)

Tiqqun's call sought to both break from and organize against the reduction of life and non-life to governability, whether that governability was ushered by capitalism or so-called resistance against it. There is another anonymous insurrectionary text that was published in late 1990s Italy called, *At Daggers Drawn* which emphatically exclaims that, "*The secret is to really begin*," that is, to initiate the movement by which insurrection becomes possible.[2]

However, philosophy has always had a problem with beginning and firstness. Both in that it has always had trouble thinking with respect to the conditions of time, but also in that it has tended to defer action and thinking about action until it has satisfied itself with thinking about thinking. As Reiner Schürmann argues, in such (metaphysical) thought about thought, the

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[1] Moten, Fred and Stefano Harney. *The Undercommons: Fugitive Planning and Black Study*. Brooklyn: Minor Compositions, 2013.

[2] *At Daggers Drawn* is an Italian insurrectionary anarchist text by the anonymous publishing project "NN" that sought to assess anarchist modes of thinking and acting in 1998. NN. *At Daggers Drawn*. Trans., Weir, Jean, John Moore, and Leigh Stracross. Santa Cruz: Quiver Distro, 2006.

dominant tendency has been to seek the first principles of thought and its proper objects. Philosophy turns to praxis and life only after it has grounded them in thought so as to subordinate them to its order. (Schürmann 1987, 3-4) Thus philosophy has it that *true* action only begins in (or must at least be verified by) principled thought. Yet such thought rarely thinks of itself as a practice in the sense of having *already* made a practical decision about life. This is a decision that philosophy could not possibly have grounded in advance; and it is one that philosophy can only rationalize after the fact, often by neglecting (or trying to overcome the fact) that thought, too, had to begin without arriving at its beginning.

Is it any different with philosophy in the academy? There, thought *qua* philosophy assumes its jurisdiction on the condition that it abstracts itself from academic practice in order to treat the latter as a *non-philosophical problem.* Academic philosophy rarely acknowledges that its contingency—that it is practiced *this way*—has already been made to appear as necessary. That is, it thinks in the *forgetfulness* of decisions it has already made; it thinks within forms of action and life to which it cannot remember having already *philosophically* committed itself. However far it may go in questioning, such philosophy largely finds its limit in practical conditions that appear to it as a *given* reality. Thus, either philosophy never problematizes its practice or if it does, it finds itself in the cynicism that Peter Sloterdijk described as "enlightened false consciousness": the impotence of critique when it endlessly undoes its own representations without being able to challenge the grip that such representations have on practical life. (Sloterdijk 1987, 5)

One could just as well follow this line of inquiry from the perspective of those who would begin to do academic philosophy as from the perspective of those of us who have been more or less programmed by it. What does it take—what operations intervene—to turn an encounter that produces a desire to think into a research interest? Or, what must be so overwhelmingly given in order for the desire to think to eventually become the desire to sell oneself on the market in an array of expert research products? As Fred Moten and Stefano Harney say, such an interest these days is not innocent, but guilty, that is to say, indebted to creditors who are experts at turning debt into credit and academic citizenship.

The impulse behind this dissertation comes from the notion that philosophy is a critical departure from the givens of our practical lives. That is why the starting point for me in writing this dissertation is our situation in the academy, which increasingly models itself on the market and induces its subjects to live their lives and relate to others in economic terms. And it is part of the reason why, as an academic dissertation in philosophy, it is about Foucault. The choice of a figure-oriented project here is partly institutional: how else to justify the proposal to think along this line and with this target other than by appealing to the legitimacy of writing on one of the most cited philosophers in the humanities?

Yet, the gesture of refusal and taking leave (or of abandonment, displacement, and flight) that characterizes Foucault's work is practically and theoretically useful. To start philosophizing, as he did, with madness, death, delinquency, the unlivable, the ungovernable, the scandalous—whatever instance one prefers—is not to concern oneself with a pure beginning. It is to expressly start with a singular limit of discourse. These limit-experiences of discourse provided his philosophy with its critical edge because they allowed him to describe how discourse constituted itself through an attempt to capture them. In this way, his writing illuminated the contingent origins of the concepts and practices we have inherited and spurred readers to think and act otherwise. The practice of critique, then, is the consistent repetition of a gesture of leaving and becoming different. It is what Foucault called desubjection in relation to the subjects we are as

effects of discourse and power.

As with any writing on Foucault, this puts a dissertation on his work into a tricky situation. The definition of critique above makes philosophical commentary into an oxymoron and condemns every attempt to *philosophically* comment on his work to be either an exercise in irony or an outright failure. This is due to what Foucault called the principle of exteriority: never seek to interpret, comment, or explain; don't try to articulate the non-said of one or several texts—seek instead to describe the historical occurrence of discourse in power relations. As he states, "I have tried to get rid of textuality by situating myself in the dimension of history, that is to say locating discursive events that take place, not within the text or several texts, but through the fact of the function or role given to different discourses within a society." (*WK*, 198)

When Foucault does provide readings of philosophers, it is always because their writing somehow figured as a disruption in the order of discourse that is still to some extent present for us, as in the case of Nietzsche's break with anthropology. That is, philosophically reading other philosophers does not involve commentary, but finding things in them that one can affirm and *use* because they still allow us a point of attack in our historical situation. To block this movement and fix the vocabulary by way of commentary is *anti-philosophical*.

As for this dissertation and its abundance of commentary, it is admittedly uncritical to the extent that it is assumes the value of commentary and communication. One way of reading what I have written here is to see it as a commentary on Foucault that uses him to critique neoliberalism. In that sense, it is an "argument" for struggling against neoliberalism, grounded in a Foucaultian conception of critique. However, as I'll discuss, struggle—including the struggle that is critique itself—does not need reasons. Struggle against or within a mode of power need not delegitimate its target on the basis of a better-founded legitimacy, just as the target of a mode of power does not automatically gives us the ground on which to struggle (say, the *demos contra* the market, the proletariat *contra* the bourgeoisie, or humanity *contra* domination in general). Instead, as I'll discuss in a moment, struggle is a practice of *ungrounding*, or, following Foucault's reading of the Cynics, it is the practice of the destitution of grounds.

I said a moment ago that this dissertation began as an attempt to critically evaluate the conditions of its production in the academic marketplace, however, it's real starting point is a sensibility shared by many of us, myself included, that the neoliberal future we live within ourselves is exhausted in the sense of being a dead-end and exhausting in the sense that there is something cruel and even intolerable about our practices of self-investment in what increasingly resembles a desert. But the difference between a breakdown and a breakaway hinges on finding something propitious at the limits of one's ability to repeat and go on performing the gestures of normative existence. And it's necessary to affirm something other than the traps offered by either the hope for some soteriological event or the cynicism that compensates itself for its impotence with the pleasure of knowing the extent of its excuses. To the extent that this dissertation succeeds as a critique, it is only as an attempt to gain some orientation and tool-up in a desubjection that is already underway.

that sense, this dissertation was written in search of an exit. The theme here is not that cliché of self-loss on the way to self-discovery. Instead, it is about finding something unexpected at the limits of one's ability to repeat and go on performing the gestures of normative existence. That something else appears at the end of the dissertation, namely, *insurrectionary communism*. This isn't the only way out of neoliberalism, but it is one that attempts to face up to the full extent of its subjections while carrying out its critique, that is, while overcoming the limits it imposes on the present.

This dissertation unfolds through seven chapters, including the conclusion. The first four of these chapters are concerned with defining Foucault's concept of critique in relation to its object and the conditions that make this critique possible. The first chapter situates Foucault during his archaeological period in relation to the critique of anthropology as a set of rules for the production of the concepts, objects, subjects, and strategies of knowledge. My reading of Foucault begins here because his notion of critique as a practice of desubjection is to a large part owing to its anthropological object. And in later chapters I will argue that Foucault's political critiques of apparatuses of power are also critiques of their epistemological forms, as modern apparatuses are defined by anthropological discursive strategies. As a mode of producing knowledge, anthropological knowledge grounds itself on a mark of finitude found within the objective contents of human experience. Moreover, it posits itself in a fundamental relation to the alterity contained within experience and thereby narrates the relation between knowledge and experience as the history of overcoming or grappling with this relation. Neoliberalism, for instance, founds its anthropology on the scarcity of time available to human economic subjects, which is rather an *effect* of market competition as a model for power relations. It understands itself politically as the overcoming of economic irrationality (whose most evil form is totalitarianism) through the progressive liberalization of capitalist societies.

In the second chapter I will move to look at how Foucault understood the basis of his archeological critique of anthropology, which he identified as the being of language. His mode of "access" to the being of language is itself archaeological in that it is found in the cracks that have formed in the historical strata of anthropological discourse. For Foucault, Mallarmé and Nietzsche stand as two divergent ruptures with "man." Their writing attests to the fundamentally unmasterable character of language and the impossibility of reducing it to subjective conditions of knowledge. Whether one understands the being of language as an anonymous and impersonal speech without signification (Mallarmé) or as the eternal return that ungrounds all relations of power (Nietzsche), language is essentially an event without any metaphysical or historical ground. However, the undecidable alternative posed by these two writers presents decisive stakes for critique, which Foucault was forced to confront toward the end of the 1960s. A declining literary avant-garde and the problematization of literature by the student uprisings in Tunisia and France in 1968 pushed him toward Nietzsche and a re-evaluation of his thought in relation to the upsurge of Marxism at this time.

Chapters Three and Four together seek to articulate Foucaultian critique after the genealogical turn as *the politics of truth*. The politics of truth bases itself on the open, ungrounding character of power relations by rooting itself in struggles of desubjection. These seek to break away from forms of power that crystalize their fluidity through processes of subjection. This involves historically tracing the relation between discourse and power in order to strengthen and multiply such struggles. As the politics of truth, then, philosophy is a partisan enterprise. Yet it is more than its partisanship with what escapes subjection—it is also itself a practice of desubjection that seeks to consistently practice the gesture of suspending universals and undoing the effects of power in the self—particularly those that result from being codified as an anthropological subject. Critique involves forming a subjectivity whose substance is exclusively ethical and political because it is formed out of its relation to struggle. As I will go on to discuss in Chapter Four, in the context of Foucault's studies of governmentality, critique is an art of becoming ungovernable that connects the gesture of critique to all the rest that make up a life. Specifically, it is an *askēsis*, or consistent test of oneself in terms of desubjection. As such, it is an ethical and political style of existence.

The remaining three chapters of this dissertation analyze Foucault's reading of neoliberalism as a test of his understanding of critique, as neoliberalism models power relations on the fluid and constantly shifting market, which produces subjectivities that must constantly change and adapt to their conditions. From a Foucaultian perspective, neoliberalism is a paradoxical discourse of governmentality for two reasons.

First, neoliberalism does not epistemologically ground the market in human nature, which is to say that it does not naturalize the market at the level of its premises. Depending on who one reads, neoliberals posit the market either as an institution based on the phenomenological suspension of the natural attitude toward the economy, as the historical product of spontaneous social organization, or as a "non-false" hypothesis on human behavior. And yet, neoliberal theorists pursue economic policies that function to model all power relations on the market, including those which traditional liberal discourse deems to be either social or political. The proliferation and generalization of the market functions to adapt subjects to economic rationality (the allocation of scarce resources to competing ends) to the point where the entirety of one's worldly relations are framed in market terms. Thus, while neoliberals do not begin from the premise that the market is a necessary form of human life, they naturalize it in their consequences nonetheless by governing all other modes of life into nonexistence. Furthermore, they not only seek to format all human life in economic terms, but they seek to abolish all other forms of existence that would limit neoliberal expansion as potentially totalitarian.

Second, neoliberalism paradoxically models economic subjection in terms of economic freedom. By bracketing the exercise of power to the contractual categories of coercion and deception, neoliberals envision all economic activity as an exercise of freedom. This is amplified by the way they generally understand economic subjectivity as an enterprise, which is taken to its furthest extreme in Gary Becker's concept of human capital. Human capital hypothesizes that all subjective powers of action function under market conditions as capital according to economic rationality. Under market competition and its price mechanism, which signals value in terms of supply and demand, subjects must constantly invest in themselves so as to maximize (or at least minimally enhance) their human capital according to the needs of the market. The neoliberal image of life is thus *fluid* as it requires indefinite self-transformation so as to be in step with the market. The neoliberal form of subjection therefore paradoxically establishes itself on the freedom of subjects to choose their own lives amongst competing possibilities under the pressure to reinvent themselves for the market.

Together, Chapters Five and Six offer the elements of a Foucaultian critique of the neoliberalism as a form of governmentality. They include neoliberalism's narrow delimitation of power relations and possibilities of existence that seeks to fix them to an economic form; the neoliberal attack on all other forms of life based on what Foucault calls a "paranoiac," "inflationary critique" of the totalitarianism lurking within them; and the production of subjectivities that are "*eminently governable*" by acting on the market conditions in which they are ineluctably captured or produced. (*BB*, 131; 269; 188; 209; 207)

Finally, starting from Foucault's concept of critique and his analysis of neoliberalism, I present two ways for thinking about how to critically resist neoliberalism. As I said at the outset of this introduction, this dissertation is in part simply an effort to arrive where others have already begun. If the task of critique is to increase grow capacities of resistance and intensify struggles of desubjection, then one form of struggle that has emerged since the rise of neoliberalism is *insurrectionary communism.* Whether one traces it back to the Italian *Autonomia*

movement of the 70s or the "left-communist" writings began in the latter half of that decade, insurrectionary communism understands itself not as a mode of production but as a *form of struggle*. Moreover, it views communism itself—or communization—as a means of struggle. This involves thinking communism as a specifically *non-economic*, political form of rationality whose question concerns the reciprocal growth of powers of existence and political relations of friendship and camaraderie. Secondly, after a brief reading of Foucault's concept of *parrhesia*, particularly as it pertains to the Cynics, I argue that an ethical existence today must "change the value of the currency" of neoliberal life. (*CT*, 240) One must destitute neoliberal codes of conduct and divest from the modes of accumulating human capital. This involves practices of incivility, hostility, and scandalousness as it makes living a different life the condition of living well. Finally, it involves living this different life as risky proposal to others to desert unfreedom together.

Chapter 1: *The Problem of Archaeology: Anthropology*

Anthropology constitutes perhaps the fundamental arrangement that has governed and controlled the path of philosophical thought from Kant until our own day. This arrangement is essential, since it forms part of our history; but it is disintegrating before our eyes, since we are beginning to recognize and denounce in it, in a critical mode, both a forgetfulness of the opening that made it possible and a stubborn obstacle standing obstinately in the way of an imminent new form of thought. (*OT*, 342)

1.0 Introduction

By the end of his life, Foucault's philosophy expressed a unity of two seemingly separate lines of inquiry and concern. Regardless of whether he called his thinking archaeology, genealogy, or an "ascesis," he sought to undertake a history of the present and to abolish "man" and subjectivity as both a condition of knowledge and an effect of power. This destruction is what he calls "desubjection" (*désassujettissement* in French): undoing not only the contents of the self (one's practices, thoughts, and qualities), but the very form of one's selfhood, including the discursive, political, and ethical conditions of its existence and intelligibility.[3] To the extent that it is possible to define modernity for Foucault, it revolves around a determinate form of selfhood, namely, "man." A backward glance at Foucault's work sees him develop strategies for diagnosing and transforming the historical present through the undoing of the subject and, *vice versa*, the practice of undoing the subject that one is by historically questioning the limits of what is possible in the present.[4]

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[3] It is necessary to immediately add two comments on this word. First, just as there are different ways to translate *assujettissement*, there is an even greater variety of ways to translate *désassujettissement*. In order to distinguish *assujettissement* (the production of subjectivity by relations of power) from *subjectivation* (the ethico-aesthetic practice of self-fashioning and self-formation) in Foucault, I use the simple word "subjection" to translate and refer to *assujettissement*. That makes it easy to "translate" *subjectivation* simply as subjectivation. As for *désassujettissement*, in translations of Foucault one finds a plethora: "desubjugation," "desubjectivation," "desubjectification," and "desubjection." To make things straightforward, I have chosen to go with "desubjection." There is one instance (in his 1978 interview with Duccio Trombadori) where he uses the word "*dé-subjectivation,*" however, from the context it is clear that he is using it synonymously with *désassujettissement*. Secondly, to my knowledge, the first instance of *désassujettissement* occurs in 1971, where Foucault identifies it with struggle amidst power relations, in particular, with class struggle prior to his break with the Maoists and the ultra-left after the Bruay en Artois affair in 1972. However, the most suggestive use of the word comes later, in 1978, when Foucault reflects back upon his interest in Nietzsche, Bataille, and Blanchot, and finds in all of them a thought arranged around a limit-experience which forms "a project of desubjectivation [*une entreprise de dé-subjectivation*]." (*EF3*, 241).

[4] Tracing the unity of these two lines in Foucault's work is difficult. Up until the end of the 1960s, his work is Janus-faced, divided between "positive studies" that describe the discursive formations leading up to the present on the one hand and, on the other, so-called works of "passion" that speak of transgressing the epistemic limits of discourse: "For a long while, there has been in me a space of poorly resolved conflict between the passion for Bataille and

Critique names the unity of these two lines in Foucault's work and constitutes his central philosophical task. As other scholars have pointed out, he always understood his works in different ways as attempts to think the historical emergence and undoing of limits: the limits of forms of discourse, the limits of apparatuses and modes of exercising power, and the limits by which an ethical practice forges a self.[5] And he put forward a critical philosophy that sought to undo the limits that make us what we are by questioning not only what philosophy is, but also *what makes it possible in our own time* as the thinking of *historical limits*.[6] Hence, the unity of the history of the present *and* desubjection is the *critical philosophy* of discourse, power, and the subject.

This chapter has two main objectives. After setting down some of his archaeological vocabulary, the first is begin to show the unity of the history of the present and desubjection in Foucault's thought by drawing upon textual evidence from his 1960s archaeological period (I will continue to argue for it in later periods of his work in the following chapters). To this end I will start by looking at his remarks on the problem of the beginning of philosophy, in which he claims that philosophical critique has two external conditions: non-philosophical discourse on the one hand and, on the other, what Foucault calls *the being of language*, is both the ground and abyss of discourse as such.

Second, I would like to present *anthropology* as the historical problem of critique, that is, as both the primary subject matter of the history of the present and the target of desubjection. Though Foucault initially develops his concept of anthropology in his *Introduction to Kant's Anthropology*, I will focus on its mature formulation in *The Order of Things*, which defines the target of much of Foucault's philosophy, namely, the conceptual image of man as a set of rules governing discourse. This will take my reading up to the brink of the second condition of philosophy, by showing how Foucault's concern with the being of language emerges *within* the critique of anthropology, or, more precisely, at the limits of anthropological discourse. For now, in order to explain Foucault's idiosyncratic definition of critique, it is necessary to start at the beginning, as it were, and see how the history of the present and desubjection find their unity in what makes critique possible.

1.1 The Beginning of Philosophy

Ever since Kant, critique has had to satisfy two conditions owing to the subject-object distinction from which it begins. First, every critique must question its own activity of thought and, secondly, it must do so by interrogating its relation to its subject matter. However, as

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Blanchot on the one hand and, on the other, the interest that I nourished for certain positive studies, like those of Dumézil and Levi-Strauss for example. But, at bottom, these two orientations, of which the unique common denominator was perhaps constituted by the religious problem, equally contributed to lead me to the problem of the disappearance of the subject." (*DE1*, 642)

[5] Included among those who insist on the critical nature of Foucault's work, I refer to Rudi Visker's *Michel Foucault: Genealogy as Critique*, Judith Butler's "What Is Critique? An Essay on Foucault's Virtue," Béatrice Han's *Foucault's Critical Project: Between the Transcendental and the Historical*, and, more recently, Colin Koopman's *Genealogy as Critique: Foucault and the Problems of Modernity*.

[6] In Badiou's *Metapolitics*, one reads, "As for [Foucault], who could fail to recognise that Foucault "twisted" philosophy towards an archival history of epistemic singularities, that he was more of a historian than any of us, to the extent that nowadays his followers are much more active in the profession of the "human sciences" than in "pure" philosophy? Besides, everybody knows that Foucault's real philosophical referent was Nietzsche and that, despite the latter's silent latency in Foucault's published work, Foucault is the Prince of contemporary anti-philosophy." (Badiou 2005, 52)

Foucault said to an interviewer in 1975, "Only a Kantian could attribute a general meaning to the word 'critique.'"[7] (*DE1*, 1683) Whereas Kant could begin to philosophize on the basis of experience in general, Foucault does not permit himself to assume the generality of experience and thus he denies the universality of its formal conditions. In order to determine the philosophical character of Foucaultian critique, we must see how it responds to one of philosophy's perennial questions, "where does philosophy begin?"

Foucault poses this question in his inaugural lecture at the *Collège de France* in 1970 (*The Discourse on Language*). Though he does not answer it directly, one can gather a response both from the lecture and the whole of his work: for Foucault, a pure philosophical beginning is impossible because the subject matter of philosophy necessarily escapes it, refusing its incorporation and mastery within the limits of knowledge, thus consigning philosophy to history. What follows in this section is a brief elaboration of two clues that point in this direction. The first is the claim that philosophy does not begin with the interiority of its own discourse, but with the critique of historical discourses, the chief object of Foucault's work being anthropology (at least until his turn to ethics). The second is that the historical character of discourse is in turn due to the fact that language fundamentally resists totalization by philosophical discourse. Now, neither of these claims can be examined in abstraction from Foucault's own critique of anthropology; they will thus have to wait to until the beginning of the next chapter to be borne out. Nonetheless, I would like to take a moment here to point out Foucault's own explicit comments on this question of the beginning of philosophical critique.

The Discourse on Language begins and ends on the theme of beginning. Foucault begins the lecture thus: "I would really like to have slipped imperceptibly into this lecture…I would have preferred to be enveloped in words, borne way beyond all possible beginnings." (*AK*, 215) These words point to the institutional site that is the *Collège de France*, which requires that an author-function be attached to the speech that takes place within it. To speak from a chair position at the *Collège* requires authorization on the basis of a high degree of mastery over one's speech and what it designates. Speaking from such a position means that one is, in a way, the origin of one's speech, because one has been recognized not only as having something original to say, but as a universal representative of human knowledge. To indicate a desire to be enveloped by speech and disappear within it is to point to the tension between the stratified character of the *Collège* and what Foucault considers to be the fundamental character of language, namely, its unmasterability, or the fact that the speaking subject cannot control the conditions and the effects of its speech. This unmasterability marks the impossibility of beginning, which accounts for the historical character of philosophical critique.

The Discourse on Language ends by treating the question of beginning in homage to his late mentor, Jean Hyppolite. As he recounts the lessons he learned from Hyppolite's philosophy, many of Foucault's remarks could be applied to himself. His apprenticeship was over twenty years old when Hyppolite died in 1968 and it was Hyppolite who formerly occupied the empty chair at the *Collège* that Foucault was to receive.

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[7] Foucault: "Throughout my research, I try, conversely, to avoid all reference to this transcendental, which would be a condition of possibility for all knowledge. When I say that I try to avoid it, I do not affirm that I am sure of achieving this. My way of proceeding at this moment is of a regressive type, I would say; I tried to take on an increasingly large detachment in order to define the historical conditions and transformations of our knowledge. I tried to historicize to the maximum in order to leave as little place as possible for the transcendental. I cannot eliminate the possibility of finding myself, one day, faced with a non-negligible residue that would be the transcendental." (*DE1,* 1241)

The transformative power of Hyppolite's work on Hegel, Foucault says, lay in how he conceived of philosophy as "an endless task, against the background of an infinite horizon…a task in the process of continuous recommencement...as the thought of the inaccessible totality."[8] This endless repetition of the gesture of beginning is due to the insurmountable character of history. In Hyppolite, it was Marx who first insisted on this point, which posed the greatest difficulty for Hegel: "if philosophy really must begin as absolute discourse, then what of history, and what is this beginning which starts out with a singular individual, within a society and a social class, and in the midst of struggle?"[9] (*AK*, 236) Caught between the aspirations for absolute knowledge and a singularly contingent starting point, Hyppolite turned to *non-philosophical discourses*:[10]

> In order not to reduce them, but to think them, thus philosophy was to examine the singularity of history, the regional rationalities of science…thus arose the notion of a philosophy that was…uncertain, mobile all along its line of contact with non-philosophy…But, if it is in repeated contact with non-philosophy, where then lies the beginning of philosophy? Is it already there, secretly present in that which is not philosophy?...But perhaps, from that point on, philosophy has no *raison d'être*… (Ibid., 236)

Philosophy, for Hyppolite begins with the already-said of discourse in order to undo the self-evidence of the concepts handed down to us. Every attempt at a pure beginning will hence be ineluctably mediated by what has been said and philosophy will never be able to overcome this condition because it is what makes it possible in the first place.[11] It is also why all philosophical ventures are "doomed historically to history" and thus subject to critically recoiling back on themselves. (*BC*, xvi) The task, then, is not to reveal the universal in the history of discourse, but to show the contingent historicality of discourse in all so-called universal concepts. Eight years later, in his course titled *Security, Territory, Population*, Foucault criticizes the inadequacy of

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[8] Hyppolite on the totality as present only in its absence: "The totality is always immanent…the Whole is there insofar as it is excluded, sublated; it is there because it is lacking; it is there as negation in the position and as internal negativity. The whole that we would like to put outside is in fact inside, like the exterior which is only an interior." (Hyppolite 1997, 162)

[9] Hyppolite on the impasse in Hegel's alternative to Marx's idea that history is the realization of humanity: "Being-for-itself must consent to mediation, to the history which thinks itself as common work, the work of all and each. This work thinks itself by making itself; this work is the history of finite, *objective* spirit, and there is a philosophy of history because it is impossible to conceive history, at least retrospectively, without determining it as sense. It is here that Hegelianism presents almost insurmountable difficulties. What is the relation between absolute knowledge, the Logos, and this philosophy of history? For Hegel, is the common work Humanity? We can respond to the second question quite clearly. Humanity as such is not the supreme end for Hegel. When man is reduced to himself, he is lost…" (Hyppolite 1997, 186).

[10] Hyppolite's position on the relation between philosophy and non-philosophy is rooted in the notion that non-philosophical discourses are themselves the unfolding of the logic of sense and thus reveal the Absolute under a certain aspect: "I think that there is a strict relation between philosophy and the non-philosophical, between philosophy and its conditions, between philosophy and the conditions of its time; the philosopher thinks her time, she was raised in thought and she depends on non-philosophy to the degree that…to the degree that it is not a pure form and to the degree that there are non-philosophical sources of philosophy." (Badiou and Hyppolite 2013, 7)

[11] This echoes the eulogy Foucault wrote for his mentor the year before: "[Hyppolite] had taught us, finally, that philosophical thought is an incessant practice; that it is a certain way of putting non-philosophy to work, while always remaining as close to it as possible, where it is tied to existence." (*DE1*, 813)

historicism on this very point when he says that it "starts from the universal and, as it were, puts it through the grinder of history."[12] (*BB*, 3)

Nevertheless, Foucault made Hyppolite's lesson his own and, as I will continue to show in what follows, he goes further than Hyppolite by committing himself to the position that non-philosophical discourses are neither particular moments of philosophical consciousness, nor are they pregnant with the universal concepts of scientific self-consciousness.[13] If philosophy's encounter with historical discourse and its relentless self-criticism of false universals is not owing to the restlessness of alienated self-consciousness pursuing its true, absolute form, then what compels philosophy toward critique in the first place?

The very historicality of discourse, the fact that it has always already begun, is rooted in its unmasterability, or the fact that no subject will ever be able to finally and fully account for itself and thereby master all language. This *limit* of speech pertains to what Foucault calls the being of language, which I will address in the next chapter after showing how it emerges in his critique of anthropology. The unmasterability of language that accounts for the historicality of discourse and the impossibility of purely beginning is however also what *makes critique possible by undoing subjectivity in advance*. The unmasterability of language, then, is both what determines critical philosophy as a history of the present and what allows it to be a practice of desubjection, even as it withdraws philosophy's reason for being. Therefore, as a history of the present that inclines toward the undoing of the subject, philosophy is thrown outside of itself in two respects. One, philosophy relies on discourse outside of itself, which serves as its object and determines it in its historicity. And two, philosophy is conditioned by *the limit of discourse*, or language itself in its unmasterability, which destines philosophy to become other than itself.

As I have argued for here, philosophy's relation to itself and its object on the basis of the being of language cannot be fully accounted for without examining Foucault's critique of his object, namely, anthropological discourse. For it is only within this critique that he discovers the being of language at the limits of anthropology. My next major move will be to present Foucault's critique of anthropology, but only after taking a moment to lay down some of Foucault's elementary concepts of the archaeology of discourse.

1.2 The Vocabulary of Archaeology: Discourse, The Historical *A Priori*, and the Archive

The Archaeology of Knowledge fixes the vocabulary of Foucault's first major methodological period. Relying on *The Archaeology*—or any of his texts for that matter—to explain Foucault's project is risky for the reason that, in its time, it was only the latest in a series of erasures and revisions that he exacted upon his own work. And it would soon find itself

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[12] Also, Foucault states in *The Archaeology of Knowledge,* "[O]ne describes the conceptual network [of a discursive formation] on the basis of the intrinsic regularities of discourse; one does not subject the multiplicity of statements to the coherence of concepts, and this coherence to the silent recollection of a meta-historical ideality." (*AK*, 62)

[13] This is not to mention the problems concerning history and contradiction that Deleuze raises in his review of *Logic and Existence.* Arguably Deleuze's review begins an intellectual relation between himself and Foucault that will see the two of them tacitly write for and respond to one another up until their spilt in the winter of 1977-78. Deleuze's review highlights Hyppolite's difficulty with accounting for history without falling back into the philosophical anthropology from which Hyppolite had tried so hard to extricate himself. Not only will this be the very challenge that Foucault sets for himself and which comes to a head in *The Order of Things*, but Deleuze sets himself the task of fulfilling Hyppolite's philosophy of a logic of sense without reducing difference to contradiction in *Difference and Repetition* and *Logic of Sense*. *Difference and Repetition* is in many ways a rejoinder to *The Order of Things* and constitutes an encounter with the twofold outside of philosophy as well.

revised in the turn to genealogy.[14] Nonetheless, it is useful to begin with the results of this period in which Foucault formulated his critique of anthropology and arrived at a set of hypotheses on the basic features of language and discourse.

I will restrict myself in this section to the following terms from *The Archaeology of Knowledge* in order to specify the archaeological level of analysis: the statement, discursive formation (or *episteme* in *The Order of Things)*, the historical *a priori*, and knowledge (*qua savoir* as distinct from *connaissance*). In short, what I would like to clarify here is that the archaeology situates its analysis at the level of *knowledge*, which consists of *statements* and their groupings into *discursive formations* according to historical rules. It is helpful to distinguish *statements* from sentences and propositions by the character of their rules, by their positivity, and by the relations that statements have with sentences and propositions.

Let's start with the rules of these different modes of language. It can be said that the finite set of historically contingent grammatical rules makes possible an infinite number of sentences, just as the same can be said for propositions on the basis of a finite set of universally valid logical principles. However, while the rules governing statements are finite in number in any given instance, they do not enable an infinite number of statements. Rather what the historical *a priori* makes *exist* is a finite set of statements that make up a discursive formation. That is, the rules governing statements are finite not only in their number, but also in the duration of their hold on discourse. And the statements they govern are likewise not merely finite in number but also in that they belong to what has *been said* more than being actualizations of what is formally possible to say. They belong to *history*, not empirical or logical possibility. In other words, statements are finite *because the rules by which they come to pass are themselves historically finite*.

Secondly, the *positivity* of statements may be distinguished from the *negativity* of sentences and propositions. Sentences and propositions introduce negativity into language because they are determined in relationship to something outside of them, which they lack in themselves. Sentences always point beyond themselves toward their meaning, while propositions are measured by their truthfulness in relation to what they denote. Foucault repeatedly distanced himself from two of his French contemporaries: Jacques Lacan's structuralist analysis of the signifier as the absent term structuring the symbolic unconscious and Jacques Derrida's deconstruction of binary oppositions that suppress the unsayable in order to establish textual meaning, *à la différance*. And he refused to view language from the perspective of the concept and its movement in objective spirit, as Hegel did.

Foucault calls discursive formations of statements *positivities* because one arrives at them simply by describing what has been said, yet at the level where it can be apprehended not merely as an empirical phenomenon. At this level, one describes the emergent historical rules in the contingent unfolding of speech, which give it the status of *an historical event*: "In the examination of language, one must suspend, not only the point of view of the 'signified'…but also that of the 'signifier,' and so reveal the fact that…there is *language* [*il y a du langage*]." (*AK*, 111) This level of analysis is composed of emergent rules that take shape as language is spoken in a certain way, with respect to certain objects, using certain concepts, from certain subjective positions of enunciation, among other factors as I will discuss momentarily. In other words, the

[14] "Erasure" and "revision is to be taken somewhat literally here, as he suppressed the publication of both the original and re-written versions of *Madness: The Invention of an Idea*, as well as the original preface of *History of Madness*.

eventfulness of discourse is due to the historical *a priori* that emerges through its factical appearance.

The multiplicity of rules that, for a time, *immanently* govern the production of statements are what Foucault calls the *historical a priori* of a discursive formation. One can identify the groupings of discursive formations into larger historical aggregates as well. The "*general system of the formation and transformation of statements*," that is, the rules defining what has been said—or what will have been effectively sayable—in the multiplicity of discursive formations, is what Foucault calls the *archive*. *The archive is, then, the general subject matter of the archaeological history of the present.*

Foucault claims, "The statement is neither visible nor hidden." (Ibid., 109) Rather, "it requires a change of viewpoint and attitude to be recognized and examined in itself." (Ibid., 110-1) What rules might emerge with a change of perspective on language? The main domain of rules of a historical *a priori* consists of rules that govern the formation of objects, concepts, subjects of enunciation, and the field of possible themes.[15] There are rules that govern the appearance of *objects* and the discontinuities in their appearance over time as they are transformed. For instance (to take political economy as an extended example), there are breaks between labor as a unit common to all wealth in the 18th century analyses of wealth, labor as the source of all wealth in 19th century political economy, and labor as the activity of human capital in 20th century neoliberal economics[16].

Second, there are "preconceptual" rules that govern the succession and distribution of *concepts*, such as political economy's concept of *homo oeconomicus* as a "man of exchange," who involves himself in market relations determined by equivalent values, and neoliberalism's "entrepreneurial man," whose first relation is to himself in practices of self-investment.

Third, there are rules that govern the dispersion of *subjects of enunciation*. Who is qualified to speak, in what sites, and according to what powers of action? Becoming an economist today requires institutional training according to pedagogical norms that subject the individual to criteria of competence. Normalized subjects are afforded access to a variety of positions in academic, governmental, and private sectors, each with their own set of characteristic practices.

And finally, there are rules that govern the disjunctions between possible themes and theories within a discursive formation. Each disjunction offers different "*strategic choices"* of possible lines of affiliation for would-be subjects of enunciation. In 19th century political economy for instance, within the concept of labor as the activity of overcoming need, it is possible to oppose Ricardo to Marx according to a choice between different themes of History. The former offers a theme of pessimistic History, which ends in the static economy limited by scarcity where the quantities of profit, rent, wage, and population are all reciprocally adjusted to one another. The latter offers a revolutionary theme of History, as the falling rate of profit correlates inversely with the impoverishment of the working class until it overturns the material conditions of this contradiction and thus overcomes scarcity and need. The choice of theme is strategic because it is here that one can see a discursive formation not as a deterministic regime of signs, but as a series of struggles whose stakes are primarily the appropriation, operation, and

[15] Statements are also always related to a second, *associative* domain, which consists of other statements. A statement's relation to this field is governed by rules as well: a statement occurs in a series of other statements, may refer to other statements, allows others to follow, and coexists with other statements of its kind.

[16] Labor, life, language, sexuality, madness, and criminality are the major discursive objects of Foucault's archaeological and genealogical works.

retention of the ability to speak in discourse. (Ibid., 120) This use of strategies and positions of enunciation to conceive of discourse as an object of struggle is how Foucault, already in 1969, integrates the concept of power into his work, albeit a negative one.[17] Here the games of power around strategic choices in discourse is based on the claim that any given discursive formation is both the subject and object of *discursive practice*, or the iterative use of the rules pertaining to objects, concepts, and possible choices by a subject occupying a position of enunciation.

One obvious question arises here, namely, if both statements and their rules are historical, what sense does it make to speak of them in *a priori* terms? Foucault's concept of the historical *a priori* arrived at the same point that Deleuze made with respect to Nietzsche's concept of the will to power, namely, that the conditions of real existence are not "larger" than what they condition. (Deleuze 1983, 50) In keeping with the positivity of discourse, discursive rules extend *only* as far as historically existing language as it appears in "things actually said;" and these rules are nothing other than the description of relations between statements and their conditions. (*AK*, 127) Discursive formations are entirely governed by their variable conditions and yet one does not discover their rules on a higher, *transcendental* level. The historical *a priori* is categorically distinct from the Kantian *a priori*, as the former extends only as far as the historical *existence* of statements—it is completely immanent to them—while the latter delineates the truth conditions for *possible* judgments. (Ibid., 127) In other words, historical *a prioris* are not universal. And if they are not universal conditions, then what they condition cannot extend as far as "possibility" in general. The rules of the historical *a priori* are entirely *immanent* to statements, they are "caught up in the very things that they connect" and are transformed with them and their repetitions in turn. (Ibid., 127) As the conditioned shifts from the experiential *limits* of *possible* judgments to the historical *reality* of *existing* statements, "*a priori*" no longer means *necessary* and *universal*, but *contingent* and *singular* (the *a priori* is not given through its possibility alone). One can speak of possibility and necessity only *within* a discursive formation—and in the temporal dimension of the future-anterior at that: the historical *a priori* of a discursive formation *will have made possible* certain statements, certain discourses, and so on.[18]

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[17] That Foucault was already thinking about the power is evident in a handful of different places in *The Archaeology*, particularly where he states that "a fuller analysis of theoretical choices must be left until a later study" and where he links this potential study to politics. (*AK*, 65, 194)

[18] Foucault is actually ambiguous on this point and I am intentionally reading him in a Deleuzian direction. Foucault sometimes writes as if the historical *a priori* consists of rules that make *possible* the formation of a particular discourse or set of discourses. This seems either to lend to them a generality that exceeds the discourses they condition or to suggest that they completely precede the statements that they condition. Foucault's earliest explicit categorical articulation of the historical *a priori* is in *The Order of Things*, where he writes, "The history of knowledge can be written only…in terms of conditions and *a prioris* established in time. It is in this sense that archaeology can give an account of the *existence* of [discourses]." (*OT*, 208) However, Foucault's clearest statement on the historical *a priori* stresses the quality and modality of the conditioned: "Juxtaposed these two words produce a rather startling effect; what I mean by the term is an *a priori* that is not a condition of validity for judgments, but a *condition of reality* for statements. It is not a question of rediscovering what might legitimize an assertion, but of freeing the conditions of emergence of statements, the law of their coexistence with others, the specific form of their mode of being, the principles according to which they survive, become transformed, and disappear…the *a priori* of a history that is given, since it is that of things actually said." (*AK*, 127) So, anthropological discourse is possible in an abstract sense, but it need not have come into being. Once it does, however, anthropological statements define the rules of their enunciation and, as they accumulate, the regularity of any given statement becomes tied to the other statements in its formation and their regularity. One can say that "It will have been necessary for Marx to have conceived of history as the disalienation of the proletariat," but only after the possibilities immanent to the historical *a priori* have begun to exhaust themselves. Furthermore, if conditions are historical, this means that they arise on the basis of singular, disjunctive, and problematic events. These conditions do not arise complete on the scene of history

Secondly, whereas "possible experience" implies a universal subject judgment, "historically existing statements" implies that the subject is not the ground that underlies experience, but is rather subject to discourse as its prior condition. Archaeology thus detaches knowledge from judgment and thereby subjects the former to the conditions of discourse, not the other way around. The subject is first spoken before speaking.

This gives rise to the distinction within knowledge between *savoir* and *connaissance*. When knowledge refers to the judgments of a subject-object relation made in accordance with historical rules of intelligibility, Foucault uses the word *connaissance*. However, when knowledge refers to those rules themselves which involve producing, using, and repeating statements—everything that determines the entire domain of what will have been able to be said and appear—he uses the word *savoir*. In other words, *savoir* refers to the historically existing rules of the sayable, whereas *connaissance* refers to the existing sciences and regions of knowledge such rules make possible. Archaeology thus distinguishes itself from the history of ideas by departing from the subject-object relation as its sole point of departure and inevitable return in the analysis of knowledge.

There is one final word on the archaeology of historical *a prioris*. According to the Foucault of *The Archaeology of Knowledge*, it is not possible to describe the *a priori* that governs us in the present because we speak from within its rules, which define both the appearance and disappearance of our archive. Here, the history of the present is the history of "discourses that have just ceased to be ours." (Ibid., 130) Archaeology attests, then, to the otherness of the present by describing the *a priori* from which it is breaking.[19]

For Foucault, the historical *a priori* from which we are breaking is man, the figure of those rules that make up the discourse of anthropology. The task of *The Archaeology* is to summarize almost a decade of work critiquing anthropology and to show how one can historically analyze discourse without presupposing categories that derive from man and his constitutive subjectivity. These include, for example, the author, the book, and tradition among others—all those categories that ensure that history is tied to the continuity of man's consciousness. However, the most comprehensive account of man and anthropology is to be found in *The Order of Things*, to which I will turn after a brief overview of the central place of anthropology in Foucault's archeological period.

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all at once and then make possible the experience of a historical period—only to mysteriously just go away in the give and take of being. Nor are they "finite eternal structures" that, once arisen, exist in transcendental memory. This is because historical *a prioris* are not themselves unconditioned—they are conditioned in two ways. First, following the Nietzschean turn in the early 1970s, they are conditioned by the encounter of forces that they problematize—the void that they try to objectify, conceptualize, enunciate and make speak in multiple ways. Second, they are conditioned by these very practices of objectification, conceptualization, and enunciation, which the historical *a priori* conditions. Inasmuch as discursive formations give rise to a historical form of experience, one could say that experience also conditions its conditions, although it would be more accurate to say that experience is a scene of discursive strategies and these strategies in turn condition the rules of the discursive formation to which they pertain.

[19] This characterization of the relation between the historical *a priori* and archaeological critique will undergo a significant revision in the turn to genealogy. For one, Foucault will trouble the capacity to so easily separate the past from the present as he turns to considering the role of discourse in programming the relations of power. And second, the position from which one will be able to delineate the otherness of the present will no longer be the archive of the past, but conflicts raging within the present itself.

1.3 Anthropology as The Historical Problem of Archaeological Critique

As works of critique, each of Foucault's 1960s projects shows how the move to ground experience in its own finitude turns out to be dogmatic. As he said to an interviewer in 1975: "I would say [critical work] is an attempt to disclose as much as possible, that is to say, most profoundly and generally, all the effects of dogmatism tied to knowledge, and all of the effects of knowledge tied to dogmatism."[20] (*DE1*, 1683) Foucault's most consistent claim against anthropology is that while it asserts a necessary and universal link between the subject of knowledge and its and object, this link is ungrounded. This allows him to claim that archaeology's historical present is a critical juncture in the history of discourse, as anthropology is ungrounded and yet continues to regulate what we say, do, and think.

In the *Introduction to Kant's Anthropology*, Foucault concerns himself with identifying the moment in Kant in which anthropology becomes possible as a mode of intelligibility, but which Kant had already determined to be insufficiently critical. Anthropology emerges after Kant when "anthropological illusion" comes to govern discourse in Euro-American societies; it is the central problem of Foucault's archaeological period.[21] The *Introduction to Kant's Anthropology* uses it in direct relation to Kant's problem of transcendental illusion. In Kant, transcendental illusion results from reason's tendency to use the pure categories of the understanding beyond the limits of experience, which results in reason positing the unconditioned as a possible object of knowledge.[22] Foucault accounts for the Kantian subject thus: "[Kant] uncovers a transcendental field in which the subject, which is never given to experience (since it is not empirical), but which is finite (since there is no intellectual intuition), determines its relation to an object = *x* all the formal conditions of experience in general." (*OT,* 243)

Anthropological discourse instead views man as a determinate *object* in an *empirical field*, whose *objective* syntheses both delimit the knowledge man can have of himself (since they lack the spontaneous character of transcendental subjectivity) and serve as transcendental conditions of knowledge, which converts the initial empirical status of the objective field. Whereas reason's search for the unconditioned gives rise, among other things, to an actual infinity in the realm of possible knowledge (the theological idea of God), anthropological illusion occurs as a sort of reversal of transcendental illusion. It emerges when the limits of experience are found in the contents of experience itself and are made to serve as its fundamental ground in general. That is, the illusion of "man" takes shape when he encounters his own empirical limit in himself and

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[20] My translation.

[21] I also here omit Foucault's first published book, subject as it is to the anthropological constraints he would critique just a couple years later. Regarding the relation of his archaeological works to anthropology, he writes in *The Archaeology,* "[they] were attempts that were carried out, to some extent, in the dark: but they gradually became clear, not only because little by little their method became more precise, but also because they discovered—in this debate on humanism and anthropology—the point of its historical possibility." (*AK*, 16)

[22] Regarding the discursive status of the human sciences in the modern period, Foucault discounts the value of the concept of illusion, stating, "But to say that they are part of the epistemological field means simply that their positivity is rooted in it, that that is where they find their condition of existence, that they are therefore not merely illusions, pseudo-scientific fantasies motivated at the level of opinions, interests, or beliefs, that they are not what others call by the bizarre name of 'ideology'." And, regarding the concept of *savoir* in his archaeological texts, "The notion of knowledge had the function, precisely, of casting the opposition between the scientific and the non-scientific, the question of illusion and reality, the question of the true and the false out of the field of inquiry." (*GV*, 13, my translation)

takes it to be the ground of a *necessary* synthesis of the objective and subjective conditions of knowledge.[23]

It should be said that "illusion" is a word that drops out of Foucault's vocabulary by entirely the mid-1970s, however, its use to describe the problem of anthropology already ends by *The Order of Things*. This is on account of two reasons: the first is that its Kantian legacy is itself complicit in the rise of anthropology and the second is that it assumes truth as a normative value. Kant held that transcendental illusion resulted in contradictory propositions in the sphere of reason, which meant that critique must become a "critique of dialectical illusion" whose task was to reveal the illusory premises of metaphysical reasoning and the falsity of its conclusions. (Kant 1998, 199) By way of Hegel and Marx, the dominant legacy of the "critique of dialectical illusion" in our own time (and certainly in Foucault's) is the critique of ideology. "Ideology critique" shows how the dominant ideas of class-based societies tend to present themselves as universal and necessary when they are in fact the particular and contingent expressions of a historical society. Foucault is not interested in unveiling the contingent particularity of historical social conditions. To be sure, Foucault agrees that knowledge is always historically contingent, however, unlike ideology critique, he denies that knowledge can ever be adequate to its conditions (communism will not produce truly universal ideas). This is because, as I discuss in the following section and at the beginning of the next chapter, for Foucault, the condition of discursive knowledge—*at least as it appears to us today*—is language itself; and language is devoid of any necessary or universal criteria of judgment.

This is why *The Order of Things* does not speak of "anthropological illusion," but merely describes the rules of anthropology and shows how they are coming undone by language itself.[24] As its French title *Les mots et les choses* ("Words and Things") hints, its subject matter is the emergence of historical orders out the interminglings of an invisible language and a silent expanse of things. The task of *The Order of Things* is to show the rules that emerged in the mutual envelopment of the sayable and the visible to form the historical *a priori* "man" within the modern *episteme*.[25] To do so, it looks at looks at the discourses that emerged around three of

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[23] What distinguishes these empirical limits from the limit-experiences valued by Foucault is that the former are empirical while the latter are at the limits of constituted experience.

[24] One also sees anthropology at the center of *History of Madness* and *The Birth of the Clinic.* The former shows how modern psychiatry emerges by "liberating" madness from the confused, hidden, and silenced multiplicity of "unreason" that was rounded up by the Great Confinement in the 17th century. Freed from a grouping that included criminals, paupers, vagabonds, and the infirm, madness was *made to appear and speak in the asylum*, where science was able to establish the self-certainty of *its non-madness*. Modern madness was formed as an object in which scientific man—from Jean-Étienne Esquirol to Freud—could know himself as the disalienated truth of an alien other. This is what *History of Madness* calls the anthropological circle of madness, but which *The Order of Things* addresses at the relation between "the *cogito* and the unthought." *The Birth of the Clinic* shows the role of fundamental finitude in the birth of etiology. Near the turn of the 18th century, Marie François Xavier Bichat's statement, "Open up a few corpses," reverses the relations of visibility and invisibility in medical practice and indicates a break in the medical discourse on life. In the Classical period of medicine, disease was a sign of death that appeared *on* the body; it was opposed to life, which was known externally through its own essence. With Bichat and modern medical science, one explains how bodies die *after the fact* by opening up their insides, such that death becomes the principle of the medical gaze in understanding of life. (*BC*, 146, 197)

[25] It is important to note that "the visible," as a perceptual field in a given discursive formation, is an object of self-criticism in *The Archaeology of Knowledge* and in interviews he gave around the time of its publication. For *History of Madness* and, especially, *The Birth of the Clinic* both refer the visible and the invisible to the gaze of a scientist. Thus Foucault risked inadvertently basing his account in a phenomenological subject. *The Order of Things* "brackets" this gaze and refers the visibility of objects to the formation of concepts. Foucault will refer it to power as well

man's fundamental objective contents in the classical and modern periods: life, labor, and language. In what amounts to an expansion and refinement of the anthropological illusion first developed in *Introduction to Kant's Anthropology*, Foucault identifies four rules that make up the historical *a priori* of anthropology. Taken together, he calls them the "anthropological quadrilateral," which presides over modernity's "sleep of anthropology."[26] (Ibid., 341)

It is important to point out that for Foucault, "man" does not refer to human nature (which is nothing new), but to the exclusive object and subject of anthropological discourse, which is why Foucault can say that "man…is probably no more than a kind of rift in the order of things, or, in any case, a configuration whose outlines are determined by the new position he has so recently taken up in the field of knowledge." (Ibid., xxiii) The anthropological quadrilateral is made of up of the following four rules (1) *Finitude:* man is the form of finitude that one may derive from his objective contents in order to ground them. (2) *The empirico-transcendental doublet:* man is a transcendental doublet as his empirical contents may serve as transcendental conditions of their knowledge. (3) *The thought of the unthought:* man's thought of man is the thought of the unthought in man, or man's objective contents necessarily elude his thought, which compels man to reconcile himself by pursuing them. (4) *Originary historicity:* man possesses originary historicity, or his objective contents in the present point to a lost origin that awaits repetition.

As the historical *a priori* "man," these rules constitute the *problem* of archaeology. For in describing them, archaeology apprehends the limits of man, or the groundlessness of anthropological thought. Therefore, on the one hand, archaeology attests to the beginning of man's decline and, on the other, *these rules continue to exert their hold on discourse.* Much like Nietzsche's proclamation of the "death of God," Foucault's archeology proclaims the death of man as an event that takes time: "This tremendous event is still on its way, still wandering…Lightning and thunder require time; the light of the stars requires time…" (Nietzsche 1974, 182) The archaeology of man finds itself in a historical present that is splitting apart that is the primary concern of critique as the unity of the history of the present and desubjection. Hence, to call "man" the problem of archaeology is to say that this historical *a priori* is the target of its critique and the metric by which archaeology endless critiques its own concepts and methods as it seeks to invent a new form philosophical inquiry. At this point, I'd like to turn directly to *The Order of Things*, where Foucault not only critiques the

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beginning with *Discipline and Punish*, as can be seen in the opening Part on changes in the distribution of the visible and the invisible amongst the spaces of judicial decision and punishment throughout the 18th and 19th centuries.

[26] I have here omitted the text on Roussel, *Death and the Labyrinth.* This is because—along with his essays on Manet, Blanchot, and Bataille—it largely falls on the other side of the aforementioned division between "positive studies" and "works of "passion." Hence Foucault himself believed that the book on Roussel didn't have a proper place in the sequence of his works: "it is by far the book I wrote most easily, with the greatest pleasure, and most rapidly"…"My relationship to my book on Roussel…is something very personal." (*DL*, 187) While it concerns itself with the extent to which modern discursive conditions *necessitate* a writer like Roussel, its main focus is on how the language of Roussel's books not only uses but also reveals the being of language, the (tropological, imaginary) site where words and things intersect and make discourse possible. (*DL*, 150) While I do not turn to this text at length below, I will treat the being of language insofar as it relates to transgression and the thought of the outside, which prefigure desubjection. Finally, it is easy to misread Foucault's own distinction between positive and passionate works, but this should not be taken to mean that Foucault's positive studies are entirely dispassionate and hence exterior to the practice of self-transformation. They may sometimes appear devoid of passion in the sense of affective intensity, but that does not mean they are not involved in an undergoing and that they do not constitute a step in the undoing of the subject who undertakes the investigation by traversing discourse toward its limit.

anthropological *a priori*, but also accounts for what gives rise to it, namely, the fundamentally unmasterable character of language.

1.4. "Man" as a Historical *A Priori*

The Order of Things shows how the anthropological quadrilateral quickly began to govern three primary discourses at the turn of the 19th century: biology, philology, and political economy. They cover the whole field of modernity's *episteme* and they developed with the formation of three discursive objects: respectively, life *qua* organic structure, language *qua* grammatical system, and labor *qua* economic structure. Since Foucault claims that the historical *a priori* is nothing other than a description of the differential rules of a discursive formation, in order to keep things relatively concrete, I will present the quadrilateral with reference to his analysis of modern political economy in *The Order of Things*. This will also serve to anticipate my argument in Chapter Six that neoliberal economics largely continues to operate according to the quadrilateral, which unites it with a governmental mode of power. Moreover, again later on, it will show how anthropology still informs the horizon of the critique of neoliberalism. Having enumerated the rules above I would like to now go through them one by one to see how each side of the quadrilateral builds upon and complicates the ones preceding it, starting with finitude.

Foucault writes, "[A]t the archaeological level, which reveals the general, historical *a priori* of each of [the] branches of knowledge, modern man—that man assignable in his corporeal, laboring, and speaking existence—is possible only as a figure of *finitude*."[27] (*OT*, 318) In Kant, anthropological finitude is an empirical double of the transcendental syntheses that make experience possible. From within the experiential domain of existence, the syntheses of the transcendental "I" appear as always already there, dispersed in time. Kant's finite, empirical man is a double of the transcendental subject, which eventually grounds itself in God and the world. Post-Kantian anthropology makes it the other way around. Here, the fact of finitude's existence serves as its own ground. Each anthropological discourse takes man as an empirical object and discovers in his contents some element of facticity that marks his irreducible finitude (as I'll discuss later, the existential phenomenological language here is not accidental). For the three primary discourses respectively, finitude is found in the death of the organism, the excess of language's historical meaning beyond the intent of a speaker, and human need. Accordingly, man assumes a doubly ambiguous form as both the object and subject of knowledge. As an object of knowledge, his contents precede and outstrip his existence as an individual. Nonetheless, his contents refer to him as a subject that activates them and comes to know itself through them. Therefore, in order for man to know himself in his objectivity, anthropology extracts a subjective ground from within it.

Man's empirical determinations are given to experience on the basis of "a fundamental finitude which rests on nothing but its own existence as a fact, and opens upon the positivity of all concrete limitation." (Ibid., 315) The two principal thinkers of modern political economy, Ricardo and Marx, both isolate need as the fundamental sign of man's finitude, which gives rise to a labor theory of value and a history of economic forms.[28] Ricardo bases human labor on the

[27] Translation amended, my emphasis.

[28] In *The Order of Things,* Foucault explicitly differs from his friend and mentor Althusser. Althusser famously argues for an epistemological break in Marx's work that separates into an early, humanist period and a late, "anti-humanist" period characterized by theorizing the economic, structural determinations that are external to individual human beings. By focusing on the discursive level of reality and its historical *a prioris,* Foucault excludes the type of reading that would identify an epistemological break within the work of a single thinker, since such a reading

fact of human desire, which appears as need under conditions of scarcity, or death when scarcity is absolute. Thus labor is the sign of death just as it is the activity of warding it off. And it is this same desire, which, put to work, confers value upon all things relative to itself. Political economy epistemologically constitutes man as an object of knowledge on the basis of his needs, whose satisfaction requires him to become a laboring subject.

In Ricardo, the value of every commodity is derived from the subjective activity of human labor, such that the quantity of labor (measured in time) required for manufacture determines the value of the commodity. The amount of labor time is determined in turn by the form of production, its degree of the division of labor, the kinds of tools available, the mass of capital available, and so on. These in turn are results of human labor. Man's concrete determinations consequently open out onto a whole history of developments in the act of laboring and exchanging that precedes him and makes him possible. For Marx, man too produces use values under the condition of need. However, the social form of labor as wage labor is but the historical result of a series of revolutions in the relations and forces of production. And the need that compels him is itself produced by social conditions that are produced in turn by alienated labor. For, beset by the contradiction between the relations of production and the forces of production, laboring man is daily robbed of his products. Moreover, these same conditions periodically precipitate crises of overproduction in which property relations prevent the available supply of commodities from being distributed to meet the human needs of workers. However, the proletariat's experience of bare life on the basis of its alienation from the products of labor enables it to recognize the historical character of its condition and to apprehend its truth in its revolutionary future, namely, communism. It's no surprise that Marx defines communism in terms of need in his *Critique of the Gotha Program* in the famous statement, "From each according to his ability, to each according to his needs." (Marx 1994, 320)

Man in his needs and laboring activity is hence "the principle and means of all production." (*OT*, 313) The form of finitude by which man is both a knowing subject and an object of knowledge is such that finitude is always double. Finitude grounds both the act of laboring today and, consequently, the socio-historical form that outstrips it and determines it from without. The objective contents of man are derived from his needs, which point to man as a subject, but only by first referring man outside of himself to an objective process that is already there, which *limits and determines him*. Thus man's finitude is marked by his passivity with respect to the sign of his finitude *and* the temporal precedence of the contents it generates as they envelop him from without and compel him to participate in their history. Finitude is both the

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would have to start from the premise of an authorial subjectivity. Nevertheless, one could reconcile Althusser and Foucault on Foucaultian terms by saying that if there is an epistemological break in Marx, it is in no way unique to Marx, but rather one instance of a break taking place within the archive as one discursive formation gives way to another. A Foucaultian account of the break Althusser finds in Marx would see it as the eclipse of labor in Marx in favor something closer to language. This is because it was by means of language that Sade was the first to detach desire from utility and need and "[place] it in a void where it establishes its sovereignty…In this sense, the appearance of sexuality as a fundamental problem marks the slippage of a philosophy of man as worker to a philosophy based on a being who speaks." (*EF2,* 85) Foucault on displacing the epistemological break: "[T]here does remain an obvious difference between Althusser and me: he employs the phrase "epistemological break" in connection with Marx, and I assert to the contrary that Marx does not represent an epistemological break…What I said about Marx concerns the specific domain of political economy. Whatever the importance of Marx's modifications of Ricardo's analyses, I don't think his economic analyses escape form the epistemological space that Ricardo established. On the other hand, we can assume that Marx inserted a radical break in people's historical and political consciousness, and that the Marxist theory of society did inaugurate an entirely new epistemological field." (*EF2*, 281-282)

content to which he is passive and the spontaneous ground of that content; need is both the factual limit of man extracted from his empirical contents and the ground that repeats itself in every concrete determination of those contents in history. The desire and need that thrusts men into labor for Ricardo is the same as that on the basis of which everything is desirable; the desire and need that grows from the alienation of the working class for Marx is the same as that which will allow the proletariat to coincide with its objective conditions and truly produce itself. "From one end of experience to the other, finitude answers itself; it is the identity and the difference of the positivities and of their foundation, within the figure of the *Same*." (Ibid., 315) Within the space of this repetition, knowledge finds itself historically limited by its contents and the forms they prescribe. However, these forms simultaneously ground and make knowledge possible. Finitude, as the repetition of the positive in the fundamental, thus constitutes a discursive *fold*, a site, in which the other sides of the quadrilateral emerge. Let's move then to the second rule, that of the transcendental doublet.

Foucault writes, "Man, in the analytic of finitude, is a strange *empirico-transcendental doublet*, since he is a being such that knowledge will be attained in him of what renders all knowledge possible."[29] (Ibid., 318) The transcendental doublet is the form of finitude when viewed along the transcendental-empirical divide. Whereas the form of finitude closes in on itself because its objective contents serve as their own foundation, man functions as a transcendental doublet to the extent that the empirical contents of man serve as their own transcendental condition. Here another difference emerges with respect to the place of finitude in Kant's transcendental philosophy: whereas pure reflection first had to determine the conditions of the possibility of experience before the *Anthropology* could take them up in the empirical domain of existence, for post-Kantian anthropology the conditions of the possibility of experience first emerge *in* its object. From this point of view, "Labor, life, and language appear as so many 'transcendentals' which make possible the objective life of living beings, of the laws of production, and of the forms of language." (Ibid., 244)

There are two kinds of analysis in modernity that make the contents of experience function as their own conditions. Foucault distinguishes them in a Kantian fashion according to whether they appeal to sensibility or whether they appeal to judgment and understanding. The first is a "quasi-transcendental aesthetic" which derives the forms of knowing from sensation and the human body as these forms themselves make up part of the body's functioning.[30] The second is a "quasi-transcendental dialectic" which derives the conditions of knowledge from the historical succession of man's truths and illusions.[31] Elements of both kinds of analysis can be found within a single discourse or even within a single author, however some discourses are more identifiable with one or the other.

Ricardo and Marx obtain the doublet through a "quasi-transcendental aesthetic" when they relate the science of man to the body's needs and desires. Above, I stated that Ricardo yields a new principle for economics when its primary object is no longer money, but labor, which in turn is an activity of desire and need under the condition of scarcity. That is, economics becomes anthropological when it is related to "the biological properties of the human species." (Ibid., 257) With Ricardo, need itself is not implicated in the history that develops on its basis. However, the same cannot be said for Marx, who understands need within a historical

[29] My emphasis
[30] Recall that for Kant, the transcendental aesthetic deals with the *a priori* principles of sensibility. (*OT*, 319-20)
[31] Recall that Kant calls the transcendental dialectic a logic of illusion. (Kant 1998, 384)

progression that mediates and eventually surpasses it in full communism, understood as a society without need.[32] As a sign of finitude, need initiates a history that ends by surpassing it.

The German Ideology tells us "The first historical act is the production of the means to satisfy…needs…the satisfaction of the first need…leads to new needs; and this production of new needs is the first historical act." (Marx 1978a, 156) The history of humanity, its knowledge, and its productive forces must be understood on the basis of the consciousness of physical need, since the prospect of increasing society's capacity to satisfy human needs motivates science to understand nature. Yet as human history is one of alienated labor wherein one class controls the ability of another to meet their needs and thereby deprive them of the ability to determine them for themselves, human needs have historically only been able to appear in the false light of an alien class which imposes a *social* condition of scarcity. This makes the communist abolition of need the historical basis of true natural science. Marx writes:

> The nature which comes to be in human history…is true *anthropological* nature. Sense-perception…must be the basis of all science. Only when it proceeds from sense-perception in the twofold form both of sensuous consciousness and of sensuous need…is it true science. All history is the preparation for "man" to become the object of sensuous consciousness, and for the needs of "man as man" to become [natural, sensuous] needs. (Marx 1978a, 90)

True human needs (those of "man as man") refers to "*species being*," humanity's ability to become conscious of itself as it produces itself in the course of producing its own material conditions. Such needs appear only in communism when all can not only meet their needs, but determine the conditions under which they do so. Need in this case would extend beyond the bare necessities of life to include "a totality of human life-activities," that is, both intellectual and physical activity. (Ibid.) For Marx, the sign of this under capitalist alienation is artistic beauty—the ability to produce free from physical need. (Ibid., 76) The quasi-transcendental aesthetic dimension of Marx consists of man's empirical need *qua* the criterion of historical intelligibility.

Yet, the historicity of human need also lends itself to a "quasi-transcendental dialectic," the second way of forming an empirico-transcendental doublet. This dialectic involves deriving the conditions of knowledge from the historical succession of man's truths and illusions. Here one sees how Foucault's critique of the transcendental doublet informs his long battle against the critique of ideological illusion. As is well known, according to Marx's concept of ideology, man's truths are but a long chain of illusions bound to the historical dialectic of class contradictions that engender them.[33] In order for true knowledge to come about, it must critique ruling class ideology from the perspective of the exploited class that is excluded from knowledge production. In the capitalist mode of production, true knowledge is produced by critiquing bourgeois ideology from the perspective of the proletariat, which is deprived of its needs in order for the capitalist system to function.[34]

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[32] Behaviorism and, following it, the neoliberal theory of human capital and economic rationality also deploy a quasi-transcendental aesthetic. In Grimm and Bopp, language is first treated by an analysis of the totality of its sounds. Curvier analyzed life as a fundamental force that maintains the conditions of its existence by developing functional structures by which it relates to death as the limit to which it is incessantly born off.

[33] And as far as critique itself is concerned, one might recall the Postface to the Second Edition of *Capital Volume I*, where Marx states, "In so far as such a critique represents a class, it can only represent the class whose historical task is the overthrow of the capitalist mode of production and the final abolition of all classes—the proletariat." (Marx 1990, 98)

[34] One could certainly question Foucault here with regard to whether, according to Marx, social conditions are *empirically given* or their empirical appearance is completely ideological and requires critical mediation in order to

Depending on *how* one derives the transcendental doublet, one ends up either in positivism or eschatology. As one can derive the quasi-transcendental conditions of man's intelligibility from either sensibility or thought, one obtains the criteria of truth either directly in the object of sensation (the human body), which results in positivism, or in the form of discourse on man's empirical beings, which results in eschatology. It is a question of whether discourse must measure up to the truth located directly in man's empirical contents or whether criteria must be found in how these contents appear differently across historical time. Eschatology emerges in the latter case by taking over these criteria and using them to *anticipate* and *prophesy* the true form of its historical object. Foucault remarks, however, that the alternative between the aesthetic and the dialectic, positivism and eschatology, is not strictly exclusive: "In fact, it is a question not so much of an alternative as of an oscillation inherent in every analysis that wants to assert the empirical at the level of the transcendental."[35] (*OT*, 320) That is, eschatology and positivism are indissociable in the anthropological discursive formation and anthropological discourses may sometimes deploy both to differing degrees.

Marx bears this out once again. Need points to the (social) conditions of the object (man's labor), which measure the truth of thought (whether or not it is ideological). Simultaneously, by apprehending the measure of truth negatively in man as the truth of his illusions, Marx prophesies the true disalienated man who finally arrives at self-consciousness. The true form of need is the one that surpasses itself and the condition of scarcity created by the alienation of labor and, likewise, the true form of labor is the one that expresses man's true need,

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be truly appropriated by knowledge. Althusser obviously stands as a representative of the latter possibility for reading Marx. It is crucial that Althusser, in his symptomalogical reading of Marx in *Reading Capital*, stresses the primacy of ideology critique over political economy and sociology. If labor only appears empirically on the condition of a critique of political economy, then man's empirical contents do not suffice to generate their own conditions of intelligibility. On Althusser's reading, critique first makes labor visible as an absence in the visible. Regarding his difference with Althusser, in an interview Foucault states: "However, there does remain an obvious difference between Althusser and me: he employs the phrase "epistemological break" in connection with Marx, and I assert to the contrary that Marx does not represent an epistemological break…What I said about Marx concerns the specific domain of political economy. Whatever the importance of Marx's modifications of Ricardo's analyses, I don't think his economic analyses escape form the epistemological space that Ricardo established. On the other hand, we can assume that Marx inserted a radical break in people's historical and political consciousness, and that the Marxist theory of society did inaugurate an entirely new epistemological field." (*EF2*, 281-282) Foucault's insistence on a distinction between the economic and the social in Marx is telling. It is as if he wants to recognize Marx's efficacy for intervening in society's power struggles while stating that the theoretical form of this intervention is dogmatic. Finally, even if one grants Althusser his anti-humanist symptomalogical reading, the problem of ideology is reproduced on another level in the dogmatic assertion of the distinction between Marxist science and ideology. Foucault already deals with this in *The Order of Things* and returns to it in *Society Must Be Defended*. "But if fact the search for a…history of knowledge, in the movement by which the dimension proper to a critique is fitted over the contents of empirical knowledge, already presupposes the use of a certain critique—a critique that is not the exercise of pure reflection, but the result of a series of more or less obscure divisions. And, in the first place, these divisions are relatively clearly elucidated, even though they are arbitrary:…the division that distinguishes illusion from truth, the ideological fantasy from scientific theory…but there is a more obscure and more fundamental division: that of truth itself; there must, in fact, exist a truth that is of the same order as the object…the truth that appears as illusions are dissipated…there must also exist a truth that is of the order of discourse—a truth that makes it possible to employ…a language that will be true." (*OT*, 320)

[35] Translation amended.

the totality of life activity from which it has been alienated hitherto.[36] In all of this, however, the empirical is made to stand for the transcendental: "Pre-critical naïveté holds sway".[37] (Ibid., 320)

Finitude and the location of the syntheses of thought in man's objectivity lead to the third side of the quadrilateral, the rule of the *unthought*, which has it that thought is grounded in its other, its unthought:

> Man is a mode of being which accommodates that dimension…which extends from a part of himself not reflected in a *cogito* to the act of thought by which he apprehends that part and which, in the inverse direction, extends from that pure apprehension to the empirical clutter… (Ibid., 323)

Whether it is death, need, or the antecedence of the language one speaks—finitude means that man's objective contents historically come precede him; he encounters them as always already-there. Anthropological man must pursue self-knowledge in his empirical objectivity, which "is not thought," deprived as he is of any transcendental status that would allow him to derive the criteria of his judgment from his own spontaneous activity.[38] (Ibid., 324) As the conditions of thought belong to its object before they belong to thought itself, man's objective contents exceed the forms of thought they make possible and knowledge can no longer represent itself in the certainty of the *cogito*.[39] That is, while finitude's existence is initially grounded nothing but its own existence asserted as a fact, man's condition is initially and permanently a *lack of knowledge* with respect to the objective contents that precede him. It follows that anthropological thought is not located in the element of self-understanding, but that of self-misunderstanding, that is, thought's alienation from itself. And on this basis, the task of thought, man's futural orientation, is to pursue self-knowledge by *thinking the unthought* dimension of himself.

The question is whether man can identify himself with objective determinations that present him as other than himself. "Can I say that I am this labor I perform with my hands, yet which eludes me not only when I have finished it, but even before I have begun it?" (Ibid., 324) Anthropology is a thoroughly practical discourse as it sets out to overcome the unthought alterity in man: "[A]ny imperative is lodged within thought and its movement towards the apprehension

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[36] This is why, much later in his career, Foucault states, "What attracts me to Marx are his historical works, like his essays on the *coup d'état* of Louis-Napoléon Bonaparte, on the class struggles in France, or on the Commune…However, these analyses, in the historical works, always end with prophetic speeches." (*DE2,* 612)

[37] Looking ahead, I will show that neoliberalism fits within the grid outlined by the transcendental doublet, as a quasi-transcendental aesthetic positivism. For neoliberalism relates a site of veridiction in the market and its price mechanism (price as a metric of the truth of liberal practices) to the body as the site of capital and governability (human capital as a uniquely inalienable form of value).

[38] According to the rule of the unthought, both the phenomenology of the unthought in Heidegger and the psychoanalysis of the unconscious in Freud share the same epistemological rules of formation. Foucault almost goes so far as to say that Heidegger simply ontologized man as the historical *a priori* of modern discursive formations as *Dasein*'s having to-be appears against the horizon of Being, which is always unthought yet always-already understood pre-ontologically. Moreover, constitutes an empirico-transcendental doublet through *both* a quasi-transcendental aesthetic of the body and a quasi-transcendental dialectic of history, with its attendant themes of positivism and eschatology. For in lived experience or the there-is of phenomena, phenomenology finds a third element in which the experience of history and the body are held together. Nevertheless, archaeology provides an account of what can be heard and what can be seen, but their unity in the phenomenon is never given through itself in its self-showing, but through discursive rules. These rules in turn never refer to the perception of a practitioner of discourse (see Foucault's corrective to *History of Madness* and *The Birth of the Clinic* below), nor to a being whose essence ultimately lies in the simple self-sufficiency of its finitude, but to a more profound multiplicity: the relations of power.

[39] Of course, this certainty was already most decisively challenged by Kant when he denied that the transcendental "I" refers to a substance that thinks.

of the unthought." (Ibid., 328) This is why Foucault daringly claims that modern thought has never been able to produce a morality that was not coextensive with thought's movement toward the unthought, for its thought is a mode of action: "modern thought is advancing toward that region where man's Other must become the Same as himself." (Ibid., 328) This movement always has the significance of a historical event for anthropology.

Originary repetition is the fourth and final rule of the quadrilateral. It refers to man as the principle of historical time as his destiny is to ground his finitude, the conditions of his knowledge, and his inner alterity by an act of originary repetition. Man's historicity does not first proceed from an originary past, but from the antecedence of his contents, which impels him to overcome his alienation as his historic task. Foucault states, "the origin is that which is returning, the repetition towards which thought is moving, the return of that which has always already begun." (Ibid., 332) I have already indicated the originary and historic character of man's finitude in Marx: need is not only the sign of man's finitude, but the *originary source* of his concrete essence as a laboring being. And by seeking to overcome need under the capitalist conditions, man will not only transfigure the very meaning of need, but his will overcome its empirical origins, proving themselves to be truly universal, at which point he will finally know himself in his species being. Thus, it is only with the repetition of finitude, regarded as an historical origin, that it finally becomes possible to ground the temporality of finitude in itself. Communism is hence the return and transcendence of the origin.

Finitude is the fourfold of anthropology. It founds, conditions, delimits, and temporalizes the truth of man. "And so we find philosophy falling asleep once more in the hollow of this Fold: this time not the sleep of dogmatism, but that of Anthropology." (Ibid., 341) The pre-critical knowledge of man's empirical being serves to enable "everything that can, in general, be presented to man's experience." (Ibid., 341) Yet, what follows in the wake of the critique of anthropology? This question returns us to the question of the beginning of philosophy, namely, *what makes Foucault's own critique possible*? Given what I discussed in Section 1.2, this question requires some modification. For if Foucault's understanding of the *a priori* abandons any pretense to universal necessity in the subject and opts instead for a discursively historical *a priori* that *makes the conditioned exist*, then one must ask, *what is Foucault's understanding of language as it accounts for his own critique of anthropology?*

In his *Introduction to Kant's Anthropology*, Foucault indicates that the critique of anthropology (and critique generally as a history of the present) has *historical conditions*, which are to be found in ruptures with the modern *a priori* that have already taken place. Critique is consigned to this austerity because it suspends universals in order to analyze the history of their emergence. This includes the concept of "experience," which leads either to a transcendental subjectivity or an anthropological subjectivity, depending on whether it is dogmatically assumed as the proper jurisdiction for transcendental reason or the location of a fundamental finitude. In his *Introduction to Kant's Anthropology*, Foucault cites Nietzsche's idea of the eternal return and the death of God as one such rupture that allows Foucault to pronounce the death of man. (*IKA*, 124) However, *The Order of Things* gives no less weight to Mallarmé's understanding of poetic language as an asignifying, a-subjective event. (*OT*, 306) In radically different ways, these two figures orient Foucaultian critique toward *language as its abyssal ground of critique*. In order to understand the groundless character of the history of the present and its role in critique as a practice of desubjection, in the following chapter I will examine the alternative between Nietzsche and Mallarmé regarding the being of language.

Chapter 2: *From the Being of Language to the Politics of Truth*

If the discovery of the [eternal] Return is indeed the end of philosophy, then the end of man, for its part, is the return of the beginning of philosophy. It is no longer possible to think in our day other than in the void left by man's disappearance. For this void…is nothing more, and nothing less, that the unfolding of a space in which it is once more possible to think. (*OT*, 342)

Instead of analyzing this knowledge [savoir]*…in the direction of the episteme that it can give rise to…analyze it in the direction of behavior, struggles, conflicts, decisions, and tactics. Not a political knowledge that is a theorizing about practice, nor the application of a theory.* (*AK*, 194)

2.0. Introduction

Man's withdrawal from the scene of history leaves "more than" a void: what Foucault diagnosed in his present as it slowly tore away from the modern historical *a priori* was *the being of language*, which I referred to in the previous chapter as its "unmasterability." The being of language is what accounts for the existence of critique at the end of modernity—it is the problem of the beginning of philosophy for Foucault. As I also mentioned at the conclusion of the previous chapter, the critique of anthropology bases itself on two prior ruptures with man, which indicate the possibilities for thinking at the end of modernity, namely, Mallarmé and Nietzsche. These two indicate the problematic character of the being of language, that is, the fact that it presents an exclusive disjunction—and thus a decision—for critical philosophy. The question at the heart of this disjunction is, if it is not man who speaks in discourse, then who? Or what? One choice goes by way of Mallarmé, for whom language itself is an anonymous, asignifying murmur. Who speaks language? No one—only language itself.[40] The other goes by way of Nietzsche and points in the direction of the polemic and multiple character of the will to power. Who speaks language? Behind all consciousness and its metaphysical fictions about itself, there is only the multiplicity of different "wills" struggling against each other in the grand economy of the eternal return, which grants the final say in history to no one.

Again, the stake here is not just the critique of anthropology and its production of truth by means of the doublet, but *the very conditions of critique*. For the problematic being of language not only accounts for the existence of discourse, but critique in its historical existence as well. The choice between Mallarmé and Nietzsche is a choice about how to think the abyss, or the

[40] Foucault's reading of Mallarmé in *The Order of Things* largely follows Blanchot's in *The Space of Literature*. (Blanchot 1982)

groundlessness of all discourse. As Foucault's entire archaeological period is effectively the staging of this alternative and a tarrying with it, in this chapter I will attempt to reconstruct Foucault's historical understanding of the being of language and the decision he ultimately made to pursue a Nietzschean path over the one represented by Mallarmé.

2.1. The Being of Language as a Void in Discourse

In this section, I will begin dealing with the being of language by considering Foucault's take on the "void," or groundlessness, as it is what makes it possible to "think again" in his historical juncture. Depending on whether one considers the being of language from *within* discourse or in its own right as the condition of thought, it may be characterized either positively as the pure "there is" of language, its taking place "without why" in the diffuse production of statements, or negatively.[41] Negatively, it designates that which discourse excludes from itself in order to ground itself, as with modern psychiatry and madness. In this sense, the void is the "Other" of discourse, its "constitutive outside," or the term of its "inclusive exclusion."

The void makes it the conceptual placeholder of the absence of history, or what has a history only in that one can track its exclusion from the history of discourse. In this respect, the void is the abyssal ground of the historical *a priori*, which can be negatively outlined by exposing the discursive practices of its exclusion.[42] The void marks what thought can apprehend only symptomatically as the ground of history that bestows discontinuity, singularity, and contingency upon historical discourse.[43]

The void also marks what Foucault, following Bataille, calls *limit-experiences*, where the subjective conditions of intelligible experience break apart. *History of Madness* quite explicitly states that the very basis of a history of the present is just such limit-experiences, as an account of how they became enveloped within discursive practices that capture them within a regime of representation *and* exclude them as its outside, as its limit of intelligibility. Foucault writes, "We could write a history of *limits*…To interrogate a culture about its limit-experiences is to question

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[41] Later, when Foucault turns to the genealogy of power, the void names the "nonplace" of emergence (*Entstehung* in Nietzsche) of power relations, that is, the fact that relations between forces take on a determinate form only on the basis of a lack of any prior representational relation to each other. Then, power relations will be thought of as being of its own order, or of a different order than the relations of discourse.

[42] Clearly, the critique of anthropology leveled in the preceding section doesn't point to anthropology's historical lacunae. Instead, it opts to critique finitude by pointing out the "illegitimate" use of man's empirical existence. This is because, while *The Order of Things* is to a large extent the result of Foucault's preceding works, it is more akin to the positive understanding of discourse espoused in *The Archaeology of Knowledge*, which resists reducing discourse to a function of negativity by making "the said" a function of "the unsaid," of absence, exclusion, repression, silencing, and so on. Ultimately, the problem of negativity in discourse is a problem of subjectivity. For if discourse is a negation of its Other, then one risks reintroducing a repressed subject that speaks in all discourse. Critiquing his work in *History of Madness*, Foucault writes that it "accorded far too great a place, and a very enigmatic one too, to what I called an "experience," thus showing to what extent one was still close to admitting an anonymous and general subject of history." (*AK*, 16)

[43] I use the term "symptomatic" here somewhat recklessly, perhaps. Unlike Althusser, for whom the symptom is the effect of a cause of a different conceptual order, I use the term here to apply not to a set of conceptual conditions, but primarily to the ungrounding of order. However, one could see in Foucault's archaeological project of identifying the historical *a priori*s of discourse something akin to the Althusserian procedure by which a practice of critical reading distinguishes and divulges a second text as an undivulged event within the lapses of the first. However, there is one major difference. Namely, while Althusser allows the proper name to refer to a developing totality (the *oeuvre*), Foucault does not admit anthropological unities of discourse such as the author and the *oeuvre*, but rather applies his "reading" to discourse itself, which cuts across *oeuvres* and fragments them by virtue of the rules that operate within them. (Althusser and Balibar 2006, 28)

it at the confines of history about a tear that is something like the very birth of history." (*HM*, xxix) In this sense, the void marks the double limit of a discourse: it marks the excluded outside *of* a discourse and it points to the inaccessible experience that exists at an unlivable limit.[44]

These dimensions of the void tend to be found in literature, where the being of language appears for itself. The principal example here is madness, since it is both a term of exclusion that disqualifies certain people from discursive speech and a *limit-experience* that cannot be accounted for within the structures of experience prescribed by the historical *a priori.*[45] In rare instances, literary language brings the speaking subject to this zone of exclusion marked, as attested to by writers such as Hölderlin, Nietzsche, Bataille, Roussel, and Artaud.[46] Perhaps the most significant instance here is Nietzsche, for whom madness was a real consequence of his thought as it weighed all speech with the eternal return, only to one day become incapable of speaking.[47] (Ibid., 537) In madness, whether arrived at by way of literature or not, rational discourse only hears a "murmur," and includes it within itself so as to ground itself, but only by simultaneously excluding it as its Other. (Ibid., xxxi)

As I stated above, there is a radical divergence in the breakaway from anthropology as thought makes contact with the being of language.[48] According to Foucault, the question of the

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[44] Foucault also calls this inclusively excluded space of the limit-experience a "blank space" with respect to discourse.

[45] The void is not just an issue of madness, but of other limit experiences as well. In fact, Foucault forms much of his itinerary around the different kinds of "inner experience" explored by Bataille. However, whereas Bataille directly treats madness, death, sex, and criminality as limit experiences, Foucault analyzes how these have become objectified by discourse. In *History of Madness* and *The Birth of the Clinic*, he respectively treats madness and death not only as discursive objects, that is, as objectified by discourses like medicine and clinical psychology, but as methodological principles of investigation.

[46] Foucault provides a symptomatic reading of Nietzsche's text in the penultimate paragraph of *History of Madness.* He writes: "It matters little exactly what day in the autumn of 1888 Nietzsche went definitively mad, and from which point his texts were suddenly more the concern of psychiatry than of philosophy; all those texts, including the postcard to Strindberg, belong to Nietzsche, and all are connected in a common parentage to *The Birth of Tragedy*. But that continuity should not be thought of as being on the level of a system, or a thematics or even an existence: Nietzsche's madness, i.e. the collapse of his thought, is the way in which that thought opens onto the modern world." (*HM*, 537)

[47] The being of language connects to the Nietzsche's madness the recoil of the will to truth and the singularization of the philosopher under the sign of the eternal return: "Today, one cannot understand this curious experience that is writing without confronting the risk of madness…with Nietzsche, we finally arrive at the moment where the philosopher says, 'perhaps I am mad.'" (*DE1*, 981) It is not by coincidence that Nietzsche has a madman be the first to hear the thunderous event of the death of God. (Nietzsche 1974, 182)

[48] By what right does Foucault lay claim to the being of language? He argues for a distinction between traditional philosophy's "I think," by which subjectivity folds itself up in the interiority of its thought, and literature's "I speak," which effaces the speaking subject and opens the play of language from its being. His argument is something of a literary reduction, which, in three steps, reduces the speaking subject as the sovereign of its speech to the being of language. Formally speaking, the "I speak," taken on its own, appears as a true statement [*énoncé*]; it simply coincides with itself as its own object. Yet, the "I speak" cannot constitute its own beginning for itself, as it necessarily requires a supporting discourse to supply it with an object other than itself about which it can speak. The "I speak" can only speak "I speak" without a. Unlike the Cartesian *cogito*, which served as the ontological basis for other true statements, the sovereignty of the "I speak" stops where the rest of language begins. The reduction of the *object* of the "I speak" to a discourse outside of itself makes up the first step of the reduction. In a second step, Foucault shows that the "I speak" is only possible within a void, beyond which it finds itself lost in a language that precedes it. This is because a language wholly reducible to the discourse that precedes the speaking subject would only ever amount to the duplication of things. Thus the "I speak" is reducible nether to a sovereign subject nor to an objective, representational discourse based exclusively on its own contents. The "I speak," therefore, is contingent upon the void that separates it from discourse. This void that makes possible both the "I speak" and its insertion into

being of language concerns *how* the incompatibility of the unity of man and language will unfold:

> For Nietzsche, it was not a matter of knowing what good and evil were in themselves, but…*who was speaking*...For it is there…in the *possessor* of the word [*parole*], that language is gathered together in its entirety. To the Nietzschean question 'Who is speaking?', Mallarmé replies…by saying that what is speaking is, in its solitude…the word itself…[its] being…The whole curiosity of our thought now resides in the question: what is language, how can we find a way round it in order to make it appear in itself, in all its plenitude? (*OT*, 305-6)

Foucault himself and all the "heterogeneous" 20th century writers he cites—everyone from Roussel to Blanchot—operate within this divergence.

In response to the question of the being of language, Mallarmé's poetizing presents language in its simple autonomy, as that which speaks in all speech—but never *qua* language. Language speaks in all speech, but typically through an author-function. When language speaks by presenting itself as language, language, or "the word" [*parole*], speaks only to itself. The poem is the fold in which language manifests the "there-is" [*il y a*] of its own being. Mallarmé thus states: "…double condition of the word, crude or immediate on the one hand, essential on the other." (Blanchot 1982, 37-38) But paradoxically, in presenting the being of language, poetic language itself becomes silent writing and even, as the blank spaces in poems like *Un coup de dès* illustrate, disappears. Mallarmé occasions a literature that "has no other law than that of affirming…its own precipitous existence…as if its discourse could have no other content that the expression of its own form." (*OT*, 300) Language speaks in the poem only on the condition that "beings are quiet," and that Mallarmé *qua* authorial subject is absent from the language of the poem. "His" poetry purifies itself of him. This is why Foucault insists on the Blanchotian "blank" or "neutral" space of literature when speaking of language in the Mallarméan mode. Language is neutral and indifferent with respect to who claims to be speaking because it is irreducibile to any subject of discourse. And the language that emerges in the poem tends to withdraw from things as well, as poetic language untethers itself from the functions of signification and referentiality. It is a pure language in as much as it is nothing other than language's own self-presentation, which precedes its degradation and subordination to subjects and objects. As I said in the previous chapter, one fundamental negative characteristic of language is its unmasterability. In Mallarmé, the autonomy of language in the poem means that no one can definitively master or appropriate it. This is also what Foucault means when he says that language in Mallarmé is characterized by an "impotent power:" when language purely presents itself it is useless. (Ibid., 300)

Mallarmé's legacy of poetic speech continues in what Foucault, citing Blanchot, calls *the thought of the outside*. For Blanchot, literature transgresses the rules of discursivity and representation and thus "escapes the mode of being of discourse—in other words, the dynasty of representation." (*EF2,* 148-9) Blanchot's fiction, like Mallarmé's poems, issue from language's being prior to any schematization according to subject and object. As Blanchot writes:

> Before all distinctions between form and content, between signifier and signified, even

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discourse is itself nothing other than the "there is"—the being—of language, which is irreducible to the individual who assumes the "I speak," the others to whom it may be addressed, the things designated in speech, and the meaning it supposes. The being of language negatively correlates with the being of man to the extent that the former is the unfolding of an exteriority in speech, not the game of catch-up by which a subject attempts to coincide with the meaning of what it says in its interiority.

> before the division between utterance and the uttered, there is the unqualifiable Saying, the glory of a 'narrative voice' that speaks clearly, without ever being obscured by the opacity or the enigma or the terrible horror of what it communicates. (Blanchot 1999, 494)

Prior to the aforementioned binaries, such "saying" is "*neutral*" in that it is indifferent and irreducible to any subject position within discourse—and thus is unmasterable by any one of them. This neutrality is the blank space that *The Archaeology of Knowledge* indicates as the site of its speech. It is, as it were, the heterotopia that is language itself:[49] "[Archaeology] is an attempt to define a *singular* site by the exteriority of its vicinity…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 so unsure."[50] (*AK*, 17)

As for the other way of treating the being of language, Foucault identifies in Nietzsche not only a unique way of erasing oneself by thinking one's conditions (this time through self-overcoming in accordance with the eternal return) but also a precursor to the history of the present. The latter involves Nietzsche's new theory of signs, which suspends the value of truth and replaces it with the will to power. These two dimensions coincide at the point where the interpretation of signs in terms of their strength leads Nietzsche to hypothesize a measure of force in the eternal return—the very abyss that undoes the subject. At this point, interpretation risks everything—God, man, and Nietzsche himself.

Since Nietzsche will prove to be the decisive thinker for the politics of truth, I would like to give comparably more room to the Nietzschean interpretation of the being of language, starting with how Foucault reads his understanding of "the beginning of philosophy," or the conditions of critique. In *The Birth of the Clinic,* Foucault writes:

> For Kant, the possibility and necessity of critique were linked, through certain scientific contents, to the fact that there is such a thing as knowledge. In our time—and Nietzsche the philologist testifies to this—they are linked to *the fact that language exists* and that, in the innumerable words spoken by men…a meaning has taken shape that hangs over us, leading us forward in our blindness, but awaiting in the darkness for us to attain awareness before emerging into the light of day and speaking. We are doomed historically to history. (*BC*, xv-i)

The link between "the possibility and necessity of critique" and the historicity of language here should give one pause: is this not the same as the structure of finitude described by *The Order of Things?* Prior to 20th century linguistics, the reigning science of language was philology. The crux of its anthropology was that, while every language has its own grammar that determines the connection of "sounds, syllables, and words," each one is rooted in an "active subject" that establishes the ostensive function of language by expressing what the subject does or undergoes. (*OT*, 283, 289-90) That is, while the form and content of language precedes man and determines in advance what he can say, how he may represent his will to himself, and the possible mutations that language will undergo in the future, on the other hand, the future of a language is ultimately bound up with the freedom and will of those who speak it. Philology thus evinces the anthropological features of finitude, historicity, and the unthought.

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[49] Foucault uses the term "heterotopia" to designate a space that "suspend[s], neutralize[s], or reverse[s] the set of relations that are designated, reflected, or represented by them" and involve "temporal discontinuities" that interrupt the time of what passes through them. (*EF1*, 178, 182)

[50] Translation amended.

This structure is still present in Nietzsche's apprehension of the being of language as will to power and eternal return, yet only as the object of a destructively ironic twist. For him too, man's language and its history precede him, its grammar informs his thought in ways that he does not understand and yet must, and the prejudices it contains determine his future (possibly even dooming him to nihilism). And yet, man's language has a pre-history in the power relations that have shaped his instincts, that is, in the pre-moral forms of will to power that have produced what we know as "man." Nietzsche's "philology" breaks from anthropology by referring not to the will of man, but to the will to power.

Returning to "the possibility and necessity of critique" in the fact of language, Nietzsche is Foucault's primary predecessor when it comes to the history of the present. Foucault is explicit about this as early as 1966: "For [Nietzsche], the philosopher is the one who diagnoses the state of thought…who plays in some way the role of an archaeologist, who studies the space in which thought displays itself, and hence studies the conditions of thought, its mode of constitution."[51] (*DE1*, 581) This diagnostic practice is what calls either *physiology*.[52] It entails not just determining who speaks, but diagnosing the will that speaks in a given discourse, determining the *value* of its values, and seeing *how* it triumphs over rival instincts and forces. The question of Nietzschean genealogy is, which "will" is it that struggles, dominates, exploits, and subordinates the others to itself in order to control discourse?

Depending on whether they are active or reactive, affirmative or negative, strong or weak, different instincts give rise to different grammars. And conversely, language becomes a battlefield as certain grammatical elements (such the subject or reflexive pronouns and verbs) are captured and exploited by certain instincts in their struggle (such as the reactive instinct whose *coup de grâce* in the pre-history of man is bad conscience). Due to the rise of reactive values, grammar became the medium for the transmission of moral prejudices: "I am afraid that we have not got rid of God because we still have faith in grammar." (Nietzsche 2005, 170) In Nietzsche, one may say "there is language," but there is *nothing neutral* about this fact. Instead, as Foucault says of the Nietzschean position, "all of Western metaphysics is tied not only to its grammar…but to those who, in holding discourse, have a hold over the right to speak." (*EF2*, 151) In the mid-1960s, Foucault largely defines the will to power negatively in terms of the capture and exclusion of the right to speak, but here one can see that it is also a question of how a will affirms itself in struggle.

Yet one only encounters the will to power through *signs* that require interpretation. Foucault lays out his reading of Nietzschean interpretation in his 1967 essay "Nietzsche, Freud, Marx." His central claim here is that every sign and word to be interpreted points not to a constitutive subject, but to a twofold hermeneutic reality. On the one hand, because every sign is the product of a will in struggle with a multiplicity of other wills, every word and sign is *an interpretation of other signs*, which are in turn yet more interpretations. Thus, there exists an infinite series of interpretations: "For Nietzsche, there is no original signified. Words

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[51] Elsewhere, Foucault links the archaeological motif to Nietzsche's *Twilight of the Idols* as well: "[O]ne has to delve into the mass of accumulated discourse under our own feet…[A]s soon as we are obliged to question the words that still resonate in our ears, that are mingled with those we are trying to speak, then archaeology, like Nietzschean philosophy, is forced to work with hammer blows." (*EF2*, 293)

[52] *On the Genealogy of Morals* shows a preference for the physiological. "Indeed, every table of values, every 'thou shalt' known to history or the study of ethnology, needs first and foremost a *physiological* elucidation and interpretation, rather than a psychological one; and all of them await critical study from medical science. The question: what is this or that table of values and 'morals' *worth*? needs to be asked from different angles; in particular, the question 'value for *what*?' cannot be examined too finely." (Nietzsche 1967, 55)

themselves…interpret before being signs…they do not denote a signified, they *impose* an interpretation."[53] (*EF2*, 276) The determination of the being of language as will to power means that there is an identity of force and interpretation: every sign is an interpretation that is only as successful as the strength of its commanding force. Consequently—and this is an insight that Foucault makes his own—*the being of language is strategic:* language is not fundamentally about signification, but strategy. This means that it is also about dissimulation, for to the extent that a discourse is invested in truth as a transcendent measure of force, *its signs and words conceal themselves as interpretations*.

On Foucault's reading, what makes it possible to question man's existence and conceive language anew on the basis of the will to power is the *critical suspension of the value of truth. Critique is the recoil of the will to truth back upon itself* that establishes an *active* relation to the discourse. As the first section of *Beyond Good and Evil* attests: "*Who* is it really that puts questions to us here? *What* in us really wants 'truth'?...Suppose we want truth: *why not rather* untruth?" (Nietzsche 1966, 9) Instead of focusing on the line between truth and falsity, Foucault says of Nietzsche, "the interpreter must, when he examines signs in order to denounce them, descend along the vertical line and show that this depth of interiority is in reality something other than what it says."[54] (*EF2*, 273) Nietzsche does not conduct an immanent critique discourse in the pursuit on an absolute measure of truth because the institution of the difference between truth and falsity is neither true nor false and thus necessarily exceeds its own criteria. This is why immanent critique (or any dialectical critique of illusions) is of only limited value: it does not question the *value* of truth. The critical suspension of truth enables the critical study of discourse by opening a different level of reality for analysis, namely, the practices of exclusion, command, and evaluation.

This leads Foucault to the other dimension of critique—desubjection—as it stands in Nietzsche. As Foucault says in a 1978 interview, "[I]n Nietzsche…experience has the function of…seeing to it that the subject is no longer itself.…This is a project of desubjection [*C'est une entreprise de dé-subjectivation*]."[55] (*EF3*, 241) In one of the most paradoxical of Nietzsche's gestures, his critique requires the interpreter to pose the "Who?" to themselves and put themselves at stake in their critique. Critical interpretation must constantly re-interpret and diagnose itself to determine whether or how much the interpreter functions within the discourses it studies. One must ask, "What type of will speaks through me? To what extent do I unwittingly reproduce and circulate its signs and commands?" Yet since consciousness is inherently reactive for Nietzsche—our "weakest and most fallible organ!"—interpretation is an infinite task, without beginning, and forever incomplete. (Nietzsche 1967, 84)

As critique throws the interpreter from history back upon themselves and yet again into history, it leads to a prospect that threatens the entire critical venture: "the farther one goes in interpretation, the closer one comes at the same time to an absolutely dangerous region where interpretation not only will find its *point of return* but where it will disappear as interpretation, perhaps involving the disappearance of the interpreter himself."[56] (*EF2*, 274) This point of return

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[53] My emphasis.

[54] Nietzsche's Preface to *Daybreak* begins, "In this book you will discover a 'subterranean man' at work, one who tunnels and mines and undermines." (Nietzsche 1997, 48)

[55] "[E]xpérience" in French can mean "experiment" as well as "experience."

[56] My emphasis. By submitting the self to the test of the eternal return for diagnosis, Nietzsche singularizes it. By posing the question "Who?" to himself in relation to the being of language, he opens "a caesura in the history of Western thought." Foucault writes: "The mode of philosophical discourse changed with him. Previously, this discourse was an anonymous *I*. Thus, the metaphysical *Meditations* have a subjective character. However, the reader

refers to the *eternal return*, which is both the very limit or measure of critical interpretation and the essence of the will to power.

The eternal return is the measure of the value of values; it tests the strength of every will. *The eternal return is the differential essence of the being of language qua will to power*. Nietzsche calls it "[*t*]*he greatest weight*:" it grants passage only to the most affirmative wills, that is, those that can wholly affirm themselves as a *future*. (Nietzsche 1974, 273) For to think that what returns is what one has been, that is, to think that the eternal return is grounded in the past, is to fail the test. It selects out those who hear in it *only* the return of the *same* because they only encounter reactive instincts in themselves that tie them to their identity as a necessity and weight (*ressentiment*: literally "to feel again").[57] As Foucault remarks in his 1978 interview with Duccio Trombadori, "Might there not be experiences in which the subject might be able to dissociate from itself, sever the relation with itself, lose its identity? Isn't that the essence of Nietzsche's experience of eternal recurrence?" (*EF3*, 248) The eternal return is the *differential* essence of the will to power because it measures the strength of the will in terms of its power to differentiate itself—hence Nietzsche's *ideal* of the *Übermensch*.[58]

In *The Order of Things*, Foucault relates the eternal return as a force of ungrounding to the deaths of God and man, the *Übermensch*, and the possibility of philosophizing today:

> Nietzsche rediscovered the point at which man and God belong to one another, at which the death of the second is synonymous with the disappearance of the first, and at which the promise of the superman signifies first and foremost the imminence of the death of man. In this, Nietzsche, offering this future to us as both promise and task, marks the threshold beyond which contemporary philosophy can begin thinking again; and he will no doubt continue for a long while to dominate its advance. If the discovery of the Return is indeed the end of philosophy, then the end of man, for its part, is the return of the beginning of philosophy. It is no longer possible to think in our day other than in the void

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can substitute in 'Descartes.' It is impossible to say 'I' in the place of Nietzsche. Because of this fact, he looms over all of contemporary Western thought." (*DE1*, 580) Nietzsche's "I" is neither Descartes' anonymous "I," which is the completely exchangeable subject of a universalist discourse, nor is it compatible with the neutrality of the Mallarméan being of language, which speaks prior to the subject-object distinction. The Nietzschean "I" is by contrast completely singular and unexchangeable.[56] Later, Foucault appropriates this Nietzsche's paradoxical sense of individuation when he says, "My way of being no longer the same is, by definition, the most singular part of what I am."[56] (*EF3*, 444)

[57] Deleuze's *Nietzsche* book is once again helpful here: by converting the last man's passive nothingness of will (wanting to die), which resides in the element of negativity, into wanting to be overcome as a bridge to the *Übermensch*, Nietzsche sought to arrive at the thought of the active self-destruction of the transvaluation of values, which requires the element of affirmation. (Deleuze 1983, 171 – 186).

[58] The idea of the *Übermensch* that emerges here is an ironic sovereignty. For strength *qua* affirmation is not the power to remain the same in the face of external adversity (which is reactive), rather, the only thing that one can eternally affirm in oneself is one's power to become different. While the eternal return as Foucault deploys it in *The Introduction* and *The Order of Things* is compatible with Deleuze's use of it in *Nietzsche and Philosophy* and *Difference and Repetition,* Foucault does not go as far as Deleuze in connecting it to intensity and the domain of force relations it depends on. In *Nietzsche & Philosophy*, Deleuze carefully shows how Nietzsche requires that force relations be plural because force only has other forces as its object. (Nietzsche 1966, 48) Forces are primarily determined by their quantitative differences, and are qualitatively determined insofar as qualitative differences are themselves unequalizable aspects of quantity. In *Difference & Repetition*, intensity plays a central role as it names the being of the sensible, which is roughly the domain of the will to power or of force as such. (Deleuze 1994, 144-5, 236) I return to Deleuze's advance in this regard in the excursus, where I argue that Deleuze offers a theoretical explanation of desubjection by thinking a new type of synthesis, namely, *inclusive* disjunction. (Deleuze 1983, 7-8; 42-44).

left by man's disappearance. (*OT*, 342)

In Foucault's reading of the death of God, man is God's murderer because he has been born along by the will to truth to overturn God and establish knowledge on his own basis.[59] (Ibid., 385) Yet whereas anthropological man is bound to a historical temporality in which his future is nothing other than the totalizing recuperation of his unthought dimension, the eternal return promises the death and overcoming of man in the ideal of the *Übermensch*. Hence, *The Order of Things* articulates the eternal return as an evental "Promise-Threat" in which the death of man unfolds alongside that of God:

> …man would soon be no more—but would be replaced by the superman; in a philosophy of the Return, this meant that man had long since disappeared and *would continue to disappear*, and that our modern thought about man, our concern for him, our humanism, were all sleeping serenely over the threatening rumble of his non-existence.[60] (Ibid., 322)

Foucault says that the eternal return promises the *Übermensch*, but is it an empty promise? As the *Übermensch* is grounded in the abyss of the eternal return, it is an exclusively futural form of overcoming history (even to the point of forgetting it). Therefore, its principal effect lies in opening up a non-anthropological space of thought, which is to say, in the perpetual recommencement of the critical gesture of suspending the value of truth and questioning the interpretations in which we are imposed and the forces at play within them. In other words, the reality of the *Übermensch* lies in the existence of post-anthropological critique as a historical practice of desubjection.[61]

As it stands in Mallarmé and Nietzsche, the being of language is the abyssal ground of discourse, which manifests its existence in the desubjection of the subject. Foucault continues to maintain this groundlessness in his turn to Nietzschean genealogy, in which he describes discourse in the context of the inherently evental, formless, and ungrounded relations of power. *Ungrounding* accounts for the existence of critique and its normative status, according to Foucault. Regardless of which path one takes to interpret the being of language, its groundlessness selects out any claimants to mastery over language, which is to say that it dooms discursive knowledge to erasure. The questions "Why desubject?" or "Why practice critique?" find their answer here. A simple answer would be that the question is poorly posed inasmuch as it arises from the point of view of reason or ground. However, the full answer is that critique heeds and attests to the groundlessness of language by way of the history of the present, that is, by describing the historical limits of discourse. Later, after the Nietzschean turn, this will include the history of those of apparatuses that seek to stabilize power relations. At that point, the very existence of critique will be based upon intolerable limit-experiences of power as they produce breakaways from apparatuses.

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[59] This is the epistemological interpretation of the death of God. The moral interpretation holds that man kill God out of *ressentiment* because he cannot bear God's pity.

[60] Emphasis added.

[61] This foreshadows what I will discuss below as the true sense of the history of the present and what we are today. This history does not simply seek to recapitulate the historical conditions of the present in the temporal mode of the past, but rather its relation to the past is first one of *forgetting* on the basis of the future. In what sense is the history of the present a forgetting? It is a forgetting in the sense that its determinations of the historical conditions of the present take place within the mode of fiction (which Foucault calls, at different points in his career, literature, poetry, and theater). As a fictionalizing of historical conditions, Foucault is careful to distinguish between the conditions of the present as they are determined by and for thought on the basis of desubjection and something like the true conditions of the present, which would require a constitutive subject as a transcendent instance.

2.2. Foucault's Decision on the Being of Language

Foucault's indecision on the alternative between Mallarmé and Nietzsche lasts up until the very end of the 1960s. Of course, his eventual siding with the latter famously leads him to the genealogical study of power, however, I have spent time considering the terms of this decision so as to underscore its stakes. Here I would first like to provide an overview of what these alternatives fundamentally share regarding critique's relation to the being of language before focusing on the crux of their divergence, namely, whether or not critique speaks in a sovereign discourse that is indifferent to multiplicity of discourses that surround it or whether the being of language puts critique in touch with a partiality of a politically partisan character. At that point, I would like to recount how Foucault finally decides on this undecidable problem against Mallarmé following the French and Tunisian students revolts of 1968.

I first introduced the being of language in my reading of Foucault by negatively characterizing it as "unmasterable," which is to say that it fundamentally refuses subjectivity, whether transcendental or anthropological. What both interpretations share is an apprehension of language that rejects the subject-object distinction, which is also to say that they both abandon truth as an affair of judgment. The writings of Mallarmé and Nietzsche may both be characterized as *fictional* or *literary* in the fundamental sense that they speak beyond truth and falsity. And finally, both point to an experience of language that undoes subjectivity.

Foucault adopts these lessons as his own. In the previous chapter, I noted how Foucault's critique of anthropology led to him overturning the Kantian *a priori* as its categorical articulation shifted from one of universality and necessity to singularity and contingency. This leads to a second reversal, namely, that the *a priori* is not fixed by the limits that reason sets for itself through its reflection on experience; instead, critique discovers the limits given by the historical *a priori* only by transgressing them so as to think their abyssal ground. The significance of this reversal is immense for the status of Foucault's work as literature or fiction. The *a priori* no longer secures the conditions of truth as the correspondence of the object to the rules of judgment, as it did for Kant. Nor do the conditions of truth emerge from man's objective conditions, as they did for anthropology. Truth is neither the correspondence of the object with the form of knowledge within the limits of reason, nor the historical grounding of man in the disalienation of his objective contents. On the contrary, because the being of language that grounds discourse is not in itself true, the critique of discourse must necessarily be fictional.[62] Consequently, this also means that the historical *a priori* itself is a real fiction. The only truth produced by Foucaultian critique is relative to the truth claims of any discourse that fails to account for its ontological ground. In 1967, Foucault positions himself more in-line with Mallarmé and Blanchot when he states,

> My book is a pure and simple fiction: it is a novel, but it is not I who invented it, it is the relationship of our age and its epistemological configuration with that whole mass of statements. So the subject is, in fact, present in the whole book, but it is the anonymous "one" who speaks today in everything that is said.[63] (*EF2*, 286)

[62] Foucault observes that modern discourse assumes without question that there is a difference between the true and the false. (*OT*, 320)

[63] It would obviously be a mistake to align Mallarmé with a poetic or literary determination of the being of language and Nietzsche with an exclusively political one, as *Thus Spoke Zarathustra* should attest. This is why Foucault maintains the literary character of his writing throughout the genealogical turn, as evidenced by calling his critical method "a liberatory poetry machine" in 1973. (*DE1*, 1511)

What fundamentally separates these figures, however, is not just whether the being of language is one or multiple, but whether it is neutral or perspectival, that is, whether the "outside" of discourse is a blank space that is indifferent to discourse or whether it rather involves taking up a *position* within it. Perhaps the very fact that Foucault sustained his archaeological period without making a decision on this alternative shows that he in fact preferred anonymous neutrality of a Mallarméan idea of language. Nevertheless, there is still enough ambiguity to question whether there was not some pull towards thinking power relations in his archaeological works. For while his frequent references to the "one" that speaks in all discourse, the performance of self-erasure required of him, and the blank space of his writing all indicate that he sided with Mallarmé throughout this period, the very fact that his archaeologies seek to diagnose the present through a historical analysis of regimes of signs indicates that he was just as partial to Nietzsche. This continues right up to the end of the 1960s, as *The Archaeology of Knowledge* and "What is an Author?" illustrate (both published in 1969).

Foucault does not discover some common ground that enables him to resolve the problematic being of language. Instead, there are two sets of reasons that help elucidate (if not explain) Foucault's decision and, in their own way, both of them underscore the need to return to the problem of ideology. First, there are historical reasons, such as the political events of his time (notably, the student rebellions of 1968) and the decline of Europe's literary avant-garde. However, there are also philosophical reasons, as Foucault's attentiveness to these realities can only be explained on the basis of his increasingly Nietzschean concerns with the concept of power as a struggle over discourse. In other words, his concern with ideology already evinces a prior decision to critically pursue the concept of power behind the distribution of subject positions and the production of discourse. Let's start with the historical reasons.

The first has to do with the decline of the literary avant-garde in France and its cooptation by bourgeois culture. Just around the time that Foucault presented his first lecture at the *Collège de France* in December of 1970, he gave an interview where he declares that the problem of ideology is insurmountable for literature: "But, today, it seems to me that literature recuperates its normal social function by a sort of debasement or by the force of assimilation that is possessed by the bourgeoisie…the bourgeoisie is a system that has an enormous capacity of adaptation. The bourgeoisie has come to vanquish literature." (*DE1*, 987) Foucault bases his diagnosis on a performance of Jean Genet's *Haute Surveillance* by the Renaud-Barrault Theater Company, which, he says,

> [reduces] a really subversive act…to the level of a striptease by a beautiful boy…[This] does not imply a weakness inherent in the work of Genet, but rather it indicates the enormity of the force of recuperation by the bourgeoisie. In short, it signifies the force of the enemy that we must combat and the weakness of the weapon that is literature." (Ibid., 987-8)

What is at stake here is not just an instance of commodification, but an exemplary force relation. It is a matter of the power of bourgeois ideology to neutralize the transgressive power of literature. Eroticism in literature, which once redoubled the transgressive and scandalous character of sex—from Sade to Genet—has become banal and acceptable. The space of literature is no longer the exceptional space that it once was:

> The transgressive acts that were tolerated as individual acts were no longer so once they took place in literature. Playing out sexual transgressions on the stage of literature made them more intolerable. But, on the contrary, today, literature as scene of sexual transgression has watered down the very act of transgression, and when it takes place on

the stage of literature, it becomes, by far, more tolerable. (Ibid., 990-1)

By the late 1960s, literature's complacency *vis-à-vis* bourgeois ideology was only compounded by its literary solipsism and exceptionalism. The idea of literature as an autonomous space of language (even as an impersonal language speaking only to itself) made it appear as the space of subversion regarding all discursive codes (a pure heterotopia):

> …it has been very important to establish the great principle that literature is concerned only with itself…But it seems to me that this was still only a stage…The political implications were not absent from this exaltation. Thanks to it, one succeeded in saying that literature in itself at this point was freed from all determinations, that the fact of writing in itself was subversive, that the writer possesses, in the very gesture of writing, an imperceptible right to subversion! (*FL*, 151-2)

In other words, the relative weakness of avant-garde literature in relation to bourgeois ideology reduced it to mere posturing and empty gestures, as its transgressions failed to achieve any meaningful effects at broader discursive and political levels. Foucault continues, pointing to the institutionalization and even the canonization of literary transgression at the hands of the academy:

> If I have spoken of the fading away of writing qua transgression, it is because many European writers believed themselves to be protected from this [social] situation by writing…there certainly exist some neutral places of writing, *at least they existed until recently*, but I am no longer sure today that these places of writing still preserve their neutral character. Because of their historico-social position, I no longer know if they still have this exteriority.[64] (*DE1*, 995)

The bourgeois exhaustion of literature ultimately amounts to literature's incorporation within the reproduction of class relations and closure of the space it opened for the manifestation of language. Literature is no longer exceptional: it is one more discourse amongst others, subject to Nietzschean questions about its positionality. The task of contesting the power of ideology hence falls to politics: "[T]he global situation of language, and of its different modalities…can only be reformed by a social revolution." (Ibid., 989)

When Foucault says that the disappearance of the space of literature was recent, what events is he referring to? What led to the problematization of pure literature? Earlier in the interview, Foucault indicates that the exhaustion of literature was made clear by the problem of ideology posed by the student revolts of May '68.[65] In particular, these revolts revealed the academy as an ideological state apparatus involved in the reproduction of bourgeois society through the transmission and reproduction of its knowledge. And they showed how the state would deploy its repressive apparatuses to protect this functioning, as students waged pitched battles against the cops in the streets and campuses. In other words, they showed that the question "Who speaks?" is a matter of a relation of forces.

This is why it's worth mentioning the politicizing effect of May '68 on the thinkers of Foucault's generation, despite the fact that it has become a cliché. While Foucault was in Tunis when Paris was exploding with student and worker revolts, they almost immediately affected his

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[64] My emphasis.

[65] Foucault credits Blanchot with being the last writer of literature in this same interview: "If, today, we have discovered that we must leave literature, that we must not consider its 'inside' as the rather agreeable place where we communicate and recognize each other, or again that we must put ourselves outside of literature in abandoning it to its meager historical destiny, a destiny that remains defined by the modern bourgeois society to which literature belongs, then it is Blanchot who has pointed the way for us…it is he who, in constantly evading literature, has shown us that it was certainly necessary to place ourselves outside of literature." (*DE1*, 993-4)

thought. His interviews during that May show him earnestly attempting to elaborate the political implications of his thought as interviewers began questioning him about his position on the unfolding insurgency.[66] After returning to Paris and obtaining tenure at the Centre Expérimentale de Vincennes, he found himself in a mostly Marxist-Leninist intellectual scene that demanded accountability to social and political questions—and he was eager to oblige. His contact with Marxism included his relations with Louis Althusser, the Marxist-Leninist faculty and students at Vincennes and, later, the French Maoists with whom he collaborated on several political campaigns. Hence, Foucault took his first steps towards a political reformulation of critique by placing himself in the unfamiliar territory of class struggle: "I call politics all that concerns class struggle and 'social' all that derives from it as a consequence of human relations and institutions" (Ibid., 1247). Though he would quickly abandon this position, it was crucial for forcing him think politically.

Still, it is hard to make a straightforward argument for the claim that May '68 alone can account for the shift in his thinking. For one, it must be admitted that Nietzsche is not an obvious choice when it comes to theorizing social and political struggles, particularly amongst the left. And, even more obviously, Foucault's growing engagement with Nietzsche preceded May '68 and intensified during his time at Vincennes. (Eribon 1991, 207) The turn to Nietzsche was not just an off-beat attempt to be relevant to the changing political scene in France. Instead, it is there are two reasons that hit closer to Foucault's own philosophical concerns: the limits of his concept of power at the time and the fact that "man" requires a deeper understanding of what holds him in existence.

First, Foucault's definition of power throughout the 1960s is mostly negative in that it is defined as the practice of appropriating discursive speech by excluding other groups and individuals. The first significant challenges to this negative concept of power begin in earnest later, in 1973 with his lecture course titled *The Punitive Society*. (*PS*, 2-3) The same may be said of his use of the concept of ideology to critique the university system. In another interview from 1970, Foucault appears to be wrestling with this problem when he points to the tension between the positivity of discourse and the negative character of the conceptual tools at his disposal ("ideology" and "exclusion") for critiquing the academy:

> "[T]he communication of knowledge is always positive. Yet, as the events of May showed convincingly, [knowledge] functions as a double repression: in terms of those it excludes from the process and in terms of the model and the standard (the bars) it imposes on those receiving this knowledge." (*LCP*, 219)

Regardless of whether he was already intent on questioning the limits of "exclusion" in 1970, at the time it was a basic category for thinking his social and political conditions. And given his commitment to the critical gesture of suspending universals, the critique of the negative concept of power was almost inevitable—not only in its own right but as a continuation of the critique of anthropological subjectivity.

For this negative concept risks understanding power as the property of a subject, which can be seen in the problem of expressionism that Foucault poses both to the concept of ideology and to the concept of power as exclusion. One year later, Foucault criticizes *History of Madness* on this very point:

> In the *History of Madness*, for example, there were still a certain number of "expressionist" themes. I let myself be seduced by the idea that the manner of conceiving

[66] See "*Réponse à une question*." (*DE1*, 721) I quote this text at length below where I return to discussing the politics of truth.

> madness immediately expressed a type of social repulsion with regard to madness. I often employed the word "perception": one perceived madness. This perception was for me the link between a real practice, which was this social reaction, and the manner in which medical and scientific theory elaborated on madness. Today, I no longer believe in this type of continuity. (*DE1*, 1031)

How is it possible to account for the relation between power and knowledge without relying on a subject that mediates them? Moreover, how does one avoid the pitfall of thinking that discourse is simply the expression of power relations, that is, how does one avoid an empirico-transcendental doublet by deriving the conditions (power) from the conditioned (discourse)? For Marxist ideology critique, this is of course the problem of the base-superstructure relation in which material conditions and ideology are linked through an isomorphic causal relation.

Second, as for the anthropological *a priori* "man," Foucault reconsiders the notion that man is can be reduced to a set of limits in the murmuring play of discourse. In an interview from 1975, an interviewer repeats the same critical question that appears at the end of the *Order of Things*: "Does man exist?" This time Foucault's answer is more complicated: "Of course he exists. What one must destroy is the ensemble of qualifications, of specifications, and sedimentations by which some human essences have been defined since the 18th century. My error has not been to say that man does not exist, but to imagine that he would be so easy to demolish." (Ibid., 1685) This demolition cannot be left to literature. It requires taking on the force relations that produce and reproduce man within our conduct and the way we interpret ourselves. That is, critique must act at the level of these very power relations themselves since it is already implicated within them. Therefore, the archaeology of the limits of the sayable must become the genealogy of power in the politics of truth. Foucault's continued grappling with ideology critique, the politicization of the critique of anthropology, and Foucault's understanding of the politics of truth will make up the concerns of the following chapter.

Chapter 3: The Politicization of the Critique of Anthropology and the Politics of Truth

The essential political problem for the intellectual is…to know if it is possible to constitute a new politics of truth. The problem is not of changing the consciousness of the people or what they have in their heads, but of changing the political, economic, and institutional production of truth. (*DE2*, 159-60)

I will say that critique is the movement by which the subject gives himself the right to question truth on its effects of power and question power on its discourses of truth…Critique would essentially insure the desubjugation [désassujettissement] of the subject in the context of what we could call, in a word, the politics of truth. (*EFS*, 266)

The displacement and transformation of frameworks of thinking, the changing of received values and all the work that has been done to think otherwise, to do something else, to become other than what one is—that, too, is philosophy. (*EF1*, 327)

3.0 Introduction

There is a phrase that occurs seldom, yet decisively, in Foucault's 1970s work that serves to bookend what was his most famous period of writing. That phrase is *the politics of truth*. By this Foucault signifies two things. First, it names a level of reality that philosophy must study: the historical relation of the historical *a priori* (or knowledge, *savoir*) to struggles in the social field. And second, it names the practice of using this study within those struggles which define our present because they break away from it. My decision to focus on this phrase that, admittedly, appears only a handful of times in Foucault's work is because I maintain that, in pushing the Nietzschean idea of interpretation to its limit, the politics of truth most succinctly captures what it is to do critical philosophy (even more so than the term genealogy). Thus, it also connects Foucault's own interpretation of language to his practices as a philosopher, and these in turn to critical practices outside of philosophy—both those already existing and those to come. With this, Foucault's understanding of philosophy, the practice of desubjection that proceeds by way of a history of the present, undergoes an intensification and a reorientation. When philosophy is forced to engage with the forces that confront it, the historical practice of desubjection must involve combat and struggle. In their conjunction, both politics and truth undergo a profound transformation: while truth becomes totally immanent to politics, politics, severed from any

transcendent truth, comes to name the field of force relations constitutive of society and the strategic practice of becoming other within it.

It is with the politics of truth that Foucault both appropriates and surpasses Nietzsche's proclamation, "It is only beginning with me that the earth knows *great politics*." (Nietzsche 1967, 327) If Nietzsche's declaration followed upon his prophesy of a "war of spirits" that brings destruction to "all power structures of the old society," Foucault's appropriation does not begin without asking how this might actually come about. (Ibid.) It's a fair question to ask how Nietzschean premises on the being of language led Foucault to end up allying himself with everything from women's and gay liberation movements, to French Maoism, the riotous outbursts of *Lumpens*, and Iranian revolutionaries. If philosophy is to enter a war of spirits in which the stakes of its practice are the power structures of society, then it must take leave of the solitary life that Nietzsche embodied in order to connect with political forces beyond itself—which is what Foucault sought to do with the politics of truth.

What Foucault discovered in the process of turning toward the politics of truth was a change in the relation between intellectuals and the discourse of those active in political struggles. The intellectual was now a marginal and local figure, no longer either a universal consciousness at the forefront of the *Zeitgeist* or a beneficiary of the division of political labor between those on the streets and those behind their pens. Whether it was in his engagements with the French ultra-left in the early 1970s, the *Groupe d'information sur les prisons*, in his *communiqués* on sexual politics, or in his journalistic misadventure in Iran, Foucault understood the necessity that his work establish a real connection with political practices outside of the domain of philosophy, traditionally conceived, and outside of the traditional form of the proletariat. And, of course, as his own philosophical developments led him to reestablish this connection in new ways with new political phenomena, there was always the risk of error, as his time in Iran attests. Regardless of where he found himself at the close of the 1970s, what Foucault leaves us with from this period is an effort to live a political life and a philosophical life simultaneously. Philosophy, understood as the politics of truth, combats the effects of power in the self not by withdrawing from the game of forces in which the self is at stake, and not by setting limits to power that bear the seal of truth, but by "intensifying the struggles that unfold around power" and its truth effects. (*DE2*, 540)

In this chapter, I will analyze the theme of the politics of truth in Foucault's 1970s writings. In doing so, my aim is to amplify the concept of critical philosophy as a pursuit of desubjection by way of the history of the present. To begin exploring the politics of truth, it will be necessary to first consider how Foucault advances the critique of anthropology in a political direction in relation to one of his main theoretical opponents, ideology critique. Second, I will discuss how the politicization of the critique of anthropology leads Foucault to study how power relations produce subjectivity through various modes of *subjection* (*assujettisement* in French) to discourses of truth. This leads him to define the politics of truth both as a field of inquiry and as what characterizes critical-philosophical practice. Third, I will show the effects of this shift on Foucault's formulation of the "the beginning of philosophy," which shows grounding the politics of truth in contemporary struggles against subjection and in the critical gesture of suspending universals. As a fourth step, I will focus in particular on how Foucault's concept of politics is not based on structural social categories, but on struggles that erupt around the affect of intolerance in relations of power. And finally, in Section 5, I will look at Foucault's understanding of critical-philosophical writing as a technology of desubjection that simultaneously aims to create critical subjectivities, or critical subjectivations (*subjectivation* in French).

3.1 Politicizing the Anthropological Problematic: From Ideology to the Politics of Truth

In the previous chapter, I attempted to reconstruct Foucault's abandonment of an interpretation of the being of language as an anonymous, neutral event outside of all discursive rules of intelligibility. I showed how his Nietzschean turn to deepen his understanding of discourse on the basis of power relations led him to pose two problems. (1) What is the relation between discourse and its conditions? And (2) if *The Order of Things* has it that man's reality "is probably no more than a kind of rift in the order of things," then how does one account for the difficulty of abolishing man as a historical *a priori?* (*OT*, xxiii) I also showed how, at the same time as Foucault was engaged in a self-critique of archaeology, he was also affirmatively exploring ideology critique as a powerful tool for explaining the social production knowledge. However, the farther Foucault goes in his turn toward Nietzschean genealogy and the politics of truth, the more one sees him wrenching away ideology critique and social theory. Here, then, I'd like to show how Foucault came to affirm a *political* critique of discourse over and against a *social* critique of ideology.

Foucault's turn toward genealogical critique to account for the historical reality of man faced a one major obstacle, or better, a major rival in the *anti-humanism* of Althusser's particular version of ideology critique.[67] Althusser was closest to Foucault as far as Marxist intellectuals are concerned. Not only was Foucault one of Althusser's students, but both sought to critique the premises of humanism and viewed subjectivity as a *product* of historical practices. In other words, the crux of Foucault's challenge to ideology critique is about accounting for the historical production of subjectivity, or subjection (*assujettissement*). The question is whether this production is socio-economic or political, that is, whether it is determined by the general contradiction of society between labor and capital or whether this production is primarily determined by local strategies of power operating outside of any functionalist framework. For Foucault, the stake of this difference is whether critique leads to true knowledge (Marxist "science" for Althusser) or whether critique is a practice of *desubjection*. That is to say that the stake of their difference is political: is critique an endless way of inhabiting power relations or does it end in scientific authority, which takes a commanding role in class struggle and legitimates the authoritarian subjections of party politics.

Interestingly enough, however, Foucault first uses the term "desubjection" (*désassujettissement*) to define the meaning of class struggle *on the basis of the will to power* in the brief period when he took over the concept of ideology for himself—and in a critique of humanism no less:[68]

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[67] Althusser's essay "Marxism and Humanism" was first published in 1964 and thus predates *The Order of Things*, while his famous essay, "Ideology and Ideological State Apparatuses" first appeared in 1970.

[68] One must emphasize that Foucault's critique of humanism is not the same as his critique of anthropology. Humanism exists over a broader historical period and is based on discourses outside of the trio examined by *The Order of Things*. Foucault's concern for the political problem of humanism is evidenced as early as 1966: "Our task is to definitely free ourselves from humanism and it is in this sense that our work is political work, to the extent that all of the regimes of the East or of the West must peddle all of their bad merchandise under the pavilion of humanism." (*DE1*, 544) And, in 1969, it appears that Foucault entirely replaces the problem of man with that of the subject: "The death of man is nothing to get particularly excited about. It's one of the visible forms of a much more general disease, if you like. I don't mean by it the death of god, but the death of the Subject, the Subject in capital letters, of the subject as origin and foundation of Knowledge (*savoir*), of Freedom, of Language and History." (*FL*, 67) Foucault's analysis here is certainly indebted, in part, to Althusser's critique of humanist political ideology in

> I understand by humanism the ensemble of discourses by which one has said to Western man…"the more you renounce the exercise of power and the more you submit to what is imposed on you, the more you will be sovereign." Humanism, is what invented these subjected sovereignties [*souverainetés assujetties*] that are, in turn, the soul (sovereign of the body, subjected to God), consciousness (sovereign in the order of judgment; submitted to the order of truth), the individual (titular sovereign of rights, subjected to the laws of nature or to the rules of society), fundamental freedom (internally sovereign, externally consenting and given to its destiny). In brief, humanism is all of that by which in the West one has barred desire from power…In the heart of humanism, there is the theory of the *subject* (in the double sense of the word). This is why the West rejects with such relentlessness everything that can blast open this barrier. And this barrier can be attacked in two ways. Either by a desubjectivation [*désassujettissement*] of the will to power (that is to say, by political struggle understood as class struggle), or by an enterprise of the destruction of the subject as a pseudo-sovereign (that is to say by cultural attack: suppression of taboos, of limitations, and sexual divisions; the practice of communitarian existence; lack of inhibition with regard to drugs; rupture with all the prohibitions and all the closures by which normative individuality reconstitutes and renews itself). I think there of all the experiences that our civilization has rejected or which it has *only* admitted in the element of literature. (*DE1*, 1094-5)

Three comments are in order here. First, it is notable that desubjection concerns the conflict between the will to power (*not* the proletariat *per se*) and humanism as a bourgeois ideology. Second, humanism is instituted through a "subjected sovereignty" based on a conception of power as a property of the subject ("the desire for power"). And third, the "subjected sovereignty" of humanism elaborates upon the structure of the anthropological doublet. Recall that "man" is an empirico-transcendental doublet in that the subjective conditions of his knowledge are derived from his objective contents. Later, *Discipline and Punish* will implicitly use this structure to show how panopticism functions by first constituting disciplinary man as an object of knowledge that becomes a subject by subjecting itself to its constituted objectifications. Now, how does the "desubjection of the will to power" lead to the politics of truth instead of the critique of ideology and Marxist science?

Along with the politics of truth, and as its corollary, one of the most consistent themes of Foucault's 1970s work is the critique of ideology. Foucault maintains his basic position from *The Order of Things*, namely, that the concept of ideology dogmatically assumes the value of truth. While his renewed attack on ideology begins in earnest in his 1973 lecture course *The Punitive Society*, all of his criticisms of the concept of ideology are presented together at the beginning of his 1980 lecture course, *On the Government of the Living*:

"Marxism and Humanism," where Althusser claims that "Marx's materialism excludes the empiricism of the subject (and its inverse: the transcendental subject) and the idealism of the concept (and its inverse: the empiricism of the concept)." (Althusser 2006, 228) This would effectively mean that Marx had transcended the empirico-transcendental doublet. However, against Althusser's thesis that there is an epistemological break in Marx between his earlier humanist period and his later, anti-humanist period, Foucault insists that this is not his concern. That is, the object of Foucault's research is not the author and its corpus, but the episteme and its rules of formation: "Someone said: the concrete essence of man is labor. To speak truthfully, several people enunciated this thesis. We find it in Hegel, in the post-Hegelians, and also in Marx, the Marx of a certain period, as Althusser would say. As I am not interested in authors but in the functioning of statements, it matters little who said it or when it was said." (*DE1*, 1490)

> If I tried to set the notion of knowledge-power against the notion of dominant ideology it is because I think three objections could be made to the latter. First, it postulated a badly constructed theory, or a theory not constructed at all, of representation. Second, this notion of dominant ideology was pegged, implicitly at least, and moreover without being able to rid itself of it in a clear way, to an opposition of true and false, reality and illusion, scientific and unscientific, rational and irrational. Finally, third, under the word "dominant," the notion of dominant ide- ology chose to overlook all the real mechanisms of subjection [*assujettissement*] and as it were discarded the card, passing it on to another hand, saying: after all, it's for historians to find out how and why some dominate others in a society. In opposition to this I tried therefore to establish the notions of knowledge and power. (*GL*, 11-2)

I would like to take the second claim first. In the previous chapter I discussed how *The Order of Things* critiques the dogmatic distinction between truth and falsity in the context of the analysis of the empirico-transcendental doublet. Foucault states that, beyond merely drawing the conditions for anthropological knowledge from empirical man, the doublet arises from the assumption of the existence of truth. In the resulting dialectic of man's truths and illusions, it is held that "there must also exist a truth that is of the order of discourse" that allows one to "[distinguish] illusion from truth, ideological fantasy from the scientific theory." (*OT*, 319-20) With Foucault's turn to power, however, the question becomes political. As *Society Must Be Defended* puts it, "What types of knowledge are you trying to disqualify when you say that you are a science?...[W]hat subject of experience and knowledge are you trying to minorize…?" (*SMD*, 10) The problem is that the dogmatic division between truth and falsity, here rendered in terms of science and ideology, is used to assume the right to discourse to the exclusion of certain other perspectives. And here Foucault does not have in mind the capitalist targets of ideology critique, but proletarians, lumpen proletarians, the "masses," the "people," and other groups on whose behalf Marxist science claims to speak—in other words, all of those whose existence is at stake in the phrase "the desubjectivation of the will to power." The division between science and ideology, then, becomes a tactic for controlling and policing the will to power. I will return to the link between Marxist critique as an exercise of power in Chapter Five, when I discuss why Foucault does not draw upon Marx in his assessment of neoliberalism.

Now let us look at the inadequate theory of representation assumed by the division between science and ideology. The concept of ideology posits that signs function in society to reproduce material economic relations of production necessary for capitalist accumulation. By the time Foucault renewed his attack on ideology critique in 1972, the most advanced concept of ideology was to be found in Althusser's famous 1970 essay "Ideology and Ideological State Apparatuses." There, Althusser famously argues that the mechanism of the ideological reproduction of the relations of production is the *interpellation of individuals as subjects*. The over-all function of ideology is to ensure that individual subjects act according to the norms and rules that enable the production of surplus-value. Althusser's advancement over previous theories of ideology consists of grounding ideology in material practices of "hailing" or "interpellating." Ideology primarily functions *not* as a set of representations that express the spirit of the ruling class and dupe the masses. Instead, ideology's primary mode of existence (and the condition of its "duping" function) lays in its social circulation between subjects according to the distribution of capitalist social positions. A police officer subjects an individual as a suspect by calling out to them; a teacher interpellates a student by their gaze and calling on them, and so on.

Althusser assumes, however, that ideology (signs and subjects) resembles the class relations of capitalist production, or that ideology represents capital. As I mentioned in the previous chapter, Foucault takes aim at a similar link in his own work between discourse and its conditions when he calls out *The History of Madness* for assuming a relation of resemblance between the discursive concept of madness and the non-discursive practice of socially excluding the mad. (*DE1*, 1031) Foucault particularly critiqued the subjectivity implied by the using "medical perception" to explain this link. In Althusser's example, the link between ideology and a capital is secured by the perception of the cop tasked with producing normative subjects for capital.

While Althusser revises the concept of ideology to include overdetermining social contradictions (e.g., race and gender) beyond the general contradiction between labor and capital, he famously argues that the general contradiction is the "determination in the last instance." (Althusser 2001, 135) In other words, despite the relative autonomy of every other social contradiction, each one is determined to function for the sake of the accumulation of surplus value as the structural cause of the entire social field. One might ask, why is it not the reverse, namely, why is it not the case that capital and its social relations are the effects of a multiplicity of heterogeneous socio-political conflicts? If ideology is in any way autonomous from the contradiction at the heart of capitalist social relations, then there is no guarantee that it will resemble them.[69]

Foucault's third problem, the deadlock on "the real mechanisms of subjection," amounts to two major restrictions that ideology critique implicitly places on the concept of power, which prevent it from going beyond the problems associated with the concept of interpellation. The first restriction is the notion that the relations of production are fixed through a dominant ideology that is seated in the state. In other words, it ideology critique *tethers all power relations and effects of subjection to the state*, or the idea that all ideological power relations interpellate subjects as a function of state apparatuses. Not only are there a number of power relations that neither originate in nor are destined to being appropriated by the state, but the concept of the ideological state apparatus in which ideology has its material reality is a one of those so-called universals that it is necessary to critique by way of history. As Foucault will argue in *The Birth of Biopolitics*, the state is not a universal of history; it "is nothing else but the effect, the profile, the mobile shape of a perpetual statification (*étatisation*) or statifications, in the sense [that the] state is nothing else but the mobile effect of a regime of multiple governmentalities." (*BB*, 77) In other words, not only are power and discourse not essentially statist, but the state is but one of the many overall effects of power and discourse in their strategic relation to one another.

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[69] It is on this point that the turn to Nietzsche makes an advance over his 1965 essay, "Nietzsche, Freud, Marx," which put forth an expressive relation in which signs express the point of view of the force that speaks them. In *The Will to Know*, however, Foucault explicitly cautions against repeating this mistake (which is the same mistake made by the concept of ideology): "All in all, try to show truth as an effect of…struggle at the level of discursive practices…Not to look for a link of expression and/or reflection between these struggles and their effect in discourse." (*WK*, 195) Foucault's reading of Nietzsche in the 1970s, signs go beyond simply imposing an interpretation of their object and interpreting other signs; signs combine an epistemic function of identifying the object of knowledge (by means of the identity of the concept) and a pragmatic function of singling the object out of the sensible in order to use and dominate it. Thus, prior to any use that is made of an object or any violence that is done to it, there is the necessary epistemological violence of erasing or overwriting its individual differences. In short, the relation between a force and the signs it produces is not principally a relation of expression, but a strategic relation that intensifies domination. Signs intensify the will to power: they function as relays in the circuit that the will establishes with itself to enhance itself. This is again why it is not a matter of hypothesizing a universal and anonymous will behind discourse, but a multiplicity of forces in constant struggle with one another.

Directly related to this, then, is the second "deadlock" for ideology critique is *the binary opposition between the violence of repression and the discourse of ideology*. In other words, what ideology critique misses is the subjection that happens without the involvement of either violence or ideology:

> there is no opposition between what is done and what is said, between the silence of force and the prattle of ideology. It is necessary to show how knowledge and power are effectively bound up with each other, not in the mode of identity—knowledge is power, or the other way round—but in an absolutely specific fashion and according to a complex interplay. (*PS*, 233)

As Foucault will argue with regard to panopticism, "subjection is not only obtained by the instruments of violence or ideology; it can also be direct, physical, pitting force against force, bearing on material elements, and yet without involving violence." (*DP*, 26) Foucault thus proposes an analysis of the strategies of power without restricting the techniques of power in advance to the opposition between repression and violence internal to the apparatuses of the state: "No, [the subject is] absolutely not [formed] by ideology…it is not an analysis of ideology, but a strategic analysis; it is a matter…of a sort of analysis of discourse as strategy…in a more real historical context."[70] (*DE1*, 1498)

For a brief time, Foucault was influenced by ideology critique in his move away from literature in 1970s and in his analysis of the student rebellions of May '68, only to renounce this influence by the time of his conversation with Deleuze published under the title of "Intellectuals and Power" in March of 1972. (*DE1*, 995; *LCP*, 207-8) For Foucault, the passage from ideology critique to *the politics of truth* was made possible by a series of studies he undertook on Nietzsche. At this point, I'd like to show how these studies enabled him to develop the notion of philosophy as the politics of truth, which studies the production of subjectivities in strategic relations of power.

3.2 The Politicization of Truth

In 1973, toward the end of Foucault's studies on Nietzsche, he states, "I chose…to show that there are in Nietzsche a certain number of elements that afford us a model for a historical analysis of what I would call the politics of truth." (*EF3*, 13) And later, he continues with a jab against ideology critique, "What I intend to show…is how, in actual fact, the political and economic conditions of existence are not a veil or an obstacle for the subject of knowledge but the means by which subjects of knowledge are formed, and hence are truth relations." (Ibid.) What does Foucault mean by "truth" in "the politics of truth?" In this section, I'd like to show how Foucault uses Nietzsche to politicize his understanding of truth, which means understanding its role within processes of subjection in power relations.

Let us recall that, as a history of the anthropological *a priori*, one of the fundamental problems in *The Order of Things* is truth—both with the anthropological doublet and the being of language. With the doublet, Foucault showed that man's finite, empirical objectivity (whether it is life, labor, or language) is illegitimately made to provide transcendental criteria of truth. On the other hand, *The Order of Things* shows how the collapse of the subject-object distinction in the being of language makes truth impossible as a lasting measure of adequacy between statements and objects. In moving closer to Nietzsche, Foucault deepens his understanding of the

[70] This critique of the state as a universal historical concept in Marxism can be seen as early as 1972 in his commentary on Balibar's reading of *The Communist Manifesto* from that year. (*DE1*, 1274-5)

non-identity or gap between the truth-claim of a statement and its real function as an expression and of power by complicating his understanding of the struggles that make up power relations.

At the end of the last chapter, I mentioned Foucault's suspicion that his earlier interpretation of Nietzsche still *risked making the will to power into the constitutive subjectivity of all discourse*.[71] Foucault notes this at the beginning of his first lecture course at the *Collège*, *Lectures on the Will to Know*:

> if it is a matter of discovering a sort of great assertive (albeit anonymous) will behind the historical phenomena of knowledge, will this not return us to a sort of autonomous and ideal history in which the will to know itself determines the phenomena in which it manifests itself? How would this differ from a history of thought, consciousness, or culture? To what extent is it possible to articulate this will to know on the real processes of struggle and domination which develop in the history of societies? (*WK*, 3-4)

This leads Foucault to rethink truth as a *historical event that is produced by strategic relations of power and knowledge*—that is, in terms of what he calls *politics*.[72]

Foucault arrives at politics by way three principal texts, which comprise his interpretation of Nietzsche in the early 1970s: the opening *Lectures on the Will to Know* (1970-71), "How to Think the History of Truth with Nietzsche without Relying on Truth" (1971), the famous "Nietzsche, Genealogy, History" (1971), and "Truth and Juridical Forms" (1973). In order to conceptualize the *relation* between power and knowledge, Foucault extracts four principles from Nietzsche: they are the principles of exteriority (power is outside of knowledge), the event (knowledge emerges through novel encounters between forces), and the dispersion of the subject

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[71] It must be stressed that Nietzsche's concept of the will to power is not metaphysical because it is a hypothesis that results from the critique of morality. Two particularly stand-out instances include his critique of the representationalist dogmatism of subjectivity and that of metaphysics as an essentially moral enterprise and the subsequent critique of morality as a negative and reactive mode of thought and existence. By showing that every metaphysical system is an attempt to justify its moral prejudices and that morality is in turn based on negation (or at least every morality that would concern itself with metaphysics), Nietzsche is led to understand morality by positing the affirmative element they negate. Thus he arrives at the will to power, which he lays down as a quasi-ontological hypothesis. The critique of truth begins as early as 1973 in his famous essay, "Truth and Lie in an Extra-Moral Sense." There it is argued that the syntheses in the subject necessary for bringing forth an object of knowledge each produce effects that are different in kind. In other words, it cannot be assumed that the faculties of the subject stand in a relation of concordant harmony, as Deleuze would put it. Instead, Nietzsche points out that there are unresolvable differences between the sensory encounter with an object, the synthesis of sensations into a representation, and the synthesis of that representation in turn with a word. As such, each step or representation in the process of knowledge involves a moment of creation and production that is not just different than what it represents, but also obscures and distorts it. He takes this to mean that the basic element of human knowledge is not the concept, but the metaphor, since each synthesis transfers the singular content of what it represents to a new, more foreign level. (Nietzsche 2009, 253-64) Nietzsche ventures the hypothetical formulation of the will to power due to the requirements of causality: "The question is in the end whether we really recognize the will as *efficient,* whether we believe in the causality of the will: if we do—and at bottom our faith in this is nothing less than our faith in causality itself—then we have to make the experiment of positing the causality of the will hypothetically as the only one. 'Will,' of course, can affect only 'will'—and not 'matter' (not 'nerves' for example). In short, one has to risk the hypothesis whether will does not affect will wherever 'effects' are recognized—and whether all mechanical occurrences are not, insofar as a force is active in them, will force, effects of will… The world viewed from inside, the world defined and determined according to its 'intelligible character'—it would be 'will to power' and nothing else." (Nietzsche 1966, 48)

[72] *The Archaeology of Knowledge* already conceives of statements and discursive formations as events, however, that text does not yet account for the strategic dimension of discourse as the being of language.

(the subject is a product of events of knowledge and power).[73] While Foucault's use of these principles varies throughout his studies of power, he nonetheless never abandons them as methodological principles.

The will to power is the being of language as the abyssal ground of discourse. Hence, *the first principle* of the Nietzschean model pertains to the primacy of power over knowledge. It is what he calls "The principle of exteriority: that behind knowledge (*savoir*) there is something altogether different from knowledge."[74] (Ibid., 198) Or again, Foucault states, "Nietzsche…refuses…pure consciousness, in which the object is given in the form of the subject and the subject may be the object of itself." (Ibid., 212) In other words, the object, insofar as it is known, and the subject, in its self-knowledge vis-à-vis the object, in no way resemble the real genesis of knowledge: "neither man, nor things, nor the world are made for knowledge." (Ibid., 207) How is it possible to think force outside of the form of knowledge and truth without abandoning force to pure indeterminacy? Forces are unknowable in themselves, yet they may be known through their effects: if knowledge is not to be understood according to truth, but as an effect of the encounter between forces, then power relations can only be understood diagnostically. What power consists in is a question for the history of the present, not metaphysics: "I repeat, once again, that power can in no way be considered either as a principle in itself, or as having explanatory value which functions from the outset. The term itself, power, does no more than designate a [domain] of relations *which are entirely still to be analyzed.*" (*BB*, 186) This returns us to the problem of the representational link between discourse and its conditions that plagued *History of Madness*. For if power is exterior to knowledge itself, then one can never know whether knowledge faithfully represents or expresses its cause, or power.

Hence the second principle, *the principle of the event*: knowledge is always an historical invention, or event, because it is grounded in historically contingent power relations. Foucault focuses on three decisive words in Nietzsche to describe the evental character of knowledge: *Erfindung*, meaning invention, *Entstehung*, meaning emergence, and *Herkunft*, meaning descent. Nietzsche thinks them together as the *emergence* of power relations that *invent* knowledge, which sometimes endure historically to form lines of descent. Foucault redeploys the theme of the void to characterize the being of language in "Nietzsche, Genealogy, History" when he asserts that the encounter between forces happens in a "'nonplace,' a pure distance…the adversaries do not belong to a common space." (*EF2*, 377) Here the void not only refers to the groundlessness of the will to power, as it did in his earlier writings, but also its heterogeneity, *which accounts for the open, strategic character of force relations*. That is, novel force relations are open precisely in the sense that their terms do not share a common ground in which they can be reconciled. Hence they relate to one another polemically through strategies: "Relations of power are strategic…Every time one side does something, the other one responds by deploying a conduct, a behavior that counter-invests it, tries to escape it, diverts it, turns the attack against itself, etc. Thus nothing is ever stable…" (*FL*, 144)

Erfindung refers to the inventedness of knowledge within the strategic context of power relations, that is, it refers to the fact that strategies of power are involved both in the way that

[73] Here I omit the principle of fiction, which Foucault includes in this list, since it doesn't significantly depart from his interpretation of Nietzsche in *The Order of Things*, which I discussed in the previous chapter.

[74] In his commentary on force and the outside of knowledge in Foucault, he insightfully points out that whereas for Hegel, in the chapter of *The Science of Logic* titled "The Essence of Reason," the concept of force is thought as a cause of externalization, which mediates the relation between the inside and the outside. The critique that Foucault and Deleuze offer of this model, vis-à-vis Nietzsche, is that this exteriorization is false insofar as force lacks a interiority to begin with because it is always already related to the outside of knowledge. (Balibar, 2013)

knowledge is produced (e.g., the game of the confession, or surveillance), and in the use of knowledge to reinforce power relations (e.g., psychiatric knowledge as a systematic record of confessional speech or the examination of panoptic effects in disciplined individuals).

The principles of exteriority and the event establish the historicality of critical knowledge, which, on Foucault's reading, Nietzsche refers to as *Herkunft,* meaning "stock" or "descent." *Herkunft is the object of genealogy.* It doesn't mean "race" or "lineage" in the common-sense meanings of these terms, but to the values and wills that have been transmitted and cultivated over history. The lineage behind "modern man" can be traced back to the formation of his memory in practices of punishment that marked and destroyed bodies, his will to truth in the intolerability of his pointless suffering or his ancestral debt, and so on. For Foucault, one can trace modern governmentality ands its governance back across a series of historical discontinuities to the Christian-pastoral and its conduct of souls. In both cases, genealogy traces the relations of power by following their *Herkunft*, or the signs of their lines of descent.[75]

Since the groundlessness of critique requires it to endlessly question its own categories, genealogy can only offer models of power that serve as hypothetical devices for testing our contemporary limits of speech, thought, and action.[76] Psychiatric power, disciplinary power, biopower, and governmentality do not name the external, historical appearances of the inner essence of power. The same goes for knowledge: the false question "What is knowledge?" must not be answered in the manner of traditional philosophers, who seek to found their authority on truth itself, but by looking to the expressly strategic use of knowledge:

> In reality, knowledge is an event…[K]nowledge is always the historical and circumstantial result of conditions outside the domain of knowledge…One can speak of the perspectival character of knowledge because there is a battle and knowledge is the result of this battle. (*EF3*, 12-4)

The principles of exteriority and the event relate to an analytical procedure in the politics of truth, which Foucault calls *eventalization*, which he defines most directly in 1978:

> [E]ventalization means rediscovering the connections, encounters, supports, blockages, plays of forces, strategies and so on which at a given moment establish what subsequently counts as being self-evident, universal and necessary…I would like in short to resituate the production of true and false at the heart of historical analysis and political critique." (Ibid., 226-30)

A historical *a priori* is a self-sufficient principle that totalizes a period, but refers to a *problem* that it ends up codifying in the field of power relations, the most famous in Foucault's work being madness, sexuality, and criminality. Each problem arises through of a multiplicity of struggles and in turn gives rise to a division between the true and the false.

The final principle that Foucault extracts from his early-1970s studies on Nietzsche is *the principle of dispersion*. It states, "the subject is not the bearer of truth, but truth passes through the multiplicity of events that constitute it." (*WK*, 198) The subject is an effect of *subjection* (*assujettissement*) in a relation of power. At the end of the previous section, I stated that the politics of truth goes beyond ideology critique by accounting for "the real mechanisms of

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[75] Once again, this is why Foucault hits upon the question of the Enlightenment through Nietzsche before he considers it through Kant: "But it is, once again, Nietzsche who was the first, I think, to define philosophy as being the activity that serves to know what's happening and what is happening now. In other words, we are traversed by processes, movements, forces; these processes and these forces, we do not know them, and the role of the philosopher, it is, without a doubt, to be the diagnostician of these forces, to diagnose the present [*l'actualité*]." (*DE2*, 573)

[76] See note 11 regarding *Beyond Good and Evil*, which argues for this necessary limit in the study of power.

subjection." For Foucault, truth is not a product of critique, instead, following *The Genealogy of Morals*, it is a constitutive element of subjection. For as the historical *a priori* that emerges through power relations includes the practical norms of conduct through the production of knowledge. In 1976, Foucault states:

> The essential political problem for the intellectual is not to critique the ideological contents that would be tied to science…it is to know if it is possible to constitute a new politics of truth. The problem is not of changing the consciousness of the people or what they have in their heads, but of changing the political, economic, and institutional production of truth…The political question, in sum, is not that of error, illusion, alienated consciousness, or ideology; it is that of truth itself. Hence the importance of Nietzsche. (*DE2*, 159-60)

Power concerns subjectivity not only in the distribution of subject positions that provide exclusive access to discourse, but in the objectification of individuals and populations as objects of knowledge and targets of the exercise of power. In 1978 he writes:

> These programings of behavior, these regimes of jurisdiction and veridiction…are fragments of reality which induce such particular effects in the real as the distinction between true and false implicit in the ways men "direct," "govern" and "conduct" themselves and others. To grasp these effects as historical events—with what this implies for the question of truth (which is the question of philosophy itself)—this is more or less my theme. (*EF3*, 233)

The politics of truth is about tracing norms of subjection back to the evental encounters between heterogeneous forces and their effects, whose dispersed existence accounts for the historical *a priori* of a mode of power and the subjections it involves.

Finally, on the basis of these principles outlined above, it is easy to see how Foucault defines the "*politics*" in the politics of truth.[77] In a 1977 interview, he states, "If it is true that all power relations in a given society constitute the domain of the political…each power relation can be referred to the political sphere of which it is a part, both as its effect and as its condition of possibility. To say that 'everything is political' is to acknowledge this omnipresence of relations of force and their immanence to the political field…" (*FL*, 211) Foucault's concept of "the political" is neither an essence, nor a set of formal criteria, nor a restricted domain of spirit—it extends beyond any codified domain of human activity. It is coextensive with all force relations in that it is both the site that they carve out and, once constituted, a historically contingent, yet determining set of conditions for the forces therein. Foucault's definition of politics implies an immanent causal relation between power and its effects, including knowledge, whereby the effects of power are no less causal in their relation to the political. This is how the principles of exteriority and of the event establish the politics of truth.

[77] In 1978 Foucault shows how Nietzsche makes possible a truly political conception of the will, which is irreducible to the moral and natural versions of the concept that philosophy had thought previously: "It must now be asked under what form one can think the problem of the will. I have said to you just now that the West, in order to address the relations between human actions and the will, possessed up until now only two methods. In sum, in other terms, from a methodological point of view as well as a conceptual point of view, the problem was posed only under traditional forms: nature-force or the law that distinguishes between good and evil. But curiously, in order to think the will, we didn't borrow the method from military strategy. It seems to me that the question of the will can be posed as in a struggle, that is, from a strategic point of view so as to analyze a conflict where diverse antagonisms develop themselves." (*DE2*, 605)

Despite the polemic character of power, it is irreducible to the negative concepts of exclusion and prohibition, which offer themselves as general forms of power.[78] And since power is not a negation, it is not dialectical inasmuch as it is not subject to the fate of being negated in turn: "The master-slave dialectic, according to Hegel, is the mechanism by which the power of the master empties itself by the very fact of its exercise. What I want to show is the opposite: that power is reinforced by its own exercise." (*DE1*, 1685) Consequently, power is also irreducible to oppression: "Power does not oppress, for two reasons: first, because it procures a pleasure…We have a whole…erotics of power…In the second place, power can create [knowledge]." (Ibid., 1510). A theory of power *qua* oppression states that power is a property of a subject—the oppressor—that is used to negate its object, the oppressed. However, power is neither a socio-politically ascribed property nor a faculty of a subject, whether individual or collective. Instead, power's positivity is revealed both in the pleasure that it gives (the self-affirming character of its exercise) and in the knowledge that it creates.

In tracing the emergence of anthropological man, then, one must not only describe the historical rules of his discourse of truth; one must also trace these rules back to the relations between forces that constituted the historical field of knowledge and that made man exist as an object of knowledge and a subject of norms. Arguably, this was Foucault's entire project during the 1970s. As Foucault concludes in "Nietzsche, Genealogy, History" (and here one should think of Marx), "[the] critique of the injustices of the past by a truth held by men in the present becomes the destruction of the man who maintains knowledge [*connaissance*] by the injustice proper to the will to knowledge." (*EF2*, 389).

Foucault's passage through ideology critique leads him to *the politics of truth, which accounts for subjection by analyzing the strategic relation between discourse and power*. *Its historical problem is anthropological subjection.* That is, critique questions the power relations that produce the anthropological *a priori* and the way that this form of truth programs the production of subjectivities. The problem of man is not only *epistemological*, but it is also *political* in that it is a form of organizing capacities, actions, and subjects within an open strategic field of practices.

Though the language of anthropology and the historical *a priori* drops out of Foucault's genealogical work, the statement by Foucault that appears at the end of my previous chapter confirms that man is still his guiding problem well into his political period. To repeat:

> Of course [man] exists. What one must destroy is the ensemble of qualifications…that have defined some human essences since the 18th century. My error has not been to say that man does not exist, but to imagine that he would be so easy to demolish. (*DE1*, 1685)

Foucault clearly links his archaeologies of man to his genealogies of power in a 1978 interview titled "On Power:" "[G]enerally speaking, the fact that…human behavior became…a problem to be analyzed and resolved, all that is bound up, I believe, with mechanisms of power…So the birth of the human sciences goes hand in hand with the installation of new mechanisms of power." (*PPC*, 106) The mechanisms of power that deploy the knowledge of man constitute the political conditions that bring man into being and hold him there; they make up the conditions that critique must challenge by describing their history and revealing their contingency. In 1976, Foucault states:

> The essential political problem for the intellectual is not to critique the ideological contents that would be tied to science…it is to know if it is possible to constitute a new

[78] Whereas Foucault's studies of madness in the asylum suggested the opposite, it is the study of delinquency and prisons that show that power possesses a positive, strategic dimension. (*FL*, 209)

> politics of truth. The problem is not of changing the consciousness of the people or what they have in their heads, but of changing the political, economic, and institutional production of truth…The political question, in sum, is not that of error, illusion, alienated consciousness, or ideology; it is that of truth itself. Hence the importance of Nietzsche. (*DE2*, 159-60)

If anthropological subjection is the synthesis of essentialized predicates in concrete subjects, then critique, *as the politics of truth, must attack the forms of power that tie us to our predicates.* At the archaeological level, the predicates that make up the human essence are, of course, life, labor, and language. Examples of the continuation of anthropology in Foucault's 70s period include his studies on man as a subject of life through his sexuality and as a subject of language through the force relations that make him speak and through the normalization more generally. And, with respect to labor, in 1973 Foucault states:

> What I would like to show is that in fact labor is absolutely not the concrete essence of man…In order for men to be effectively…tied to labor, there must be an operation…by which men effectively find themselves…synthetically…tied to the apparatus of production for which they work. There must be…a synthesis operated by a political power in order for the essence of man to be able to appear as labor. (*DE1*, 1489-90)

This statement appears in "Truth and Juridical Forms," which followed upon *The Punitive Society*, where he provides a genealogy of the punitive measures that made the European proletariat identify itself with the activity of labor as "the working class." The syntheses that Foucault refers to are performed by what he will call *apparatuses* (*dispositifs*) according to a strategy within a relation of power. After the turn deeper into Nietzsche, the apparatus is what accounts for what archaeology formerly analyzed as discursive formations. (*PP*, 13)

The term apparatus first appears in Foucault's lecture course *The Punitive Society* to describe how the popular illegalisms of the European underclasses were politically neutralized through a network made up of the rise of modern policing and criminology, the profiling of work history, the individualization of risk with the invention of savings banks, and a set of social-moral reforms targeting laziness, gambling, disorderliness, and excessive spending. This disciplinary apparatus sought to induce the practice of providing a detailed account of one's daily existence to a number of authorities who used this knowledge to split the underclasses into a docile "working class" on the one hand and a "criminal population" on the other. (*PS*, 194, 239)

Later, *Discipline and Punish* provides the most far-reaching definition of this concept: an apparatus is "a way of making power relations function in a function, and of making a function function through these power relations." (*DP*, 206-7) An apparatus is a form that emerges out of the strategically fluid relations of power that tends toward both spatio-temporal organization and regularity in the production of signs and subjects:

> [T]he apparatus [*dispositif*] is…a matter of a certain manipulation of relations of forces, either developing them in a particular direction, blocking them, stabilizing them, utilizing them, etc…but it is also always linked to certain coordinates of knowledge which issue from it but, to an equal degree, condition it. This is what the apparatus consists in: strategies of relations of forces supporting, and supported by types of knowledge. (*PK*, 196)

The most famous instance of this is of course the panopticon, where "A real subjection [*assujettissement réel*] is born mechanically from a fictitious relation," since the imagined and uncertain possibility of being seen forces one to "[become] the principle of one's own subjection" by internalizing the norms of the apparatus. (*DP*, 202-3)

Foucault adds that apparatuses tend to emerge at points of urgent crisis in history where power relations are most fluid. Thus, one can trace such norms back to the problems that they "solve," such as the problem of making multiplicities of human beings useful by enhancing their powers of action without risking that they become politically empowered thereby. Such was the problem posed during the initial period of primitive accumulation in modern capitalism, which saw a steady increase of sundry population flows being dumped into burgeoning industrial centers. This period not only staged encounters between the heterogeneous forces of labor and capital, but also vagrants and municipal authorities, prisoners and systems of justice, police and delinquents, students and educators, soldiers and generals.

If the archaeology of man was made possible by literary ruptures that broke away from anthropological discourse, what accounts for the genealogical critique of power relations? This is, of course, a repetition of the question of the beginning of philosophy, but it is more than that. On the one hand, there is no question that Foucault took Nietzsche in a drastically more political direction than the latter's solitary life—and so one should ask how this came to be. On the other, there is the question of what orients the critique of subjection, that is, how does it know which field of power relations to study?

3.3 The Possibility of the Politics of Truth

Ever since Rorty's critique of Foucaultian pessimism, it has sometimes been claimed that Foucaultian critique is an intellectual exercise without any practical dimension, or simply leads to the stance that resistance is futile. As the argument goes, the critique of "humanity" and its attendant ideal of freedom is too destructive and undermines politics altogether—especially those practiced by the oppressed and exploited. (Rorty 1982, 206-8) Perhaps more significantly, this points to an epistemological concern for the possibility of the politics of truth: what critical position is there when there is nothing outside of power?[79] If the exteriority of the being of language *qua* literature formerly offered Foucault a critical position from which to speak (as a neutral, anonymous "one"), what position is there now that such exteriority with respect to power is absent? How is critique possible when it is necessarily immanent to power relations? For Nietzsche, this was answered by the hypothesis of the eternal return as the abyssal ground of the will to power. For the eternal return allowed him to say that only those wills that express the groundlessness of the eternal return succeed in passing its test. While Foucault decidedly does not follow Nietzsche on this point, the question is the same: if power is essentially without reason, then what *within* power relations expresses this groundlessness in a way that offers a foothold to critique? Of course, this is another way of returning to the question that was explored last chapter, "what is the beginning of philosophy?"

Foucault returns to the problem of beginning on two separate occasions toward the end of his writings on power—both from 1978. Foucault's "What is Enlightenment?" reiterates his eulogistic remarks about Hyppolite in his first lecture at the *Collège*:

> It is true that we have to give up hope of ever acceding to a point of view that could give us access to any complete and definitive knowledge of what may constitute our historical limits…the theoretical and practical experience that we have of our limits and of the possibility of moving beyond them is always limited and determined; thus we are always in the position of beginning again. (*EFS*, 54)

[79] Charles Taylor poses a similar concern to Foucault's Nietzscheanism as it rejects liberation as a goal of freedom from instrumental rationality and its "oppression of nature." (Taylor 1984, 160)

With the politics of truth, the limits that make up the historical *a priori* now include the modes of normalization deployed by apparatuses of power in processes of subjection, which dissimulate their own historical contingency. The immanence of critique with respect to power relations means that it is constantly limited by them, which gives philosophy the circular form of recommencement. Foucault describes this form in his first lecture of *Security, Territory, Population*:

> …what I am doing concerns philosophy, that is to say, *the politics of truth*, for I do not see many other definitions of the word "philosophy" apart from this…I see its role as that of showing the knowledge effects produced by the struggles, confrontations, and battles that take place within our society, and by the tactics of power that are the elements of this struggle…I would like the [imperative] underpinning the theoretical analysis we are attempting to be quite simply a conditional imperative of the kind: if you want to struggle, here are some key points, here are some lines of force, here are some constructions and blockages[80]…I would like these imperatives to be no more than tactical pointers. Of course, it's up to me, and those who are working in the same direction, to know on what fields of real forces we need to get our bearings in order to make a tactically effective analysis. But this is, after all, the circle of struggle and truth, that is to say, precisely, of philosophical practice. (*STP*, 3)

Foucault articulates the history of the present carried out by critical research as a cartography of power and knowledge in the pursuit of struggle and desubjection. Studying the knowledge effects and tactics that have coalesced as strategies of power in the historical field makes it possible to provide tactical imperatives for those struggling for their own desubjection in the present. Note that these tactical imperatives are "hypothetical" owing to the fact that they are as conditioned by the historical limits they seek to contest and, more importantly, *by the presence of the desire to struggle*. The desire to struggle is not a necessary given. However, Foucault argues that the point of the politics of truth is not to paint a picture of the machinations that result in "the wrong life," as Adorno puts it; that is, its point is not to sadden while offering the conciliatory pleasure of being able to know just how and to what extent one is dominated, but *to increase the possibility* of struggle: "No formation of domination has ever been as fecund, and consequently, as dangerous, as profoundly rooted, as [the bourgeoisie's]. It does not suffice to cry out over the villainy…this justifies a certain sadness. One must then bring to the combat as much gaiety, lucidity, and tenacity as possible. The only thing that is truly sad is not struggling." (*DE1*, 1593) Therefore, the basis from which critique is possible within the field of power relations is the will to struggle, or more exactly, the *will to desubjection*; for the will to desubjection expresses the groundless and open-ended character of power itself.

Philosophy's role in the relations of power is thus not juridical, that is, it is not that of a judge or a legislator who sets limits to the exercise of power. If philosophy has historically played the negative role of a judge and a legislator by setting limits to the exercise of power, this is because the philosophical interpretation of power has largely viewed it as unjust or illegitimate in itself. Philosophy hence gave itself considerable authority to judge power: "If, after all, [philosophy] says to power, 'stop there', is this not to take precisely, virtually, and secretly, the place of power, to make itself the law of the law, and consequently, to realize itself as law?" (*DE2*, 540)

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[80] This formulation of the hypothetical condition of the politics of truth also appears in *Society Must Be Defended:* "[I]f we are to struggle against disciplines, or rather against disciplinary power…we should be looking for a new right that is both antidisciplinary and emancipated from the principle of sovereignty." (*SMD*, 39-40)

If philosophy for Foucault is not transcendent (and hence not juridical) with respect to power relations, that does not free philosophy from having to evaluate the field of force relations, since it is always a question of asking which forces express a will to desubjection. By overturning the power-law schema, philosophy must ally itself with what he calls "counter-powers" in various forms of political struggle:

> Perhaps one could still conceive that it would be possible for philosophy to play a role in relation to power that wouldn't be a role of foundation or of agreement with power. *Perhaps philosophy could still play a role on the side of counter-power on the condition that* this role no longer consist of wanting to make itself, in the face of power, the very law of philosophy, on the condition that philosophy cease to think of itself as prophecy, as legislation, and that *it charges itself with the task of analyzing, elucidating, rendering visible, and thus of intensifying the struggles that unfold around power*, the strategies of the adversaries from within the relations of power, the tactics utilized, the openings of resistance, on the condition, in sum, that philosophy cease to pose the question of power in terms of good or bad, but in terms of existence…One could imagine, one should imagine something like an analytico-political philosophy.[81] (Ibid., 540-1)

If power is not the property of a subject and if it is not to be understood in terms of legitimacy, then the difference between being a "counter-power" and a limit to power is crucial, since the task of philosophy is not to regulate power but *intensify* it.

This provides a clue to a basic question about the grounds of critique, namely, how does one determine *which* history of the present to undertake? How does one know which events of struggle and which discourses in the historical field need to be analyzed? The answer: by paying attention to the problems encountered and posed by those struggles of desubjection that reveal the character of our present in the course of breaking away from it.

Yet one must have a historical analysis in order to theorize the struggles in the present, know which existing struggles are important, and know how to frame them.[82] For instance, why not simply champion the class struggle as a will to break free of capitalism? This returns us to the circle formed by the history of the present and desubjection in the politics of truth: on the one hand, philosophy cannot determine the historical archive without first being determined to do so by contemporary struggles; on the other hand, philosophy cannot conceptualize existing struggles and partake in them without reference to the history of power-knowledge.

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[81] My italics.

[82] For instance, one of the most common dangers on the left is the organization of resistance on the basis of humanism and anthropological "man," which is itself a product of normalizing practices to be resisted. In an interview titled "Michel Foucault: Responses from the Philosopher," Foucault argues that political struggles must not situate themselves on an anthropological terrain, but that they must fight against normalization in the name of anthropological man. This is Foucault's response when his interviewer asks if acting and writing in solidarity with minoritarian struggles is the same thing as humanism and whether humanism should be conserved: "If these struggles are led in the name of an essence determined by man, such that they are constituted in the thought of the 18th century, then I would say that these struggles are already lost. Because they will be carried out in the name of abstract man, in the name of normal man, in the name of good health—they are the precipitate of a series of powers. If we would like to critique these powers, we must not carry it out in the name of an idea of man that was constructed by these powers. When the vulgar Marxist speaks of total man, of man reconciled with himself, what is at stake here? It's normal man, balanced man. How was this image of man formed? By using a psychiatric, medical knowledge and power, by starting from a power that normalizes. To make a political critique in the name of humanism means reintroducing into one's arsenal the very thing against which we must struggle." (*DE1*, 1685)

One way to solve this dilemma is to prioritize the struggles of the present, which finds plenty of support in Foucault's *oeuvre*.[83] Philosophical critique does not have a monopoly on desubjection—far from it. Foucault's experiences with patient-doctor relations at the *Hôpital Saint-Anne* helped give rise to his archaeology of madness;[84] the prison revolts of the early 1970s gave rise to the *Groupe de l'Information sur les Prisons*, which in turn made possible *Discipline and Punish*; the first volume of *The History of Sexuality* was preceded by Foucault's trip to California in 1975 that exposed to him to the heterotopias of gay counter-culture and LSD; Foucault's concepts of conduct, counter-conduct, and 'political spirituality,' retroactively appear to be just a half step behind the Iranian Revolution; and, finally, Marcelo Hoffman has convincingly argued that Foucault's concept of *parrhēsia* owes a great deal to his experiences supporting the Solidarity movement in Poland. (Macey 1993, 338-40; Hoffman 2014, 129-43) But, above all, the most straightforward evidence for the claim that critique presupposes struggle comes from "What is Critique?" which articulates a will to not be governed. Towards the beginning of this lecture, he states:

> [C]ritique is the movement by which the subject gives himself the right to question truth on its effects of power and question power on its discourses of truth…critique will be the art of voluntary insubordination [*inservitude*], that of reflected intractability [*indocilité*]. Critique would essentially insure the desubjugation [*désassujettissement*] of the subject in the context of what we could call, in a word, *the politics of truth*.[85] (*EFS*, 266)

He ends this same essay stating, "And if it is necessary to ask the question about knowledge in its relationship to domination, it would be, first and foremost, from a certain decision-making will not to be governed [*volonté décisoire de n'être pas gouverné*]..." (Ibid., 278) Likewise, one must remember the hypothetical character of the imperative that opens the circle of the politics of truth: "…if you want to struggle…" Where would such a will come from? What conditions the will to struggle?

Harkening back to the notion of philosophy as a *counter-power*, Foucault answers:

> "[T]here is…always something, in the social body, in classes, in groups, in individuals themselves that…escapes the relations of power…it is not so much the exterior of power relations as it is their limit, their inverse, their counter-blow…[which] motivates every new development of the networks of power…[T]he point of view of the pleb…is hence indispensable for the analysis of apparatuses [*dispositifs*]; starting from there, it is possible to comprehend their functioning and their developments." (*DE2*, 421-2)

"The pleb," as Foucault states it here, is not a sociological category, but instead refers to the self-differentiating essence of power relations, that is, the tendency of power relations to break down as forces within power relations escape them. The pleb is the virtual limit of power in that it

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[83] In a hyperbolic passage, Foucault suggests that one walk away from "the canon" altogether if one desires to ground philosophical discourse through its auto-critique: "Leave aside the 'great books', avoid setting straight out for the unconsciousness of the system, seek the surface of discourse, the explicit: it is neither in Hegel nor in August Comte that the bourgeoisie speaks directly…On the side of the sacralized texts, an absolutely conscious, reflected strategy can be clearly read in a mass of unknown documents that constitute the effective discourse of a political action. A logic of strategy must replace the logic of the unconscious. For the privilege accorded to the signifier and its chains one must substitute tactics with their apparatuses." (*DE1*, 1587)

[84] Foucault would go on to say that power was the unnamed problem in his early work on madness: "I would say that it's through the asylum that I first became aware of a problem that still haunts me, I mean the problem of power." (*FL*, 138)

[85] My emphasis.

escapes the subjection of apparatuses and thus defines what is novel in power relations.[86] The pleb is not a particular force or instinct, but it could be said that there are forces that are "of the pleb" in that they are irreconcilable with subjection and provide clues that can lead to apprehending the limits of our current order of power-knowledge. When a force traverses the limit of the pleb, it poses a problem to the existing order of dominations because it puts the strategies of apparatuses to the test and forces them to change in response. Beyond the basic relational character of power, the pleb is what allows Foucault to say, "Power comes from below" and that resistance is a matter of "mobile and transitory points" as opposed to "massive binary divisions." (*HS1,* 94, 96) While the pleb is not "the *permanent* ground of history, the *final* objective of all subjections," it is a principle of historical intelligibility, because it illuminates the strategic domain of power from the point of view of its limit—a possibility of existence that is incommensurable with the possibilities afforded by the existing strategies of forces. (*DE2*, 421)

The will not to be governed, then, is the guiding will for a form of life that is lived from the point of view of the pleb. Critique must think from this perspective because, in illuminating power apparatuses, it is the point of view that, in escaping the present, defines it. Therefore, the history of the present is the history of what is becoming other in the present, that is, of what in the present is moving toward desubjection. That is, contemporary struggles of desubjection pose problems to the present's historically unique forms of power-knowledge and thereby made possible their genealogy. Thus it would seem that the politics of truth begins from resistance, or practices of desubjection that are already unfolding.[87]

The other way of solving this dilemma, of course, is to give priority to philosophy since it has the critical theoretical tools that enable it to diagnose the present and identify historical novelty. This would be to claim that what enabled Foucault to ally with prison revolts was the extant critique of anthropology and the vigilance of philosophy over the death of man. Politically, it is a matter of inventing and identifying new types of struggles that no longer advance themselves on anthropological premises, such as laboring man as the subject of history. More directly, it is a matter of struggling—and identifying struggles—against anthropological normalization.

However, as with basing critique on contemporary struggles, according to this second alternative, critique is grounded in something that precedes it, namely, the history of limit-discourses on the being of language. More exactly, the critique of truth and subjection in power relations is historically based on the literary problematization of language. Foucault's claim that man emerged around discursive attempts to capture and normalize singularities like sexuality, criminality, and mental illness was made possible not only by literary breaks with the anthropological *a priori*, but even more directly by the fact that such singularities were often the

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[86] This is what makes it possible for Deleuze to say that resistance is analytically and politically primary in power relations: "[T]he final word on power is that *resistance comes first* to the extent that power relations operate completely within the diagram [such as panopticism], while resistances necessarily operate in a direct relation with the outside from which the diagrams emerge." (Deleuze 1988, 89)

[87] In his reconstruction of the Foucaultian figure of the plebs, Martin Breaugh follows Alain Brossat, who argues that the pleb is not a substantial, continuous historical subject, but that its sole characteristic is formal: the act of rising up and making a cut in history. On this basis, Brossat lumps the likes of Osama Bin Laden into the category of the pleb, which leads Breaugh to argue that the concept of the pleb is unhelpfully broad. (Breaugh 2013, 88-90) It is true that Foucault's definition is sufficiently broad to cut across classes, groups, and individuals—that it is present in an "irreducibly diverse extension of forms and energies." (*DE2*, 421) However, the pleb is not the terminal point of the analysis of power, which one would then use as the ultimate perspective upon it. For while a terrorist might function as a pleb perspective on the apparatus that they attack, nothing necessitates that there is only one plebian perspective and nothing prohibits an analysis of the pleb within a terrorist organization as an apparatus of power.

subject matter of literature speaking outside of the discursive rules of intelligibility. That is to say that Foucault not only saw literature as key to thinking the being of language as power relations, but also saw it as a site in which the problems in power relations symptomatically appeared.

As Foucault's philosophical works partially based their political problematizations in literature, he belongs to a line of post-Heideggerian thinkers who saw in literature a political subject to come. As he states of historical experiences:

> The problems that experiences like these pose to politics have to be elaborated. But…the problem is, precisely, to decide…if it is not, rather, necessary to make the future formation of a "we" possible by elaborating the question. Because it seems to me that the "we" must not be previous to the question; it can only be the result—and the necessarily temporary result—of the question as it is posed in the new terms in which one formulates it." (*EF1*, 114-5)

Like Heidegger, Derrida, or Deleuze, Foucault's work relays an aesthetic experience or event such as the literature of madness or crime to a collectivity that can only be glimpsed because its arrival would violate the current order of the possible. Though it is by now a worn infinitive, each of Foucault's histories of the present is a call to a collectivity, or a "we," to come: a pleb that forms a collective subject of non-anthropological enunciation.

This "we to come" would supersede the works of critique by testing their limits in a game of domination. In a 1975 interview, Foucault states: "The uses of a written book are not defined by the one who wrote it. The more new, unforeseen, possible uses there are, the more I will be content." (*DE1*, 1588). Or again, when he characterizes his writings as short-lived weapons: "I would like to write book-bombs, that is to say, books that are useful precisely at the moment when someone writes them or reads them. Then, they disappear…" (*DE2*, 477) In another interview from this period, Foucault echoes the anonymity and self-erasure of his archaeological works by speaking of the pleasure of being transcended: "I feel almost a physical pleasure in thinking that the things I'm involved in go beyond me, that there are a thousand people and a thousand books being written…a thousand things being done, that go in exactly the same direction I am and that ultimately surpass me." (*FL*, 145) This pleasure is not straightforward. While he only once speaks of writing as a pleasurable activity (*DE1*, 1513), in 1975 he disparages writing in yet another moment in which he distances himself from the neutrality of literature:

> At bottom, I do not like writing…Writing interests me only to the extent that it is incorporated in the reality of a combat, as an instrument, a tactic, an illumination. I would like my books to be a sort of scalpel, a Molotov cocktail, or a minefield. I would like them to self-destruct after use, like fireworks…The utilization of a book is closely tied to the pleasure that it can give, but I do not all see what I make as an oeuvre…I am a seller of instruments, a maker of recipes, an indicator of objectives, a cartographer, a drawer of plans, an armorer. (Ibid., 1593)

Foucault saw one such instance happen in France after the publication of *Discipline and Punish*:

> What I am trying to do is provoke interference between our reality and the knowledge of our past history. If I succeed, this will have real effects in our present history. My hope is my books become true after they have been written—not before…But two years ago there was turmoil in several prisons in France, prisoners revolting. In two prisons, the prisoners in their cells read my book. They shouted the text to other prisoners. I know it's pretentious to say, but that's a proof of a truth—a political and actual truth—which

> started after the book was written. I hope that the truth of my books is in the future. (*FL*, 301)

What is at play in these statements is a sort of *jouissance* in allying struggles to come that will undo the present in which one's writings are relevant. By way of a connection to future struggles, Foucault repeats the gesture of writing-to-forget that he first admired in Blanchot, which I will pick up again later when I discuss how he conceived of each of his books as an "experience book."

In sum, there are two answers to the question of what makes critique possible as the politics of truth. Yet, neither the contemporary will to desubjection nor the history of the being of language in literature has priority over the other. Yet this is not an impasse for philosophy but the source of the perpetual recommencement of the politics of truth. One can see how Foucault roots the politics of truth in the contemporary will to desubjection in his remarks on May '68 and on prisoner revolts. And one can see how he roots critique in the problem of the being of language wherever he reflects on power and the critique of ideology. And one can see the how critique is rooted in both struggles and the history of the problem of language whenever Foucault asserts that his works are tools to be surpassed by those who use them.

The *general aim* of the politics of truth in Foucault's early to mid-1970s work is desubjection, or the refusal of "what we are." Another way of putting this, as I mentioned already, is that the goal is the intensification of struggle in power relations. Foucault writes, "[Critique's] use should be in processes of conflict and confrontation, essays in refusal. It doesn't have to lay down the law for the law…It is a challenge directed to what is." (*EF3*, 235-6) Critique's aim is not simply negative, however. The positive goal of critique is the increase of capacity for those in struggles of desubjection. As Foucault asks in "What is Enlightenment?": "how can the growth of capabilities [*capacities*] be disconnected from the intensification of power relations?"[88] (*EFS*, 55) By "intensification of power relations" Foucault means the intensification of subjection. The politics of truth, then, aims at the intensification of the forces of desubjection in relation to the forces of subjection, which critique aims to weaken. The politics of critique lies in its partisanship to whatever is "pleb" in a situation, that is, whatever pursues a line of desubjection. This is directly connected to an *ethos*, namely, an attitude of refusal. The question of the critic in any situation is, how can thought refuse the "ontology" that defines its historical present while empowering forces in ways that do not reinforce the apparatuses of power that control what we do, say, and think?[89] As I have developed it to the point, this question leads to the task of the demolition of "man" by producing critical tools for understanding the power relations involved in subjection and its relation to anthropological knowledge. Now, I would like to analyze the politics of truth in greater detail with particular focus on the task of the critic as an individual.

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[88] As Deleuze would put it, it is a matter of (re-) connecting bodies to what they can do. This is Deleuze's formula for reactive forces, where reaction becomes perceptible when it ceases to be acted, giving rise to fantasy and *ressentiment*. (Deleuze 1983, 114)

[89] This is the problem put forth by *Discipline and Punish*, where docility is the effect of disciplinary power that simultaneously makes bodies more useful as individualized subjects of disciplinary apparatuses and thoroughly *depoliticizes* them by attenuating their power of resistance so as to increase their productive forces: "Let us say that discipline is the unitary technique by which the body is reduced as a 'political' force at the least cost and maximized as a useful force." (*DP*, 221)

3.4 The Task of the Philosopher in the Politics of Truth[90]

How does the philosopher practice the politics of truth, given their position within discourse? Foucault's interviews and essays abound with commentary on how intellectuals can take up a political position in discourse that allies itself with struggles of desubjection. Foucault denounces the figure of the "general intellectual" who declares the universal truths of man as an anthropological archaism. (*LCP*, 207-8) In its stead, he affirms the emergence of the "specific intellectual," who takes up a position in local struggles. The specific intellectual refers to any intellectual with professional expertise in a certain domain of knowledge and practice, as when Foucault states:

> One of the essential sociological features of the recent evolution of our societies is the development of what might variously be called technology, white-collar workers, the service-sector, etc. Within these different forms of activity, I believe that it is quite possible, on the one hand, to get to know how it works and to work within it, that is to say, to do one's job as a psychiatrist, lawyer, engineer, or technician, and, on the other hand, to carry out in that specific area of work that may properly be called intellectual, an essentially critical work…of examination that consists of suspending as far as possible the system of values to which one refers when testing and assessing it. In other words: "what am I doing at the moment I'm doing it?" (*PPC*, 107)

An exemplary case of the specific intellectual, understood along these lines, would be someone like Chelsea Manning, who asked that very question of herself as a military intelligence analyst, and risked the most extreme consequences in the struggle against the neoliberal security state. Yet what about philosophers? Do they retain a degree of privilege from the times when they desired to be kings or the embodiment of absolute knowledge? Hardly. The philosopher who studies the history of thought from a universal standpoint is largely irrelevant *qua* philosopher when it comes to struggle. This is why Foucault, in identifying himself as a philosopher, and in identifying philosophy with the politics of truth in *Security, Territory, Population*, insists on the value of critical philosophy to consist in tracing the history of the knowledge effects of power, which is to say, to trace the historical relation of knowledge to its own groundlessness. This is what allows him to offer "hypothetical imperatives" in the form of "tactical pointers" in his opening remarks to that lecture course.[91] (*STP*, 3)

In the remainder of this chapter, then, I will focus on the task of the specific intellectual *qua* philosopher, which is to say that I will focus on how Foucault conceived of his own philosophical practice. In a 1976 interview, Foucault identifies three conditions of the role of the intellectual in the politics of truth:

> [T]he intellectual…occupies a specific position…that is tied to the general functions of the apparatus [*dispositif*] of truth in a society…[T]he intellectual bears a triple specificity:

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[90] In "The Masked Philosopher" interview from 1980, Foucault views the "intellectual" label as suspect, since it tends to both mark out an object of judgment, which creates a paranoid cultural atmosphere, and because it leads to a fetishistic and uncritical relationship to the authorial name. (*EF1*, 322) However, I use this term in the sense of a "local intellectual," who operates within a local domain of knowledge and whose political agency is restricted to that domain, as opposed to the "global intellectual," who tries to speak universally. (*LCM*, 205-208)

[91] Foucault also places himself in the category of the specific intellectual in a remark from 1977 where he states, "I dream of the intellectual destroyer of evidence and universalities, the one who, in the inertias and constraints of the present, locates and marks the weak points, the openings, the lines of power, who incessantly displaces himself, doesn't know exactly where he is heading nor what he'll think tomorrow because he is too attentive to the present." (*FL*, 225)

> the specificity of their class position…the specificity of their…intellectual condition (their domain of research…the economic or political requirements to which they submit themselves or against which they revolt in the university, in the hospital, etc.); and finally, the specificity of *the politics of truth* in our society. And *this is where their position can take on a general significance, that the local or specific combat that they lead carries with it its effects*…[T]hey struggle at the general level of this regime of truth…[around] the ensemble of rules according to which we untangle the true from the false and attach to the true some specific effects of power. (*DE2*, 159)

More decisive than the philosopher's class position and their "work conditions" is their engagement with their *archaeological* and *genealogical conditions*, that is, the apparatus that grants them a subject position in discourse and the capacities to use it.[92]

Throughout all of Foucault's comments on intellectuals and the politics of truth, there are two elements that mark out the critical task of the intellectual *vis-à-vis* the apparatus. They are: (1) connecting to the desubjection of subjected knowledges in which those excluded from a discursive regime force themselves into it and thereby alter its rules; and (2) "political aesthetics," or the mutation of sensibilities and thresholds of tolerability regarding forms of exercising power. There is a third element to add here, and that is the practice of philosophical writing and its connection to the aesthetics of existence—or the *askēsis*—that characterizes the philosophical life for Foucault.[93]

Starting with the intellectual's connection to subjected knowledges, his most concise formulation comes in *Society Must Be Defended*:

> [S]ubjugated [*assujettis*] knowledges…[refer] to…knowledges that have been disqualified as nonconceptual knowledges…[I]t is the reappearance of what people know at a local level, of these disqualified knowledges, that made the critique possible… Compared to the attempt to inscribe knowledges in the power-hierarchy typical of science, genealogy is, then, a sort of attempt to desubjugate [*désassujettir*] historical knowledges…[94] (*SMD*, 7-10)

Subjected knowledges primarily refers, of course, to the strategic knowledge of those who struggled in the hunger strikes and prison revolts that sprung up across France between 1970 and 1972, along with Foucault's activity with *Le Groupe d'Information sur les Prisons*, which

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[92] One of the first definitions of "strategy" in Foucault is archaeological. *The Archaeology of Knowledge* defines a strategy as a theme or theory made up relations between conceptual orders, series of statements, and groupings of objects. A discursive formation is characterized to a large extent by the different theories or themes that it make it up and whose divergences or exclusivity from one another exist as strategic choices. Consequently, one's intellectual condition includes the specialization of knowledge, the kinds of problems and struggles one can engage, and the types of conceptual resources it can generate for struggle.

[93] I will also examine *parrhēsia* in the following chapter in the context of neoliberalism, since *parrhēsia* is, *de facto*, Foucault's last development of the politics of truth.

[94] Subjugation and desubjugation here translate what I have been discussing as subjection and desubjection respectively (*assujettir* and *désassujettir*). While Foucault here refers to the *Groupe d'Information sur les Prisons*, concrete examples of the desubjection of subjected knowledges on Foucault's radar also include the anti-psychiatry movement and Iranian Revolution. Foucault discussed his reporting and his refusal to condemn the Iranian Revolution in terms that draw upon the desubjection of subjected knowledges in one of his reports for *Le Nouvel Observateur*, where he declares, "One must assist in the birth of these ideas and in the explosion of their force…it is not in books that they announce these ideas, rather it is in events that they manifest their force…"[94] (*DE2*, 706). The event of desubjection need not be spectacular or headline making.

mobilized around those resistances and lasted into the beginning of 1973.[95] His attachment to these knowledges grew alongside his engagement with the French Maoist "Truth and Justice Committees," which soon became a source of his disenchantment with ultra-leftism. One could also add his role in founding the newspaper *Libération* as an instance of the desubjection of subjected knowledge as well.[96]

Yet the GIP was the most inventive of this trio. Its goal was to make public the hidden—and often only imagined—material conditions of prison-life, in large part by making a space for prisoners to address the public. In Foucault's words, the GIP responded to "the necessity to keep public opinion informed about what goes on in the prisons." (Eribon 1991, 231) This took the form of questionnaires, interviews, and relaying secret messages and demands from prisoners, which then appeared in various GIP publications, press releases, and pamphlets. The GIP also organized support networks consisting of prisoners' families and allies in addition to staging demonstrations outside of prisons where revolts or hunger strikes were taking place.

Desubjecting subjected knowledges is a strategy for intervening in the enunciative modalities of discourse by opening up subject positions to those excluded from knowledgeable speech. One contests the rules for producing truth by challenging who has the right to speak and establishing material and discursive connections with *those whose exclusion is necessary* according to the current regime of knowledge. Because the politics of truth plays out at the level of force-relations that determine the assemblage of bodies and the granting of subject positions to some while denying them to others, acting on discursive conditions is not a matter of disabusing a class of people of their ideological illusions. Instead, desubjection starts when the excluded themselves corporeally contest the material order of their existence. For the historian of the present, it is a matter of forming concrete alliances with those whose exclusion is necessitated by apparatuses of power so as to increase their power to act and speak without subjecting them to an apparatus that captures and recuperates their activity.

Consequently, the main task for the intellectual, according to Foucault's early 70s work, is to de-individualize their subject position by sharing it with the excluded.[97] As he states in a 1975 interview, "I do not want to speak any more in the name of others and pretend to say better

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[95] Foucault was particularly involved in committees that sprung up in response to the racist murder of a young Algerian (the Djallili Committee), the Bruay en Artois affair, which involved the murder of a 16-year-old working class girl by a corporate lawyer and his wife, and a fire at a dance club that claimed the lives of 150 people. See Didier Eribon's chapter "Popular Justice and the Worker's Memory" in *Michel Foucault*. (Eribon, 1991, 238-262)

[96] For the fledgling paper, Foucault proposed a column on "workers' memory" that would feature stories from rank and file workers. It would prioritize stories of experiences of revolt omitted by the official histories of the unions, left parties, and the press. In the *Libération* that dealt with this topic, Foucault pointed out how many of the great workers' struggles derived their energy and momentum from going beyond the dictates of union leaders, which sought to coopt them in turn. (*DE1*, 1267-8) In a later *Libération* interview, Foucault explains this by stating that the most radical forces in the working class tend to be "illegalist" (whereas unions seek compatibility with the existing order), since "the law has always been made against [them]." (Ibid., 1290) As for the intellectual's role in relation to working class experience, then, Foucault states that it is "not to form the consciousness of the worker, since that already exists, but to allow this consciousness, this worker knowledge [*savoir*], to enter into the system of information, to broadcast and help it, and consequently get it to other workers or other people who are not aware of what is happening." (Ibid., 1290)

[97] It almost goes without saying that the capacity of the intellectual to be a force in discourse depends on their status and the cultural value attributed to the type of intellectual that they are. This is assuming that the effect of allying with prisoners is in part measured by public opinion. Philosophers, especially those aligned with the left, enjoy a visibility in France that they do not in many other countries. Nevertheless, to the extent that the intellectual has access to a capacity for knowledge that is attached to their institutional affiliation, specialization, and training, the politics of truth suggests that forces can be increased by making connections that break the barriers of the university.

what they have said. My critique has, as its objective, permitting others to speak without putting limits on their right to speak."[98] (*DE1*, 1683) The form of desubjection here is rooted in how Foucault understood the Nietzschean mode of questioning discourse *à la* "Nietzsche, Freud, Marx" and *The Order of Things*, which asks "Who speaks?" in order to determine who or what forces have appropriated the right to speak. The GIP's rallying cry was "*prendre la parole*," which literally means "take speech," but is idiomatically used to mean "speak up" or "take the floor;" the phrase thus plays on the act of appropriation necessary for making a public discourse from a position of marginality.[99]

The *Groupe d'information sur les prisons* operated on the basis of a *tactical reversal* of the disciplinary power of the prison. The latter consists, in part, of removing prisoners and their conditions of life from the common order of visibility, along with the cellularized space of the prison that individualizes them and regulates their capacity to communicate about the conditions of their existence. As Michael Welch argues, if discipline finds its paradigm in panoptic surveillance, the GIP consisted of a counter strategy of "counterveillance." (Welch 2011, 301) The GIP's success consisted of creating a heterotopic space that traversed the boundaries of the prison, one where the prison's rules for the assembling of bodies and the production of statements was effectively suspended so that a new subject of enunciation could emerge:

> [W]hen the prisoners began to speak, they possessed an individual theory of prisons, the penal system, and justice….[a] counter-discourse of prisoners and those we call delinquents…[T]o 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 existing forms of power. If the discourse of inmates or 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. (*LCP*, 209, 213-4)

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[98] The rest of this quote from this interview refers the act of speaking for other to the legacy of exoticism and French colonialism: "Since the epoch of colonization, there existed an imperialist discourse that spoke about others with a great meticulousness and transformed them into exotics, people incapable of discoursing on themselves. To the question of revolutionary universalism one could add this problem. For Europeans, and perhaps more still for the French than for others, revolution is a universal process. The French Revolution of the end of the 18th century thought to bring the revolution to the entire world, and up to today, they have not been released form this myth. Proletarian internationalism has replayed this myth in another register. However, in the second half of the 20th century, there has been no other revolutionary process outside of the frame of nationalism. Whence the malaise in certain theoreticians and militants of universal revolution; so they adopt a certain exoticism." (*DE1*, 1683-1684) In 1978, perhaps with an ear to Iran, Foucault reiterates himself, but this time with respect to the boundaries of philosophy: "It will be necessary to destroy the idea that philosophy is the only normative thought. It is necessary that the voices of an incalculable number of speaking subjects resonate and it is necessary to make an unnamable experience. It is not necessary that the speaking subject always be the same. It is not necessary that only the normative words of philosophy be allowed to speak. It's necessary to have all sorts of experiences speak, to lend an ear to the aphasics, to the excluded, to the moribund. Because we find ourselves on the outside while it is they who effectively face the somber and solitary aspect of struggles. I believe that the task of a practitioner of philosophy living in the West must lend an ear to all of these voices." (*DE2*, 615-6)

[99] Cecile Brich has argued that it is inaccurate to claim that the GIP's work was about making it possible for prisoners to speak for themselves and that the discourse of prisoners in the GIP was the product of a dialogical relation with "the intellectuals' investigative methods and editorial decisions." This casts doubt on Foucault's intent to not limits on the prisoners' rights to speak, or at least requires that that statement function as a heuristic goal. (Brich 2008)

The pragmatism of the politics of truth does not consist of advancing principled policies, but by the creation of *schemas of politicization*. Schemas of politicization—such as "tactical reversal"—are ways of empowering subjected groups, polarizing them against their own subjection, and weakening the apparatuses of power in which they exist. (*FL*, 211) Such schemas are composed of strategies (such as making visible society's invisible spaces of domination) and tactics (like aiding in the self-organization of subjugated groups). What this looks like concretely depends on the apparatus of subjection in question and its strategies for making the power to act come at the cost of subjection and the reinforcement of the apparatus that captures the powers of bodies.[100]

The local aim of a schema of politicization is to establish an irreconcilable and heterogeneous force *vis-à-vis* the prevailing modes of normalization and knowledge production—and to thereby point out their contingency and vulnerability. This is measured neither by public consciousness, nor by the political-economic consciousness of the proletariat. The intellectual is not in the business of "conscience, consciousness, and eloquence" (*à la* Sartre), as Foucault once said. (*LCP*, 207) Instead, it consists of *making the attitude of non-acceptance and indocility "a political fact."* (*DE2*, 1405) It is only on this local basis that a schema of politicization can *spread* and achieve a *general significance* of changing the rules of discourse.

The creation of an attitude of refusal as a political fact is tied to the second feature of the intellectual's role in the politics of truth, namely, the *political aesthetic*. The desubjection of subjected knowledges implies a *political aesthetic* because the attitude of refusal and indocility is based on a perception that connects sensibility and sociability. For Foucault's understanding of the GIP, this attitude is the subjective correlate of what is (and is to be) refused: "the intolerable." In a statement preceding their first inquiry in March of 1971, the GIP wrote, "Last January's hunger strike forced the press to speak. Let us profit from this chink in the armor: the intolerable, imposed by force and silence, must no longer be accepted…Let us become intolerant of prisons, of justice, of the hospital system, of psychiatric practice, of military service, etc." (Ibid., 176)

That same statement ends by declaring that the GIP's first act would be to conduct "intolerance inquiries" that ask prisoners about what they found to be intolerable about their situation. It could be said that, by asking prisoners to identify the intolerable for themselves, the GIP sought to "conduct" prisoners toward an encounter with what lay at the constitutive limits of their experience. The intolerable names that point in the apparatus where the exercise of power proves too much, takes one beyond the limit of one's endurance and, simultaneously, allows one to glimpse the limit of power in the possibility of refusal. It is the affective or intensive threshold of desubjection and resistance.

The intolerable is not an *objective* threshold of politicization ("once things get *that* bad…"), nor is there a universal moral value lurking behind "feeling" ("basic human dignity," for instance). The intolerability of subjection is not based on reasons outside of the affect of intolerance itself. For while intolerance always refers to certain objective conditions (overcrowding, indefinite solitary confinement, arbitrary abuse, torture, and so on), its most paradigmatic cases refer to *the very fact of subjection*. As Foucault observes toward the beginning of *Discipline and Punish*, the prison revolts of the 1970s were not simply opposed to

[100] The strategy of desubjecting subjected knowledges has its limit, however. It is true that the productive characteristics of desubjection's positivity stems from the knowledge production of those without a proper place in discourse and of the historian who retrieves knowledges that have been suppressed by the archive. However, these aspects are secondary to the assumption of a still negative concept of power as exclusionary with respect to discourse. By 1973, Foucault had made a self-critique of his concept of power, arguing that the concept of exclusion (as well as that of transgression) reinscribes the law in the concept of power and representation in that of knowledge, when power and knowledge are about much more than law and representation.

"bad" prison conditions—there were "revolts against model prisons" too. (*DP,* 30) This is why the GIP aligned itself with those who rejected the prison simply "because it is part of a general system of punishment that cannot be accepted." (*DE2*, 88) Intolerance is the subjective basis of the attitude of refusal and the task of the political intellectual is to help intensify this affect so that it can become a political force through schemas of politicization.

The political aesthetic of intolerance can help us better understand what Foucault means by his notion of the pleb and show how the intolerable names a fundamental limit-experience of power relations. For while the intolerable, strictly speaking, does not refer to anything objective, neither does it arise from a pre-constituted subject. Let us recall that the pleb is what "escapes the relations of power…their limit, their inverse, their counter-blow…[which] motivates every new development of the networks of power" (Ibid., 421) And the affect of intolerance arises in an encounter with forces that takes one to the limits of what one can live. Two limits are in play here: (1) the limit of tolerability, *to which one is forced* and which *forces one to resist* and (2) the limit of the exercise of power in its current mode and apparatus, which is *delimited by that resistance*. Connecting it to Foucault's turn to Nietzsche, intolerant refusal attests to the "non-place of emergence," or the ungrounded character of power relations, which allows for historical novelty and the splitting apart of the present. [101]

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[101] I am implicitly drawing here on two Deleuze texts, as perhaps, is Foucault. The first is *Difference and Repetition*. I am thankful to Kieran Aarons for pointing out this book's connection to the intolerable in Foucault. For in *Difference and Repetition,* Deleuze provides an account of thought that inverts the Kantian hierarchy of the faculties and severs each of them from any possible unity in a transcendental subject. Each faculty is both distinguished and born into existence by virtue of its transcendent object that it—and it alone—can grasp. Each faculty is measured in its power by its proper object, as the latter takes the faculty to the limit of its power: "Each faculty must be borne to the extreme point of its dissolution, at which it falls prey to a triple violence: the violence which forces it to be exercised, of that which it is forced to grasp and which it alone is able to grass, yet also that of the ungraspable." (Deleuze 1994, 143) For sensibility, it is the *sentiendum,* or that which can only be sensed and which is, from the point of view of sensibility under the form of common sense (its merely "empirical" exercise), is imperceptible or insensible (namely, intensity, the being of the sensible). (Ibid., 140) Aside from memory, imagination, and thought (which thinks the limits of thought, the unthinkable), Deleuze ventures the possibility of a faculty of sociability, whose transcendent object and exercise would be anarchy or revolution: an apprehension of the irresolvable conflicts and singularities in a social structure that breaks the fetishistic empirical exercise of the faculty. (Ibid., 143, 208) With the intolerable, Foucault links a limit-experience of the sensible with an apprehension of the limit of a structure of power and an encounter with the unthinkable—or at least with the unthought dimension of the apparatus (as evidenced in the desubjection of subjected knowledges). The second text from which I draw here (as does Foucault, perhaps) is *Anti-Oedipus*. "[W]hat escapes" appears to be semantically related to the concept of that book's concept of the "line of escape" ("line of flight" in *A Thousand Plateaus*): "In the unconscious it is not the lines of pressure that matter, but on the contrary the lines of escape." (Deleuze and Guattari, 338) Moreover, the line of flight is a concept they draw, in part, from Blanchot's *Friendship*. (Ibid., 341) In *Anti-Oedipus*, Deleuze and Guattari construct a concept of desire in which the subject is a variable effect of the consumption of a series of intensities produced by relations between organs and their inscription on the intensive plane of the body. On this model, as it consumes intensive magnitudes, the subject tends to conjoin itself to the process of desire by retroactively positing itself as the cause of its experience of desire. However, human bodies exist and are inscribed within social bodies, which generate the intensive thresholds that define the parameters of a subject's affective life. Along this line of thought, then, the intolerable is a social affect of the intensive constitution of the social body and, as such, inherently forms a potential rallying point for collective resistance. Finally, Foucault does at one point seem to speak disparagingly of the line of flight: "One need not imagine any longer that one can escape the relations of power globally, massively, and all at once by a sort of radical rupture or by a flight without return." (*DE2*, 541-2) However, a line of flight in the way I have used it here does not imply a definitive escape from power relations, but that something has managed to become unaccounted for by the forces that try to dominate it, which implies further that these latter forces can go on the counter-attack. And moreover, Deleuze and Guattari state that the line of flight by no means guarantees an escape, as the schizophrenic—the figure of desire as a line of flight *par excellence*—

3.5 Philosophical Writing as a Relay between the Politics of Refusal and Critical Subjectivation

The most profound sense of the aesthetic in the politics of truth, however, coincides with the *ethical* dimension of his work, namely, the critic's own desubjection through the practice of writing. Although philosophical critique does not have a monopoly on desubjection, what is characteristic of philosophy on Foucault's account is that it is an *art*, namely, the "*art* of…indocility," or the art of desubjection. (*EFS*, 266) Even before "the subjective turn," the ultimate aesthetic dimension of Foucault's work is its "aestheticism" in the sense that he would later give that word: the practice of using knowledge to change oneself. Foucault writes:

> For me, intellectual work is related to what you could call "aestheticism," meaning transforming yourself… [K]nowledge can transform us…This transformation of one's self by one's own knowledge is, I think, something rather close to the aesthetic experience. (*EF1*, 130-1)

Earlier I discussed how the practice of archaeological writing was about the writer's loss of self in language as it distributes itself into—and ultimately erases—all subject positions. The politics of truth takes over this theme by recasting writing as a technology of desubjection. As he tells it in a 1978 interview with Duccio Trombadori:

> What I think is never quite the same, because for me my books are experiences, in a sense, that…[an] experience is something that one comes out of transformed…This is a project of desubjectivation [*un entreprise de dé-subjectivation*]. The idea of a limit-experience that wrenches the subject from itself is what…explains the fact that…however erudite my books may be, I've always conceived of them as direct experiences aimed at pulling myself free of myself, at preventing me from being the same…this experience is neither true nor false. (*EF3*, 239-43)

Foucault plays here on the polysemy of the French noun *éxperience*, which can mean *either* experience *or* experiment. This comes up again in the introduction to the second volume of *The History of* Sexuality, where he says that he doesn't so much follow a method as "play" with the rules for producing truth: "The 'essay'—which should be understood as the…test by which, in the game of truth, one undergoes changes…is the living substance of philosophy." (*HS2*, 9) Foucault invokes the Old French sense of *essai* as a trial or test. What is the tested, experienced, or experimented with here? As with the politics of the intolerable, in the interview with Trombadori, Foucault states that critical thought must move within the element of the "unlivable": "What is required is the maximum of intensity and the maximum of impossibility at the same time…a limit-experience that wrenches the subject from itself."[102] (*EF3*, 241) What does Foucault mean by the "unlivable" or the "maximum of impossibility" in this instance?

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provokes all of the powers of subjection in capitalism: its police, asylums, doctors, straight-jackets, and handbooks. (Deleuze and Guattari 1983, 245)

[102] One can find this idea in Foucault as early as *History of Madness*, which thematized how Nietzsche's thought moved in the element of the unlivable because its inner logic of power and the eternal return drew him into madness. Foucault never thematized his own work in terms of madness, though he suffered from depression. Such depression, which occurred after Foucault returned for the last time from Iran, is perhaps responsible for one of his outbursts of pessimism in a late 1978 interview: "You are not only a critic, you are also a rebel as well." "But not an active rebel. I have never marched with the students and the workers as Sartre has done. I think that the best form of protest is silence, total abstention. For a long time, I haven't come to support the airs that certain French intellectuals gave and that floated above their heads like the halos on certain paintings by Raphael. This is why I have abandoned France…" (*DE2*, 669)

My reading here—and I admit that it is a loose one—is that critical writing makes an art out of dwelling in the unlivable through the critical gesture of suspending the self-evidence of historical *a prioris*. Within this gesture, which produces the history of the present, the apparatuses that subject us to our predicates appear as uncanny in their contingency; one experiences both the "underdeterminacy" of the historical *a priori* and the fact that one is still gripped by them. This "unlivable" suspension is the splitting of the subject from itself, or the unlivability of the present itself as held by the repetition of the past. Raising the Nietzchean theme of life in connection to experience books, Jan Masschelein says, "a limit-experience is precisely an experience that…makes something in us to die."[103] (Masschelein 2006, 571)

Earlier, I discussed how contemporary struggle enables critique while critique contributes to future struggles by creating tools, mapping lines of power, and offering "tactical pointers." The notion of the experience book deepens the circle of struggle and truth. For, on the one hand every act of writing is tied back to a desubjection that produces knowledge about the present by testing its limits. And, on the other, it is necessary to question one's assumptions about the present by writing its history and thus creating tools for contesting the present anew.[104] Thus the experience book embodies the definition of the theory-practice relation offered by Deleuze in his conversation with Foucault: "Practice is a set of relays from one theoretical point to another, and theory is a relay from one practice to another."[105] (*LCP*, 206)

Experiment books have a function of desubjection for the reader as well. As Masschelein states, by Foucault's definition above, experience books may be contrasted with truth books, or books that purport to teach a lesson and assume the right to govern the reader.[106] The author of a

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[103] Nietzsche: "*What is Life?*— Life—that is: continually shedding something that wants to die." (Nietzsche 1974, 100)

[104] On gaming and thought, Foucault writes in 1978, ""Anglo-Saxon philosophy tried to say that language never deceives any more than it reveals. Language is what plays. Hence the importance of the notion of the game [*jeu*]…One need not imagine any longer that one can escape the relations of power globally, massively, and all at once by a sort of radical rupture or by a flight without return. The relations of power, equally, they play, they are games of power that one must study in terms of tactics and strategies, in terms of rules and chance, in terms of stakes and objectives." (*DE2*, 541-2)

[105] If there is a dialectic in Foucault's work, one would be tempted to locate it here. In his 2009 book, *Valences of the Dialectic*, Fredric Jameson sweepingly critiques Foucault's work with the following characterization: "The problem…is not that it is non- or anti-dialectical, but rather that it is too dialectical…For what is left out in the characteristic Foucauldian narrative here is the passage from positive to negative which very precisely characterizes the dialectic as such, or, in other words, the unity of opposites." Jameson might be right that Foucault's thought is too dialectical, but *only regarding the circular relation of struggle and critique*, by which problems are apprehended at the limit of the social assemblage in struggle, which makes them visible for critique and in the way that critique's activity of problematization maps out the problems we practically face in the present on the basis of the historical problematics that currently ensnare us. In this sense, Foucault's thought walks in stride with Deleuze's on thought's relation to problems: dialectics is "the art of problems and questions." (Jameson 2009, 52) According to Deleuze, one major characteristic of the dogmatic image of thought is that it traces problems from propositional solutions and that it determines problems to be either true or false depending on whether they are solvable. Critical thought, on the other hand, apprehends the genetic and differential character of problems as selective tests by means of their singular points. The dialectic of problems in Foucault concerns the relation between acts that break open the possible in the heart of the impossible and, when such acts confront their limits, acts of writing that problematize the present in order to provide tactical pointers to further struggle. (Deleuze 1994, 158-64) In conclusion, then, one could set things in this order: the history of the present, as an analytic of regimes of power-knowledge, is made possible within a dialectic between historically existing struggles and the effects of the analytic as an experience book in the service of desubjection.

[106] Related to the idea of the experiment book, there are three reasons why the aesthetic is at the root of the politics of truth—including the desubjection of subjected knowledges. First, the refusal to dogmatically appeal to the

truth book does not seek desubjection and its masked "no-oneness," but the subject position of a teacher. They write for "a regime and a tribunal and [address] a reader who…is supposed to subject herself to the same regime and the same tribunal. It is this subjection…under a tribunal that allows the writer and the reader to be 'somebody'…where they obtain or take the position of learner or of teacher." (Masschelein 2006, 567)

One can see the conflict between these two types of books in the critiques of *Discipline and Punish* from those who read it as a truth book. In a 1978 interview, Foucault discusses how certain readers (especially social workers in prisons) disliked its "totalizing" concept of panoptic power and its "anaesthetic" or "paralytic" effect on those who would otherwise take action to improve the situation of prisoners. Worse yet, the book failed to offer any guidance in the form of directives for action. That's why Foucault's response was tinged with disappointment when he said, "[M]y project is precisely to bring it about that [those who work in the institutional setting of the prison] 'no longer know what to do', so that the acts, gestures, and discourses which up until then had seemed to go without saying become problematic, difficult, dangerous."[107] (*EF3*, 235-6) Instead of a utopian vision, Foucault proposes a politicized version of the motto of Kierkegaard's Johannes Climacus: the point is to make things *more difficult, not easier*—for what wills subjection.[108] The use of thought interrupts certain subjects and so makes it possible for them to think: "To do criticism is to make harder those acts which are now too easy…as soon as people begin to have trouble thinking things the way they have been thought, transformation becomes at the same time very urgent, very difficult, and entirely possible." (Ibid., 456-458) Political writing aims at building forces of resistance by shifting sensibilities about power, throwing wrenches in the smooth functioning of subjection, and building affinities with those already resisting.[109] This what Foucault meant when he called for a critical style of philosophical writing that does not set limits to power as such, but intensifies the struggles within it. Problematizing, making things more difficult, showing their dangerousness (their role in the intolerable): these all point to the role of writing in critique. But the question remains, how do they do this?

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distinction between truth and falsity (the principle of fiction) commits Foucault to explaining truth by using something that is indeterminable in terms of truth and falsity in itself, namely, power. Second, the task of critique is to demonstrate the historical contingency—and thus the fictiveness—of what counts as truth today (the principle of dispersion). The first two reasons result in a third: Foucault's own discourse cannot be anything other than fictional. As Foucault says, the will to know deploys itself in a fictional space, which is why he repeatedly affirmed that his works were fictions. (*WK*, 197-8; *FL*, 213; *EF3*, 243; *FL*, 301) However, the politics of truth deploys a counter-fiction within discourses of truth in order to "make fiction work in truth" and "induce effects of truth with a discourse of fiction."[106] (*FL*, 213)

[107] The complete quotation here reads, "And, seeing what has been happening in and around the prisons, I don't think the effect of paralysis is very evident there either. As far as the people in prison are concerned, things aren't doing too badly…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. And on that side, I'm not so sure what's been said over the last fifteen years has been quite so—how shall I put it?—demobilizing." (*EF3*, 235)

[108] Kierkegaard pseudonymously writes, "…wherever you look in literature or in life, you see the…many benefactors of the age who know how to benefit mankind by making life easier and easier…and what are you doing?...[Y]ou must, with the same humanitarian enthusiasm as the others have, take it upon yourself to make something more difficult." (Kierkegaard 1992, 186)

[109] Foucault makes a similar point about action is not the result of representations in consciousness (which leads to the problem of ideological false consciousness), but that consciousness is determined by the practico-strategic conditions that give rise to it.

As opposed to truth books that subject the author and, consequently, the reader to a regime of truth, experience books make possible a shift in sensibility *and a space of thought on the self* by detaching the author and the reader from themselves:

> Thought is not what inhabits a certain conduct and gives it its meaning; rather, it is what allows one to step back from this way of acting or reacting, to present it to oneself as an object of thought and to question it as to its meaning, its conditions, and its goals. Thought is freedom in relation to what one does, the motion by which one detaches from it, establishes it as an object, and reflects on it as a problem." (*EF1*, 117)

Contrary to the ancient theme of self-knowledge or the modern theme of reflection that appears to be at work in these lines, what is at stake here is *art.* As Foucault says, "the target nowadays is not to discover what we are but to refuse what we are." (*EF3*, 336) *Experience books offer an aesthetic experience of the self that opens the possibility of an aesthetics of the self*. They carry out a *theatrical function* by assuming the task of staging and gaining a perspective on ourselves.[110] The author is the operator, the spectator, and the object of the book.[111]

Foucault repeatedly used the image of the stage to elaborate non-place of the being of language in the Nietzschean mode, just as he used the image of "masks" to talk about the appearance of forces in history.[112] As experiments in the history of the present, experience books continue Nietzsche's notion of art as a will to deception. For Nietzsche, "art as the good will to appearance…furnishes us eyes and hands and above all the good conscience to be able to turn

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[110] Foucault's works never directly study present-day phenomena, but instead tell the history of that from which the present is becoming different. Nevertheless, the present in Foucault is not a homogenous dimension of time. It is instead bifurcated into a past that continues to reactivate itself within the present and a future that truly defines the present by virtue of what is untimely within it. Moreover, this bifurcation is multiplied by the power relations within the present across different spaces, such that one can speak of a multiply fragmented present that is bifurcated at each of its breaking points. For instance, the hyper-industrialization and exploitation of labor in developing countries over the past 45 years is not simply a phenomenon of certain countries belatedly joining capitalism and going through their period of industrial capitalism. Instead, the seemingly "archaic" form of material labor that takes place in these countries is in fact completely novel because of the way it is enforced by entities like the IMF and the World Bank, the relation to foreign capital investment and consumption, and the structural separation between production and consumption that makes certain socio-economic norms (like Fordism) impossible.

[111] This triple determination is taken from Foucault's characterization of the *truth act* in *On the Government of the Living*.

[112] Walter Privatera points out, arguably, this theme could be traced back to Foucault's (pre-archaeological) foreword to Binswanger's *Le rêve et l'existence,* which conceives of dream as a space prior to the distinctions between subject and object and truth and falsity. (Privatera 1995, 31-5) In Foucault's post-anthropological works, *The Order of Things* describes how language replaces man as our historical *a priori* and how "masks" appear in the void left by his absence: "[W]hat Nietzsche's thought heralds is the end of [God's] murderer; it is the explosion of man's face in laughter, and the return of masks." (*OT*, 385) In "Nietzsche, Genealogy, History," the void is the stage of the will to power: "Emergence is thus the entry of forces; it is their eruption, the leap from the wings to center stage, each in its youthful strength." (*EF2*, 379) And, eight years later, when Foucault emphasis the history of truth in genealogy, he rearticulates the principle of fiction and describes how the theater allows one to gain a perspective on truth by staging it in a way that neutralizes its priority over falsity: "The theater is against the distinction between truth and falsity: to accept the non-difference between the true and the false, between the real and the illusory, is the condition of the functioning of the theater" (*DE2*, 571). And in the same interview, he re-emphasizes the theater's evental character: "To respond to the question: who are we? And what is it that has happened?...Philosophy of the present, philosophy of the event…it is a question…of using philosophy to reenter what theater has occupied, for the theater has always occupied the event, the paradox of the theater being precisely that this event repeats itself, repeats itself every evening, since one plays it, and repeats oneself in eternity or in any case in an indefinite time, since there is always the reference to a certain repeatable, anterior event. The theater grasps and stages the event." (Ibid., 573-4)

ourselves into such a phenomenon." This is because art gives us the power of "an artistic distance" from ourselves and a certain "*freedom above things*." (Nietzsche 1974, 164) Like any art that has not been subjected to a moral function, experience books put the difference between truth and falsity out of play. But they are distinguished by their ability to show how we have been constituted by events in which truth was separated from falsity and willed over it. The experience book is what Foucault has in mind when he states, "I have never written anything but fictions…It seems to me the possibility exists…to induce effects of truth with a discourse of fiction…One 'fictionalizes' a political outlook that does not yet exist…" (*FL*, 213) Truth-effects are usually effects of power that reproduce subjection; they are signs that use the quality of truth to impose an interpretation of other forces and their signs. With experience books, the idea is to use the interpretive force of signs to questions these interpretations and "fictionalize" a new political perspective on ourselves and our role in power.

Yet the desubjection that occurs by way of experience books is positive not only in its creation of signs, but more importantly, in the use of those signs to constitute an ethical self-relation—or what Foucault calls *subjectivation*. This is because what allows for the critical book to function as experiment *and experience* is that it constitutes a new form of sensibility. Just as there is no *independent* faculty of intellect in Nietzsche, neither is there one in Foucault—the intellect is only "the very form" in which we become conscious of the passions. (Nietzsche 1974, 261) Experiment books, then, are *prostheses* of the form in which we become aware of our capacity to be affected by other forces, that is, our sensibility. But *here sensibility is forced to be affected by itself* as the practice of reading produces a sense of the unacceptability of the historical *a priori* in its contingency. As a prosthesis, the subject book is successful to the extent that it forcibly cleaves or wrenches the subject away from itself and *therefore constitutes a subject of desubjection*. Philosophical writing seeks to instigate a division between the "me" as a subject effect of power on the stage and the "I" that, affected by what it perceives, is put to flight and made to go elsewhere. (Deleuze 1988, 98; 1994, 90) Deleuze says that Foucaultian subjectivity is created as an "an inside" that doubles the outside of force relations: "The most general formula of the relation to oneself is the affect of self by self, or folded force." (Deleuze 1988, 104) Experiment books, as prosthetic technologies of the self, fold the forces that constitute the subject *onto itself*.[113] Or, looking ahead, one could say that the relation that the experiment book establishes with the reader is what Foucault calls a counter-conduct, or a relation of acting upon the action of another (or oneself) so as to pervert or challenge the regime of power knowledge in which one lives. I will turn to the concept of counter-conduct momentarily.[114]

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[113] This will be important to bear in mind when considering Foucault's thought in relation to neoliberalism and its form of subjectivity. There, Foucault also uses the Deleuzean-Guattarian language of the machinic, as he calls *homo oeconomicus* a "machine understood in the positive sense, since it is a machine that produces an earnings stream." (*BB*, 224)

[114] Critics have raised the question of how self-constitution is possible if Foucault thinks that "resistance is never in a position of exteriority in relation to power"—most notably Zizek. (*HS1,* 95) The answer lies in political aesthetics: first with the intolerable that forces one to "become-pleb," and, beyond that, in the critical effects of experience books, which stage the contingency of what we are as subjects of power so that we might become different. I follow Aurelia Armstrong here, who uses Deleuze to contend with Zizek's critique of Foucault. Zizek maintains that he cannot account for how resistance is possible at any point in his career without relying on a transcendent moment of exteriority. For Zizek, while the early Foucault conceives of resistance as emerging from an excluded, exterior site to the structure of power relations (e.g., madness *à la History of Madness*), this implies a juridical and thus narrow conception of power as "external to its field of application." (Armstrong 2008, 19) Thus, as Foucault goes on to show that juridical power is but one type of power, his understanding of resistance changes to an immanent

As a technology of political aestheticism, experience books therefore embody the unity of critique *qua* the politics of truth: the desubjection of the subject-effects of power in the author

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conception of power and a conception of resistance as emerging *from within* a strategic field of force relations. However, this shift prevents Foucault from explaining *what makes resistance possible.* For if power is as capillary and ubiquitous as Foucault makes it out to be, "there is no way—within the terms of Foucault's theoretical framework—to explain the emergence of the capacities for autonomy, reflexivity and critique which are presupposed in the account of the self-constituting subject." (Armstrong 2008, 25) On Zizek's reading, this is why Foucault tacitly sneaks back to a conception of resistance as emerging externally to the field of power in his conception of subjectivation, or self-formation as a practice of freedom, which posits the subject as "exterior" to power. Zizek goes on to claim that the missing solution to Foucault's difficulties is a dialectical concept of the subject of resistance in which the subject of "resistance [is] an effect which can outgrow its cause and overturn it." (Ibid., 20) Armstrong responds to Zizek's critique with two maneuvers. First, she makes a distinction between an analytic and a political concept of resistance. The former simply refers to a component of the concept of power. It refers to how a power relation, as a relation between two forces, is not a relation between one side that is simply active and another that is simply passive, but that every action on behalf of one force is met with an active response by the other. (Ibid., 21) In this regard, Foucault states, "[I]f there was no resistance, there would be no power relations. Because it would simply be a matter of obedience…So resistance comes first, and resistance remains superior to the forces of the process; power relations are obliged to change with the resistance. So I think that *resistance* is the main word, *the key word*, in this dynamic." (*EF1*, 167) Second, she shows how the political concept of resistance bridges the immanent conception of power and the concept of subjectivation that characterizes practices of freedom. This notion of resistance relies on Deleuze's *Foucault* book to articulate how resistance, as a practice of self, entails (1) that subjection is never total insasmuch as it is constitutive, not determinative (*à la* Butler) and therefore allows for the practice of problematizing reflection to take the subject as an *object of reflection*; (2) doubling of the subject through problematization allows the subject to open a space of freedom between thought and itself as a problematized object; and (3) that the space of thought opened up "forms an 'outside' to the existing social order…[that]…enables the subject to extract itself from immediate immersion in its…conditions of formation and action." (27) Daniel Smith also makes these latter two points, but by underscoring how subjectification occurs when a force folds over on itself *and affects itself*, which makes the subject irreducible to the forces that affect it: "Of those forces which act on the self, some of them come from the self itself, and it is these forces which constitute its freedom." (Smith 2015, 145) Vernon Cisney makes an even more compelling account by tying the self-affection of a force to Deleuze's treatment of the eternal return in *Difference and Repetition*. Because of the hypothesis on the relationality of forces, subjectivation must be the self-affection of a force that is doubled by an encounter with the outside of *savoir*, namely power itself: "the necessity of the passage of thought to the outside is always doubled back in a movement that folds the force back upon itself…opening a genuine Deleuzean space of *freedom*…Will to power wills itself…as that 'which is capable of transforming itself,' as this is the mark of the highest degree of power. The will to power thus *wills* a differencial Self, which is…an ongoing…process of individuation." (Cisney 2014, 56) While Armstrong uses Deleuze to talk about how thought precipitates a process of desubjection by way of the history of the present, neither Zizek nor Armstrong discuss its relation to the intolerable, the unlivable, or the aesthetic in general. Furthermore, Foucault's concept of power-knowledge *does conceive of knowledge as an effect that outstrips and conditions its cause* (power). I will only cite two reasons in this regard (though there are certainly others). First, at its most basic level, knowledge is an effect of power that is taken up by the forces that produce it so as to enhance their power to act within the field of forces of which they are a part. Therefore, knowledge is transformative of power relations. Second, knowledge consists of signs and signs are themselves interpretations of force relations *that impose their interpretation.* As Deleuze and Guattari would go on to say in *A Thousand Plateaus* (and as Deleuze himself already said in *The Logic of Sense*) signs effectuate an incorporeal transformation of bodies and the forces that constitute them.[114] So, knowledge is not just an effect of power, but reacts upon it and causes transformations in it in turn. And insofar as the subject is an object of knowledge (because it is subjected to norms that operate as discursive rules), then the subject is itself a transformation of forces. Yet, Zizek would still be right to ask how the subject could resist in its strategic conjuncture. However, I have argued here that one must track "the being of language" in Foucault's work to understand the function of "the outside," which generally refers to the outside of knowledge. On this reading, power is the outside of knowledge, which is a necessary prerequisite for arguing that a free space opens up when a force affects itself and becomes "the inside of the outside." See the distinction Deleuze makes in Foucault between exteriority and the outside with respect to power-knowledge. (Deleuze 1988, 86)

(and perhaps in the reader) and the use of the history of the present to (re-) problematize both one's assumptions and one's way of life. Philosophical writing translates the play of limits that occurs in the experience of the intolerable into an aesthetic creation with a technological role in the aesthetics of existence. For the experimental task of philosophical writing is to test the limits of both the present and one's subjectivity at once—the impossible—so as to open the possible. In experience books, "the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them." (*EFS*, 56) While subjectivation (particularly *parrhēsia*, as I'll discuss later) may be Foucault's last word on politics in the "order of discovery," desubjection must continue to supply the possibility of self-critique for self-formation in one's relation to ethical knowledge.

In this chapter I have showed how Foucault turned to Nietzsche in order to account for the continued existence of anthropology as an effect of *subjection* to emergent knowledges created in the context of power relations. This allowed Foucault to provide an alternative to ideology critique so as to avoid its epistemological pitfall of reducing the ungrounded and indefinite character of power relations to the general contradiction between labor and capital. More importantly, it enabled him to redefine critique as the politics of truth, which aims to intensify the will to struggle against contemporary forms of subjection by helping to create political strategies of refusal. Moreover, it enabled him to redefine his conception of writing as a test of both author and reader that attempts to make possible an ethos of thinking and living differently in relation to power and truth. In the next chapter, I would like to show how continued to test his own thought by way of his studies on neoliberalism, which occurred just as he was deepening his engagement with ethics following the Iranian Revolution.

Chapter 4: *Governmentality and the Limits of the Politics of Truth*

And if it is necessary to ask the question about knowledge in its relationship to domination, it would be, first and foremost, from a certain decision-making will not to be governed [volonté décisoire de n'être pas gouverné]… (*EFS*, 278)

4.0 Introduction

Foucault's concept of the politics of truth underwent a decisive shift during the last few years of his investigations into power relations. Between the years of 1978 and 1980—just before he turned to study practices of subjectivation—he conceptualized a new mode of power, *governmentality*, and reconceptualized his understanding of resistance and desubjection through the notion of *counter-conduct*. In the last lecture course that he would dedicate to the study of power relations, Foucault undertook an analysis of a peculiar type of governmentality, namely, *neoliberalism*.

In this chapter, I would like to explain the turn in Foucault's thought to neoliberal governmentality. I will argue that, just as the politics of truth tests the limits of power-knowledge, neoliberalism emerges in Foucault's work as a case that tests the limits of the politics of truth. Foucault's critique of neoliberal governmentality is, consequently, also a self-critique.

4.1 From the Critique of Discipline and Biopower to Governmentality

Foucault's turn to governmentality began as a reconsideration of the analysis of biopower at the ends of *The History of Sexuality* and *Society Must Be Defended*. Biopower is the mode through which Foucault first thinks the emergence of human populations as the target of power and as an object of knowledge in their statistically observable phenomena and conditions. (*HS1*, 139) The reasons for this turn to the study of governmentality have been well-documented in secondary literature, however two bear mentioning because they pertain directly to the politics of truth and what it means to challenge the effects of power in oneself.

Warren Montag identifies the first when he traces Foucault's shift to a problem that *Society Must be Defended* poses to his understanding of power up to that point. Starting from the beginning of his time at the *Collège*, Foucault hypothesized that power relations could be understood on a continuum as different ways of waging war. Foucault's target was often Hobbes and Locke, who posited the state of peace on the basis of the cessation of man's natural condition, the war of all against all. Starting with Carl von Clausewitz' famous dictum, "War is politics by other means," Foucault critiqued the understanding of power relations according to the binary opposition between war and peace in which the latter is understood as the condition of politics.

Foucault famously inverts this formula and hypothesizes, instead, that "Politics is war by other means."[115] In other words, all political regimes and every apparatus of power that

[115] Most of Foucault's readers know the war hypothesis from *Society Must be Defended*, though, arguably, Foucault proposes it as early as *Archaeology of Knowledge* and begins using it in his first lecture course at the *Collège*. The former puts forth the possibility of the war hypothesis in stating, "It seems to me that one might also carry out an analysis of the [archaeological] type on political knowledge…Instead of analysing this knowledge—which is always

effectively neutralizes political conflict may be understood either as the consequence and continuation of an ongoing civil war. *Society Must Be Defended* troubles the war-peace binary maintained in this reversal by pointing to its reliance on a negative understanding of power as the repression of open conflict, however, it does not replace the hypothesis. *The History of Sexuality* also casts doubt on the aforementioned reversal and picks up the task of reformulating the war hypothesis:

> If we still wish to maintain a separation between war and politics, perhaps we should postulate rather that this multiplicity of force relations can be coded—in part, but never totally—either in the form of "war" or in the form of "politics"; this would imply two different strategies (but the one always liable to switch into the other) for integrating these unbalanced, heterogeneous, unstable and tense force relations. (*HS*, 93)

The History of Sexuality offers a radicalization of the relation between politics and war while continuing the critique of the classical contractarian notion first put forth in *The Punitive Society*.[116] Here it is a matter of resisting the move to prioritize war over politics; instead, one must view war and politics as different strategies for stabilizing the inherent instability of power relations. Power can be viewed as a question of enmity between different groups or it can be viewed as a practice of imposing or manipulating the rules of engagement with one's opponents. For instance, biopower involves a politics of enhancing the life of the population by way of the psychiatrization of perversions, the hysterization of women, control over the married couple, and the sexualization of children. Biopower also implies the exercise of power as war, for instance, race war as a purification of the race or species. Yet these do not necessarily coincide. Montag goes on to interpret this shift as the sign of a further commitment to a positive conception of power. (Montag 2013a, 134)[117]

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possible—in the direction of the episteme that it can give rise to, one would analyse it in the direction of behavior, struggles, conflicts, decisions, and tactics." (*AK*, 194) The latter uses the war hypothesis when it states, "In short, it is a matter of seeing what real struggles and relations of domination are involved in the will to truth." (*WK*, 2) As Warren Montag shows, Foucault continues to develop this hypothesis, starting from 1970 to the first lecture course of *Society Must be Defended* in 1976. (Montag 2013a, 127-36) During that span of time, the hypothesis takes the form of a war-repression schema in which every politics is a set of power strategies resulting from a war and aiming at repression of the defeated by the victorious. (*SMD*, 15) Starting in *Society Must be Defended,* Foucault drastically revises the war-repression hypothesis, which, in *History of Sexuality Vol. 1* ends up stating, "[P]ower is in the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable…And 'Power'…is simply the over-all effect that emerges from all these mobilities,…power…is the name that one attributes to a complex strategical situation in a particular society…Should we turn the expression around, then, and say that politics is war pursued by other means? If we still wish to maintain a separation between war and politics, perhaps we should postulate rather that this multiplicity of force relations can be coded—in part, but never totally—either in the form of "war" or in the form of "politics"; this would imply two different strategies (but the one always liable to switch into the other) for integrating these unbalanced, heterogeneous, unstable and tense force relations" (*HS*, 93)

[116] In 1973, Foucault begins his analyses of punishment by framing punishment as a mechanism of civil war: "Now I would like to conduct the analysis by considering, rather, that civil war is the permanent state on the basis of which a number of these tactics of struggle, of which penality is precisely a privileged example, can and should be understood. Civil war is the matrix of all struggles of power, of all strategies of power, and, consequently, it is also the matrix of all the struggles regarding and against power." (*PS*, 13) And later, as a consequence of the principle of exteriority, he states the inversion of Clausewitz, "For an analysis of penality it is important to see that power is not what suppresses civil war, but what conducts and continues it. And, if it is true that external war is the continuation of politics, we must say, reciprocally, that politics is the continuation of civil war. (*PS*, 32)

[117] Deleuze and Guattari critique Foucault's reversal of Clausewitz in *A Thousand Plateaus* by stating that it is only possible under the condition of the total appropriation of the war machine by the state, which turns the state of peace

This shift is notable for the problem it presents to the possibility of resistance. As I discussed the politics of truth in the preceding chapter, the history of the present involved understanding how the encounter between heterogeneous forces gave rise to apparatuses of power-knowledge, which in turn reinforced themselves through processes of subjection. Desubjection struggles such as the GIP were understood to be about reversing an apparatus' power relations in order to create both a new logic of connections between forces and a discourse from the position of the subjected and excluded. However, if the story about power is not how apparatuses emerge from direct relations between forces in war, then the politics of truth must be more than reversing relations of repression. Just as the war hypothesis risks resting on a negative understanding of power as repression, as Kevin Thompson points out, so too does understanding resistance as a tactical reversal: "Their agenda is determined by…[what] they seek to disrupt."[118]

In *Security, Territory, Population*, Foucault reconsidered the problem of populations—this time in terms of governmentality instead of biopower. Moreover, he also reconsidered resistance not as a tactical reversal of power relations, but as a *counter-conduct*. The lecture course came two years after the first volume of *The History of Sexuality* and after a one-year sabbatical. As I discussed earlier, this is where Foucault affirms (or reaffirms) the politics of truth: "this analysis of mechanisms of power is the politics of truth…I see its role as that of showing the knowledge effects produced by the…battles that take place within our society, and by the tactics of power that are the elements of this struggle." (*STP*, 3)

Security, Territory, Population introduces the concept of governmentality as a threefold concept that includes naming a mode of power (in the sense that discipline or biopower are modes of power), a historical line of descent or tendency in Euro-American societies, and the historical process by which the European state became taken over by discourses on the art of government. For my purposes here, I will focus on the first element of Foucault's definition:

> First, by 'governmentality' I understand the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the *population* as its target, *political economy* as its major form of knowledge, and *apparatuses of security* as its essential technical instrument.[119] (*STP*, 108-109)

First, the population, which, like the individual in Foucault's studies on discipline, emerges as a problem, or a problematic object of knowledge, before it is programmed as a subject of action. Foucault speaks of an epistemic "caesura" between the individual and the population as objects of power: the population is not a multiplicity *of* individuals, but the massive, statistical level of reality that is pertinent for governmental action; individuals are only a "relay, or condition for obtaining something at the level of the population." (*STP*, 42) Second, it is thanks to the population that *economics* could emerge in the 18th century as a theoretico-practical discourse of government. As "population" the family and the household as the index of *oikonomia*, the economy became a privileged level of governmental intervention and political economy became the privileged discourse on the art of government. And finally, governmentality emerged through the disparate emergence of mechanisms of power aiming at

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in the state of terror and which makes war an end in itself of the state. Their example is The Cold War, though with some modifications it could just as well apply to the state in The War on Terror. (Deleuze and Guattari 1987, 421-2)

[118] I disagree with his characterization of resistance practices of tactical reversal like the GIP as "wholly negative," insofar as they engender "active forces," invent a new mode of collectively assembling such forces, and invent new was of producing knowledge. (Thompson 2003, 123)

[119] My italics.

the security of populations.

Security mechanisms bear a number of characteristics that distinguish them from those of disciplinary power. The first is that they operate on a given milieu in which there already exist flows of populations or goods, instead of building an ideal space from scratch *à la* disciplinary power. The milieu is the medium in which populations and things exist, along with their conditions. It is the material space in which "action at a distance of one body on another" is possible. (*STP*, 20-21) This is because, second, security mechanisms seek to identify in milieus sets of circular causal links that obtain between technical objects, environmental conditions, populations, and statistically observable phenomena (for instance, the relations between overcrowding, disease, and mortality rates). Third, as opposed to ensuring the actualization of an optimal model, security apparatuses attempt to minimize cost and risk while maximizing beneficial outcomes. While disciplinary power establishes a norm, imposes it on bodies, and then separates normal cases from abnormal ones (what Foucault calls *normation*), security mechanisms plot normal rates of a phenomenon for a population over time, calculate the norm, and then act on the population's milieu so as to either improve the norm or secure its status quo. (*STP*, 63) Thus, fourth, as security mechanisms function to reduce risk, they are oriented toward a probabilistic future that they must manage so as to ward off the threat of harmful aleatory events.[120] (*STP*, 21) It is particularly with respect to the temporal dimension of governmentality that the problem of the security of populations outstrips the powers and solutions of the discipline of individuals.

Foucault lists the following meanings of the French word *gouverner*: the spatial sense, "to direct, move forward," the material sense, "to support" (by subsistence, for example), as well as the moral sense, "to conduct someone" or "to impose a regimen." (*STP*, 121) All senses of *gouvernement* have to do with governing people. It is on this basis that Foucault traces governmentality's line of descent back to the Christian pastorate and its regime of pastoral power, which revolved around the power of the shepherd to care for his flock of souls and lead it to salvation, thus forming the essential aspect of the relation between God and his people. The watershed moment in the history of pastoral power and governmentality came with the conversion of Constantine in 312 and the turn against paganism, which eventually led the Church fathers to have to codify their pastoral duties and techniques in the face of the possibility of a flock that extended at least as far as the limits of the Roman Empire. Foucault points out that Gregory Nazianzen termed "the pastorate, *oikonomia psychōn*...the economy of souls." (*STP*, 192) Foucault settles on a more appropriate translation for *oikonomia*, namely, *conduit*, or conduct, which, in the French language, possesses a range senses expressing a number of different possible relations of conduct:

> "Conduct is the activity of conducting (*conduire*), of conduction (*la conduction*) if you like, but it is equally the way in which one conducts oneself (*se conduit*), lets oneself be conducted (*se laisse conduire*), is conducted (*est conduit*), and finally, in which one behaves (*se comporter*) as an effect of a form of conduct (*une conduite*) as the action of conducting or of conduction (*conduction*). (*STP*, 193)

Conduction harbors both activity and passivity, especially in the French verb *conduire*: the activity of conducting another and subjecting them to one's imperatives, the ambiguous passivity

[120] Foucault summarizes: "…the central point of all this—all these mechanisms, unlike those of law or of discipline, do not tend to convey the exercise of a will over others in the most homogeneous, continuous, and exhaustive way possible. It is a matter rather of revealing a level of the necessary and sufficient action of those who govern…the population with its specific phenomena and processes." (*STP*, 66)

of letting oneself be conducted, and the ambiguous duality of conducting oneself in a practice of subjectivation.

The genealogy of governmentality leads back to pastorate because the concept of conduct in the latter serves as a grid of intelligibility for the former. To govern is to conduct the conducts of others. The signature modal category of governmental conduction is possibility. Even the most rigid forms of conducting others operate not directly on their bodies, but "on the field of possibilities in which the behavior of active subjects is able to inscribe itself." (*EF3*, 341) Conducting the conduct of others, then, is an exercise of power over others that acts on the possible actions they may take: "To 'conduct' is at the same time to 'lead' others (according to mechanisms of coercion…) and a way of behaving within a more or less open field of possibilities…To govern…is to structure the possible field of action of others. (*EF3*, 341) As Deleuze might have put it, to govern is to determine what a body *can* do. Governmentality shapes form to the possible and does what is necessary to secure or suitably alter that form. Hence, to conduct oneself is to act within a practical horizon that has been structured in advance.

One of the main objectives of pastoral conduct was the pursuit of *apatheia*, or the absence of passions and the relinquishment of one's will by absolute obedience to a pastor. Yet, "the conduct of souls" emerged in relation to an "intoxication of religious behavior," that is, a whole host of deviations from and struggles against its system of conducts. Foucault calls these *counter-conducts*. They include Gnostic sects that identified evil with the material world, mysticism, the reading scripture outside of pastoral guidance, and eschatological faiths that circumvented pastoral intermediaries between the subject and God. There was also individual asceticism, which used an "exercise of the self on the self" in place of the pastor's direction to reach *apatheia*. And finally, there were alternative communities that formed around different collective practices based on deviations from ecclesiastical doctrine. (*STP*, 207-14)

Counter-conducts do not resist or seek to negate the pastorate as such, but "struggle against the processes implemented for conducting others."[121] (Ibid., 201) Counter-conducts seek different forms of conduct: "wanting to be conducted differently, by other leaders (*conducteurs*) and other shepherds, towards other objectives and forms of salvation, and through other procedures and methods. They are movements that also seek…to escape direction by others and to define the way for each to conduct himself."[122] (Ibid., 194-5)

One must immediately add that this does not mean that pastoral conduct came first and then revolts of conduct sprung up afterwards in reaction to it. Although many counter-conducts followed after Nazianzen's codification of the pastorate, the pastorate itself emerged in part as a reactive process of neutralizing religious intoxication and homogenizing religious practice—just as some counter-conducts emerged as direct attacks on the pastoral regime. As opposed to a resistance that defines itself negatively against a form of power (as a tactical reversal would), counter-conducts take up marginal elements of an apparatus such as Christianity and tactically reinscribe them in a different direction and a different relation of conduct. They are an immanent and novel use of the politics of truth in which one finds oneself.

If conduction is a matter of structuring and managing the possible field of actions available to a subject, then counter-conduct makes a different use of an existing set of practices

[121] My italics

[122] It is important to underscore the fact that *not all* counter-conducts are conducts of self or subjectivations. They can be different ways of *letting oneself be led* by another. My favorite anecdote that Foucault relates to this is that of two Oberland Friends of God who "made a pact of reciprocal obedience…For twenty-eight years each agreed that they would obey the other's orders as if he were God Himself." (*STP*, 211)

and codes, which distinguishes it from simply choosing amongst a set of possibilities given by an apparatus. Thus it either *invents a new field of possibilities* of existence or *creates a possibility of living that is not given* by a regime of government, and thereby *changes the makeup of what is possible*. For, if counter-conducts were reducible to the choice of an unsanctioned possibility, it would be difficult to distinguish them from a banal transgression.[123] And, of course, counter-conducts may be appropriated and diverted in turn, as in the Counter-Reformation, which coopted elements of mysticism, new religious orders, and forms of community in order to neutralize them while strengthening itself.

There are three consequences of the concept of counter-conduct on the politics of truth that I would like to note here. The first concerns the relation between "the creation of possibilities" attached to the concept of counter-conduct and "the limit of possibility" attached to the concept of resistance as a tactical reversal of power relations. Let us recall that both "tactical reversal" and philosophical writing were understood in the previous chapter primarily in relation to the category of the impossible. Tactical reversal drew its force from the affect of intolerance, or the subjective threshold of resistance. Philosophical practice is politically related to the intolerable, but it is more generally a pursuit of "the unlivable," which it makes the aesthetic object of a trial of desubjection. In philosophy, one asks oneself, "What is the limit of what I can no longer be; what is the limit of my ability to no longer think in relation to my subjections?" In this sense, tactical reversal and philosophy both open new possibilities *only on the basis of an experience of the impossible*.

Things appear to be different with counter-conducts, as they simply point to the openness of the pastorate, or the impossibility of controlling all elements of its apparatus. For instance, it is difficult to see how a limit experience is a necessary for reading scripture without pastoral guidance. Yet the theme of the limit-experience continues in Foucault's concept of counter-conduct and the creation of possibilities it entails, most notably in mysticism, eschatology, and asceticism.

Asceticism in particular required a certain relationship with the limits of the possible as it involved a constant test of oneself, as in practices of self-flagellation which pursued the limit of one's capacity to endure suffering by performing the passion of Christ. The theme of the test in Foucault's work goes at least as far back as his studies of Greek justice in *The Will to Know.*[124] I maintain that pursuit of the unlivable, as a pursuit of desubjection, explains why Foucault calls the modern attitude an asceticism in "What is Critique?" (in relation to Baudelaire's dandyism); it also explains why he calls philosophical critique itself an *askēsis* in the Introduction to *The History of Sexuality, Volume II*, and why *askēsis* would become one of the central themes of his courses immediately following his lectures on neoliberalism. (*EFS*, 50 and *HS2*, 9)

Secondly, Foucault continues to use a *strategic* analysis in the context of a modified concept of power relations as conduction. This means that here, too, it is still a matter of thinking the politics of truth as a practice of struggle, as the opening remarks of *Security, Territory, Population* bear out. Yet, previously his analyses focused on direct encounters between forces, where force relations were conceived along the lines of a duel, or a direct test of strength. In the

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[123] This leaves open a question about what makes it possible for counter-conducts to arise as acts that open up new possibilities of existence.

[124] In particular, see the distinction in Greek juridical discourse between two types of judgment, *dikazein* and *krinein*. *Dikazein*, found in Classical Greece, involves a contest between two disputants who take an oath to let the result determine the truth of their disagreement. Later, *krinein* emerges, whereby a neutral third party takes an oath in which they swear determine the truth of the dispute. (*WK*, 83-97)

analysis of governmentality, analysis is brought to bear on the strategies of forces that first relate to their own field of possibilities in conducts before they relate to their opponents. However, as Grégoire Chamayou points out regarding the Church's manhunts for heretics during the Inquisition, indirect power relations of conduct can exist alongside and in relation to direct force relations (or war relations).[125]

The third important issue here is that counter-conduct further elaborates Foucault's non-dialectical account of power. For him, the exercise of power doesn't negate itself, which in this context means that one cannot arrive at a counter-conduct through the negation of what it contests. This lesson is absolutely crucial, especially for contemporary capitalism, in which some are still waiting for revolution from capital's negative moments.[126] In place of the notion of tactical reversal, *Security, Territory, Population* offers a concept of resistance that, as Thompson states, "is no longer merely the sabotaging of a reigning epoch's agenda," but involves "the constitution of…new forms of life…The work of critique is, in short, self-formation."[127]

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[125] Chamayou critically compliments Foucault's genealogy of the pastorate, arguing that the contrary of the good shepherd is not a shepherd that fails to conduct it to salvation, but the hunter-shepherd, who embodies the figure of the wolf in hunting black sheep in his own flock as an extreme measure of securing it. (Chamayou 2012, 11-5) As Chamayou points out, there were direct force relations between the Church and the counter-conducts arising on its margins. Confronted with the threat of its "black sheep," which threatened to lead the flock astray, the Church flipped into a predatory, cynegetic mode, and shepherds became the very wolves from which they normally protected their sheep. "Cynegetic" is a neologism drawn from the Greek *kunēgetikós*, meaning "of hunting". The Inquisition involved hunts that either excommunicated or executed heretical elements. On the other hand, there were very real threats to the pastorate, like the Medieval Beghards, a quasi-nomadic community of poor mystics who struggled against all worldly wealth and authority as the agency of the Antichrist. Under the threat of the Inquisition, they went underground and infiltrated the Church for the purposes of intelligence and recruitment. (Cohn 1970, 148-86)

[126] This is not only because such resistance risks being reactive, but for reasons I'll explain later having to do with the neoliberal character of subjectivity, which constitutes a limit to the possibility of resistance.

[127] I disagree on both textual and theoretical grounds, however, with Thompson's argument that Foucault gives up on the fundamentally strategic character of power relations. Firstly, not only does Foucault reiterate the need for a strategic analysis of the pastorate and counter-conducts (as opposed to a critique of their ideological contents that would have them reflect the economic crises of Feudalism), but he also reiterates it in *Birth of Biopolitics* for thinking about the birth of liberalism (see *STP*, 282-3 and *BB*, 42). And, as I mention above, he calls counter-conduct "struggle against the processes implemented for conducting others." (*STP*, 201) And secondly, while "conduct" is more general in that it applies to modern governmentality, the Christian pastorate, *and even* certain elements of discipline, I do not read governmentality as a total replacement of Foucault's earlier theory of power, but as a distinct mode of power, akin to disciplinary power. It is one historical matrix or grid of intelligibility for understanding power relations among others. Admittedly, Foucault does indicate the contrary on one occasion in "The Subject and Power," when he states, "The relationship proper to power would…be sought not on the side of violence *or of struggle*, nor on that of voluntary contracts (all of *which can, at best, only be the instruments of power*) but, rather, in the area of that singular mode of action, *neither warlike* nor juridical, which is government." (*EF3*, 341, my italics) However, two comments are in order. First, this would suggest that government is being used synonymously with conduct, which implies a distinction between governmentality, the dominant mode of power in modernity, and government, a quasi-general matrix for understanding power relations across different historical periods and geographies. Secondly, Foucault seems to equivocate here, for while what is proper to power is not on the side of struggle, he soon adds, "At the very heart of the power relationship…are the recalcitrance of the will and the intransigence of freedom…it would be better to speak of an "*agonism*"—or a relationship that is at the same time a mutual incitement and struggle; less a face-to-face confrontation that paralyzes both sides than a permanent provocation." (*EF3*, 342, my italics) As Deleuze and Guattari would say a few years later of the nomadic war machine, counter conducts do not have struggle as their object, but they result in struggle in their encounters with apparatuses. And yet (unlike nomadology), there is perhaps a sense in which counter-conducts do involve struggle, for while counter-conducts do not have struggle against apparatuses as their object, they are still nonetheless *counter*-conducts because they either pose a challenge to conduction or they challenge the conduction to which one

The end of the war hypothesis, then, offers a dimension of critique that develops desubjection into a practice of subjectivation, as I showed toward the end of the previous chapter. Yet it would be wrong to think that desubjection ceases to be the impetus of Foucaultian critique with the introduction of counter-conducts. The situation is rather the opposite: the term desubjection appears more frequency in 1978 than perhaps in any other. There is an abundance of textual evidence to show that the concept of critique as a counter-conduct amplifies Foucault's understanding of philosophy as a practice of desubjection. As I stated in the previous chapter, Foucault called his writing "a project of desubjectivation" just months after the end of *Security, Terdiritory, Population.* And two of Foucault's most famous stand-alone lectures from 1978, "What is Enlightenment?" and "What is Critique," both historically situate critique in two modern lines of descent: revolts of conduct against governmentality and the aesthetic creation of the self, starting with Baudelaire.[128] And what is more, he directly ties critique to politics, when he states in "What is Critique?" that it "[ensures] the *desubjection* of the subject in the context of…*the politics of truth*."[129] (*EFS*, 266) Moreover, what is important in every experimental test in desubjection is not the resulting form of counter-conduct or subjectivation, but the movement of critique as a historical line of force that is asymptotically oriented toward ungovernability. That is, what matters, is the continual mutation of critique as an affirmation of the escapability of subjection, or simply, an affirmation of the groundlessness of power.[130]

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has already submitted. Even if counter-conducts do not challenge the authority of a pastoral or governmental regime, *counter-conducts always involve some kind of test or challenge that involves struggle*, as in the case of ascetic self-flagellation. Thus one can talk about struggles involving challenges to oneself in counter-conducts of self on the one hand and struggles involving challenges to pastorate. The first sense of struggle is like a trial or test of strength that measures itself against a positive conduct, while the second is a struggle against a certain regime of conduction. In both cases what counter-conducts share with tactical reversal is a struggle against the effects of power in oneself by questioning the procedures for the production of truth. Therefore, tactical reversal was *also ethical* (though implicitly so) insofar as it was about summoning forces within the body and without in ways that do not reinscribe one's subjection. In other words, while counter-conducts do not necessarily lead to a confrontation with an apparatus of power, they presuppose a desubjection insofar as they require a disinvesment in the techniques of producing knowledge and in the corporeal relations attached to the body. That is why they can have the effect of summoning a strategic response in the apparatus that they pervert, at which point a series of direct engagements may ensue. In sum one can still apply the term "strategy" both to cases of counter-conducts that target a dominant apparatus and to those that invent a new procedure of producing knowledge. (Thompson 2003, 123)

[128] "What is Critique?" traces the history of critique as it tracks with that of governmentality, the threshold of modernity. In summing up such diverse critical discourses as religious counter-conducts, the rights discourse of natural law, and the liberal themes of public reason as a challenge to authority, he states that the guiding question of the first critiques of governmentality was "how not to be governed *like that*?" (*EFS*, 265) Foucault identifies in such critiques the beginnings of a modern "political and moral attitude"—and it is within this line of descent that he situates his work as an "art of not being governed" based on "voluntary inservitude" or "reflected indocility." (*EFS*, 265) In "What is Enlightenment?," the focus is more on the question of the history of the present ("What are we today?"), which identifies the contingency and arbitrariness of those limits that our present gives to us as necessary. Accordingly, it indicates "the possibility of no longer being, doing, or thinking what we are, do, or think." (*EFS*, 54)

[129] My emphasis.

[130] In *Michel Foucault*, Eribon relays the story of Foucault's encounter with the Madrid police when he, along with a number of others, went to protest the summary execution of 11 men and women by the Franco regime. The police broke up their press conference and one of the officers tried to take Foucault's papers from him. Foucault refused. Claude Mauriac, who accompanied Foucault, recounts the intensity of "his refusal, his aggressiveness…one felt…that for him it was both a physical reaction and a moral principle: the bodily impossibility of being subjected to the contact of a police officer and taking an order from him." Foucault commented on the incident shortly afterwards: "I consider that it is the cop's job to use physical force. Anyone who opposes cops must not, therefore, let them maintain the hypocrisy of disguising this force behind orders that have to be immediately obeyed." (Eribon 1991, 265)

One can also find direct evidence for this his 1980 lecture course, *On the Government of the Living*. I will quote here at length, as it provides one of Foucault's most concentrated statements on critique as the unity of the history of truth and desubjection in the politics of truth.

> [G]iven my desire, decision, and effort to break the bond that binds be to power, what then is the situation with regard to the subject of knowledge and the truth...It is the movement of freeing oneself from power that should serve as revealer in the transformations of the subject and the relation that the subject maintains with the truth. You can see that this form of analysis—like any other analysis of this type, moreover, and like the opposite analysis—rests more on a standpoint than a thesis. But this is not exactly the standpoint of, say, the *epochē*, of skepticism, of the suspension of all certainties or of all thetic positions of the truth. It is an attitude that consists, first, in thinking that no power goes without saying, that no power, of whatever kind, is obvious or inevitable, and that consequently no power warrants being taken for granted…On the basis of this position, the approach consists in wondering, that being the case, what of the subject and relations of knowledge do we dispense with[?]…Let us say that if the great philosophical approach consists in establishing a methodical doubt that suspends every certainty, the small lateral approach on the opposite track that I am proposing consists in trying to bring into play in a systematic way, not the suspension of every certainty, but the non-necessity of all power of whatever kind. (*GL*, 77-8)

This passage clearly shows how Foucault poses the question of subjectivation—of the subject and its relation to truth—on the basis of the contingent relation to power. That is to say, the whole question of subjectivation turns on the will to desubjection where this will is understood to be immanent to nnon-necessary power relations.

At this point, one seems to be very far away from the problem of anthropology. Yet I read Foucault's lectures on governmentality as an indication that we are still caught in that problem today. The genealogy of governmentality continues the work of explaining how "man" still exists on the basis of anthropological subjection. Starting with *Security, Territory, Population,* he reestablishes his archaeology of the human sciences by showing that the *population*, the target of governmental power-knowledge, *was the object of knowledge on which man became the subject of the discourses on life, labor, and language*. Keeping things restricted to political economy, he discusses how it was Quesnay who introduced laboring man as an objectified subject of knowledge by identifying "[T]he *population* and *employment*…[as] the main objects of the economic government of states."[131] Malthus and Marx follow Quesnay on this terrain, but according to Foucault. They diverge in the way they pose the problem of the population. The population becomes either a "bio-economic" problem of reproduction in relation to an external condition of scarcity (Malthus) or a "political-economic" problem of class contradiction, which produces scarcity as an effect internal to itself. (*STP*, 76-7) *Security, Territory, Population* thus resituates economic anthropology as a discursive event in the history of governmentality: "After all, man, as he is thought and defined by the so-called human sciences of the nineteenth century, and as he is reflected in nineteenth century humanism, is nothing other than a figure of population." (*STP*, 79) For the politics of truth, then, this means

[131] Quoted in *STP*, 85, n. 40; my italics. Whereas *The Order of Things* placed Quesnay squarely within the classical episteme, this situates him on the cusp of modernity—a move which is only reinforced when Foucault points out how he was one of the first to identify the market as a site of veridiction with regard to prices. (*BB*, 31) This would become the basis for conceiving the market as a natural process external to the state and as a reality from which it is possible to critically delimit the governmentality of the state.

"man" is an effect of governmentality.

4.2 From the Critique of Governmentality to the Neoliberal Test of Critique

Just as the politics of truth tests the limits of the current state of our anthropological subjection, every such test also tests the will to desubjection in the politics of truth. The year after *Security, Territory, Population*, Foucault's *Birth of Biopolitics* lecture course went on to perform another such test of his notion of critique by putting it up what was then becoming the dominant form of governmentality—or anthropological subjection—namely, neoliberalism. If the Enlightenment question inherited from Kant is "What difference does today introduce with respect to yesterday?" then history has proven Foucault to be prescient in his analysis of neoliberalism at the end of the 1970s. (*EFS*, 45) On January 31, 1979, Foucault announces his transition from an analysis of liberalism to neoliberalism by stating that he would like to "[Start] from how liberal governmentality is currently programming itself."[132] (*BB*, 78) As David Harvey points out, within the space of just a couple years, from 1978 to 1980, Den Xiaoping began liberalizing China, Paul Volcker became chairman of the Federal Reserve and started introducing monetarist reforms to fight inflation, while Margaret Thatcher launched a war against organized labor that has put it on the defensive ever since. (Harvey 2005, 1)

Today's dominant image of "man" is *homo oeconomicus,* the neoliberal subject of human capital. *Homo oeconomicus* is the anthropological form of life that neoliberal governmentality continues to create and govern. It is characterized by the way its knowledge and powers of action function as human capital, which is distinct from physical and financial capital in that it is inseparable from the subject who owns it. Human capital is a way of investing time and money in subjective capacity according to the directions shown in the price signals of the market. And as capital, such capacities and knowledge have one ultimate *telos*: procuring an income (and preferably, an indefinitely increasing income through continual self-investment). As all of *homo oeconomicus'* life activities are acts of self-investment for the purposes of its employability, it is a mode of existence that identifies *life* with *work*.

With its brand of *homo oeconomicus*, neoliberalism achieved a synthesis of disciplinary individuality and the massive multiplicity of the biopolitical population. *The History of Sexuality* taught that, since the 19th century, sexuality has been a privileged target of power because it functioned as a relay between the caesura that separates individuals from populations: by taking disciplinary measures regarding the sexuality of individuals, one could produce biopolitical effects on populations. Human capital is yet another such relay that synthesizes discipline and biopower.

As the new anthropology of labor, neoliberalism operates on the premise that human beings should *both* be conducted *and* conduct themselves according to a form of life that, curiously, *reflects the form of capital itself*: infinite quantitative expansion (ever increasing

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[132] After discussing German neoliberalism, or ordoliberalism, Foucault introduces American neoliberalism by remarking that it was already becoming a "pet theme in France." (*BB*, 215) Here Foucault is referring to the spread of American neoliberal ideas to France thanks to a trio of key relays in France, all of them economists. In 1977, Florin Aftalion and Jean-Jacques Rosa published a collection of essays on American neoliberalism titled *L'économique retrouvée. Vieilles critiques et nouvelles* analyses. The year after, Henri Lepage published *Demain le capitalisme*, a book-length study of the ideas of The Chicago School, primarily those of Milton Friedman and Gary Becker. He would go on to write *Demain le libéralisme* in 1980 and his most significant work, *Pourquoi la propriété* in 1985. Lepage, Aftalion, and Rosa all went on to become members of the decisively influential neoliberal organization, The Mont Pérelin Society. Rosa is currently a fellow of The Hoover Institute. Aftalion has worked as an advisor for Crédit Lyonnais and Chase Manhattan Bank, among others. (*BB*, 234)

employability and income prospects) through indefinite qualitative transformation (continual acquisition of knowledge and capacities in reaction to the demands of the market). Perhaps the principal paradox of neoliberalism—and possibly the limit of the politics of desubjection—then, is this: neoliberalism simultaneously leads subjects to their own subjection by modeling subjectivity on constant flux and self-transformation. Neoliberalism governs its subjects by compelling them to fashion and continuously reinvent themselves. It is a paradox that is similar to the one put forth by Deleuze and Guattari in *Anti-Oedipus*: capitalism's novelty is that it operates as a great machine of deterritorialization and decoding. Anything can be incorporated into the body of capital and serve as a source of surplus-value. Yet whereas Deleuze and Guattari postulated schizophrenic desire as an absolute limit of capitalism, Foucault neither hypothesized such a limit, nor did he propose a type of counter-conduct for resisting neoliberal capitalism along the lines of the GIP.

What critical lessons, then, can be gleaned from Foucault's study of neoliberalism? What resources are there in the politics of truth for responding to the neoliberal paradox, which seems to deploy desubjection as its secret to governing us into lives made up of nothing but work? And what possibilities remain for philosophy to continue to be a "*counter-power*" that "[*intensifies*] *the struggles that unfold around power?*" [133] (*DE2*, 540-1) These are the questions that will make up the focus of the remainder of my dissertation.

[133] My italics.

Chapter 5: Toward a Foucaultian Critique of Neoliberalism and Its First Paradox of Unnatural Naturalization

[*The*] *problem of neoliberalism is…how the overall exercise of political power can be modeled on the principles of the market economy*. (*BB*, 131)

5.0 Introduction

Neoliberalism defines us today in that it marks out the limit of what we can think, say, and do. It is our prevailing mode of subjection. The observable effects of neoliberalism are exponentially more pervasive now than they were in 1979. The state is declining as a political instrument of popular sovereignty as it increasingly assumes the form of an enterprise whose services are aimed at "citizen-consumers." (Dardot and Laval 2013, 303) Consequently, public goods and services continue to be privatized or eliminated (along with their attendant public-sector jobs). In both public and private sectors, the state has launched a series of attacks on organized labor in the name of anti-inflation, anti-trust, and the efficiency of market competition. Central banks have gained greater independence from legislative power, particularly in advanced capitalist economies. Gentrification has run apace with the urbanization of global populations, as urban space becomes the securitized domain of human capital. And entrepreneurialism has become status quo as a social practice and a cultural form beyond the likes of business people, traditionally understood.

Nevertheless, the claim about our neoliberal present is not fundamentally empirical, but philosophical.[134] For I want to argue that what makes neoliberalism characteristic of our time is that it pushes the naturalization of its own apparatus and techniques of subjection to their limit. And, in so doing, neoliberalism presents two paradoxes. First, neoliberalism affirms the artifice of its governmentality while nevertheless naturalizing itself in its effects. I call this the paradox of *unnatural naturalization*. And second, neoliberalism turns desubjection (becoming different) into an instrument of subjection to the regime of human capital. I call this the paradox of *subjection by desubjection*, which I briefly hinted at in the previous chapter. In short, what marks neoliberalism is that it pushes governmentality to the extreme limit of its possibility by integrating historical contingency and freedom into itself. This is also what makes neoliberalism stand as a test for the politics of truth. For the politics of truth always seeks to determine what is contingent in the limits set by the present and to see how far one can go in refusing what we are as effects of historically contingent power relations.[135] From this perspective, then it appears that

[134] By stating that neoliberalism is the predominant mode of power in advanced capitalist economies I do not mean to imply that neoliberal governmentality is exercised to the exclusion of other types of power. When Foucault introduced the concept of security apparatuses (the mechanisms of governmentality) in *Security, Territory Population*, he made sure to point out that his typology of modes of power was not to be taken as a linear chronology or periodization: "there is not a succession of law, then discipline, then security, but…security is a way of making the old armatures of law and discipline function in addition to the specific mechanisms of security." (*STP*, 10) I will argue the same claim for neoliberal governmentality since it both exists along side and transmutes certain disciplinary and sovereign functions by submitting them to economic rationality.

[135] One could certainly try to argue that these "paradoxes" are not paradoxes at all, but that they arise as expressions of the unsurpassable limit that is neoliberalism for Foucault's work—that point where the critique of power-

neoliberalism is governmentality's appropriation of the two-fold gesture of critique.

Yet it is first necessary to understand the terms of this test in order to determine whether or not critique *qua* the politics of truth can pass it. The present chapter will begin this work of comprehension by framing Foucault's analysis of neoliberalism and defining the first paradox. The following chapter will define the second paradox and explore whether Foucaultian critique can envision a counter-conduct that adequately responds to the paradoxical character of neoliberalism.

This chapter begins by situating Foucault's analysis of neoliberalism in *The Birth of Biopolitics* with respect to the explosion of critiques of neoliberalism in recent years. And since the most strident critiques have come from Marxist perspectives, I will spend some time answering what might be a very obvious question, namely, "Why not use Marx?" This answer amounts to presenting Foucault's reasons for distancing himself from Marxism, which continued through his critique of neoliberalism. Section 2 continues in a preparatory fashion by situating *The Birth of Biopolitics* within the horizon of Foucault's critiques of biopower and governmentality, as well as his concerns about the politics of gay counter-culture and the Iranian Revolution. After Section 3, in which I provide a brief overview of the lecture course, I begin my reading of *The Birth of Biopolitics* in earnest in Section 4. The main focus will be to show how Foucault's lecture course points to the paradox of unnatural naturalization. There I will take up the *market* as an artificial field of economic relations and *competition* as a norm of human conduct. Moreover, I will show how market competition effectuates unnatural naturalization through a series of circular causal relations, or feedback loops between human conduct, power, and knowledge.

5.1 Situating a Foucaultian Critique of Neoliberalism—"Why Not Marx?"

Foucault predates the explosion of discourse on neoliberalism amongst various critics on the left and in the human sciences, which conveniently separates him from the fuzzy and sometimes contradictory mass of definitions given to the term. Jamie Peck analyzes how this began in the 1990s and picked up steam in the mid-2000s, just after the French publication of *Naissance de la Biopolitique*. He points out that 1997 marked the first year that the number of articles published on neoliberalism in the social sciences exceeded 100 per year. (Peck 2010, 13) By 2008 that number spiked to almost 700 and, as Michelle Brady claims, between 2004 and 2014 neoliberalism was a keyword in a third of the articles published in cultural anthropology and sociology. (Brady 2014, 12) This has helped contribute to "neoliberalism fatigue," as Peck argues that "practically all uses of the term [in the social sciences] seem to be situational" and it is "often…used as a sort of stand-in term for the political economic zeitgeist, as a no-more-than approximate proxy for a specific analysis of…relations of social power." (Peck 2010, 13-14) An extreme example of this fatigue can be seen in the recent writings of Kean Birch, who argues not only that the financial crisis of 2008 had nothing to do with neoliberalism, but also that, as the title of his latest book tells us, *We Have Never Been Neoliberal*.[136] (Birch 2015, 6-9) On the other

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knowledge accepts defeat and turns to the history of ethics so as to discover lessons for aestheticizing what is necessary in our contemporary situation. To call them paradoxes, then, would be to misrecognize the fundamental compatibility of Foucault's project with neoliberalism—or at least that would be the objection. In other words, these paradoxes would only be apparent paradoxes, or optical effects of the inability of the politics of truth to see itself in the neoliberal mirror. And the misrecognition would be due to the thought of becoming-other finally settling into its identity because it is unable to keep moving.

[136] I disagree with Birch's argument, which primarily addresses assumptions about the relation between neoliberalism and the financial crisis. He argues that neoliberalism is not responsible for the financial crisis because

hand, no less a neoliberal than Gary Becker has stated that the financial crisis proves that we are far from being neoliberal enough, citing a mixture of government social planning and economic policy decisions as the reasons for the 2008 crisis.[137] (O'Grady 2009)

Given the explosion of critical discourse on neoliberalism after (but not necessarily following) Foucault, it is impossible to situate him within its multiplicity of alternatives. Things are easier when it comes to politics and I will point out where Foucault fundamentally diverges from major political traditions and values in what follows. However, if there is one approach to the study of political economy that Foucault explicitly defines himself against in *The Birth of Biopolitics*—and which also has its own niche industry of critiquing neoliberalism—it would be that which falls under the name of Marx.[138] In order to show how Foucault distinguishes himself from Marx, I will make extensive reference to Althusser because of his proximity to Foucault biographically and because Althusser evades some of Foucault's criticisms of Marx, either by virtue of adapting to them or simply by virtue of his anti-humanism.

So, why not Marx? On the one hand, this question is obvious. It appears that few have been as consistent as Marxists in their vehement rejection of neoliberalism, certain accelerationists notwithstanding.[139] If there were anything like a guarantee that thought would always side against capital (and neoliberalism today), it would be Marx's definition of critique from the Postface to the Second Edition of *Capital Volume I*: "Insofar as…critique represents a class, it can only represent the class whose historical task is the overthrow of the capitalist mode of production and the final abolition of all classes—the proletariat." (Marx 1976, 98) Of course, with the representational link between thought and class position in the economic relations of production, one is squarely back within the critique of political economy as ideology, which I will turn to once again below. And yet, without going into too much detail, I would like to present six reasons why Foucault does not approach political economy—and hence neoliberalism—through Marx. For a careful reading of *The Birth of Biopolitics* reveals that these reasons are at play throughout it and it is Foucault's ongoing critique of Marx throughout the lecture course that sometimes gives the (false) appearance of an alignment with neoliberalism.

First off, Foucault never backs down from his reading of Marx in *The Order of Things*, where he claims that Marx belongs to the anthropological episteme of the 19th century. Foucault certainly expresses respect at times for Althusser's structuralist reading of Marx and even

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financial crises predate neoliberalism both as a set of theories and a set of practices. However, this does not preclude the possibility that each crisis has its own practical and theoretical conditions. Second, he argues that while neoliberals espouse the promotion of *free markets*, their actual "ideas, politics, and processes" "support corporate monopoly and the concentration and inter-dependence of economic (and political) power." (Birch 2015, 9) As we will see in Foucault's account, neoliberalism in its French, German, and American variants *all agree* that the market is not only not independent of political power (namely, the state), but that the market is the target of state governance. As for the claim about monopolies, Brett Christophers' review of *We Have Never Been Neoliberal* helpfully points out that the only liberal political theory to hold that free markets are completely incompatible with free markets is neoclassical economics. (Christophers 2015, 12)

[137] In particular, Becker cites the Community Reinvestment Act of 1977 and Alan Greenspan's decision as Chairman of the Federal Reserve to lower federal interest rates.

[138] Foucault is usually careful to distinguish between Marx and Marxism. When he uses the latter, he usually has in mind specific players in France's intellectual and political worlds. Sometimes it refers to academic Marxists affiliated with the French Communist Party, sometimes it refers to a particular intellectual like Sartre or Althusser, and at other times it might refer to particular sects, like the French Maoists. Here, the referent is the thought of Marx.

[139] Of course, this is an important exception, since a certain accelerationist reading of Marx could claim that certain aspects of neoliberalism advances the destructive logic of capital by which "All that is solid melts into air"—including man. (Marx 1978c, 476) For a take on accelerationism that proceeds through Marx and is at least ambivalent concerning neoliberalism, see Nick Land's "Teleoplexy: Notes on Acceleration." (Land 2014)

excludes Althusser from the extension of his reading of Marx to Marxism. (*DE2*, 170, 271-2) Yet Foucault never arrived at the same conclusion regarding the existence of an epistemic break between the early and late Marx. (*EF2*, 281-2) As such, on Foucault's reading, Marx is stuck within the horizon of anthropology and there does not appear to be any interest in testing the concept of the break in Marx as a hypothesis. In the discussion following the "Truth and Juridical Forms" lecture series in 1973, Foucault states:

> Someone said: the concrete essence of man is labor…We find it in Hegel, in the post-Hegelians, and also in Marx, the Marx of a certain period, as Althusser would say. As I am not interested in authors but in the functioning of statements, it matters little who said it or when it was said. What I would like to show is that in fact labor is absolutely not the concrete essence of man or the existence of man in its concrete form. In order for men to be effectively placed in labor, to be tied to labor, there must be…a series of operations by which men effectively find themselves…tied to the apparatus of production for which they work. There must be an operation or a synthesis operated by a political power in order for the essence of man to be able to appear as labor. (*DE1*, 1489-90)

This is Foucault's most concise statement on the need to politicize the anthropological problematic (as it pertains to labor, no less). If man became a transcendental object of knowledge as a speaking, living, and laboring being, the question that must be asked upon the genealogical turn to the politics of truth is, what strategies of power successfully brought about this invention of man as a being who is defined by his labor and who must be made to understand himself as such? If *Discipline and Punish* and, to a lesser extent, *The History of Sexuality* answered this by means of disciplinary and biopower, they nonetheless leave open the question of how subjection to labor functions in capitalist societies today. Moreover, since the histories told in those books end well before the emergence of neoliberal discourse, they risk ignoring the historical singularity of the present.

It would be tempting to look at the quote above and simply note Foucault's repetition of methodologically rejecting the author as a discursive unity—and move on. (*AK*, 28-9) Yet, one could ask, would not the Althusserian notion of an epistemological break provide the coordinates for an answer to this question? For it would allow one to show that laboring man is not merely alienated from his concrete essence as the subject of history, as in Marx's writings prior to 1845. (Althusser 2006, 228) Instead, it would show that laboring man is an ideological effect of interpellation by state apparatuses, whose existence is required for the reproduction of the structure of capitalist society. (Althusser 2001, 182) This structure does not arise as the effect of human needs. Instead, the structure of the capitalist mode of production is both an effect of capital itself as an absent cause (capital *as such* is nowhere to be found in the mode of production) and an immanent cause with respect to its elements ("the existence of the structure inside its effects"). (Althusser and Balibar 2006, 189) As such, capital only appears fetishistically as an "objective appearance" to ideologically constituted—not constitutive—subjects. (Ibid., 67; 192; 264-5) An Althusserian reading of Marx would be able to show how he surpasses anthropological positivism by conceiving of laboring man is an effect of ideological apparatuses.[140]

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[140] As for the use of anthropological finitude to ground political economy, this is what Althusser, in his critique of positivist economists and their demand that political economy study only what is measurable, "naïve anthropology:" "That is to say that Classical Economics can only think economic facts as belonging to the homogeneous space of their positivity and measurability on condition that it accepts a *'naïve' anthropology* which founds all the acts involved in the production, distribution, reception and consumption of economic objects on the economic subjects

But *The Order of Things* claims that positivism is only one pole of an anthropological oscillation for thinkers like Marx. The other pole is eschatology. In a 1978 interview, Foucault praises Marx for his attention to the theme of struggle and war, presumably because, at these points, Marx is closest to thinking power relations. Still, Foucault chides him for the underlying prophetic mode of discourse that suggests the eschatological theme of anthropological disalienation:[141] "What attracts me to Marx are his historical works, like his essays on the *coup d'État* of Louis-Napoléon Bonaparte, on the class struggles in France, or on the Commune…However, these analyses, in the historical works, always end with prophetic speeches." (*DE2*, 612) Foucault therefore also critiques the attitude and style of Marx's historical works, saying that their "solitary and somber character" is due to "the fact that the objective in these struggles is always mystified by prophecy." (*DE2*, 615) Such remarks harken back, no doubt, to the transcendental doublet and the alternative that it founds between the themes of positivism and eschatology, depending on whether one locates truth in the *object* of discourse (the positivism established by human needs, for instance) or in the *discourse* on its object (the eschatology established in anticipation of the undoing of man's illusions). (*OT*, 320) The eschatological mode of discourse is precisely the result of the critique of ideology, including the ideological positivism of the man who labors for his needs. Furthermore, this presages the political problem of ideology critique, which I will address momentarily, namely, theoreticism, or the privileging of theory over political practice.

Suppose, however, that the Althusserian critique of ideology would not anticipate a coming epoch in which Man would be reconciled with himself beyond all ideology ("Only an ideological world outlook could have imagined societies without ideology"). (Althusser 2006, 232) Even still, it would appear that Althusser's nominalist critique of ideology does not go far enough in challenging the constitution of truth. In relation to Marx, *The Order of Things* states, "there is a more obscure and more fundamental division: that of the truth itself." (*OT*, 320) For one carries out the critique of in the name of science, which strives to theoretically transcend it. "It is necessary to be outside ideology, i.e. in scientific knowledge, to be able to say: I am in ideology (a quite exceptional case) or (the general case): I was in ideology," as Althusser explains. (Althusser 2001, 175) This is why one reads in *Society Must be Defended*, "…if there is one objection to be made against Marxism, it's that it might well be a science." (*SBD*, 10) This is because establishing criteria of scientificity effectively excludes other discourses from truth. As a consequence, such a science can never question the opening division between truth and falsity that constitutes a field of statements. As such, even if one manages to break with the anthropological basis of Marx's critique of political economy, one does not manage to leave its dogmatic relation to the division between the true and the false, which sets up the division between science and ideology. Foucault is of course not concerned here with bourgeois ideologues, but he does care about those who are politically excluded because their knowledge is politically disqualified by a self-proclaimed science, whether it is bourgeois political economy or its Marxist critique. For instead of returning to those disqualified by the strategies of political economy (as in the desubjection of subjected knowledges), Althusser's Marxist science gives

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and their needs." (Althusser and Balibar 2006, 163) Althusser thus argues that the critique of political economy proceeds by simultaneously attacking the positivism of relying on a *given* domain of economic measurability and the anthropology of human needs: "If surplus-value is not measurable, that is precisely because it is the *concept* of its forms, which are measureable." (Ibid., 162)

[141] I discuss the anthropological basis of this theme in Chapter one with reference to *The Order of Things*. (*OT*, 320-1)

itself the right to lead them from a privileged theoretical position. In an interview that appeared in the first issue of *Libération*, Foucault points out against such theoreticism that the most daring workers' revolts in French history occurred by way of wild-cat actions outside of the party and union leadership. (*DE1*, 1268) Therefore, even if it escapes the anthropology of the doublet, the Althusserian critique of ideology dogmatically distinguishes between truth and falsity, is blind to the evental opening of that distinction in discursive singularities, and thereby establishes a relation of political conduction between theoretical practice and political practice.

One must, however, recognize that Althusser sought to correct his "theoreticist tendency" by putting an end to his equivocation on two uses of the term "ideology" in *For Marx* and *Reading Capital*. This equivocation involves is the slippage of ideology *qua* interpellation into a rationalist sense of ideology as error (which are opposed to science and truth, respectively).[142] (Althusser 1976, 120) What makes this amendment possible is what also serves to correct the theoreticist tendency that would privilege theoretical activity over political activity, namely, the realization that it was proletarian struggle that made it possible for Marx to break with the bourgeois ideology of humanism. In other words, Marx's scientific revolution consisted not in escaping ideology *tout court*, but only in escaping *bourgeois ideology*:

> [*Marx*] *was only able to break with bourgeois ideology in its totality because he took inspiration from the basic ideas of proletarian ideology*, *and from the first class struggles of the proletariat*, *in which this ideology became flesh and blood.* This is the "event" which, behind the rationalist facade of the contrast between "positive truth" and ideological illusion, gave this contrast its real historical dimension. (Althusser 1976, 122)

Marx's break does not place him in a science outside of ideology, but in proletarian ideology generated out of class struggle, which makes science possible. Consequently, reversing the primacy of theory over practice by way of struggle puts Althusser in agreement with a fundamental tenet of the politics of truth, namely, that struggle enables critique. Yet this does not prevent Althusser's theoretical practice from retaining a hold on political practice in the form of the French Communist Party.

Even though Althusser's self-criticism leads him to renounce his Stalinist orientation and opt for a concept of the party that takes its direction from the "responses and aspirations" of the masses, the party is still understood as an instrument that "gives these shape." (Althusser 1976, 215) Therefore, the problem that remains is still a political one, namely, the governmental relation between party theorists and the masses, which in turn are centered around the proletariat. While some Marxist organizations have taken up the problems that Foucault was interested in—sexual politics, mental health, prisons, education, and so on—this has come belatedly and only after these struggles have done much *on their own* to become visible. The party politics that Althusser advocated did not orient itself around the "anarchistic struggles" that oriented Foucault's thought. (*EF3*, 330) And these anarchistic struggles around health and sexuality, prisons and education, all *organized themselves* outside of the party form.

In the end, where Foucault decisively breaks with Marx—including Althusser's Marx—is on (1) the form of strategies that condition the division between truth and falsity in history, (2) the cause of subjection (its real mechanisms), and (3) the historical singularity of apparatuses.

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[142] As Jason Read points out, Antonio Negri's critique of entrepreneurial subjectivity as an ideological error regarding real subsumption (the production of the subjective powers of the worker by capital) still remains within this slippage: "For Negri, neoliberalism and the idea of human capital is a misrepresentation of the productive powers of society… It would appear that for Negri real subsumption is the truth of society, and neoliberalism is only a misrepresentation of that truth." (Read 2009, 34)

For Foucault, subjection is not ideological because its cause is not ultimately economic. And strategies are not linked to a dialectic of class whose generality is guaranteed by the economic determination of society "in the final analysis"—even if this generality is overdetermined by super-structural contradictions (Althusser 1997, 245) In Chapter Three, I discussed how the critique of ideology misses (or at least reduces) the strategic dimension of power, which consists of the multiplicity of struggles. In the same 1978 interview I referenced a moment ago, Foucault again praises Marx's writings on concrete struggles, but this time he questions him for interpreting them within a historical dialectic:

> Up to now, no one has examined nor deepened the question of knowing what struggle is. What is struggle when one says "class struggle?" Since one says struggle, it is a question of war and conflict. But how does this war develop itself? What is its objective? What are its means? What rational qualities is it based on? I would love to discuss how it is not from the sociology of classes but the strategic method concerning struggles that one must begin with Marx. It is there that my interest in Marx is anchored and it is starting from there that I would like to pose problems" (*DE2*, 606).

The eclipse of the strategic by the dialectic is an underlying theme in *The Birth of Biopolitics*. Of course, Foucault's critique is not for these reasons a critique of neoliberalism as an ideology. For even in Althusser's least theoreticist version of such critique, that would mean placing neoliberalism within a dialectic of illusion and truth on the basis of a dialectic of class contradiction—it would mean critiquing it as an illusory relation to the relations of production.

It is precisely this dialectical logic that Foucault calls out in the second lecture of *The Birth of Biopolitics*. For one of the primary goals of the course is to retrieve the strategic dimension of the formation of neoliberalism *without assuming what form that strategy would take*. The following passage arises in the context of a discussion about two heterogeneous discourses in liberal governmentality that function to limit it, the juridical discourse of individual rights and the economic discourse of the utility of governmental intervention; however, it speaks to a fundamental point about strategic analysis:

> We should keep in mind that heterogeneity is never a principle of exclusion; it never prevents coexistence, conjunction, or connection. And it is precisely in this case…that we [must] emphasize…a non-dialectical logic if want to avoid being simplistic. For what is dialectical logic? Dialectical logic puts to work contradictory terms within the homogeneous. I suggest replacing this dialectical logic with what I would call a strategic logic. A logic of strategy does not stress contradictory terms within a homogeneity that promises their resolution in a unity. The function of strategic logic is to establish the possible connections between disparate terms which remain disparate. The logic of strategy is the logic of connections between the heterogeneous and not the logic of the homogenization of the contradictory. (*BB*, 42)

One needs to recall that genealogy consists of tracing the heterogeneous elements of formations of power-knowledge back to encounters between heterogeneous forces. The strategies that develop into nexuses of knowledge-power are "both intentional and non-subjective," as Foucault puts it in the first volume of *The History of Sexuality*. (*HS1*, 94) As with Althusser's structuralism, one of the austere features of Foucaultian analysis is that it does not give itself the pleasure of pointing the finger at the powerful class-representatives "guilty" for our prevailing mode of subjection; it does not suffice to understand one's subjection according to the interest of

the exploiting class.[143] But as opposed to the impersonality of class structures, for Foucault, it is a matter of showing how a series of locally invented tactics connect up with one another and thus give rise to a logical system of strategic aims. In other words, strategies emerge out of mobile relations of power; they are not given in advance.

It is absolutely essential to understand that Foucault's critique of neoliberalism (which I will soon analyze) targets it as a *discourse* and a governmental rationality, or as a way of organizing power relations. As such, the strategic analysis of neoliberalism must present the series of connections that develop between heterogeneous elements and the strategy that progressively emerges through their conjunction. One should not assume that neoliberalism is the result of a synthesis of previous contradictions within liberalism, nor should one assume that it arose as a way of negating the gains of the working class.

Aside from his discussion of the role that ordoliberalism played in constituting the German state following World War II, very little of his analysis deals with the strategies and tactics of neoliberalism as it has been concretely practiced.[144] It is not—nor could it be—a critique of the neoliberal policies, organizations, and practices that started to emerge in the 1970s in advanced capitalist economies. Therefore, it is also not (directly) a critique of what David McNally calls "the twenty-five year period of neoliberal expansion (1982-2007)"—which is the object of so many empirical studies on neoliberalism in the social sciences. (McNally 2011, 9) Critiques of neoliberalism during its expansionary period dialectically frame it as a hegemonic ideology that emerged because of its ability to perform certain class-war functions while ensuring continued capital accumulation. This might explain certain deployments of neoliberalism, but it does not explain the emergence of neoliberal discourse in the first place. In contrast to studies of neoliberalism's predominance, Foucault takes up neoliberalism during its weakest stage in its inchoate, marginal, and embattled beginnings during the middle part of the 20th century. At this point, neoliberalism's adversaries are not so much political-economic entities (whether individual or collective), but theoretical alternatives: it targets Marxism, of course, but it gives just as much focus to Keynesiansim, Nazism, and even certain elements within its own liberal tradition.

The question, "Why not Marx?" receives five answers. First, to the extent that Marx falls within anthropology, his thought falls prey to positivism in claiming that man is *homo faber*; thus he cannot think this determination as the synthetic effect of subjection. Second, as an anthropology, Marx also falls prey to an eschatological dialectic of truth and illusion. Third, Marx's claim to scientificity dogmatically assumes a division between truth and falsity and therefore cannot think the division between the true and the false as an event conditioned by strategies of power. Fourth, when Marx does think strategy, it is decided in advance that it will be determined by class contradiction. And finally, for Marx, political practice is subordinated to theoretical practice, which hierarchizes all struggles under class struggle and subjects class struggle to theory by means of the party apparatus.

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[143] Althusser also understands class contradiction in historical society as a "process without a subject." (Althusser 1976, 94-9).

[144] And beyond the issue of Germany, Foucault did not address the other major neoliberal event prior to 1979, namely, Nixon's annulment of the Bretton Woods System in 1971, which ended the gold standard for the capitalist world's major currencies and ushered in an international currency market based on floating exchange rates in 1973. Support for floating exchange rates can be traced back to a memorandum written by Milton Friedman in 1950, when he was working as U.S. consultant on the Marshall Plan. (Friedman 1953b) Friedman also publicized his views on the need to abandon Bretton Woods in a Business Week column in 1968, titled "The Price of Gold": "We should let the price of gold be a free market price, not a pegged price." (Friedman 1972, 99)

As Jason Read and Warren Montag have shown vis-à-vis Althusser, Marx is crucial to understanding subjection as a social phenomenon.[145] However, Foucault's distinctive contribution to the critique of neoliberalism consists of thinking about neoliberalism in its singularity without assuming historical universals and without leading critique into the familiar terrain of the party form. It consists of conceptualizing its strategies of power without determining the form of these strategies in advance. It involves understanding the way it opens the distinction between the truth and falsity without having already decided upon this distinction for itself. And finally, it includes thinking about neoliberal subjection that does not reduce it to ideology, but situates it in its own strategy and even opens it to considerations about ethical life (subjectivation).

5.2 Situating the Critique of Neoliberalism in Foucault

There are two ways to situate *The Birth of Biopolitics* that are essential for its status *as a critique* and not as a newfound fascination or as a "solution" to the problems of discipline and biopower. Here I am thinking of the recent outpouring of critiques of Foucault that have sought to damn him as a neoliberal, such as those which can be found in books like *Foucault and Neoliberalism.* The first way is to situate the analysis of neoliberalism in terms of the critique of man, which sets up the itinerary of Foucault's thought. The second is to situate it in terms of the politics of truth as a critique of subjection as it stands in the first volume of *The History of Sexuality* and *Security, Territory, Population*.

Security, Territory, Population and *The Birth of Biopolitics* make up Foucault's first sustained engagement with political economy since *The Order of Things.* In certain respects, one may read them as updates to the archaeology of "economics." More precisely, albeit implicitly, *The Birth of Biopolitics* is a critical return to the anthropological *a priori* in the domain of political economy. But whereas the later lecture shows how neoliberal governmentality uses a regime of truth to create a new image of "man" as *homo oeconomicus*, *The Order of Things* shows us how *homo oeconomicus* emerges in the modern episteme on the basis of the rules of anthropological knowledge, which I discussed in Chapter One.

Foucault's archaeology of economic discourse in *The Order of Things* concerns itself with showing how it is ordered according to the three epistemic periods of Western thought in the latter half of the second millennium. It thus treats economic discourse to the same epochal scheme that organizes the rest of the book, though I will pass over his treatment of the Renaissance since he doesn't return to it in *The Birth of Biopolitics*. The classical episteme, which begins around the turn of the 17th century, is characterized by the historical *a priori* of representation: the truth and groundedness of the representational link between signs and things consists of their ability to *represent their power to represent*. That is, signs function only to the extent that they are indexed to their own representative power, as opposed being principally indexed to their object. This is evidenced in classical economic discourses as their primary concern is to account for the power of money to exchange itself, which establishes its ability to represent wealth.

The representational power of money in classical economics is grounded in an agreed-upon fiction, or pledge, as opposed to the intrinsic value of the metal it contains. This presents a

[145] See Read's *The Micro-Politics of Capital* on the intersection of Marx, Althusser, Italian Autonomism, Foucault, and Deleuze and Guattari. (Read 2003, 15) See also Montag's chapter on Althusser and Foucault in *Althusser and His Contemporaries*, which unites the two thinkers in their conception of subjection by way of material apparatuses. (Montag 2013b, 161)

number of problems, however. Politically, sovereigns must use the money supply to make sure that (1) they do not lose their population to countries where wages are high and (2) they do not lose their currency to countries where prices are low. Theoretically, a problem emerges concerning the origin of value (an origin which money always represents): does value arise from the relative estimations of the utility of things in the minds of people who exchange? Such is the thinking of the "psychological theory" of utility, featured prominently in the work of Étienne Bonnot de Condillac and Anne-Robert-Jacques Turgot. (*OT*, 191) Or does value emerge in the economic Providence of God, as represented in the annual yield of the land? This would be to say that the representational power of money is based in its power to represent the agricultural basis of the economy. This was the line pursued by the Physiocrats, starting with François Quesnay in 1758—one of the first thinkers whom Foucault deals with in *The Birth of Biopolitics* to discuss the market as site of truth.

Beyond showing that economic discourse situates itself on the same archaeological ground as the discourses on life and language (which subjects it to the same historical discontinuities), the main objective of *The Order of Things* concerning economic thought is to describe its contribution to anthropology in the modern episteme. Economic discourse enters the modern episteme of anthropology when Adam Smith displaces the entire ground of economic discourse away from the nature of money toward the question of the origin of value. Foucault writes, "[Smith] formulates a principle of order that is irreducible to the analysis of representation: he unearths labor, that is, toil and time, the working-day that at once patterns and uses up man's life…if there is an order regulating the forms of wealth….it is because [men] are all subject to time, to toil, to weariness, and in the last resort, to death itself."[146] (Ibid., 225) Or again, "*Homo oeconomicus* is not the human being who represents his own needs to himself, and the objects capable of satisfying them; he is the human being who spends, wears out, and wastes his life in evading the imminence of death." (Ibid., 257) The measure of value no longer lies in money but in something that money cannot represent on its own: the relation between the labor-time that consumes human life and the history of progress in the division of labor and the means of production. Thus, the four sides of the anthropological *a priori* articulate "laboring man" as the basis of wealth in the anthropological *a priori:* the insuperability of need and death in finite man, the positivity of labor to which these limits give rise, the historicity of labor's forms within economic progress, and the location of the conditions of thought in that which is not of thought's order. (*OT*, 257) Man emerges as a subject who represents exchange value to himself according to his own interests only on the basis of death, time, and labor.[147]

It is essential to read *The Birth of Biopolitics* and its analysis of *homo oeconomicus*, or "economic man" in neoliberalism as a return to the critique of anthropology in *The Order of*

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[146] Foucault points out that the notion of man's labor as *a* measure of value precedes Smith by at least 40 years. The idea that man's labor is equal to the cost of his basic necessities can be found at least as early as Richard Cantillon's 1730 *Essay on the Nature of Trade in General*. But Smith introduces the notion that labor is *the* measure of wealth because the value of anything can be determined by the total quantity of labor invested in it, including the labor contained in the tools used in production.

[147] It is only on the archaeological basis of having to be a laboring being subject to the finitude of its time that marginalism will revive the psychological theme of subjective utility first found in Turgot and Condillac. It is also worth pointing out that, while discourses on language may have a privileged role in *The Order of Things,* economic discourse has its own peculiar status. For Foucault points out twice that such discourse is unique in that the epistemic breaks that affect it are synchronized with those affecting discourses on life and language. (*OT*, 168, 180) He argues that economic discourse is late in shifting toward new epistemes because it is "linked to an entire praxis, to a whole institutional complex…Neither natural beings nor language needed the equivalent of the long mercantilist process in order to enter the domain of representation." (Ibid., 180)

Things. For that is the basis on which *The Birth of Biopolitics* is a *critique* of neoliberalism as a discourse of anthropological *subjection*. As I will discuss in further detail, *The Birth of Biopolitics* returns to the *homo oeconomicus* of classical liberalism as a man of exchange and contrasts it with neoliberal "economic man" as a governmental subject that stands at the limits of anthropology.[148] In Section 6.2, I will argue that the neoliberal break with exchange as the basic activity of *homo oeconomicus* signifies a deeper shift in finitude as a rule of anthropological knowledge.

The second reference point for situating *The Birth of Biopolitics* is perhaps, more than anything else, what is responsible for the debate surrounding Foucault's work and neoliberalism. For, in a way, it is the absence of an explicit reference to struggle and resistance in the analysis of neoliberalism that makes it so difficult to read it as a *critique* as opposed to a mere description, or worse, as a proposal for improving power relations. Unlike his writings on prisons, one cannot say that the critique of neoliberalism was made possible by struggles that directly targeted it outside of the domain of theory. There is no explicit reference to anything like the perspective of the pleb. Certainly, Foucault's interest in neoliberalism, with its origins mostly in Germany and the United States, was to some extent prompted by the fact that he had been visiting these countries off and on throughout the 1970s.[149]

But the real motives behind the critique of neoliberalism shows that it began as a digression, or an inessential curiosity, that became essential to the development of Foucault's work. For the motivations behind the subject matter of *The Birth of Biopolitics* do not directly have anything to do with neoliberalism. Instead, they may be traced principally back to *The History of Sexuality, Volume I* and *Security, Territory, Population.* And what one cannot say about *The Birth of Biopolitics can* be said about those two texts: they were both enabled by struggles against subjection. For *The History of Sexuality*, it was the gay and lesbian movements of the 1960s and 70s; for *Security, Territory, Population*, it was the Iranian Revolution.[150] There

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[148] On this point it is helpful to recall the following quote from a 1975 interview with Foucault: "What one must destroy is the ensemble of qualifications, of specifications, and sedimentations by which some human essences have been defined since the 18th century. My error has not been to say that man does not exist, but to imagine that he would be so easy to demolish." (*DE1*, 1685)

[149] Foucault travelled to West Germany twice before the lectures of *The Birth of Biopolitics*. In 1977, Foucault was detained by West German police along with Daniel Defert after someone reported them for having discussed Ulrike Meinhof openly at a café. All papers and notebooks were photocopied and they were interrogated regarding their contents. Foucault described the ordeal as "frightening." (Eribon 1991, 261) He also travelled there in January 1978 to participate in the militant-leftist TUNIX conference and a march it organized for academic freedom. (Ibid., 261) Foucault first went to the U.S. in 1970 and travelled there more frequently a few years later, eventually making habitual visits to New York and California. (Ibid., 311-6)

[150] It must be noted, however, that, here again, one meets an ambiguity that arises from the relation between struggle and truth. For Foucault expressed his desire to write a history of sexuality in 1965 following the publication of *The Order of Things*. (Eribon 1991, 270) This is no doubt due to the reason offered by "A Preface to Transgression" (1963) for why language arises to the exclusion of man as the privileged problem at the end of modernity: "the appearance sexuality as a fundamental problem marks the slippage of a philosophy of man as worker to a philosophy based on a being who speaks; and insofar as philosophy has traditionally maintained a secondary role to knowledge and work, it must be admitted, not as a sign of crisis but of essential structure, that it is now secondary to language. Not that philosophy is now fated to a role of repetition or commentary, but that it experiences itself and its limits in language and in this transgression of language which carries it, as it did Bataille, to the faltering of the speaking subject." (*EF2*, 85) However, *The History of Sexuality* that Foucault wrote is completely different than the one that he would have written had he undertaken the project in the mid-60s. For there is the break with the idea of a neutral literature and the idea that literature is a space of transgression by virtue of its privileged link to sex. (*DE1*, 990-1). And then there is the discovery of power directly connected to this link (the Nietzschean turn), which

are, then, two struggles, two texts, and two threads that lead Foucault to the critique of neoliberal governmentality.

The first of these is the critique of biopower that Foucault begins in *Society Must Be Defended* and refines in *The History of Sexuality, Volume I.* In the latter, Foucault attacks the "repressive hypothesis" that says if sexuality is repressively locked down, then sexual liberation is the key to unlocking the secret of our being and the site of our happiness. At the end, he concluded, "The rallying point for the counterattack against the deployment of sexuality ought not to be sex-desire, but bodies and pleasures." (*HS1*, 157) This is the second clue that *The Birth of Biopolitics* contains a critique of neoliberalism, as Foucault will go on to show how neoliberalism subjects bodies as sites of human capital and pleasures as signs and effects of one's productivity. That is, neoliberalism ties bodies to practices of self-investment in which pleasure is a sign of a productive investment strategy. This runs counter to the spirit of Foucault's rallying cry, as David Halperin interprets it. For Halperin, the rallying cry in *The History of Sexuality* should call us to abandon the use of sexuality to subject ourselves to the truth of our identity so as to invent a gay way of life. (Halperin 1995, 96-7) This entails a diverse set of practices, such as experimenting with the limits of pleasure, practicing collective *counter-conducts*, and creating an archipelago of heterotopic spaces for these collective practices.[151] What Foucault was interested in was a collective counter-power based on different, non-normative forms of life. Of course, this entails risk, for anticipating the major problem of liberalism that Foucault discusses in *The Birth of Biopolitics*, namely, *security*, one might say that the rallying cry above speaks of using our bodies dangerously, of taking seriously only those pleasures in which we risk ourselves outside of the safety and security advised by liberal morality.

The second thread that leads into the critique of neoliberalism is the critique of governmentality. The critique of governmentality in *Security, Territory, Population* picks up where the critique of biopower left off. In the previous chapter, I showed how the critique of biopower shifts toward governmentality for two reasons. First, Foucault shows how modern governmentality emerged when liberal political economy developed the concept of the population. This puts liberalism at the center of the critique of governmentality in modernity since liberalism made "freedom…nothing else but the correlative of the deployment of the apparatuses of security." (*STP*, 71) Second, just as the *object* of Foucault's critique changes, so too does his concept of resistance, or what it means to struggle against subjection. The genealogy of governmentality goes beyond the largely negative concept of resistance to the positivity of counter-conducts. And, arguably, this change was at least partially due to the impact of the Iranian Revolution, which influenced Foucault considerably. While drafts of the lecture course may have preceded the Iranian Revolution, it had already kicked off in October 1977—three months prior to the start of *Security*, which is more than enough time to bestow a sense of urgency on the problem of resistance (Foucault introduces the concept of counter-conduct on March 1, 1978). Regardless of how one might evaluate Foucault's enthusiasm for a revolution that violently purged the initial multitude of voices within itself, one thing is certain: what

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eventually allows Foucault to throw into question the exclusion-transgression schema that underwrites the repressive hypothesis.

[151] Halperin states, "Fist-fucking and sadomasochism appear in this light as utopian political practices, insofar as they disrupt normative sexual identities and thereby generate—of their own accord, and despite being indulged in *not* for the sake of politics but purely for the sake of pleasure—a means of resistance to the discipline of sexuality, a form of counter-discipline—in short, a technique of ascesis." (Halperin 1995, 97)

attracted Foucault to it was that it involved a counter-conduct that starts with the experience of the intolerable and proceeds toward the absolute risk of death.[152] In his "Open Letter to Mehdi Bazargan," from April, 1979, Foucault states, "Nothing is more important in the history of a people than the rare moments when it rises up as a *body* to strike down a regime it can no longer *tolerate*."[153] (*EF3*, 440) I emphasize the bodily force that is risked in revolt to point out the continuity with *The History of Sexuality*. And I emphasize the irreducibility and inexplicability of this risk in order to highlight its place outside of governmental rationality.[154]

The two threads that lead to the critique of neoliberalism coincide on numerous points. For both the critique of biopower, with its practical condition of gay practices around bodies and pleasures, and the critique of governmentality, with its inspiration from the Iranian Revolution, draw from struggles that have to do with dangers and risks that appear to fall outside of the market and the economization of means and ends. For one of the key elements of neoliberal governmentality is the action of market competition on the life possibilities of individuals, which governs them into adopting the economic rationality of allocating scarce resources to competing goals. Moreover, the pivotal link between the critique of biopower in *The History of Sexuality* and the critique of neoliberalism is the problem of the security of populations.

And yet does not the market encourage and often reward risk? Even of classical liberalism, Foucault states that its "motto" is "Live dangerously" and that this even precipitates a "political culture of danger." (*BB*, 66) And what is the entrepreneur if not the subject whose principal virtue is their courage to take risks in the market? On the other hand, however, it also appears to be the case that liberalism only encourages risk-taking "within reasonable limits," for it creates various institutions and mechanisms for minimizing or averting risk. One might "lose everything" in the marketplace, but the market does not normalize this as the point of one's conduct. Consequently, what appears to be unintelligible to the market—and what it even appears governs against—are the kinds of "absolute risks" involved in wrenching oneself away from one's identity or in risking death in the utter uncertainty of revolt. Perhaps in posing neoliberalism as a test of the politics of truth, it also stands as a test of the heterogeneity of these struggles with respect to governmental reason.

Or this, at least, would be the question: is Foucault is a critic of neoliberalism who contributes to thinking about the possibility of resistance against it? Or did his fascination with its motifs of risk and entrepreneurial self-fashioning (amongst others) lead him to view his work as an extreme possibility within it? As already indicated, I will place my wager—and I do not think there is much risk in it—on the former and claim that Foucault is no friend of neoliberalism. Here I have provided four reasons for this by way of situating *The Birth of Biopoloitics*: (1) going back to the archeological period, Foucaultian critique has always taken aim against subjectivity, particularly "anthropological man;" (2) as a critique of anthropology, Foucault's critique included the effort to undermine the *homo oeconomicus* of classical liberalism; (3) the politicization of critique (the politics of truth) led Foucault to critique processes of subjection in power relations and ally himself with struggles against subjection; (4) inasmuch as neoliberalism is a form of governmentality that bodies and populations to its version of *homo oeconomicus*,

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[152] This is not to mention the renewal of the revolutionary theme of a collective will that is connected to counter-conduct. In a piece from April 1979, Foucault writes: "What has given the Iranian movement its intensity has a double register: on the one hand, the emphatic affirmation of a politically collective will, and, on the other hand, the will to a radical change in existence." (*DE2*, 754)

[153] The italics in this and the next two quotations are mine.

[154] I will return to these issues toward the end of Chapter Six.

Foucaultian critique will involve strategically analyzing it in order to show how it organizes power relations and to show where it is vulnerable to counter-attack and counter-conducts.

From the perspective of this wager, the analysis of neoliberalism is a critique. And while it is one that is not directly enabled by struggles against it, it is *indirectly* enabled by struggles against biopower and the popular counter-conducts Foucault witnessed in Iran. Unfortunately, this means that *The Birth of Biopolitics* is an incomplete critique *because it does not take up the question of struggles that would have neoliberalism as its object.* This is why *The Birth of Biopolitics* reads more like an archaeology *à la The Order of Things* than it does like a genealogy such as *Discipline and Punish.* Let us recall that it is only from the perspective of a counter-force that critique can apprehend not only how various knowledges (in the sense of *connaissance*) propose models of subjection, but how these fit within an over-all apparatus with its own strategic rules of subjection through power and knowledge (in the sense of *savoir*). *The Birth of Biopolitics* fails to articulate neoliberalism within the limits of its historical *a priori*—perhaps because this was still in the process of emerging and struggles against it had not yet begun in earnest. But more importantly, due to the lack of anything like a pleb at the basis of Foucault's lectures on neoliberalism, they also leave open the question of *their own strategic value*. Could *The Birth of Biopolitics* be used in the same way that he suggested using *Security, Territory, Population*, namely, as a map of blockage-points for struggle and lines of force—that is, as a book of tactical pointers? This would mean taking up a perspective on neoliberalism that situates itself at the limit of its apparatus, or in the perspective of its counter-blow. What sort of equivalent is there to the "pleb" in the context of neoliberalism?

A properly Foucaultian study of neoliberalism would begin with this question and use that as the basis to analyze the governmentality of which neoliberalism is a part. That, however, is outside of the scope of this dissertation, which seeks to use Foucault's analysis merely to arrive at the point where it is possible to evaluate which struggles are important for undertaking a history of the present today. In the remainder of this chapter and throughout the next, I will offer a close reading of *The Birth of Biopolitics* in order to home in on neoliberal subjection. The question of resistance will have to wait until the Conclusion of the dissertation.

5.3 *The Birth of Biopolitics*: An Overview

As of 2016, Foucault's genealogy of neoliberalism has been available through secondary literature for almost twice as long as it has through *The Birth of Biopolitics* itself. Thomas Lemke's 2001 essay was the first to synthesize Foucault's lectures into a thoroughgoing concept of neoliberalism.[155] More recently, books by Wendy Brown, Maurizio Lazzarato, and Pierre Dardot and Christian Laval—not to mention a slew of variously authored essays—have done much to interpret and amplify Foucault's analysis.[156] Given the discourse on neoliberalism that Foucault helped to generate, it will be necessary to make consistent reference to it throughout. Before considering the elements of neoliberalism in detail, I would first like to provide a brief overview.

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[155] See Lemke's "'The birth of bio-politics': Michel Foucault's Lecture at the Collège de France on Neo-liberal Governmentality." (Lemke 2001)

[156] I have in mind the following books: Wendy Brown's *Edgework*: Critical Essays on Knowledge and Politics (2005) and *Undoing the Demos* (2015); Dardot and Laval's *The New Way of the World: On Neoliberal Society* (2009); and three books by Maurizio Lazzarato: *The Making of Indebted Man* (2011), *Governing by Debt* (2013), and *Signs and Machines: Capitalism and the Production of* Subjectivity (2014). All books but those by Brown list the year of their French publication.

As the story goes, "neoliberalism" was coined in Paris in 1938 at the Walter Lippman Colloquium, which was convened by Louis Rougier to celebrate the publication of Lippman's book, *An Enquiry into the Principles of the Good Society*. In the domain of political economy, the term has come to name a heterogeneity of schools and tendencies, however, Foucault uses the term to collectively refer to schools of economic thought:[157] the Freiburg School of the *ordoliberals* and the American camp of the Chicago School economists. The Freiburg School includes Walter Eucken (its founder), Franz Böhm, Wilhelm Röpke, and Alexander Rüstow, who were instrumental for Germany's "social market economy" and its "Economic Miracle" following the Second World War. They became known as the ordoliberals because they sought to elaborate a concept of the market as a *Wirtschaftsordnung*, or an economic order. (*BB*, 167) In the Chicago School, Foucault mainly deals with Gary Becker, Theodore Schultz, and George Stigler, who are responsible for the theory of human capital. Foucault also briefly treats Milton Friedman, the leading founder of the Chicago School, who is best known for monetarism, or the theory that the money supply determines economic growth and price levels.[158] Additionally, Foucault analyzes Louis Rougier and Walter Lippman, two French economists whose work was very similar to that of their German contemporaries in the 1930s. Finally, there are the Austrian neoliberals, who bear a greater affinity with the Chicago School. This is in part because the most famous Austrian, Friedrich Hayek, joined the Economics Department at the University of Chicago between 1950 and 1962. Foucault's main interest in Hayek pertains to his concept of "the rule of law," a juridical framework for the market.

What all of these lines share is a conception of the market as a juridical-economic framework that normalizes entrepreneurial subjection thanks to competition between individuals and the price mechanism. The differences between various neoliberal thinkers amount to how they respond to the emergent problem of their discourse. "[The] problem of neoliberalism," as Foucault states, "is…*how the overall exercise of political power can be modeled on the principles of the market economy*." (Ibid., 131) This problem leads all of them to a paradoxical position regarding the market: while all neoliberals affirm that the market does *not* have a foundation in human nature, they all effectively posit it necessarily as the ideal form of socio-economic organization; that is, they all naturalize it nonetheless. *This is the paradox of unnatural naturalization.* And the effect of the market as a model of power relations is a form of subjection in which competition and innovation endlessly force subjects to adapt themselves to the demands of the market. This leads to a second paradoxical position that is characteristic of neoliberalism, namely, that neoliberal subjection occurs through a process of constant "desubjection," or a constant process of unbinding oneself from certain capacities of action and knowledge. I will take up the first of these in the following section; the second will be the subject of the following chapter.

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[157] It is worth noting that Foucault uses "neoliberalism" to refer to all of these tendencies, though he applies it to the Americans with more consistency. In his commentary on ordoliberalism, Lüder Gerken points out that, inasmuch as neoliberalism is either confusedly identified with *laissez-faire* or is taken to mean the use of *laissez-faire* as a "permanent economic tribunal confronting government," it would have been rejected by the likes of Walter Eucken, a founding leader of ordoliberalism. (Gerken 2000, 37; *BB*, 247)

[158] My italics. Foucault sometimes calls the American neoliberals "anarcho-capitalists" or "anarcho-liberals," indicating that he had read Lepage's *Demain le capitalisme*, which uses this phrase. (*BB*, 104; 117) The ordoliberals were so named after the journal that they ran starting in 1948, titled *Ordo*, which refers back to an earlier series of studies they collected, which was called *Die Ordnung der Wirtschaft* (The Order of the Economy).

5.4 The Paradox of Unnatural Naturalization I: Of the Market Apparatus and its Norm, Competition

In this section I will present Foucault's analysis of the first two elements of neoliberalism: its apparatus of power-knowledge, the market, and its norm, competition. These two elements directly concern the paradox of *unnatural naturalization*. The focus here will generally remain on the ordoliberals and Hayek, as the American neoliberals are the ones who theorize entrepreneurialization *per se.* Much of this section contains a reconstruction of Foucault's readings of the ordoliberals and Hayek. However, in this section, I will add to his reading in two ways.

The first is by conceptualizing the paradox of unnatural naturalization, which defines neoliberalism's way of naturalizing market competition on the basis of avowedly artificial epistemological starting points. I base my formulation of this paradox on Foucault's comments on neoliberal market competition, however, nowhere in *The Birth of Biopolitics* does Foucault explicitly formulate it. It states that the market is an *unnatural* apparatus of normalization that produces a *naturalized* subjection. Neoliberalism plays upon an inherent ambiguity in the ontological status of its object. All neoliberals share the view that neither the market nor *homo oeconomicus* is a natural, empirical given; they must be created through policies and institutions. And yet, neoliberalism ends up effectively *naturalizing* the market and *homo oeconomicus*. Ironically, this would not be a paradox if neoliberalism (falsely) posited the market as a natural reality or as derived from one. In that case, the critique would concern the naturalization of the relations and effects of the techniques of power. This paradox instead stems from the affirmation of the market as an artifice without natural foundation.

The second way that I will add to Foucault's work on neoliberalism is by showing how neoliberalism naturalizes itself by a series of circular-causal relations between market-driven power relations, the politico-economic conducts they induce, and their resulting knowledge-effects. Here again, the materials for formulating these circular relations, or circuits, can be found in Foucault's readings of the neoliberals. Yet, with only one exception, they do not explicitly appear in *The Birth of Biopolitics*. What is common to all of these circuits is that they function as feedback loops, that is, by feeding the effects of the exercise of economic liberty into the power relations of neoliberal governmentality. The diagram of these circuits, like the diagram of the panopticon in *Discipline and Punish*, is an "ideal form" of the functioning of power relations, abstracted from any particular use.[159] (*DP*, 205) I will detail the first three through Foucault's reading of the ordoliberals, whereas I will cover the last two by turning to Hayek.

At the heart of the neoliberal paradox of unnatural naturalization is the characterization of the market according to competition instead of exchange. Furthermore, neoliberals maintain that the market alone provides the state with a legitimate foundation. The neoliberal state is a *depoliticized state*: it possesses no *political* foundation independent of its capacity to ensure the market. Likewise, neoliberals agree that society must be wholly *normalized* by competition, that is, they argue that society must be organized as a competition between enterprises.

Where neoliberals disagree, however, is on the concept of *laissez-faire*. On the one hand,

[159] I should also add that Foucault's encounter with neoliberalism is a turning point for thinking about governmentality, since neoliberalism presents a mode of governing others that is intrinsically tied to the way that subjects govern themselves. In a lecture at Dartmouth in 1980, Foucault claims that Government is "where the technologies of domination of individuals over one another have has recourse to processes by which the individual acts upon himself" and where "the techniques of self are integrated into structures of coercion or domination."[159] (Foucault 1993, 203)

the ordoliberals (and, to a certain extent, Lippman and Rougier) seek a "third way" between the naturalism of classical *laissez-faire* and socialism; they call this the "policy of society" ("*Gesellschaftspolitik*"), which allows the state to plan ends for society that enhance market competition (this is opposed to planning the economy in favor of social interests). On the other hand, the Austrians and the Americans maintain that the state should refrain from social planning and simply let the market do the work of governing and shaping society. Hayek, for instance, affirms a "denaturalized" *laissez-faire* by restricting all state action to the rule of law, or market rules that regulate the market while abstaining from planning economic activity.[160] At this point, I would like to first take up the circuits of unnatural naturalization in ordoliberalism before considering Hayek.

Theoretically, Foucault situates ordoliberalism within the problem of capitalism set forth by Max Weber, who takes it to be not the contradictory logic of capital that it is for Marx, but "the irrational rationality of capitalist society."[161] (*BB*, 105) The ordoliberals locate the irrationality of capitalist society not in its economic form, but in the social domain itself. For society tends to demand things from the state such as rising standards of consumption, full employment, and a broad safety-net. These social demands require the state to intervene on the market in order to reduce economic inequality, partially socialize consumption, and increase social policy as the economy grows.[162] Such demands irrationally lead to bureaucracy and diminished competition, which the neoliberals generally argue to be the source of economic growth. Society would thus destroy the very machinery of its welfare. Furthermore, ordoliberals

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[160] The Chicago School follows the latter route and goes even further by turning *laissez-faire* into the rule of a "permanent economic tribunal confronting government." (*BB*, 247) I will take this up in the following chapter.

[161] For Weber, the primary features of this problem is the increasing rationalization of society along bureaucratic lines, with its effects of irrational social control that diminish the individual. Foucault shows how a strategic alternative between the Freiburg School of economics and the Frankfurt School of critical social theory develops out of Weber. The question is whether the irrationality of modern capitalism is social or economic in nature. The Frankfurt School (Foucault specifically mentions Max Horkheimer, though he certainly is also thinking of Jürgen Habermas) locates irrationality within the economy, namely, the suffering it causes, and seeks to redress it by means of a specifically social rationality, namely, social justice. One must intervene on the economy for the sake of society. The Freiburg School, conversely, locates the problem of capitalism's irrationality in the domain of the social, which generates a whole host of "anti-competitive mechanisms." (*BB*, 160) Horkheimer abandons the possibility of rationality to redress its instrumentalization in the 1940s. Before then, however, he locates capitalism's irrationality in the suffering produced by the pursuit of self-interest, which excludes a margin of society from labor and the ability to meet their needs: "[T]here exists no rational connection between the free competition of individuals as what mediates and the existence of the entire society as what is mediated…This irrationality expresses itself in the suffering of the majority of human beings. The individual, completely absorbed in the concern for himself and "his own," does not only promote the life of the whole without clear consciousness; rather, he effects through his labor both the welfare and the misery of others and it can never become entirely evident to what extent and for which individuals his labor means the one or the other." (Horkheimer 1993, 19-20) To this economic rationality, he opposes social justice as the guiding end of social rationality: "As a universal principle to be realized in this world, Justice in connection with Freedom and Equality first found recognition in bourgeois philosophy; though only today have the resources of humanity become great enough that their adequate realization is set as an immediate historical task. The intense struggle for their fulfillment marks our epoch of transition." (Ibid., 38)

[162] The "policy of society," which the ordoliberals espouse is opposed to "social policy," which they emphatically reject in that the latter amounts to state planning for social welfare, whereas the former involves governing society so that economic growth can answer the call for social welfare. Dardot and Laval clarify this difference with the following: "To obviate any confusion, *Gesellschaftspolitik* must…always be translated as "policy of society," not "social policy." The objective genitive plays an essential role in as much as it signifies that society is the object and target of governmental action—and not that this action should involve transfers from the highest incomes to the lowest." (Dardot and Laval 2013, 93)

have it that the problems of industrial capitalism identified by Marxism can be solved by the adoption of social policies by capitalist governments. The ordoliberals refuse to view things like proletarianization and urbanization as inevitable consequences of capitalist competition and revolutions in the forces of production. And figures like Röpke argue that such problems are only worsened when welfare states increase the dependency of the propertyless on the state for welfare and housing.

This exemplifies Foucault's interest in neoliberalism as a discursive strategy that polarizes discourse on society and the economy. The ordoliberals use the problem of the irrationality of society to intervene in a series of crises. These crises include the Great Depression, the rise of Nazism, and the necessity of founding a German state after the War while neutralizing the totalitarian logic of statism. And as they intervene in these crises, they also define themselves against their strategic adversary, namely, Nazism. While all neoliberals target Nazism (or more broadly, totalitarianism), this adversary affected the ordoliberals directly—and quite personally in the case of Eucken and Röpke.[163] According to Foucault, Nazism functions for the neoliberals as an "economic-political invariant" that "possesses its own logic and internal necessity." (Ibid., 111) This enables neoliberalism to *polarize* the political field of discourse and position themselves as the only acceptable alternative to economic interventionism; for the neoliberals say that the latter always leads to Nazism. All other adversaries—including Keynesianism—are but variants of this one invariable adversary. Equally important, however, is how the ordoliberals use the Nazi invariant to locate the Weberian of irrationality in *society*. For the logic of Nazism connects three elements: (1) an economic invariant in which protectionism, state aid, planning and Keynesianism all mutually lead to and reinforce one another, even if they are apparently discontinuous; (2) a political, totalitarian invariant which, as a necessary consequence of economic interventionism, consists of the growth of the state into a party-state that uses the state apparatus as an instrument to dominate the social body; and finally, (3) an inversion of the critique of mass capitalist society in which the constant dissolution of society and traditional communities, the standardization of consumption, and the production of mass spectacles are all effects or signs of state interventions (not the movement of capital). (Ibid., 109-15)

Within neoliberalism generally (and ordoliberalism in particular), the invariable anti-liberal threat in the irrationality of society is the target of what Foucault calls the "*inflationary*" critique of the state. This is one of the few areas in *The Birth of Biopolitics* where Foucault's critique of neoliberalism is plainly self-evident. The neoliberal critique of the state is a *necessary* part of its discourse because it is the condition under which neoliberalism's self-identification is possible. That is, in order to determine what it *is* for itself, neoliberalism first determines its principal threat, or enemy, and then inflates it to the point where it has subsumed all other political and economic alternatives. Foucault critiques neoliberal "inflationism" for (1) failing to account for the historical specificity of the state by accepting an essential continuity between all not-strictly-liberal state forms, (2) practicing a critique of "general disqualification by the worst" to disqualify other political discourses through fear-mongering, and (3) maintaining a "great fantasy of the paranoiac and devouring state" instead of political actuality and (4) failing make its critique of the state recursive, or as Foucault plainly states, "it does not carry out a criticism or analysis of itself." (Ibid., 188) As a discursive strategy, constructing an anti-liberal invariant makes it possible to implicate neoliberalism's liberal rivals (for instance, Keynesianism) and

[163] Röpke was forced into exile and two of Eucken's friends connected with the 20 July Plot were arrested and executed.

non-liberal enemies (for instance, socialism) in homogenous economic and political phenomena—and thereby denounce them. As a discursive constitution of its object, this invariant makes it possible to locate the irrationality of capitalism in the relation between society and the state, which calls for the imposition of an economically rational form on society.

Following the War, with the reconstruction of Western Germany, the ordoliberals seized the chance to counter Nazism, attack the Allied Control Council's interventionism of price and production controls, and establish the fledgling German state on market principles. While all of the ordoliberals were influential in framing post-War economic policy for Germany, Walter Eucken and Wilhelm Röpke stand out for having served as advisors to Ludwig Erhard. Erhard was the Director of Economics for the Bizonal Economic Council in 1947 and became Western Germany's Minister of Economics in 1949.[164] Under Röpke's advice on fighting post-war inflation, Erhard abolished the Council's initial policies of price fixing and controls on production. However, Foucault's account gives special importance to a statement from a speech by Erhard upon becoming economic director of the Bizone Council. The statement runs, "We must free the economy from state controls…[O]nly a state that establishes both the freedom and responsibility of its citizens can legitimately speak in the name of the people." (Ibid., 81) This statement simultaneously calls for the liberalization of the German economy and the foundation of the state on the principles of the market. For what the statement does is it converts the population's exercise of freedom in the West-German market into its tacit consent to the state, whose sole purpose is to secure the conditions of the market. Foucault points out that by giving citizens "freedom to act" in the market, the new German state "produces permanent consensus as a surplus product." (Ibid., 85) By playing the market game, making competition function, and generating economic growth, the players in the market give *de facto* legitimacy and representative power to the state. Foucault characterizes this production of consent as a *circuit*: "the production of well-being by economic growth will produce a circuit going from the economic institution to the population's overall adherence to its regime and system." (Ibid., 85) And since ordoliberalism frames itself as inherently anti-totalitarian, this allows Germany to appear to sever itself from its Nazi past and claim repentance for its crimes during the Second World War.

Ordoliberalism presents *the first circuit* by which the market apparatus naturalizes an artificially instituted set of power relations. It is *the circuit of surplus tacit consent*: by founding the state on economic freedom, it converts the economic activity of meeting needs into the exercise of liberty and, in turn, it converts this exercise of liberty into consent to the state. Foucault concludes that this circuitous consent in effect legitimizes the state on the basis of the market, as it guarantees "a permanent genesis…of the state from the economic institution." (Ibid., 84) That is, ordoliberalism codifies any act that realizes the price mechanism of supply and demand in advance as consent to the state's governance. Hence, the state's legitimacy is contingent upon its ability to not only secure the functioning of the market, but also ensure the economic rationalization of society. Historically, the ordoliberal effort to found the state on the market will serve as the prelude to all further neoliberal statecraft in times of crisis wherein crisis itself serves as the opportunity for circumventing all traditional methods for constituting the state.

Yet what makes it possible for surplus consent to found the ordoliberal state upon the market? In Foucault's reading, it has to do with the artificiality of the competitive market in ordoliberalism. The ordoliberals break with the *laissez-faire* of classical liberal theory, since they

[164] He joined the Mont Pérelin Society a year later. The Bizone Council was the governing body responsible for the administration of the Anglo-American Zone, or the British and American controlled Western half of Germany.

reject what Foucault calls the "naïve naturalism" of classical liberalism, namely, the notion that the market is a *natural*, empirically given reality that the state must accept as its external limit. (Ibid., 120) Foucault's claim regarding the ordoliberal break with naïve naturalism is twofold: first, ordoliberalism proceeds from a phenomenological critique of the natural attitude toward the economy and, second, it maintains that the competitive market cannot arise naturally via *laissez faire*, but must be produced by the government.

First, Foucault draws attention to the fact the two ordoliberals behind this break, namely, Walter Eucken and Franz Böhm, were students of Husserl. Eucken led the ordoliberals by applying a Husserlian method of eidetic variation to economics. Economics, he thought, must begin by suspending the economist's natural attitude toward goods and activities that reduces them to pre-given facts and uncritically inherited concepts.[165] (Ibid., 103) Starting with the facts of economic life—whether they pertain to a household or a historically existing economy—the economist must then perform what Eucken calls "isolating abstraction." (Eucken 1992, 107) Unlike "generalizing abstraction," which reduces many phenomena to their commonalities, isolating abstraction takes an individual phenomenon and identifies its *eidos*—or ideal form—with its "distinguishing or significant characteristics." (Ibid.) It is important to point out that this phenomenological requirement already makes *laissez faire* impossible, since, as Foucault says, it means that the essence of the market is "not a natural given." (*BB*, 120)

After studying a variety of historically existing economies of varying scales, Eucken maintains that the economist will find two recurring characteristic activities: planning and exchange. Every historically existing economy involves some combination of the two. (Ibid., 109) However, Eucken demands to know what the market economy is purely *in its essence*. A market economy is one in which exchange mediates between supply and demand. And in these, Eucken writes, "Supply and demand are 'open' if every individual or group, has access to the market as supplier or demander, and if each individual can supply or demand whatever quantity he thinks fit." (Eucken 1992, 184) Economies that emphasize planning tend to limit this openness, which leads Eucken to view competition as the underlying essence of the market. Competition is the essence of exchange because it is the only condition under which the price mechanism *exclusively* governs the plans of economic agents. As Eucken maintains, "What is decisive under competition is not the actual reactions resulting from an individual's conduct…but just the fact that, owing to the considerable size of the market and the negligible size of his supply or demand, the individual *does not reckon* with any such reaction in his economic plan; but takes the price as a planning datum and acts accordingly." (Ibid., 139-40) Put simply, to compete is to conduct oneself in accordance with price signals. As Foucault states, summing up Eucken, "Competition is an essence. Competition is an *eidos*…It is, as it were, a formal game between inequalities; it is not a natural game between individuals and behaviors." (*BB*, 120) Therefore, the methodological shift away from naturalistic empiricism is accompanied by another characteristic neoliberal shift: it replaces the *equality of exchange* values as the basic

[165] In the Introduction to *The Foundations of Economics*, Eucken critiques the formalist tendency of neoclassical economists, stating, "Because the 'essences' of things are studied before the things themselves, the first result is merely vacuous verbiage, while the things themselves and their problems pass unnoticed." (Eucken 1992, 54) To discover the essence of economic things, Eucken states that one must begin from the objects of everyday life, identifies the economic unit of analysis (anything from a given household to an economy), and then proceeds to phenomenological abstraction: "The individual features of an individual phenomenon…are extracted and ideal types built up out of them. This is in sharp contrast to 'generalizing' abstraction, which seeks to fasten onto what is common to *many* phenomena. The method of "isolating" abstraction, or of abstraction of the distinguishing or significant characteristics starts from the individual fact." (Ibid., 107)

theme of political economy with that of the *inequality of competition* between enterprises.[166]

Ordoliberalism's second break with "naïve naturalism" follows from the first and has to do with the way the ordoliberals propose to make the competitive essence of the market actually appear as a historical reality. Since Eucken maintains that all historical economies have involved some combination of planning and exchange, the competitive essence of the market cannot appear as such in its purity by being left to the spontaneous trade of economic agents. "Competition," says Foucault, "is…an historical objective of governmental art and not a natural given that must be respected…pure competition, which is the essence of the market, *can only appear if it is produced*, and if it is produced by an active governmentality."[167] (Ibid., 120-1) Therefore, the competitive market as ordoliberals conceive it is a "denaturalized" essence that forms the political-economic ideal of ordoliberal governmentality.

This is already apparent in Erhard's claim that governmental legitimacy rests upon its ability to install and secure market conditions. Yet in order to produce the market, the ordoliberals propose two conditions. First, the state must govern society so as to cancel out its aforementioned irrationality. If competition is the essence of the market and the norm of a rational economy, then social demands that reduce competition (say, for safety-nets, full employment, and socialized consumption) appear to be economically irrational inasmuch as they plan supply and demand and thus inhibit the price mechanism. The irrational tendency of society to demand economic planning from the state must be managed at its source. This is the task of what Müller-Armack (Erhard's Secretary of State) calls *Gesellschaftspolitik*, or a policy of society. *Gesellschaftspolitik* was the basis of Germany's "social market economy" after the War—a phrase that Müller-Armack also coined—which subsequently became famous for its miraculous recovery from the War. (Ibid., 146; 144) The second condition is that the state must *institute* and *oversee* the market according to a juridical framework that serves to maximize competition. (Ibid., 166) The ordoliberals call this an *Ordnungspolitik*, or the politics of order. (Dardot and Laval 2013, 83) Below, I will primarily focus on the ordoliberal policy of society.

Continuing from their phenomenological underpinnings, *Gesellschaftspolitik* distinguishes the ordoliberals in that not only do they share neoliberalism's general tendency to intensify competition by reducing social welfare measures to a minimum, but they pursue a

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[166] Classical political economy holds that competition ensures the functioning of the *price mechanism* as a means of measuring value and governing choices. (*BB*, 119-20) Foucault points out that this is what constituted the market as a site of *veridiction*, as its functioning was thought to ensure the *true value* of things to appear in the form of prices. (Ibid., 32) In *The Hermeneutics of the Subject*, Foucault states that the question of his work had become "How is the relationship between truth-telling (veridiction) and the practice of the subject established, fixed, and defined? Or More generally, how are truth-telling and governing (governing oneself and others) linked and connected to one another?" (*HS*, 229) This theme already finds its place in *The Birth of* Biopolitics, where Foucault uses the term veridiction to refer to the production of true discourse. More broadly, it refers to apparatuses for producing a true discourse on the basis of previously established rules for separating the true and the false: the "[The] political critique of knowledge […] consists in determining under what conditions and with what effects a veridiction is exercised, that is to say, a type of formulation falling under particular rules of verification and falsification." (*BB*, 36) This is not the same usage that one finds when he goes to link it to subjectivation as truth-telling, whether in pastoral practices of confession or in *parrhēsia*. Nevertheless, what the concept of governmentality introduces into Foucault's thought is a way of showing how veridicition in the sense of true discourse extends into practices of subjectivation. Heading in the direction of subjectivation and *parrhēsia*, in 1980 Foucault states that government is "where the technologies of domination of individuals over one another have recourse to processes by which the individual acts upon himself" and where "the techniques of self are integrated into structures of coercion or domination." (Foucault 1993, 203) I pursue this chiasm of power and subjectivation in governmentality with respect to neoliberalism below in Section 6.1.

[167] My emphasis.

positive series of state interventions *on society*.[168] As Foucault observes, ordoliberalism evinces a defining trait of governmentality, namely, that the role of the state is not to act on individuals directly, but on their milieu, or their environment. (*BB*, 160) In order to incite the population to exercise economic freedom and internalize economic rationality, the state must first govern what Müller-Armack terms "'*die soziale Umwelt*': the social environment." (Ibid., 146) And once a population is conducted into market competition, Foucault states that competition will produce "a general regulation of society" as participants act in the manner of enterprises.[169] (Ibid., 145)

Following the World War II, ordoliberalism faced three varieties of what it took to be the same anti-liberal invariant, namely, Keynesianism, socialism, and Nazism. To combat them, ordoliberalism proposed a series of *negative* short-term aims for *Gesellschaftspolitik* that are also characteristic of neoliberalism more generally. Foucault enumerates these as (1) the privatization of social policy, including all forms of socialized consumption and insurance against risk; (2) obtaining a balance of payments, or avoiding budgetary deficits (instead of prioritizing social spending); (3) ensuring price stabilization, or warding off the tendency to inflation (instead of seeking full employment, work-day limits, and minimum wage laws); and finally, (4) eliminating the monopolistic dangers created by the state, which may be due to preferential treatment towards certain enterprises, laws that allow for the undue accumulation of capital, and the inherently anti-competitive effects of strict borders around national economies. (Ibid., 135; 142-5)

As Foucault shows, the policy of society is not merely negative in its governance of society; it also involves definite *positive* measures, which are exemplified by Alexander Rüstow's concept of *Vitalpolitik*. (Ibid., 146) *Vitalpolitik* significantly distinguishes ordoliberalism from its Austrian and American counterparts, as it involves extensive social planning by the state. Adding to Foucault's account, Dardot and Laval underscore how the main objective of these measures was to combat the proletarianizing and "uprooting" effects of industrial capitalism that strip workers of private property and lead them to demand welfare from the state. (Dardot and Laval 2013, 98) It is a matter of integrating them into civil society by turning them into property owners with policies that encourage home ownership, small family farms, artisanal forms of labor, and small businesses. Further measures include city planning that decentralizes the urban concentration of industry so as to favor development according to the model of regional neighborhoods and towns and greater integration between rural and urban zones. Summing up Röpke, Dardot and Laval underscore how ordoliberal social interventionism is a *moral* enterprise: "By becoming property owners and family farmers, individuals will rediscover the virtues of prudence, seriousness, and responsibility that are so indispensable to the market economy." (Ibid.) Ordoliberalism not only proposes to throw society into competition, but to give it an economic order that selects for the forms of life needed by the market, as opposed to the market fulfilling this function entirely on its own (which will characterize the vision of Hayek and the Chicago School).[170]

Ordoliberalism's social interventionism in the form of *Gesellschaftspolitik* (Müller-Armack) and *Vitalpolitik* (Rüstow) is its way of solving what Foucault takes to be *the general*

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[168] With Hayek, Mises, and the Chicago School on the contrary, it is solely a matter of negative measures that reduce the state and allow the market to govern society on its own.

[169] Foucault emphasizes this point repeatedly in *The Birth of Biopolitics*; in another instance, he states, "the economic game…is a…general regulator of society that…everyone has to accept and abide by." (*BB*, 143)

[170] Dardot and Laval go on to say, "According to [Röpke], people are only free if they are property-owners, members of a familial, entrepreneurial, and local natural community, able to count on local solidarity (family, friends, colleagues), and possessed of the energy to face general competition. (Dardot and Laval 2013, 98-9)

problem of neoliberalism at the level of the *politics of truth*, which, to recall, is that of modelling power relations on the market. Every variant of neoliberalism accomplishes this by governing the environment in which individuals conduct themselves such that they are subjected to economic rationality and constitute themselves in an entrepreneurial form of life. Foucault argues that the ordoliberals arrive at this by governing the social conditions of economic conduct: "[I]t is…a matter of constructing…a social fabric in which precisely the basic units would have the form of the enterprise…this multiplication of the 'enterprise' form within the social body is what is at stake in neoliberal policy."[171] (Ibid., 148)

This makes up the *second circuit* involved in the unnatural naturalization of the market: the *circuit of economic rationalization*: thrown into competition, the population is compelled to exercise liberty, maximize competitive advantage through economic rationality, and thus become individualized into enterprises. That is to say, ordoliberalism subjects society to the *governmental effects* of market competition by turning its members into entrepreneurs (suppliers) and consumers (demanders). Hence, the competitive essence of the market is also the norm of the economic rationality of its subjects, that is, the circuit of economic rationalization is a circuit of competitive normalization. As such, the entrepreneurial effects of economic rationalization help to transform society into a domain of competition. As I will explain later, in their own ways, the Austrians and the Americans arrive at this result through *laissez faire*, such that competition proves itself to be the dominant norm of neoliberalism in general.

The *third circuit* of neoliberalism is *the circuit of the economization of the state*, which I have already touched on above. This is already established by the fact that, as Foucault points out, the neoliberal state is entirely founded on the market economy:

> "[The market is the] organizing and regulating principle of the state, from the start of its existence up to the last form of its interventions. In other words: a state under the supervision of the market rather than a market supervised by the state." (Ibid., 116)

The *raison d'être* of market competition has nothing to do with its naturalness, but with its utility function of promoting economic growth; consequently, the ordoliberal state has an exclusively economic rationality that posits growth as the general interest and competition (the openness of supply and demand) as its cause. What measures the political performance of the ordoliberal state is the same criterion as every other economic agent, namely, competitiveness. The better the state is at governing society through competition and subjecting its members to entrepreneurial life, the better the market will perform, and the more legitimate the state will be. Therefore, *the truth of state activity*—the extent to which it ensures the price mechanism—*appears in the market in the form of economic growth*. The market is not just a site of veridiction for the prices of things and subjects; it is also a site of veridiction for neoliberal governmentality itself.[172]

Extrapolating from Foucault's reading, ordoliberalism effectuates a reversal of the classical, critical function of the market as a *transcendent limit* of the state. Here, *the entire relation between society and the state becomes immanent to the market*. Thus, the economization of the state is also its depoliticization and desocialization because it denies traditional principles such as popular sovereignty or social justice from the start. Dardot and Laval point out how

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[171] Lemke states that neoliberalism seeks "to generate a model for social relations *per se* from the economic mechanisms of…competition." (Lemke 2001, 195-6)

[172] This is why, in writing on the crisis of 2008, Dardot and Laval are right to claim that it was *a crisis of governmentality*—and not simply a housing crisis or a financial crisis—affecting everything from the value of the market to the legitimacy of government and its political-economic assumptions. (Dardot and Laval 2013, 11-2)

indexing state legitimacy to economic growth replaces the political subject of the citizen with the "citizen-consumer," who in turn reinforces the replacement of "the shared symbolic principles that hitherto underlay citizenship" with "[m]anagement categories" and the measurement of state action in terms of efficiency and productivity.[173] (Dardot and Laval 2013, 303) The economization of the state feeds back into normalizing competition, as the state intensifies entrepreneurialization in its abandonment of political or social principles. This is what Lemke calls "the neoliberal agenda for the 'withdrawal of the state'…as a technique for government," which he claims is not a reduction of state control, but a change in its mode by "shifting the regulatory competence of the state onto 'responsible' and 'rational' individuals." (Lemke 2001, 201-2) Neoliberalism tiptoes around the contradiction between governing individuals on the one hand and refusing any responsibility for them. For by subjecting the state and society to economic rationality, neoliberalism throws individuals into a competitive game that both conducts their conduct and requires them to assume responsibility for their own risk. Lemke states, "Neo-liberalism is a political rationality that tries to render the social domain economic and to link a reduction in (welfare) state services and security systems to the increasing call for 'personal responsibility' and 'self-care'." (Ibid., 203) I will have the opportunity to return to the economization of the state in the context of American neoliberalism in the following chapter.

Finally, it bears mentioning that neoliberals envision the state within a strategy of permanent crisis governance. Crisis is not the exception to the normal functioning of neoliberal governance; crisis is the rule of neoliberal governmentality. Within the framework of neoliberal thinkers (it does not matter which), economic downturns and crises do not definitively delegitimize the state as the guarantor of economic liberty. Instead, such aleatory threats summon the state as a guarantor of market security. This makes possible the awkward situation in which the state's inability to ensure the performance of the market simultaneously delegitimizes the state and makes its governance all the more necessary. Moreover, it makes possible a governmentality that draws upon crises as its perpetual historical support. For if the neoliberal state can found itself on the market in times of crisis by codifying any act of exchange as an exercise of liberty, then neoliberalism diverges from classical liberalism by *productively using crises* as a fundamental means of its governance. As Friedman said, "Only a crisis—actual or perceived—produces real change."[174] (Friedman 1982, ix) Here we can see how neoliberal crisis governance ensures *the continued operation of its strategy even when it breaks down in its ideal functioning*.

Before moving on to Hayek, who serves as a sort of historical link between the ordoliberals and the Americans of the Chicago School of Economics, I would like to review the ground covered so far. Up to this point, I have considered the paradoxical character of the historical production of the ordoliberal market to consist of the unnatural naturalization of its form of governmentality. This is due to three circuits through which ordoliberal governmentality produces the market-reality: the circuit of surplus tacit consent that uses the market to legitimate the state, the circuit of economic rationalization whereby the production of the market produces economically rationalized subjects (whose conduct now reinforces state legitimacy), and the

[173] Trent Hamann also notes, "The role of government is defined by its obligations to foster competition through the installation of market-based mechanisms for constraining and conditioning the actions of individuals, institutions, and the population as a whole." (Hamann 2009, 41-2)

[174] The rest of the quote, which is just as important, reads, "When that crisis occurs, the actions that are taken depend on the ideas that are lying around. That, I believe, is our basic function: to develop alternatives to existing policies, to keep them alive and available until the politically impossible becomes politically inevitable." (Ibid.)

circuit of the economization of the state (whereby market citizens become consumers of state performance). At this point, I would like to show how the second and third circuits I have just listed operate in the work of Friedrich Hayek.

5.5 The Paradox of Unnatural Naturalization II: The Rule of Law and Market Subjection in Hayek

In beginning my discussion of ordoliberalism, I stated that all neoliberals depart from classical liberalism by conceiving of the market as lacking any basis in "nature," however they disagree on the utility of *laissez faire* for making the market a historical reality. This split largely originates with *Hayek*, as most American neoliberal uses of *laissez faire* are indebted to his concept of *the rule of law*. The rule of law also founds the state on the market, normalizes subjects into thinking of themselves as competitive players, and pegs the state's rationality to its economic performance—thus arriving at many of the same positions as the ordoliberals, though by different means. That is, Hayek's concept of the rule of law and *laissez-faire* reveals a different path toward the economization of the state and economic subjection to market competition. He thus sheds a peculiar light on the neoliberal paradox of unnatural naturalization, particularly with his treatment of the *price mechanism* as a means of rationalizing human behavior.[175] Hayek is the most illuminating neoliberal theorist of the price mechanism because one of his guiding questions was how to understand the spontaneous, self-organizing character of societies. This led him to argue that, more than any other form of social organization, the price mechanism enables market societies to conform to the spontaneous, self-organizing character of human social life. This also why he believed that such societies are freer.

Hayek's understanding of the economic rationalization of the state stems from his concept of the rule of law. According to Foucault, what is essential to the rule of law as the principle of *laissez-faire* is that the state's primary role is to decide on the *form* of the game. In fact, it is Friedman who, following Hayek, provides the most concise formulation of the rule of law in *Capitalism and Freedom*: "government is essential both as a forum for determining the 'rules of the game' and as an umpire to interpret and enforce the rules decided on." (Friedman 1982, 15) That is, the government is both "Rule-Maker and Umpire." (Ibid., 25) The rule of law reduces the mode of state action to the *institution* and *arbitration* of the market as an economic game. Foucault sums this up, stating: "the state can make legal interventions in the economic order only if these legal interventions take the form of the introduction of formal principles." (*BB*, 171) Were state legislation to determine the economic *content* of society, that is, to plan the outcome of the economic game, the state would in effect make choices for market players about the *ends* of their own activity. While Hayek objects to this on the political grounds that it would reduce the amount of freedom within the game, ultimately, his objections are epistemological. For the state can only make economic plans on the false epistemological assumption of being what Foucault calls the market-game's "universal subject of knowledge."[176] (Ibid., 172) This

[175] It bears repeating that these circuits are not to be found in Foucault's lectures, but they are my way of organizing his basic insights into neoliberalism.

[176] Hayek, in "The Use of Knowledge in Society," writes, "The peculiar character of the problem of a rational economic order is determined precisely by the fact that the knowledge of the circumstances of which we must make use never exists in concentrated or integrated form but solely as the dispersed bits of incomplete and frequently contradictory knowledge which all the separate individuals possess. The economic problem of society is thus not merely a problem of how to allocate 'given' resources—if 'given' is taken to mean given to a single mind which deliberately solves the problem set by these 'data.' It is rather a problem of how to secure the best use of resources known to any of the members of society, for ends whose relative importance only these individuals know. Or, to put

restriction of the state to what it can legitimately know simultaneously constitutes the rule of law as a *free* juridical system. Freedom, then, appears within the division between the rational and the irrational as a correlation between the self-limitation of state ends-making and the practice of economic rationality.[177] Restricting economic legislation to formal principles leaves the choice of economic ends to the decentralized knowledge of market players; and it is the price mechanism that makes possible the spontaneous self-organization of the market out of said knowledge.

As Foucault states, for the neoliberals, "The history of capitalism can only be an economic-institutional history." (Ibid., 164) For both ordoliberalism and Hayek, the market has juridico-political conditions for its existence. The difference between the two is that one allows the state to plan the *social* conditions of the market, while the other does not (neither allow the state to determine the economic ends of market agents). Lemke writes that this entails an "institutionalist" image of capitalism.[178] This means that market capitalism is in every instance the result of the rule of law as overseen by a governing authority whose task is to modify the juridical conditions of the market as its historical conditions require. (Lemke 2001, 195) Juridical modifications to the market are only to be made in response to historically novel market events, such as technological innovations and economic crises.[179] Therefore, *as rule-maker*, government functions technocratically to adapt the market to its own aleatory phenomena. Whether it is governed by the rule of law or the policy of society, the historical existence of the capitalist market is thus both the principle *and effect* of its own regulation, since it will have to adapt to the

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it briefly, it is a problem of the utilization of knowledge which is not given to anyone in its totality." (Hayek 1958a, 77-8)

[177] Hayek states regarding the rule of law and individual freedom, "The conception of freedom under the law…rests on the contention that when we obey laws, in the sense of abstract rules laid down irrespective of their application to us, we are not subject to another man's will and are therefore free." (Hayek 1960, 153)

[178] Foucault's statement above means that, for neoliberalism, the juridico-political conditions of the market prevent capitalism from being understood along the historical-materialist lines of a mode of production. Against economist interpretations of Marx, neoliberals refuse the notion that the essence of capitalism historically appears according to a necessary logic driven by the forces of production. Hence, they would reject the idea that the economic base of society "generates the juridico-political order it requires at each stage of its development," as Dardot and Laval put it. (Dardot and Laval 2013, 10) And, as Lemke writes, "Foucault emphasizes three important strategic functions of this anti-naturalism: (1) It initially means in *theoretical terms* that the strict separation between an economic base and a political-legal superstructure is inappropriate…[194] [T]he economy is not a domain of natural mechanism, but instead defines a social field of regulated practices. (2) The *historical* significance of this hypothesis is that it rejects a concept of history that attempts to derive socio-political changes from the economic transformation processes of capitalism. For the *Ordo*-liberals, the history of capitalism is an economic-institutional history…(3) The *political* dimension of this hypothesis addresses the survival of capitalism…What is called…historical capitalism cannot be derived from a 'logic of capital'…a firmly circumscribed and defined structure (*capitalism*, which possesses an end we can forecast owing to its contradictory logic) but instead…is historically singular…capitalism is a construct:…we must be able to intervene in this ensemble in such a way that…we both change capitalism and 'invent'…a new capitalism." (Lemke 2001, 193-4)

[179] Foucault quotes from Louis Rougier on the theme of traffic and the use of traffic codes in neoliberal political economy to talk about the rule of law: it does not allow for disorderly chaos ("anarcho-capitalism"), nor does it dictate where to go and when ("planning"), but it "[imposes] a *Highway Code*, while accepting that at a time of faster means of transport this code will not necessarily be the same as in the time of stagecoaches." (*BB*, 162) While this quote is from Rougier, other neoliberals quickly adopted it, such as Hayek in his popular *The Road to Serfdom*. There he uses it to specify the rule of law: "The distinction we have just used between formal law or justice and substantive rules is very important and at the same time most difficult to draw precisely in practice. Yet the general principle involved is simple enough. The difference between the two kinds of rules is the same as that between laying down a Rule of the Road, as in the Highway Code, and ordering people where to go; or, better still, between providing signposts and commanding people which road to take." (Hayek 1944, 77-8)

effects of the politico-juridical conditions that constitute it.[180] (*BB*, 174)

Now I would like to deal with the final circuit of unnatural naturalization, which is *the circuit of semiotic subjection to the price mechanism*. Here I will stray from Foucault a bit and rely on my own reading of Hayek. However, I believe that this is important because without treating the role of the price mechanism, it is impossible to have a complete grasp on how the market can produce economic subjects who have internalized economic rationality. Certainly, the circuit of normalizing competition makes up part of the story, however, in Hayek one sees the other half of economic normalization. For if the state is barred from economic planning because of its epistemological inadequacy, the question remains of how it can leave economic planning to economic subjects themselves.

The theme of epistemic finitude in the market goes back to classical liberalism. As Foucault discusses in the penultimate lecture of *The Birth of Biopolitics*, Adam Smith may not have intended the invisible hand to be the definitive metaphor for the market, but its regular appearance in economics is no doubt due to its effectiveness in defining the market economy in its independence from another organ of power, namely, the knowing eye of the sovereign. (Ibid., 278) What prevents the eye of sovereign power from acquiring a total knowledge of the economic field is its blindness to individual interests. While the sovereign eye can recognize subjects of right because they renounce certain natural rights before it, the only ones who know the interests of economic subjects are these subjects themselves and their partners in exchange. On Foucault's reading, the function of the *exchange* mechanism is to effectuate an involuntary, unplanned convergence of many particular interests into a single general interest: exchange converts the self-interest of each individual into the common interest of all. This conversion is the unseen and unknowing work of the invisible hand. Hence, Foucault draws the following opposition: the visibility of political rights to the knowing eye of the sovereign versus the invisibility of economic interests in the unknowing hand of the market. (Ibid., 274-8) Finally, as Foucault notes that the classical liberal conception of the market functions as a site of veridiction, since supply and demand allows for the appearance of the true prices of things.[181] Or, continuing with the prosopopoeia of the market, one might say that classical liberalism links the invisible hand to an invisible mouth.

Foucault never relates his discussion of the invisible hand and the sovereign eye to neoliberalism. And it appears that he missed a great opportunity to talk about the specificity of the price mechanism in neglecting to do so. For Hayek's take on *laissez faire* centers itself on the price mechanism as a mechanism of *veridiction*. And this in turn is because he took the classical liberal insistence on the excess of the market over any possible subject of knowledge *as a*

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[180] The other side of the rule of law is that the state's role in the economy is intensely judicial. By intensifying competition, one also increases the probability of disputes and litigation, which increases demand for judicial arbitration by the state: "justice tends to become, and must become, an omnipresent public service." (*BB*, 176) Here too one sees something akin to the function of market participation as tacit consent to state power, for the spontaneous order that emerges in the market will not be without its excessive frictions. In other words, the entrepreneurial subjectivity generated by the market also functions as a mechanism for generating a positive demand for the state as a judicial service: "It is a matter of making market, competition, and so the enterprise, into what could be called the formative power of society." (Ibid., 148)

[181] Campbell Jones' recent book, *Can the Market Speak?*, takes up this image of the market as a subject of enunciation in order to develop the contradiction in economic liberalism between economic rationality and metaphysical superstition. (Jones 2013, 2-3) Related to this, Foucault notes the usual reading of the invisible hand as a hold-over of theistic natural order. He links Smith to Malebranche on this point: "Smith's invisible hand would be something like Malebranche's God, whose intelligible extension would not be occupied by lines, surfaces, and bodies, but by merchants, markets, ships, carriages, and roads." (*BB*, 279)

problem: how is the spontaneous self-organization of the market possible in the absence of a universal subject of economic knowledge?

Hayek diverges from the ordoliberals in that the market is not artificial (a product of human design); but he also diverges from the naturalism of classical liberalism. Instead, he views it as a product of human *action*—and one that its users do not have to understand in order for it to function.[182] Following Michael Polanyi, Hayek calls the market a "spontaneous order," or a "polycentric order." (Hayek 1960, 160) It is spontaneous because it is the result of individuals carrying out their own plans and interacting with one another without any pre-designed purpose. Its orderliness derives from the fact that its constituents obey rules and give rise to stable relations (namely, the price mechanism), which in turn coordinate interactions and make individuals predictable.[183] (Hayek 1982a, 43) Hayek's approach here is evolutionary: while the rule of law is a product of human deliberation, the rules that become codified in law are initially discovered by an *unintentional* process of selection: "a process in which practices which had first been adopted for other reasons, or even purely accidentally, were preserved because they enabled the group in which they had arisen to prevail over others."[184] (Ibid., 9)

In "The Use of Knowledge in Society," Hayek states: "The economic problem of society is…how to secure the best use of resources known to any of the members of society, for ends whose relative importance only these individuals know…it is a problem of the utilization of knowledge which is not given to anyone in its totality."[185] (Hayek 1958a, 77-8) For Hayek, the

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[182] While spontaneous order can be found in nature, the specificity of society consists in this order being the result of human action: "It would be no exaggeration to say that social theory begins with-and has an object only because of-the discovery that there exist orderly structures which are the product of the action of many men but are not the result of human design." (Hayek 1982a, 37) Moreover, Hayek draws a distinction between social and biological wholes "are not given to us as natural units…but are recognizable only by a process of mental reconstruction." (Hayek 1955, 82) And while the teleological activity of working to preserve the whole may be found in the biological relations between organs and their organism, such teleology would be an unnecessary and false reconstruction of the relation between individuals and society: "We find again and again that *if* it were somebody's deliberate aim to preserve the structure of those wholes, and *if* he had the knowledge and power to do so, he would have to do it by causing precisely those movements which in fact are taking place without any such conscious direction." (Ibid., 82) And on this basis, he withdraws the spontaneous order of the market from the domain of natural phenomena and places it within the same category as that of human knowledge, namely, the category of *products of human action*, as opposed to products of human design: "There is nothing more mysterious in the fact that, e.g., money or the price system enable man to achieve things which he desires, although they were not designed for that purpose, and hardly could have been consciously designed before that growth of civilization which they made possible, than that, unless man had stumbled upon these devices, he would not have achieved the powers he has gained." (Ibid., 82-3) Compare with his characterization of the individual's relation to human knowledge: "Though our civilization is the result of accumulation of individual knowledge, it is not by the explicit or conscious compilation of all this knowledge in any individual brain, but by its embodiment in symbols which we use without understanding them, in habits, and institutions, tools and concepts, that man in society is constantly able to profit from a body of knowledge neither he nor any other man completely possesses. Many of the greatest things man has achieved are not the result of consciously directed thought, and still less the product of a deliberately coordinated effort of many individuals, but of a process in which the individual plays a part which he can never fully understand." (Ibid., 84)

[183] This predictability is a result of subjections whose genealogy is the task of the politics of truth. Hayek provides the following definition of order: "By 'order' we shall throughout describe a state of affairs in which a multiplicity of elements of various kinds are so related to each other that we may learn from our acquaintance with some spatial or temporal part of the whole to form correct expectations concerning the rest, or at least expectations which have a good chance of proving correct." (Hayek 1982a, 36)

[184] Yet this is not to be equated with the social Darwinism of Herbert Spencer, since the units of selection are institutions and practices, not individuals or groups. (Hayek 1982a, 23)

[185] Herbert Simon was the first to call this "bounded rationality," or the *finitude of relevant knowledge in the conduct*

virtue of the market is that it affirms two things: (1) more relevant knowledge is available to all of the agents in the market collectively than can be had by a single person and (2) competition functions to "decentralize planning by many separate persons" as opposed to centralizing planning by a subject with inadequate information. (Ibid., 79) Consequently—and this is crucial—*the market is not based on human need, but the finitude of human knowledge*. As with any neoliberal, Hayek maintains that the competitive market can satisfy more human needs than any other economic system, but he is quick to add that *this is precisely because it does not begin from the problem of human finitude in the form of needs*.[186]

According the Hayek, the price mechanism is suited to the finitude of human knowledge because it makes the market a "wealth-creating game:"

> [In markets] the returns of the efforts of each player act as the signs which enable him to contribute to the satisfaction of needs of which he does not know, and to do so by taking advantage of conditions of which he also learns only indirectly through their being reflected in the prices of the factors of production which they use. (Hayek 1982b, 115)

Prices function like Nietzschean signs in that they impose both an interpretation of objects and an interpretation of one's own conduct and desire. In "The Meaning of Competition," Hayek concludes:

> Competition is essentially a process of the formation of opinion: by spreading information, it creates that unity and coherence of the economic system which we presuppose when we think of it as one market. It creates the views people have about what is best and cheapest, and it is because of it that people know at least as much about possibilities and opportunities as they in fact do." (Hayek 1958b, 106)

The price mechanism induces subjects to conceive of their desires as object-preferences and to economize expenditures to meet them.[187] The commonsense interpretation of the price mechanism proceeds by way of supply and demand: price-signals aggregate knowledge of the supply of and demand for their object, while also relaying information about other prices, including the cost of production and the prices of competing products. In general, then, one can say that the price-sign is an aggregate interpretation of the market conditions of its object. Yet one must draw this thought out to its conclusion: if the mechanism of prices aggregates knowledge and preferences, *then prices, qua aggregations, in turn function to conduct*

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of economic rationality.[185] Famously, bounded rationality poses an insurmountable obstacle to the neoclassical theory of "perfect competition" in which agents must be able to make rational choices on the basis of available data. This, along with other obstacles to perfect competition, is why Hayek states that the difference between perfect and imperfect competition is less important than the difference between imperfect competition and no competition at all. (Hayek 1958b, 105) Hayek provides this definition in order to avoid an anthropomorphic concept of order as resulting from technical design.

[186] This point will be key to recall in the Section 2 of the next chapter, which takes up the question of neoliberalism's anthropological status. For the American neoliberals of the Chicago School, anthropological finitude appears in the form of the finite supply of time that forms the most basic kind of human capital.

[187] I would argue that this is because the price mechanism induces economic rationality by splitting satisfaction or: the satisfaction of these preferences is double in that the condition of taking satisfaction in a preferred object is the surplus, or supplemental, satisfaction of acquiring the object at the least possible cost. Economic rationality is not just an empty "calculus," it is tied to pleasures, and hence libidinal.[187] (Hayek 1958a, 93) "Saving" and successful risk taking are experiences of winning, where pleasure in oneself translates into the investment of desire in the game. This takes on a magnified significance in the context of the theory of human capital, where the price mechanism assumes the function of governing *what one becomes,* that is, *what powers of action one acquires* through practices of self-investment by determining the value of human capital investment choices.

knowledge and preferences by subjecting them to economic rationality.[188] Prices conduct the conducts of market agents who necessarily lack complete knowledge of their economic conditions.[189]

Following Foucault, I discussed above how the exchange market converts private interest into public benefit by virtue of the invisible hand. Smith's image of the market is *organic*: it converts the self-interest of private individuals into a common interest through their *direct* exchanges with one another. It turns individuals into parts of a whole. Yet when neoclassical political-economy began replacing the theme of exchange with competition in the late 19th century, the concept of the market became *semiotic* and computational. This applies to Hayek's notion of the price mechanism as well, since price-signals function within feedback loops of circular causality as prices interpellate subjects to economic rationality. This image of the competitive market as a decentralized, spontaneous, and mechanistic order is *cybernetic* in the sense that Norman Weiner spoke of the term: it is a machine that functions simultaneously to control by means of communication and communicate by means of control.[190]

The paradoxical character of market competition now appears with sharper focus. Earlier, I defined the market as an *unnatural mechanism* (artificial in the case of the ordoliberals, social

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[188] A price is like a Leibnizian monad reflecting the entirety of the economic universe of decentralized knowledge: "There is hardly anything that happens anywhere in the world that *might* not have an effect on the decision [one] ought to make". (Hayek 1958a, 84) But instead of a transcendent God, the price mechanism must be understood as the immanent multiplicity of price-effects resulting from the interactions of economic agents. That is, the price mechanism is an instance of what Deleuze and Guattari call the *quasi-cause* when they speak of the fetishism of capital: it is an overall effect of social interaction that both appears as its "natural or divine presupposition" and really effectuates an "incorporeal transformation" of conducts in the market. (Deleuze and Guattari 1983, 10; 1987, 81) The price mechanism conducts populations into economic rationality (incorporeal transformation) and thereby comes to "objectively appear" and be perceived as a *natural* feature of economic life (its natural presupposition). The conduction of market conducts by prices points to a fundamental characteristic of the market as a semiotic machine, or a *regime of signs*: it is expressly pragmatic. In Chapter One, I described the Nietzschean concept of the sign, which does not communicate information so much as impose an interpretation of a phenomenon and interpret other signs (which are also interpretations). Signs for Nietzsche are pragmatic extensions of forces in the will to power as each force seeks to impose its interpretation on other forces. This is what Deleuze and Guattari call the "order-word" as the basic unit of language; order-words command an action as a precondition of any other type of linguistic functioning. Deleuze and Guattari: "[Order-words] do not flow from primary significations or result from information: an order always and already concerns prior orders, which is why ordering is redundancy." (Deleuze and Guattari 1987, 75)

[189] This is a second reason why state planning is impossible. For if there is no subject capable of planning ends for everyone in the market, then there is no one capable of planning to meet human needs as well: "If there is no accepted order of rank of the different needs, there is no way of deciding which among the different combinations of goods corresponding to this horizon is larger than any other." (Hayek 1982b, 119) This is why justice for Hayek can only be a quality of human conduct with respect to the rules of the game, not a quality of their results.

[190] "We have decided to call the entire field of control and communication theory, whether in the machine or in the animal, by the name Cybernetics, which we form from the Greek *kybernētēs* or steersman. In choosing this term, we wish to recognize that the first significant paper on feedback mechanisms is an article on governors, which was published by Clerk Maxwell in 1868, and that *governor* is derived from a Latin corruption of *kybernētēs*." (Wiener 1961, 11-2) In this sense, Hayek's take on the competitive market that conforms in certain respects to the "linguistic" *a priori* that replaces man since its primary characteristic is semiotic. Interestingly, both Hayek and Norman Weiner, the inventor of modern cybernetics, appeal to a Bergsonian concept of time in which time is irreversible and generative of novelty, as opposed to Newtonian time. For Wiener, this makes it possible to conceive of circular causality. In this light, Hayek's conception of the price mechanism is not mechanistic in the Newtonian sense defined by Franz Reuleaux. It does not convert force into work through the resistances of its internal parts. Instead, it is a machine in which the user is also a part that feeds the work or effects it produces (prices, adaptation to prices in the form of economic rationality) back into itself as causes of its own mechanism.

in that of Hayek) that produces a *naturalized subjection*. Market competition arises as an unnatural object of economics on the basis of either phenomenological reduction (ordoliberalism) or an economic analysis starting from the finitude of economic knowledge (Hayek). When market competition becomes a program, its unnaturalness means that its actuality will have the status of a political construction. For it will result from a state that institutes the rule of law (Hayek) or the policy of society (ordoliberalism).

How, then does the artificial construction of an unnatural idea become naturalized? As Foucault says, the general aim of neoliberalism is to model the power relations that condition subjective life on the market. As such, market competition appears to neoliberal subjects as a quasi-natural given. The first step is when the state interprets a population's use of the market as consent to the rule of the state as the guarantor of economic liberty. Neoliberal states may therefore emerge in any society that features widespread market practices. All that is required is the conversion of the factual existence of a market into the *de jure* consent to the state, thus allowing the state to forego any social contract. This has the added effect of normalizing the state's governance along the lines of the managerialism of the firm and assigning it to the role of ensuring the permanent existence of the market. As neoliberal governance reduces social and political relations in society to economic relations between competitive enterprises, individuals are normalized according to competitive conduct, which reinforces the market as the basis of social relations. And, finally, there is the price mechanism and its semiotic subjection. While competition names the economic-normative mode of neoliberal social existence, the price mechanism is the its veridictional core. The price mechanism communicates knowledge of the economic activities of others and of the value of one's own conduct, thus inducing cost-benefit rationality in market players and conducting their preferences. The value of all economic practice *objectively appears* in prices. Therefore, the price mechanism makes possible the self-conduct of the market through its own objective appearance to itself.

The unnatural naturalization of the market consists of obtaining consent of the governed to their governance and normalizing subjects to competitiveness, such that neoliberal governmentality *not only renders itself acceptable, it naturalizes itself by making anything else appear to be impossible*. Anything else would simply impose *unintelligible costs* and therefore be economically impossible. Despite the avowedly unnatural character of the market, it *naturalizes* the political-economic conditions of entrepreneurial subjectivity by making them appear as *necessary*, even if their particular configuration at any given moment in history is not. The formal rules of the game can change as the state adjusts the market to the latest urgency, but competition, the price mechanism, the neoliberal state, and entrepreneurial subjectivity are beyond question. This is the political function of Thatcher's famous statement about market capitalism, which she made repeatedly, namely, that "There is no alternative": the game of the market is not up for debate. It is unavoidable. How, then, to critique the naturalizing effects of neoliberal governmentality if their unnatural bases can be readily affirmed? What grounds does critique have here? This first paradox of neoliberalism is compounded by the second, the paradox of subjection by desubjection, which pertains directly to the self-conduct of the neoliberal subject.[191] For that, following Foucault, I will turn to the thinkers of the Chicago School on human capital.

[191] I would stress a difference in modality between normalization and naturalization, but Dardot and Laval cite a useful instance of this: "In a situation of an imposed market, one has to play. 'Publish or perish:' this maxim of researchers is only a translation of a maxim from another sector, 'sell or die'—'sell or die' on the labor market." In other words, the logic of the situation consists of naturalizing what is politically constructed, of making subjects end

Chapter 6: On the Critique of the Neoliberal Paradox of Subjection by Desubjection and the Remnants of Anthropology

[H]omo oeconomicus...*appears precisely as someone manageable, someone who responds systematically to systematic modifications artificially introduced into their environment.* Homo oeconomicus *is someone who is eminently governable*. (*BB*, 270-1)

6.0. Introduction

In the previous chapter, I showed how neoliberalism affirms its own artificiality, which presents a limit to any critique of naturalization. And yet, neoliberalism naturalizes market competition all the same at the level of its *effects*, not its "ideology." The present chapter will define the second paradox of neoliberalism, the paradox of subjection by desubjection. I already raised this paradox when I introduced neoliberalism in Foucault's work at the end of Chapter Four. I take it to be the more decisive of the two paradoxes and the most distinctively Foucaultian contribution to our understanding of neoliberalism. From the point of view of the "art of ungovernability," neoliberal governmentality is paradoxical because it governs subjects into becoming different by fashioning themselves through investment in their human capital. Thus, neoliberalism turns an essential dimension of the politics of truth—desubjection—into a moment of subjection to anthropologized capital. Or, in other words, neoliberal governmentality gets a hold on its subjects by means of their liberty. This is what I call the paradox of *subjection by desubjection*. As with the first paradox, it does not explicitly appear in Foucault's lecture course, but I will argue that his reading suggests it nonetheless.

Section 6.1 will delineate this paradox in Foucault's lecture course by delving into neoliberalism's third element, entrepreneurial subjectivity (the first two being the market apparatus and its norm, competition). The Chicago School will take center stage, since, as Foucault points out, its concept of human capital goes further than any other neoliberal school in conceptualizing the subject of economic rationality, that is, *homo oeconomicus*, or "economic man." (*BB*, 225) This is a subjectivity that, for all its liberty, is, as Foucault puts it, "eminently governable." (Ibid., 271) As I will show, following Foucault, this subject is not only governed by market competition and its price signals, but also by the neoliberal state's effort to expand their scope through a thorough redefinition of *laissez faire*. Moreover, it is a subjectivity that is governed by the market into taking itself as an ethical project of subjectivation (or self-fashioning).[192] Section 6.2 will build upon *The Birth of Biopolitics* by relating its reading of neoliberalism back the anthropological quadrilateral. This section will explore the ways in which Foucault's lecture course still implicitly operates as critique of anthropology. Recalling the turn to power in Foucault's work as a way of showing how "man" is *made to exist*, his reading of the

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up seeing their functioning in the regime of competition as normal." (Dardot and Laval 2010, 48)

[192] Foucault distinguishes between the classical liberal version of *homo oeconomicus*, whose basic activity is exchanging, and the version one finds in neoliberalism, which is the subject of human capital whose primary activity is self-investment. From here on, when I use the term "*homo oeconomicus*" without any qualifier, I am referring to its neoliberal version.

neoliberals makes possible an analysis of how our present continues to operate under the sway of the anthropological *a priori*. There, I will show how *homo oeconomicus* is grounded in the scarcity of its capital, how its content derives from its choices in response to market pressures, how economic rationality forms the unthought of its thought, and how its history is that of the truth of the market system that governs it.

6.1. The Paradox of Subjection by Desubjection: Of Entrepreneurial Subjection

The two distinguishing features of American neoliberalism are the use of *laissez-faire* as a tribunal for governing the state and the analysis of human capital, which is the most concerted neoliberal definition of entrepreneurial subjectivity. Foucault insists that both the American concept of *laissez-faire* and the theory of human capital are "grids of intelligibility" that both analyze *and* program their object: the state in the case of the tribunal and human behavior in that of human capital. (*BB*, 225)

The Americans follow the general neoliberal tendency to denaturalize the market and economic subjectivity, while privileging competition over exchange as the characteristic activity of both. However, the Americans follow the Austrians in rejecting ordoliberalism in the name of *laissez-faire*.[193] In fact, according to Foucault, what first sets the Americans apart is how they problematize *laissez-faire*. While Hayek viewed *laissez faire* as both the form and product of a distinctively *social* type of evolution (it comes about neither by nature nor by human design), the Americans view it as *critical concept*, that is, as a criterion for conducting a tribunal that presides over the state in the name of positivist economics.

Though Foucault only briefly mentions logical positivism in *The Birth of Biopolitics*, its importance to the Chicago School cannot be overstated. The Americans do not arrive at their concept of the market by applying eidetic variation to the history of macro and micro economic orders. Market competition is not an essence, according to the Americans—though neither is it a natural given. Instead, starting with Friedman, they aim for a scientific account of market competition by formulating conjectural hypotheses about economic problems and testing them

[193] Friedman founds his economic theory on the separation of fact and norm: "Positive economics is in principle independent of any particular ethical position or normative value judgment." (Friedman 1953a, 4) Foucault's account of neoliberalism as governmentality makes this distinction impossible. Nonetheless, it posits the goal of economics to be the development of hypotheses that "[yield] valid and meaningful (i.e., not truistic) predictions about phenomena not yet observed." (Ibid., 7) As opposed to the phenomenology of individual cases in Eucken, here there is a movement from positive economic facts to generalizing hypotheses about them, which function as models. Such hypothetical models are then tested in their power to predict economic facts simply and fruitfully. However, Friedman follows Karl Popper's method of falsifiability, stating, "Factual evidence can never 'prove' a hypothesis, it can only fail to disprove it, which is generally what we mean when we say, somewhat inexactly, that the hypothesis has been 'confirmed' by experience." (Ibid., 9) The word "natural" in phrases like Friedman's "natural unemployment rate" should be placed in scare-quotes since such a rate is not itself a nature given in facts, but a hypothesis concerning them. As for Becker, the structure of inquiry is slightly different: given (1) a certain empirical economic phenomenon, (2) a relatively simple model for that phenomenon as an economic *problem* demanding the use of economic rationality, and (3) *homo oeconomicus* as a calculator of positive investment choices within that problem, then such and such an economic explanation of the phenomenon becomes possible. It is important to point out that Becker is particularly emphatic in his rejection of methodological psychologism. For him, the advantage of the theory of human capital over any account that is required to either stop at tastes because they appear irrational or assume naturalistic motivations to explain economic behavior. This constitutes a major break from classical and neoclassical economics and I will discuss these issues in greater detail below. Regarding the rejection of taste as a limit to economic analysis, see "De Gustibus Non Est Disputandum." (Becker & Stigler 1996) For the rejection of motivation (including self-interest) as a methodological assumption regarding the psychology of individuals, see "The Economic Way of Looking at Life." (Becker 1996)

against economic "facts." Their positivism is hence consistent with Foucault's definition from *The Order of Things*, since they take the empirical object as a measure of truth. (*OT*, 320) However, they follow Popper in that the operative concept of the market at any given time consists of the set of hypotheses that have withstood factual testing. Hence, strictly speaking, there is never a "true" concept of market competition, only one that is "not false."

But the market is not just a concept of positivist economics—and here is where things get fuzzy for the Chicago School—it *normatively* functions as a set of criteria for critiquing and conducting government. Foucault says that, in the hands of the Chicago School, *laissez-faire* means using the concept of the market as the criterion in a "permanent economic tribunal confronting government" that aims to evaluate its *economic intelligibility.*[194] (*BB*, 247) He states that the tribunal involves "filtering every statement whatsoever…every action by the public authorities in terms of contradiction, lack of consistency, and nonsense." (Ibid., 247) The American concept of the market (and that of human capital, which I will get to in a moment) functions as a *grid of intelligibility* for both interpreting *and programming* not only the state, but also the power relations and subjects that can be affected by the state.

The major type of institution for this tribunal is the *think tank*, which has recruited policy makers and armed them with both criticisms of neoliberalism's enemies and neoliberal policy proposals. Foucault names the American Enterprise Institute as one tank along the lines of a tribunal-by-*laissez-fare*, though it is part of a broader network of other tanks, institutes, and economics departments through which the neoliberals organizes themselves.[195] This version of *laissez-faire* is not a *negative* principle against government interference in the market; rather, the tribunal of *laissez-faire* has a *positive* political-epistemological effect. *The economic tribunal is a means of modeling governmentality on the market and multiplying the enterprise form of economic subjectivity.* As Foucault sees it, it is a tactic within the overall neoliberal strategy of analyzing non-economic phenomena in market terms *in order to govern such phenomena into assuming an economic form*.

The tribunal of *laissez-faire* uses the state to expand the market as a "grid of intelligibility" for interpreting and programming phenomena that are beyond the traditional sphere of economic exchange. By indefinitely extending the market to all corners of social and political life and by forcing such life to abide by market norms, as Foucault states, the tribunal generalizes the enterprise form "to make it a model of social relations and of existence itself." (Ibid., 242) That is, it potentially dissolves the very distinction between the social and the economic: education, health care, environmental protection, natural disaster relief, military services—the tribunal seeks to find private market solutions for all of these traditional public and social goods.[196] Thus

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[194] With this, the Americans directly link the government of society to the logical positivism of Karl Popper. Popper was a founding member of the Mont Pérelin Society, along with Friedman, Hayek, Stigler, and Mises.

[195] One could also add The Cato Institute, The Hoover Institute, and The Mont Pelerin Society, with its connection to The Atlas Network, among others.

[196] And, more radically than ordoliberalism, the economic tribunal not only seeks to reduce the state, but to make it function as an enterprise that must meet the criterion of profitability. Here again, as Dardot and Laval claim, citizenship merges with the figure of the consumer as the tribunal economizes the relationship between government and the governed. (Dardot and Laval 2013, 87) This is why Brown is right that the neoliberal withdrawal of the state must not be understood as a withdrawal of government, but as one instance in the overall change in its form and function: "Neoliberal subjects are controlled *through* their freedom… Such control also means that the withdrawal of the state from certain domains, followed by the privatization of certain state functions, does not amount to a dismantling of government but rather constitutes a technique of governing; indeed, it is the signature technique of neoliberal governance, in which rational economic action suffused throughout society replaces express state rule or provision." (Brown 2005, 44)

it is not a reach to call the diffuse network of institutions that make up the tribunal of *laissez-faire* a *para-state apparatus of neoliberal governmentality*. Use economic theory to critique the state so that the state can be used to introduce or intensify market competition everywhere: that is the strategy of the Chicago School's *laissez-faire*.

This brings us to the second grid of intelligibility in American neoliberalism, the *homo oeconomicus* of human capital. The Americans go further than their counterparts in theorizing the subject effect of market competition as a domain of microeconomic theory in its own right. For American neoliberalism goes beyond the constitution of the economic subject by prices and competition; they theorize how this subject constitutes itself by its own self-conduct *qua* human capital.

Along with their peculiar version of *laissez-faire*, Foucault argues that the second grid of intelligibility, human capital, also distinguishes American neoliberalism from its classical antecedent (as well as from other neoliberal variants). Starting in the late 1950s, Gary Becker and Theodore Schultz critique classical economic theory by rethinking labor as a qualitative, subjective activity. According to Foucault, such theory had hitherto stated that "land, capital, and labor" together determine the production of goods. Labor had only ever been understood as a *passive object* that is *quantitatively reducible* to either labor-time or financial investment; never has it been understood as the *activity* of a *subject*. (Ibid., 219-20) That is, classical liberalism effectively said that qualitative differences in knowledge and skill amongst laborers lack any causal significance in themselves. Foucault shows how the theory of human capital fills a basic lacuna in the liberal economic theory of labor by analyzing work from the perspective of the worker: "What does working mean for the person who works?"[197] (Ibid., 223)

For the American neoliberals, the worker sees work as the employment of a capital—namely, human capital—that produces a return—namely, an income flow. This means that all work is based on a prior activity of investment in human capital. And the principle behind investment in one's human capital is *economic rationality*, or the allocation of scarce resources to competing ends. (Ibid., 222) If a specific means-ends relation defines the subject that emerges from the American redefinition of labor, then what makes up this relation? Foucault sums it up thus: "An income is quite simply the product or return on a capital. Conversely, we will call 'capital' everything that in one way or another can be a source of future income…it is the set of all those physical and psychological factors that make someone able to earn this or that wage." (Ibid., 224) The scarce means belonging to the Chicago School's *homo oeconomicus* is comprised of finite resources, time, capacities, and opportunities that can be put to work. The competing ends of the worker are the various income flows available on the market, along with the ends to which such flows can be put. Ultimately, as Becker says, these competing ends are "welfare *as they conceive it*." (Becker 1996, 139)

The *homo oeconomicus* of American neoliberalism is one who interprets and uses *all subjective powers* as *human capital*. Moreover, it is one who regards and calculates returns on their human capital in terms of their potential as *reinvestments* in themselves. Human capital can thus be divided into two parts: capital that one has received by virtue of the investment choices

[197] As Lemke, following Foucault, puts it, the Americans' method of analysis does not "proceed from objective-mechanical laws, but takes its starting point in an appraisal of subjective-voluntarist calculations: how do the people performing the labour use the means at their disposal?" (Lemke 2001, 199) See Theodore Schultz's 1960 essay, "Capital Formation by Education" and Becker's 1962 essay, "Investment in Human Beings," the latter of which has since been republished as Chapter III of *Human Capital: A Theoretical and Empirical Analysis with Special Reference to Education.*

of one's parents or caretakers and human capital that one has accumulated through one's own investment choices, which are made possible on the basis of the former.

The neoliberal axiom that the human is itself a form of wealth takes an incomplete step toward the Deleuzean-Guattarian understanding of the machine as a trans-individual agency that assembles subjects and technical objects.[198] This might be why Foucault uses their language by calling the subjectivity of human capital "a machine-stream ensemble," or a human capital machine composed of "capital-[abilities]," which draw off an earnings stream from the flows of capital. (*BB*, 224) All powers of action are hereby captured within the flows of capital through the self-conduct of individual economic subjects.[199]

Foucault says that the concept of human capital allows American neoliberals to "[give] a strictly economic interpretation of a whole domain previously thought to be non-economic," or at least beyond the traditional sphere of monetary exchange. (Ibid., 219) For the economic analysis of human behavior is less presupposition-heavy than many believe. Unlike liberal economic theory, it does not refer behavior to need and self-interest in order to think about it economically. In his 1992 Nobel Lecture, Becker posits the following methodological principle: "Unlike Marxian analysis, the economic approach I refer to does not assume that individuals are motivated solely by selfishness or gain. It is a method of analysis, not an assumption about particular motivations…Behavior is driven by a much richer set of values and preferences."[200] (Becker 1996, 139) The American neoliberals extend the analysis of human capital to *all* behavior by bracketing motives entirely. As Foucault notes, starting with Becker, the neoliberals maintain that all behavior can "be analyzed in terms of investment, capital costs, and profit…on the capital invested" (*BB*, 244).

Yet economic rationality is not just a "principle of decipherment." Thanks to the efforts

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[198] Dilts notes how American neoliberalism collapses the distinction between the human and the tool by conceiving of humans as wealth, contrary to Mill's position that wealth is rather a tool for human use. (Dilts 2011, 134-5)

[199] Two points are worth mentioning here. First, employers obviously also have a hand in this, as neoliberal programming means that they must increasingly conceive of themselves as assemblers of human capital supply chains that minimize overhead and provide "just in time" human capital to buyers. And second, the economic analysis of human behavior extends not just to investment activities that generate a monetary income flow, or production, but also to consumption. Opposed to image of the passive consumer who is dominated by their pleasure, Becker views consumption as an activity insofar as it generates a return, even if it is merely pleasure. To the extent that consumption involves the selection of an end or a good out of a field of other possibilities, one can analyze them as attempts to maximize returns on investment costs of time and resources, regardless of what these returns may be. Dilts writes, "This perspective allows all activities, even seemingly non-productive activities, to be theorized as forms of capital investment." (Dilts 2011, 137) Overcome, then, is the apparent contradiction between work and enjoyment. For work, as an activity that sacrifices pleasure in the present for greater quantities of utility in the future, is the model on which all acts of enjoyment become intelligible. Zizek's claim is pertinent here that, contrary to the image of the super-ego as a bar against enjoyment, today's capitalism *commands* enjoyment. And while consumer behavior remains captured within narcissistic forms of enjoyment and barred from *jouissance*, this distinction is becoming increasingly porous as sexuality is increasingly conducted through market technologies that replace courtship with online shopping and popular discourses on sex advise eroticism as a necessary condition for staying motivated in one's work-life. That is to say, the modern biopolitics of sexuality now joins forces with that of labor.

[200] It is not uncommon to assume egoism as a natural justification for neoliberalism, however, this is something that neoliberals like Becker leave to liberalism. For Marxist claims to the contrary of Becker's statement, see Varoufakis 2011, 9-10. However, there appears to be some ambiguity in Becker's account. In a 2010 lecture course devoted to human capital at The University of Chicago, Becker states that things like gambling are exempt from economic analysis since they are merely acts of consumption, not investment. (Becker 2010) This would appear to contradict his earlier assessment that economic analysis does not make assumptions about agents' motivations. Since the risk-taking involved in gambling could be motivated by thrill-seeking just as much as it could be motivated by desperation.

of the economic tribunal, it is also, as Foucault says, the principle of "programming for the rationalization of a society and an economy." (Ibid., 225) That is, it is both an economic way of analyzing human behavior and a way of thinking that the market induces in its subjects, which are pressured into taking on themselves. The concept of human capital is thus a major instrument in the evaluation of government policy according to *laissez-faire*. And like the American concept of *laissez-faire*, *Homo oeconomicus* effectively renders its origins in the positivist distinction between fact and norm ambiguous as best.[201]

Foucault states that, with American neoliberalism, the ordoliberal theme of the enterprise as the basic element of social and economic reality is "*pushed to the limit*," (Ibid., 225) That is to say, programming subjects along the lines of human capital is *the most extreme attempt to model power on the market*. This is because the shift from exchange to competition entails a shift from the classical image of *homo oeconomicus* as a partner in exchange to the neoliberal subject as a competitive enterprise. Foucault points out that the subject of human capital is an "entrepreneur of himself, being for himself his own capital, being for himself his own producer, being for himself the source of [his] earnings." (Ibid., 226) This American neoliberal *homo oeconomicus* leads to five implications, which I would like to tease out now. Foucault's reading points in their direction, but they require an expansion of his reading and a return to his primary sources.

First off, extrapolating from Foucault, just as subjective abilities and income flows are two sides of a machinic relation immanent to capital, work names both sides of a single economic conduct of allocating scarce resources to competing ends. Work for the neoliberals is the activity of the hired worker in the workplace just as much as it is the job-seeking worker on the labor market or the future employee-to-be at school. That is, work includes both investment in human capital and putting human capital to work (the performance of capital-abilities). In fact, as the analyses of Becker and Schultz attempt to show, what determines income is less the job one does "at work" than the series of investments in human capital that one makes to "get work." The Chicago School therefore simultaneously collapses the traditional distinction between free-time and labor-time and *makes work the essence of human existence* under market conditions.[202]

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[201] Dardot and Laval call this governmental feedback loop between analysis and programming "the autonomization [*l'autonomisation*] and the extension of 'market logic' beyond the sphere of exchange." (Dardot and Laval 2010, 37)

[202] While Foucault claims that one must pursue a strategic and not a dialectical conception of the relation between neoliberalism and its adversaries, it is easy to see why many Marxists have had no trouble interpreting neoliberal political economy as ideology. The concept of human capital renders a number of foundational Marxist categories inoperative, starting with class contradiction and the value form. Becker himself was perhaps the first to point this out: "[T]he concept of human capital remains suspect within academic circles that organize their thinking about social problems around a belief in the exploitation of labor by capital. It is easy to appreciate the problems created for this view by the human capital concept. For if capital exploits labor, does human capital exploit labor too—in other words, do some workers exploit other workers? And are skilled workers and unskilled workers pitted against each other in the alleged class conflict between labor and capital?" (Becker 1993, 16) One could take it a step further and complete the line of questioning: if one is simultaneously a worker and capital—and a worker only insofar as one is capital—do workers essentially exploit themselves? It is along these lines that Jason Read is correct to point out that "The opposition between capitalist and worker has been effaced not by a transformation of *the mode of production*…but by the mode of subjection, a *new production of subjectivity*." (Read 2009, 32) From the perspective of class contradiction, neoliberal *homo oeconomicus* is the figure of the internalization of *class contradiction*, which synthesizes two polar opposite figures of class in contemporary capitalism: the investment banker and the indebted temp worker. But if the contradiction between capitalist and worker has been effaced, this is because the same is fundamentally true of the contradiction between capital and labor has as well. Marx argued that capital exploits labor by making labor abstract in reducing it to labor time. Yet as Foucault points out, "the neo-liberals say: The abstraction of labor…is not the result of the real mechanisms of economic processes; it derives from the way in which these processes have been reflected in classical economics." (*BB*, 221) It is impossible to determine the rate

Theoretically, this is because one can now interpret any action that yields a return as work, which of course includes any unpaid action taken to obtain paid work. Practically speaking, however, this is because the intensification of market competition by *laissez-faire* pressures individuals to evaluate all of their time-expenditures as human capital investments. The market thus pressures individuals into assuming their existence as human capital. Foucault points in this direction when he considers how human existence is totalized by economic rationality in the writings of the neoliberals—a point to which I will return momentarily.

Second (and still going beyond Foucault's reading for a moment), as the market functions to govern choices into an economic form by selecting out non-economic forms of conduct, its power of veridiction expands in the neoliberal programming of *homo oeconomicus*. Moreover, It is beginning with this initial reduction of existence to an economic form that one must consider Hammann's conclusion that "*Homo oeconomicus*…is not a natural being with predictable forms of conduct and ways of behaving, but is instead a form of subjectivity that must be brought into being and maintained through social mechanisms of subjectification." (Hamann 2009, 42) I discussed above how the market is a site of veridiction in that it purports to produce the truth of the value of things. As Friedman put it, the distinction between the technological and the economic hinges on the quantity of practical ends: a technological problem involves the allocation of scarce means to a single end; but once there are multiple, competing ends, the problem becomes economic because the choice of ends involves "value judgments." (Friedman 2008, 1-2) One can measure the ascendancy of neoliberalism today by the extent to which the market is the dominant site of *veridiction* for the value of subjects themselves. The demand function of market signaling tells *homo oeconomicus* what is valuable and what types of human capital investments to make. The life of the new *homo oeconomicus* is thus fundamentally *reactive*: pivotal life choices become a function of market signals. Recall how Hayek stresses that prices function as "signals telling [agents] what to do" before they function as remuneration or returns for workers.[203] (Hayek 1982c, 142)

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of exploitation and surplus value without an analysis of labor time as the basis of the value form.

[203] To foreshadow the sustained anthropology in neoliberal *homo oeconomicus*, this subjectivity nearly lends itself to an existential analytic of its finitude. The finitude of neoliberalism's economic man is akin to a perverted form of *Dasein*'s guilt. For *homo oeconomicus,* to live is to obey the call to "Invest in oneself," which is to say, to "Be economically rational." The neoliberal world is one in which all aspects of experience appear as opportunities for self-investment. Life appears as a curve of increasing investment and variable returns. Yet, obedience to the imperative to invest presupposes the ability to experience its force as debt, which takes two forms, first at the level of the structure of *homo oeconomicus* itself and second at the level of the financial relations of power through which it is maintained. On the one hand, the very gesture of investment involves a sacrificial relation to the present for the sake of the future. The loss of wealth in consumption is barred in the present for the sake of enhanced returns in the future, which never arrives in full due to the continued injunction to invest. *Homo oeconomicus* is never adequate to its future, which is but the virtual infinity of the accumulation of capital. This is not merely the compulsory participation in capitalism that one finds in Marx's assessment of alienated finitude, which must either compete or starve. On the other hand, the ability to invest in oneself in the present is often financed by the future, which connects *homo oeconomicus* to other market players not only through competition, but also through a series of debt relations. At this level, human capital is evaluated not only by the returns on its investments, but also through credit scores. Such evaluations determine human capital itself by closing or opening access to resources and opportunities necessary to continue investing in oneself. However, it is Deleuze and Guattari's *Anti-Oedipus* that best orients one toward meaning of neoliberalism's proposal for generalized self-governance. They write: " But the bourgeois field of immanence—as delimited by the conjunction of the decoded flows [of capital and labor], the negation of any transcendence or exterior limit, and the effusion of antiproduction inside production itself—institutes an unrivaled slavery, an unprecedented subjugation: there are no longer even any masters, but only slaves commanding other slaves; there is no longer any need to burden the animal from the outside, it shoulders its own burden…The

A third extrapolation from this point concerns competition, which appears differently from the perspective of American *homo oeconomicus*. Under the condition of intensifying market competition, the norm of the human capital machine is not primarily work in its *actuality*, for instance, the socially average necessary labor time used in production, which Marx described. Rather, because human capital investment is futural, it is work in its *possibility*. The subjective side of market competition is *employability*.[204] Being competitive means making investment choices that maximize one's employability or potential income flows. The direct consequence of this is that the only values that matter are those selected for by the impersonal game of market competition, which are again reactive. These include the virtues of adaptability, flexibility, and the courage to take financial risks. This harkens back to Walter Lippman's idea that a constantly changing economic landscape driven by competition requires a social ethic of adaptation (through education and eugenics).[205] Equally, it points to Hayek's vision of the market as a game of catallaxy in which the positions of all players are inherently subject to change according to market conditions.[206]

Finally, the analysis and programming of *homo oeconomicus* involves more than a process of *subjection*; it involves *entrepreneurial subjectivation*. *Homo oeconomicus* functions as a relay between subjection and subjectivation. For American neoliberalism distinguishes itself by using the market to govern individuals into self-government, such that governmentality becomes a way of life.[207] This has enabled things like the merger between self-help discourse

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bourgeois sets the example, he absorbs surplus value for ends that, taken as a whole, have nothing to do with his own enjoyment: more utterly enslaved than the lowest of slaves, he is the first servant of the ravenous machine, the beast of the reproduction of capital, internalization of the infinite debt. 'I too am a slave'—these are the new words spoken by the master." (Deleuze and Guattari 1983, 254) For Deleuze and Guattari, the slavishness of the bourgeois consists of their self-sacrifice and of their inability act outside of the imperative to accumulate capital. One could also pursue Walter Benjamin's insight here that capitalism is a religion that affords no expiation.[203] But the reference here is to Nietzsche's *On the Genealogy of* Morals, the Second Essay in particular, where Nietzsche hypothesizes that Christian love—the love of God for his children and vice versa—is founded on the establishment of an infinite guilt though Christ's sacrifice. (Nietzsche 1967, 91) For Nietzsche, the slave is the one who cannot create their own values without deriving them from the negation of another's.

[204] Frederic Gros links this to the rise of financial capitalism and its having become an existential model of life, which he calls "share-holder existence: "Each subject is called on to report to him or herself as one might to a business, constructing a life like a series of investments that one counts on to make a profit…The problem is no longer knowing one's price, but anticipating the arc of one's value." (Gros 2012, 236) Translation by Emily Apter. See Apter 2014.

[205] See Dardot and Laval 2010, 64-68.

[206] In Volume 2 of *Law, Legislation, and Liberty*, Hayek speaks on employment as a market position that is always subject to change, depending on market conditions, one's skills, and chance. Part of his intent is to attack the idea of social justice, which attempts to judge the game according to its results instead of its procedure, in addition to organizations such as labor unions and bureaucracies that seek to reward loyalty with job protections: "The magnitude of the chances open to him are not of his making but the result of others submitting to the same rules of the game. To ask for protection against being displaced from a position one has long enjoyed, by others who are now favoured by new circumstances, means to deny to them the chances to which one's own present position is due. Any protection of an accustomed position is thus necessarily a privilege which cannot be granted to all and which, if it had always been recognized, would have prevented those who now claim it from ever reaching the position for which they now demand protection." (Hayek 1982b, 95)

[207] The paradox of an unnatural naturalization returns, *now within the domain of ethics*: entrepreneurial existence is both assumed as an existential condition and posited as a goal of ethical conduct. As a recent self-help book titled *You Inc.: The Art of Selling Yourself* axiomatically declares, "Living is selling." (Beckwith 2007, 3) It assuages the reader's anxieties about "selling out" or reducing life to work and business, insisting, "The question is not, are you a salesperson? The question is how to be more effective. Just as important, how might you make your life richer? As it turns out, the answer to each question answers the other. *Life is a sale. And the path to success at both living and*

and neoliberalism to address ethics along the lines that Foucault defines it in volume two of *The History of Sexuality*: "the manner in which one ought to form oneself as an ethical subject acting in reference to the prescriptive elements that make up the code." (*HS2*, 26) Neoliberalism makes possible a discourse of economic spirituality, which goes beyond satisfying needs to become a lifestyle that one cultivates as an individual expression of one's liberty. A life is not only the quantitative sum of its investments, but also the set of qualities and abilities that have been consciously chosen and combined to form an ethos. That is, entrepreneurialism folds the normative rules of competition and investment into the self-relation of a subject that stylizes its capital in order to valorize itself in the market game.[208]

Hence the status of the entrepreneur today as the hero of the marketplace who receives religious levels of praise and investments of belief in established neoliberal markets. The entrepreneur embodies the reactive value of adaptability, however, when successful, the entrepreneur is sometimes thought to possess an almost mystical intuition of the market's tendencies and the opportunities that exist therein. The successful entrepreneur is the one who appears to create novel goods by anticipating and responding to market conditions.[209]

I would like to return now to Foucault's reading to address the problem at the center of his critique of neoliberalism as a mode of governmentality. For within the Chicago School's redefinition of labor lies a problem that appears in every aspect of the subject of human capital: the totalization of human conduct by economic rationality, which makes it "eminently governable." (*BB*, 270) Foucault states:

> *The most important stake* is no doubt the problem of the identification of the object of economic analysis with any conduct whatsoever entailing an optimal allocation of scarce resources to alternative ends…And we reach the point at which maybe the object of economic analysis should be identified with any purposeful conduct which involves…a strategic choice of means, ways, and instruments: in short, the identification of the object of economic analysis with any rational conduct.[210] (Ibid., 268-9)

The question is whether economic analysis possesses an unlimited power to decipher human behavior. For if it does, this would *effectively naturalize economic rationality*, as it would be impossible to act outside of its form without acting irrationally.

Yet Becker goes further. He argues that even apparently irrational behavior nevertheless proves itself to be economically rational, because it minimally responds to economic pressures. There would be, then, no outside to economic rationality, *homo oeconomicus* would effectively be our natural essence, and the political economy developed on its basis would be a late attempt to finally organize human life according to its nature. As Foucault explains, what makes it possible to identify economic rationality with human behavior as such is that the concept of

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selling is the same…The first thing you sell is yourself." (Ibid., my italics, 4-5) The discourse of self-help is almost as old as economic liberalism itself, going back at least as far as *Poor Richard's Almanac* by Benjamin Franklin, which went beyond the standard almanac contents of astronomical and meteorological information to include proverbs, anecdotes, and aphorisms that presented ethical rules for economical living. It became a discourse of its own with Samuel Smiles' 1859 *Self-Help*, which made industriousness the centerpiece of self-culture. Today this discourse gives ethical content to the entrepreneurial form of life.

[208] On this basis, Lemke is correct to point out that Foucault's studies on techniques of the self are *an extension*, not a replacement, of the genealogy of power. (Lemke 2001, 203)

[209] However, the precondition for the emergence of the entrepreneur is that they have already been made to accept to consent to quantitative evaluation—the game—which assigns them ends to which they subject themselves as if they were their own. The value of new goods is measured only by consumption. There are no masters in neoliberal capitalism (in a Nietzschean sense), only a generalized submission to the market and infinite indebtedness to capital.

[210] My italics.

human capital puts forward a subjectivity that is inherently governable. In other words, *economic man is rational because he is first of all governed*, that is, because he is first posited within in a regime of governmentality characterized by market competition.

By way of explaining *the priority of governance over rationality*, I would like to take a moment to spell out Becker's argument here, since it shows concretely how his of *homo oeconomicus* is the most extreme form of economic subjection. More importantly, it shows how *homo oeconomicus is not an individual*—or at least not merely an individual, as I have presented it so far—but the abstract figure of a *population*.

I will take up an article that was important for Foucault's reading of Becker, namely "Irrational Behavior and Economic Theory" from 1962. Becker begins by presenting the traditional economic view on household behavior, which he aims to critique. It claims, "households choose the best collection of commodities consistent with the limited resources available to them." (Becker 1962, 2) With each economic choice, a household faces what is called an opportunity set. Two quantitative variables delimit the opportunity set: income and prices. Any given opportunity set contains all of the possible collections of commodities that a household can buy with its available income. The traditional view stipulates that a household is rational *if it uses a rule* to buy the best collection of commodities (the most competitive end) in the opportunity set. Traditionally, there are two possible rules: preferences and utility.[211] Depending on the rule, the best collection of commodities in the opportunity set is the one that will either maximize utility or meet the most preferences. In this view, households are rational because they maximize according to a rule (either preferences or utility) within the constraints of income and prices. This leads to the following theorem: "the demand curve for any commodity, real income held constant, must be negatively inclined." (Ibid., 2-3) Put differently, given a limited income (scarce means) and a rule for allocating it, a household will buy more of the best collection of goods as its price falls; the household will buy fewer as its price rises. If a household does not purchase more of the commodities that meet its rule, then it is not maximizing, which means that it is not acting rationally. Again, for the traditional theory, to be rational is to maximize a rule.

Becker's critique is to show that "negative demand curves result not so much from rational behavior *per se* as from a general principle which includes a wide class of irrational behavior as well" (Ibid., 4) The principle that accounts for rational, maximizing behavior is that market signals cause changes in opportunity sets, which probabilistically determine conduct.[212] That is, prices make people act rationally, regardless of the rule adopted and even regardless of the presence or absence of a rule altogether. This is because when prices change, so too does a household's opportunity set, or the possible collections of commodities that it can buy. By acting on one's set of possibilities, price changes induce "a *systematic response*, regardless of the decision rule."[213] (Ibid., 4) For Becker, as opposed to the traditional theory, it is not the adoption of a rule that makes behavior rational; it is the effect of market prices on one's opportunity set. To show this he takes two economic agents that would appear to flout economic rationality: households that are purely impulsive or obey no rule whatsoever and households that are purely inert or habitual, seeking only to repeat past satisfactions without concern for maximizing according to a rule. The fundamental theorem of the traditional theory holds true—economic agents are maximizers—even in these two cases of irrational behavior where maximization

[211] For firms, the rule is profit-maximization.
[212] Opportunity sets are also called *budget sets*, as they are sets of goods that are affordable within a limited budget.
[213] My italics.

appears impossible. [214] This leads Becker to conclude:

> Even irrational decision units must accept reality and could not, for example, maintain a choice that was not within their opportunity set. And these sets are not fixed or dominated by erratic variations, but are systematically changed by different economic variables…Indeed, the most important substantive result of this paper is that irrational units would often be "forced" by a change in opportunities to act rationally.[215] (Ibid., 12)

The variables here are prices that signal supply and demand and their correlative impact on opportunity sets, or the horizon of possibilities that defines the reality of *homo oeconomicus*. Even irrational economic agents—whether random or compulsively repetitive—will demand less when prices rise, and therefore act *as if* they intentionally acted according to a rational rule.

It is in this "as if" of the average behavior of a statistical *population* that the systematic response—or economic rationality—of a *homo oeconomicus* can be found. Rationality, then, is not about the rule by which one maximizes the outputs of scarce resources, it is about the effects of market signals on the possibilities of a population and thus on its average conduct. *Homo oeconomicus* is not governable because he is rational, predictable, and calculable; *he is rational, predictable, and calculable, because he is first and foremost governable*. And he is governable because his existence is completely immanent to the market. As Steven Shaviro writes, "The objective function of the market is that it 'forces us to be free,' forces us to behave 'rationally' and 'efficiently,' forces us to act concertedly in our own individual interests – any broader considerations be damned." (Shaviro 2010, 8)

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[214] For impulsive households, given a finite income, "every opportunity," or collection of commodities, "has an equal chance of being selected." (Ibid., 5) Let us say that there are two types of commodities, X and Y (rice and beans, for example), which have equal prices. An impulsive household would spend a random, unpredictable proportion of their income on X and Y in each instance, sometimes buying more of X, sometimes more of Y, but never the exact same proportion. However, at a statistical level, a large multiplicity of impulsive houses would, *on average*, choose a collection of commodities containing an equal amount of X and Y. And any relative price increase in X or Y will diminish the amount that an impulsive household can consume of that commodity. When the relative price of X goes up, so too does the probability that an impulsive household will decrease its consumption of X. In turn, this will increase the ratio of Y to X that an impulsive household consumes on average. (Ibid., 6) The principle applies to inert households as well, or those that repeat past consumption choices when possible; they too will buy less when prices rise and more when they fall. (Ibid., 6) This is because any relative price increase in commodity X or commodity Y will reduce the maximum that a household can purchase of that commodity. Let us assume a population of inert households that all have the same limited budget. And let us assume that all face the same budget set of all possible ratios of X and Y, where X and Y have equal prices. Some will purchase more X than Y, some will purchase more Y than X, and some will purchase an equal amount. They will make their choice neither because they prefer it, nor because it maximizes utility, but only because they randomly consumed a certain ratio of X to Y once and will now repeat that choice indefinitely. Now let us further assume an increase in the relative price of X. When that happens, the choice of those who habitually buy more X than Y will be costlier. Depending on the budget and the price increase, some of those inert purchasers who inertly tend toward X will be unable to afford to continue repeating their initial choice. The opportunity set of the population of inert households will then skew away from X towards Y. Therefore, the *average* amount of X consumed by *all* inert households will go down. That is, when the relative price of X goes up, so too does the probability that households that repeatedly consume more X than Y will decrease their consumption of X. This shows how price-signals act as market pressures that induce rationality by acting on opportunity sets. While the above examples concern household consumption, similar arguments can be made for the price of inputs in the production process of competing firms, which includes both for and non-profit organizations, governments, and, of course, the individual *homo oeconomicus*.

[215] The text omitted in this quotation lists some of the types of conduct that can be governed *qua* responses to environmental variables, namely, consumption, production, and job-seeking: "a compensated increase in the price of some commodities would shift consumption opportunities toward others; a compensated increase in the price of some inputs would shift production opportunities toward others; or a compensated decrease in the attractiveness of some occupations would shift employment opportunities toward others." (Becker 1962, 12)

It is the passage above to which Foucault refers when he states, "*Homo oeconomicus* is someone who accepts reality. Rational conduct is any conduct which is sensitive to modifications in the variables of the environment and which responds to this in a non-random way…economics can therefore be defined as the science of the systematic nature of responses to environmental variables." (*BB*, 269). One will recall that Foucault's first definition of governmentality consists of security mechanisms coupled to political economy, which together target populations. Security mechanisms like the market do not act directly on human subjects, but reach them by way of their milieu. In particular, they govern them by governing the possibility of events within this milieu. (*STP*, 20-1; 108) By defining *homo oeconomicus* as one who accepts reality as it is given and on that basis *becomes rational* through a systematic responsiveness "to systematic modifications artificially introduced into the environment," Becker's *homo oeconomicus* "*appears precisely as someone manageable…Homo oeconomicus is someone who is eminently governable*. From being the intangible partner of *laissez-faire*, *homo oeconomicus* now becomes the correlate of a governmentality which will act on the environment and systematically modify its variables."[216] (*BB*, 270-1) Economics is the science of what is governable. And one who accepts an economized reality is eminently governable. Put simply, governability is the condition of economic rationality.

This is perhaps the most significant statement in *The Birth of Biopolitics*, for it is Foucault's last word in the lecture course about neoliberal subjectivity and it is the most explicit regarding neoliberal subjection. Here, Foucault relates the self-subjection of accepting reality to the biopolitical government of a statistical population. *Homo oeconomicus* forms a relay between what Foucault calls the epistemological caesura that separates the individual and the population as targets of power. (*STP*, 42) In a way that is similar to the politics of sexuality, which allowed one to target the population through the discipline of the body and to target bodies through the biopower of the population, neoliberalism acts upon the environment in such a way that one thereby obtains economically rational effects. (*HS1*, 145-6) *Homo oeconomicus* is artificially naturalized within the gap between the population and the individual. For the artificial constraint of behavior at a statistical level by prices imposes necessary adjustments on individuals' use of economic rationality.

If one also recalls that the stake of neoliberalism is to model power relations on the market, then the task of government under the tribunal of economic reason will be to generalize economic rationality everywhere by modeling the reality that individuals must accept on the market. That is why what is true for the subject of discipline is also true for the subject of human capital normalized by the price mechanism: *homo oeconomicus* "assumes responsibility for the constrains of power; he makes them play spontaneously on himself…he becomes the principle of his own subjection." (*DP*, 202-3) What can be said of the subject of medicalized sexuality can be said of *homo oeconomicus*: "Power comes from below." (*HS1*, 94) This is not because it circulates in the incitation and consent that makes sex speak, but because it is found in the impersonal interplay between market signals and the response they elicit, namely, to procure some return through self-investment.

It should not escape notice that the eminent governability of the subject of human capital

[216] Lemke states, "[N]eo-liberalism…ties the rationality of the government to the rational action of individuals; however, its point of reference is no longer some pre-given human nature, but an artificially created form of behaviour…[I]n the neo-liberal thought of the Chicago School he becomes a behaviouristically manipulable being and the correlative of a governmentality which systematically changes the variables of the 'environment' and can count on the 'rational choice' of the individuals." (Lemke 2001, 200)

is tied to the basic assumption of Becker's definition of economic man: economic man *accepts reality as it is given*. That is to say, neoliberal subjectivity is governable *and rational* at least to the extent that it is *uncritical* of what is given and does not question whether there is any contingency in what appears necessary within the given. Neoliberal subjectivity has before it a set of possibilities, or liberties, which include both rational and "irrational" choices. This subjectivity can be critical of some choices as less rational or less efficient than others. But there is no critique of the givenness of the given; it does not enter the domain of alternative choices (and why would it?). As Hamann sharply puts it, "just as neoliberal theories of penal law view it as an instrument for creating a 'negative' demand for crime, one may say that *competition generally creates a negative demand for non-economic forms of life.*" (Hamann 2009, 41) The question, then, is what would it mean to refuse to accept neoliberal reality as it is given? This is the question for the critique of neoliberalism, since neoliberal subjectivity is generalized and effectively naturalized by the neoliberal market. But as critique is inseparable from the possibility of desubjection, it is also a question concerning *the possibility of a counter-conduct that would resist being governed and make a new mode of existence possible—precisely by challenging the government of the possible*.[217]

In this section, I have covered the neoliberal re-conception of labor as the subjective practice of economic rationality and the tribunal of *laissez-faire* as an agency for its proliferation. I have delineated how *homo oeconomicus* reduces all powers of action to capital, transforms virtually all human activity into labor, and normalizes subjects according to their employability. Further, I have shown how American neoliberalism aims the veridictional powers of the market toward the investment choices of economic subjectivities, how it valorizes reactive values, and opens up an entrepreneurial ethics. Finally, I have shown how human capital totalizes human conduct by way of economic rationality.

Together, these articulate the paradox of subjection by desubjection in neoliberal governmentality. Neoliberalism continues the classical liberal theme of founding government on the rationality of the governed.[218] By exercising economic freedom, one always already responds in a governed way to market signals, tacitly consents to the state that ensures the market, and conforms to the only reason recognized by a tribunal that charges itself with governing the state. As competition acts on market players who are governed into maximizing their employability and investing in themselves, the market is fundamentally instable, such that no position, no market identity, no stock of human capital is secure enough to last indefinitely. The game of catallaxy is set up to constantly change and thus valorizes market subjection in adaptation and entrepreneurial courage. One must constantly change one's talents, capacities, and knowledge in a market that slowly but surely liquefies everything that is solid. But the more one changes, the

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[217] For the remainder of *The Birth of Biopolitics*, Foucault shows how neoliberalism reveals the truth of the apparent contradiction between classical *homo oeconomicus,* who appears to be an external limit of governmentality, and neoliberal man, who is wholly enveloped within it as a principle of its action. The truth is that classical liberal governmentality found a way to fold its economic man within the acceptable exercise of power by inventing civil society and inserting him within it as his milieu. The distinction, then, is not between a liberal *homo oeconomicus* who stands as the limit to power and a neoliberal *homo oeconomicus* who is little more than its relay. Rather, the distinction is between a classical *homo oeconomicus* who is also a *homo legalis* and a *homo socialis* on the one hand and, on the other, a neoliberal *homo oeconomicus* for whom the political and the social are completely collapsed into the economic.

[218] Foucault states, "This, it seems to me, is what characterizes liberal rationality: how to model government, the art of government, how to [found] the principle of rationalization of the art of government on the rational behavior of those who are governed." (*BB*, 312)

more one remains tied to the predicate that supports all the others: one is a worker, an entrepreneur, human capital. This kind of life is a recipe for exhaustion, lest one identify strength with the capacity to endure one's subjection, or thought with the ability to coin ad slogans.

6.2. The Critique of Neoliberalism as a Late Anthropology

Foucault's reading of the neoliberals makes possible two lines of attack. The first is an epistemological critique of neoliberal anthropology as a discourse bound to the contingent rules of the quadrilateral. The second is a *political* critique of neoliberal governmentality that challenges its historical necessity from the point of view of a possible desubjection or counter-conduct. I will devote the remainder of this chapter to the first critique and reserve the second for my concluding remarks on Foucaultian critique and neoliberalism conclusion.

While there has been some debate around whether or not Foucault seeks a political critique of neoliberalism, there has been none surrounding the relation between Foucault's analysis and his archaeological critique of anthropology. It is my contention here that neoliberalism is an iteration of the rules of the anthropological *a priori*. This is not to say that "man" is a transhistorical structure or principle that expresses itself in neoliberalism, nor is it to deny the break that sets neoliberalism apart from the liberalism of Smith and Ricardo. Instead, it is to argue that neoliberalism repeats and differentiates the anthropological rules, taking them further than they had gone hitherto. The anthropological *a priori* endures in the neoliberal definition of subjectivity in relation to labor as an objective transcendental, that is, as laboring man. (*OT*, 244)

Without yet delving into the quadrilateral as it is repeated in neoliberalism, one can see that the neoliberal reduction of human existence to economic rationality (neoliberal labor) entails profound consequences for the other two empiricities of man, life and language. For instance, the privileged status of the being of language in Foucault's early 1960s archaeological writings was linked to sexuality. Toward the end of "A Preface to Transgression," he explains, "the appearance sexuality as a fundamental problem marks the slippage of a philosophy of man as worker to a philosophy based on a being who speaks; and insofar as philosophy has traditionally maintained a secondary role to knowledge and work, it must be admitted, not as a sign of crisis but of essential structure, that it is now secondary to language."[219] (*EF2*, 85) The primacy of the being of language over labor as the question of our present would seem to be challenged by the total recodification of human existence by economic rationality. The shift from the biopolitics of sexuality in Foucault's research to the study of the governmentality of economic life suggests the renewed importance of labor in the relation between power and anthropology.

Consider neoliberal subjectivity in terms of the two other empiricities of *The Order of Things*, namely, life and language). The American neoliberals reduce life to labor, as human capital comprises all of the vital powers that make up the subject's life. From the perspective of economic rationality, health and genetic inheritance constitute a principal stock of human capital and marriage itself is a question of maximizing the human capital of one's potential offspring. (*BB*, 227-8) Moreover, the privatization of healthcare under a neoliberal paradigm ensures that the continued enhancement of one's filial line constitutes a core biopolitical stake of one's economic decision-making. As Brown points out, one can look to the uncritically adopted gender norms amongst neoliberals to account for their equivocation on whether the basic economic unit of society is the individual or the family. (Brown 2015, 100-1)

[219] His interest in the objectification of sexuality can be traced back at least as far as *History of Madness* and its discussion of the confinement of libertinage in the 17th century. (*HM*, 82)

Or consider language. On the one hand, the concept of *homo oeconomicus* reduces language to the semiotics of the market, where it functions according to the economic rationality of neoliberal labor. That is, the question "Who speaks?" receives the answer of the market as a site of veridiction. Here once might glimpse something like the self-effacement of the "I speak" in discourse, as the neoliberal subject who says "I work" in the market must play a game in which none of their capital will possess a final, lasting value. What ultimately works in all work is the market, or the generalized apparatus of subjection to economic rationality. On the other hand, neoliberalism reserves a special place for language, almost as a sort of compensation. For its privileging of human capital tends to value professional knowledge and communicative skills (intellectual and emotional forms of labor) as the competitive kinds of human capital.

This is why I believe that it is important to take a step beyond Foucault's reading of the neoliberals and undertake a brief archaeological analysis of how stands with respect to the anthropological *a priori*. My focus will be on the Chicago School, particularly Becker, since he pushes the quadrilateral the furthest. As for the Freiburg School, their Husserlian beginnings keep them more clearly within anthropological coordinates that Foucault already detailed in *The Order of Things*, though I will note how they fit in with anthropology along the way.

First off, as I explained in Chapter One, need is the foundational limit of modernity's *homo oeconomicus* because it refers to death. It founds the concrete essence of laboring man and therefore the possibility of political economy.[220] Foucault maintains that the *homo oeconomicus* of classical liberalism is a "partner of exchange, [which] entails…an analysis in terms of utility of what he is himself…of his behavior and ways of doing things, which refer…to a problematic of needs, since on the basis of these needs it will be possible…to found a utility which leads to the process of exchange." (Ibid., 225) For the economic man of classical liberalism, it was the finitude of life, which appeared in the form of death and need that made it possible for the anthropology of labor to become a political economy of labor-time. Exchange was ultimately the process of quantitatively converting death into value.

Starting with ordoliberalism, however, the finitude of needs that founded the anthropology of laboring man in classical liberalism is replaced by *the finitude of time in economic rationality*. In his phenomenological reduction of the everyday experience of commodities, Eucken shows that the measure of their value lies in the allocation of time in the present and future toward competing needs. (Eucken 1992, 21-22) The American neoliberal redefinition of labor goes further. For the subject of human capital does not measure the utility values of goods by the finitude of its needs in the activity of exchange. Rather, beginning from a finite amount of human capital, this subject evaluates which affordable ends maximize capital returns and invests accordingly. To be sure, Becker maintains, "[the] welfare of people cannot be improved in a utopia where everyone's needs are fully satisfied."[221] (Becker 1996, 139-40) However, what fundamentally makes such a utopia impossible is not death as it manifests itself in needs and wants. Rather, Becker states, "*the most fundamental constraint is limited time*…the physical flow of time itself." (Ibid., 140) That time is limited does not primarily mean that our lives have an end point, but that *the present continually passes*. This could be said of an artificially intelligent computer, just as it can be said of *homo oeconomicus*. Time's constant slipping away defines neoliberal subjectivity and makes the time of its existence appear as capital to be invested. Certainly, needs must be met to ward off death, but need and death are no

[220] Note: Foucault points out that classical liberalism does without a theory of the economic subject as such, but rather presupposes the subject of English empiricism. (*BB*, 271)
[221] I will discuss below how this assumption is in fact superfluous for Becker.

longer a measure of exchange--they determine finitude only secondarily. The finitude of time appears in the passing of the present as a resource to be allocated. Time grounds itself as human capital in its own finitude—neoliberalism's first side of the quadrilateral.

Of course, the finitude of time limits the neoliberal subject in a second fundamental respect, namely, the finite knowledge of supply and demand. Earlier, I discussed Hayek's claim that the absence of a universally recognized hierarchy of needs deprives would-be command economists of the measure for distributing goods and services from a sovereign position. Thus, Hayek also subordinates the finitude to needs to the *finitude of knowledge with respect to needs*, which establishes the supremacy of the price mechanism for meeting human needs.

In *The Order of* Things, the finitude of man's essential empirical contents allowed them to serve as quasi-transcendental conditions of their own intelligibility. Like so many images of "man" before it, the neoliberal subject is the result of an empirico-transcendental doubling on the basis of his finitude. In the case of neoliberal subjectivity, the content of *Homo oeconomicus* appears on the foundation of the finitude of time-capital and its knowledge of market conditions.

Just as the finitude of need compelled liberal man to labor, the finitude of time compels neoliberal man to economic rationality. In the case of the ordoliberals, it is relatively easy to see how economic rationality functions as an empirico-transcendental doublet. Eucken universalizes economic rationality when he writes, "Everywhere men try in their economic plans and resulting actions to attain a certain end with as small an expenditure of means as possible. They always follow the economic principle." (Eucken 1992, 281)

Yet when it comes to the Americans, there are moments in *The Birth of Biopolitics* where Foucault *appears to suggest that the neoliberal subject constitutes a break from anthropology*. Dilts picks up on this when he observes that the Chicago School's theory of human capital "is a radically empty theory of subjectivity. In this figure of *homo oeconomicus* as a grid of intelligibility, the anthropological figure who carries a biographical subjectivity is now gone…Second, this minimal (or possibly empty) subject is, rather than an anthropological self, simply an array of activities." (Dilts 2011, 136-7) According to Foucault, the American redefinition of labor treats all qualitative aspects of the economic subject as "homogenizeable elements" of the (human) capital of an enterprise.[222] (*BB*, 233) That is, the economic definition of the subject appears to be *formal* inasmuch as it is simply the operator of a formal rationality that allocates its qualitative content so as to maximize its returns. There appears, then, to be a break between the transcendental doublet of anthropology and entrepreneurial subjectivity.

One finds this formalism in Foucault's remarks on the neoliberal treatment of criminality.[223] He claims that the Americans do away with an anthropology of criminality (their "anthropological erasure of the criminal"), which means they do away with an anthropological schema to identify the criminal as a certain type of subjectivity (*homo criminalis*). (Ibid., 28) The neoliberal concept of the criminal is no longer an abnormal type of human being on the margins of or specifically different than normal humanity. Neoliberalism would not advise lawmakers to seek the criminal behind the crime, as there is no appeal to psychiatric, medical, or sociological reasons for criminality. Instead, the neoliberal figure of the criminal is indistinguishable from *homo oeconomicus* in general: "The criminal, any person, is treated only as anyone whomsoever

[222] An undelivered portion of the manuscript for March 14th, 1979 reads: "All the problems of [inheritance?]—transmission—education—training—inequality of level, treated from a single point of view as homogenizable elements, themselves in their [turn?] re-focused no longer around an anthropology or an ethics or a politics of labor, but around an economics of capital." (*BB*, 233)

[223] One might even be tempted to take this as evidence of Foucault's supposed neoliberalism.

who invests in an action, expects a profit from it, and who accepts the risk of a loss." (Ibid., 253) That is, the criminal merely differs in their investment and expenditure strategy by breaking the rules of the market game to garner higher returns on their human capital.

The formalism of human capital analysis is a consequence of its positivist epistemological starting point, as Foucault indicates in the lecture from March 21st of *The Birth of Biopolitics*:

> We only move over to the side of the subject himself inasmuch as—and we will come back to this, because it is *very important*…we can approach it through…the network of intelligibility of his behavior as economic behavior. The subject is considered only as *homo oeconomicus*, which does not mean that *the whole subject* is considered as *homo oeconomicus*. In other words, considering the subject as *homo oeconomicus does not imply an anthropological identification of any behavior whatsoever with economic behavior*. It simply means that *economic behavior is the grid of intelligibility one will adopt* on the behavior of a new individual. It also means that the individual becomes governmentalizable, that power gets a hold on him to the extent, and only to the extent, that he is a *homo oeconomicus*…*Homo oeconomicus* is the interface of government and the individual. But this does not mean that every individual, every subject is an economic man.[224] (Ibid., 252-3)

The formalism of economic rationality must first of all be understood as a positivist hypothesis for interpreting behavior without ultimately identifying its object with its hypothesis. Economic rationality does not first appear to the analyst as the essential content of man—hence the break between the empiricist naturalism of Smith and the positivist empiricism of the Chicago School. Instead, one *begins with the form* and applies it to empirical human behavior *from without*—one goes from the former to the latter, not the reverse as in anthropology. As Lawrence Boland points out, Becker's positivism follows Popper in seeking to limit its knowledge to its set of non-falsified hypotheses. Further, Becker follows Friedman's *instrumentalist* positivism, which claims that "theories are only useful tools," where usefulness means the ability to predict phenomena. (Boland 1982, 143) From this perspective, empirical contents can always delimit or falsify economic rationality as a hypothetical form, supposing that the distinction between fact and norm holds steady.

Yet this distinction does not hold steady—far from it, as I showed in the previous section. One of the phrases that I highlighted in the lengthy quotation above was "very important." Why is what Foucault says here "very important"? It is because, as he says, economic rationality makes subjectivity *governable*. Since economic rationality is not directly posited as the essence of its object, *power's "hold" on its object is limited to its economic existence*. That is, this appears to be the very inverse of the classical liberal subject, whose economic rationality was what allowed it to function as a limit to sovereignty and *raison d'État.*[225] And yet, what makes *homo oeconomicus* exist? Market conditions.

In the undelivered notes of the lecture from March 21st, Foucault ends with a question: "But does this mean that we are dealing with *natural* subjects?"[226] (*BB*, 261) He provides the answer in the next lecture. Just before explaining how neoliberal subjectivity is inherently governable because of its systematic responsiveness to environmental variables, he states:

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[224] Italics mine.

[225] Colin Gordon picks up on this in his introduction to *The Foucault Effect,* where he calls *homo oeconomicus* "manipulable man": *Studies in Governmentality*. (Gordon 1991, 43)

[226] My italics.

> The most important stake [of *homo oeconomicus*] is no doubt the problem of the identification of the object of economic analysis with any conduct whatsoever entailing an optimal allocation of scarce resources to alternative ends…And we reach the point at which maybe the object of economic analysis should be identified with any purposeful conduct which involves…a strategic choice of means…in short, the identification of the object of economic analysis with any rational conduct. In the end, is not economics the analysis of forms of rational conduct and does not all rational conduct, whatever it may be, fall under something like economic analysis? (Ibid., 268-9)

Therefore, while it is true that the positivism of the Chicago School *initially appears* to limit the hold of governmentality on the subject to its economic side, the marketization of human life by the neoliberal state under *laissez-faire de facto* totalizes—and *naturalizes*—economic rationality. The Americans may commit to an "anthropological erasure of the criminal" and they may *methodologically* isolate economic rationality from the human as such. But to use Foucault to claim that they denaturalize economic man and delimit the exercise of power to a limited economic domain of action naively assumes that economic rationality is not an *effect* of artificially imposed market conditions. But if economic rationality *is* an effect of market conditions and if neoliberal governmentality seeks to intensify and extend such conditions, then economic rationality is more than a form of analysis; it is the induced *content* of an always already objectified subject that is governed by its systematic responsiveness to environmental variables.

Despite the positivist economists' apparent modesty in claiming that economics is not so much true as it is not-falsified, when economists like Becker test the hypothesis of human capital, they do so either in a hypothetical model posits the market as a premise or in an historical, empirical reality that has already been subject to the market's on decision-making. This is akin to a theoretical iteration of the circuit of surplus consent established by the ordoliberals. Just as ordoliberals legitimized the state on the sheer existence of the market, here that existence serves to naturalize the supposedly hypothetical existence of economic rationality. The "systematic responsiveness" of *homo oeconomicus* cannot empirically appear without a market—or market-like condition—that already informs power relations. Yet this is not difficult under pre-existing capitalist conditions. Furthermore, as neoliberalism has succeeded in modeling power relations on the market, *the reality that would otherwise test hypotheses on human capital has already been designed to confirm them*. The very existence of the market—and a politics founded upon it—destroys the distinction between fact and norm that makes economic non-falsity possible according to positivism.[227] Therefore, even in the formalism of the American neoliberalism, one

[227] At the 2011 Carceral Notebooks conference where Becker was invited to respond *The Birth of Biopolitics* (I deal with this response more below), he agrees with Foucault that economic man is a fiction. However, what I am claiming in this paragraph is the same thing that Foucault claimed in turning to power relations in the early 1970s, namely, that it is not just a matter of affirming that man is an illusion or a fiction, but that it is a matter of understanding the power relations that produce that fiction in its singularity as opposed to any other fiction. (*PP*, 58) I quote Becker at length, then to show how his use of positivism allows him to claim that, epistemologically speaking, *homo oeconomicus* is a fiction: "The man produced by human capital is a fiction. Yeah, it is. But all theories are fictions…I don't care if it's physics, biology, economics, you know, any social science, any physical science, any biological science—they're fictions! So you're taking certain aspects of behavior and your saying, 'Can I take these aspects of behavior, a very simple model of man…and can I take that simple model and understand a lot of things about the world and then help to prescribe things for the world?' Yes, it's a fiction—I'm proud of that—it should be a fiction…If I read more Foucault I'm sure I would find that there are a lot of fictions in Foucault and his analysis. But...I wouldn't call that a criticism…You have to do that to talk in an insightful way about the world…Theory is an abstraction, it's a fiction, and the question is, when analyzing good and bad theories, is which

finds the operation of a transcendental doublet: the neoliberals extract economic rationality as a form of intelligibility from the empirical effect of subjection to the market.

The third side of the anthropological quadrilateral, if one recalls, is the opposition between thought and the unthought. Inasmuch as man's conditions of intelligibility are derived from objective contents, then anthropological thought always relates itself to something that constitutively delimits thought and separates it from its object. This appears to be overturned in neoliberalism, with its insistence on the irreducibly subjective character of labor *qua* economic rationality. However, inasmuch as this rationality is due to an *objectively given finitude*, whether as competition over scarce resources or as time scarcity, one finds that the neoliberal *cogito* is still related to a constitutive unthought dimension. On the one hand, there is the question of economic irrationality, in neoliberalism to imbue labor with a subjective form of thought means that the split between "the *cogito* and the unthought" takes two forms: the difference between economically rational and irrational behavior on the one hand and, on the other, conscious and non-conscious processes of adapting behavior to economic rationality. The relation between thought and the unthought elaborates the emergence of the subjective form of knowledge from out of an economically defined objectivity.

In Eucken, there is the problem of accounting for economizing behavior as a universal anthropological characteristic when history is replete with economically irrational societies. (Eucken 1992, 281) This is not a matter of explaining the difference between non-capitalist and capitalist societies in terms of subsistence or acquisitiveness, however. Continuing the ordoliberal interpretation of Weber, Eucken locates the cause of apparent economic irrationality in *society*. He argues that while everyone *subjectively* obeys the economic principle (everyone tries to minimize costs), *objectively,* depending on cultural production practices and the social form of organization, history shows us numerous examples of producers who fail to economize. (Ibid., 284) Thus, economic irrationality is due to *objective social environments* that lack a mechanism for rewarding economic rationality. That is, most human societies have lacked the full power of the price mechanism as a means of guiding producers toward choosing the most competitive end. The irrational other of economic rationality is society, which is a necessary condition of any economy that has historically eluded and limited its economic principle. (Ibid., 292-3)

In the case of Becker, however, the economic *cogito* can hypothetically be discerned everywhere, as the market can make even completely "irrational" behavior conform of economic reason through no intention of its own. That is, all behavior involving resource constraints and cost signals can be understood economically. However, as a hypothesis, economic rationality presupposes economic premises. Becker's positivism separates him from his German and Austrian counterparts by suspending the question of economic irrationality as a theoretical concern. That does not mean that it disappears however, for it is the chief problem of economic policy. The tribunal of *laissez faire* has the function of prohibiting and reformatting economic irrationality within the state. For the Americans, then, the unthought of the economic *cogito* is simply the historical givenness of its political and social conditions, which needs not be explained—merely abolished. might not find the unthought as the objective ground of economic rationality. from needing to explain economic irrationality on the basis of social conditions, That

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fictions works better for whatever problem you have in mind—whether it's an analysis or prescribing behavior—which theory works better? I think human capital has been a great fiction…Nobody would deny that it's a fiction. But you have to say, is it a useful fiction? And maybe, 20 years from now, we will have a different fiction that will be better. But at the moment, it is a very useful fiction for a lot of problems." (Carceral Notebooks 2011)

is, thoughtlessness confirms the theory of human capital by unknowingly engendering it.[228]

Finally, let us recall that the last side of the anthropological quadrilateral is the repetition of the originary as a historical teleology. Work assumes its originary status in neoliberalism in the form of economic rationality, which simultaneously functions as a principle of historical intelligibility and as a teleological principle of government. This is perhaps most evident in Hayek, who continues one step further than the ordoliberals in their understanding of the split between the *cogito* and the unthought along the lines of the economy and society. For Hayek explains the economic unintelligibility of society as a historical phenomenon by pointing to the non-conscious character of spontaneous organization in human societies. Yet this non-conscious spontaneity historically proves to contain the economic principle, as history is but the slow evolution of social forms toward the free market as the foundation of the rule of law. This is also why Hayek has no need of an ordoliberal *Gesellschaftpolitik*. For him, rationality is not contingent on knowledge, but on acting according to rules that yield favorable results, whether knowingly or not:

> The cultural heritage into which man is born consists of a complex of practices or rules of conduct which have prevailed because they made a group of men successful but which were not adopted because it was known that they would bring about desired effects. Man acted before he thought and did not understand before he acted. What we call understanding is in the last resort simply his capacity to respond to his environment with a pattern of actions that helps him to persist. (Hayek 1982a, 17-8)

For Hayek, social orders exist because they prescribe rules of action that solve economic problems. Such orders are not totalities brought about by design; they come about spontaneously through the uncoordinated action of individuals. While Hayek denies the psychoanalytic unconscious as nonsense, he affirms that economic rationality historically functions as a non-conscious principle of social evolution.[229] Hayek even maintains that the "error" of 19th century "'Social Darwinism' was that it concentrated on the selection of individuals rather than on that of institutions and practices." (Ibid., 23) When it comes to Hayek, then, the unthought is not simply the abstract other of economic rationality; it is the non-conscious character of economic rationality itself as it patiently selects the irrational out of historical existence and objectively adapts social life to itself.

Economic rationality is a historical *telos*, whether it is the unifying style of all societies, the unthought that historically guides society to its final form, or the objective of the tribunal that governs the state. I mentioned that the Chicago School neoliberals are far less interested in the history of social forms than their European counterparts, since instrumental positivism suspends questions of historical development outside of their use for predictive hypothesizing.

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[228] *The Order of Things* argues that the theme of the *cogito* and the unthought means that there has only ever been one "morality" in modernity, namely, "the apprehension of the unthought." (*OT*, 327) To the varying extent that neoliberals naturalize economic rationality, they also, paradoxically, maintain that economic rationality is the *ideal* of an entrepreneurial form of life. One both is (or is made) economically rational and *must become* economically rational for oneself.

[229] In Volume I of *Law, Legislation, and Liberty*, Hayek denounces the psychoanalytic idea of the unconscious as a possible misunderstanding of the non-conscious character of the rules that govern human action: "We shall not use, and in fact regard as unwarranted and false, the whole conception of an unconscious mind which differs from the conscious mind only by being unconscious, but in all other respects operates in the same, rational, goal-seeking manner as the conscious mind. Nothing is gained by postulating such a mystical entity, or by ascribing to the various propensities or rules which together produce the complex order we call mind any of the properties which the resulting order possesses." (Hayek 1982a, 31)

Nonetheless, the historicity of neoliberal man takes over progress narratives that are familiar to liberalism: not only economic growth and development, but also the exit from political coercion and the expansion of liberty. If there is anything new here, it is that neoliberalism adds the defeat of totalitarianism and the permanent strategy of crisis governance as a strategy for dealing with breakdowns in economic rationality, whether those arise inside the exercise of economic reason itself or outside of the economy in politics or society. Neoliberalism envisions itself as always on the cusp of the end of history, as it gives itself an open-ended progress narrative defined by the manageability of crisis and the indefinite expansion of the market.

To repeat what I stated at the beginning of this section, the critique of neoliberalism as an anthropological epistemology is not the same as a political critique of its governmentality. As Foucault notes, neoliberalism emerged as a response to a crisis of liberal governmentality in the first half of the 20th century that had to do with the economic and political costs of producing liberty. These included democracy and economic interventionism, social welfare, and the threat of totalitarianism. As I discussed in the previous chapter, neoliberalism registers this crisis through an "inflationary critique" that *dogmatically* identifies all non-economic manners of conduct as inherently totalitarian insofar as they would pose a threat to economic liberty. And it is on the basis of this dogmatism that neoliberalism stakes its claim to save liberal governmentality by founding the state upon the market as an apparatus for producing economic subjectivity.

In *The Birth of Biopolitics*, all of Foucault's declarations on the stakes of neoliberalism point to this. He declares these stakes four times, but they can be boiled down to two (I have quoted them already). The first has to do with the apparatus of market competition: "[The] *problem* of neoliberalism is…how the overall exercise of political power can be modeled on the principles of the market economy."[230] (*BB*, 131) The second has to do with entrepreneurial subjectivity: "The most important stake [of *homo oeconomicus*] is no doubt the problem of the identification of the object of economic analysis with any conduct whatsoever entailing an optimal allocation of scarce resources to alternative ends."[231] (Ibid., 268-9)

I ended the previous section by showing how neoliberal *homo oeconomicus* is defined by the fact that it accepts its reality and reacts to changes within it. This is what makes *homo oeconomicus* governable and, consequently, rational. In this section, I have shown that the acceptance of reality is also what constitutes *homo oeconomicus* as an empirico-transcendental doublet. As such, *homo oeconomicus* proves to be a doubly-dogmatic form of subjectivity and mode of thought: both at the level of its uncritical attitude toward the power relations that have been modeled around it and at the level of its epistemological universality.

Foucault's aim with the politics of truth was to trace the historical knowledge-effects of power so as to intensify struggles of desubjection and contribute to the art of not being governed. This involved looking at how power relations that "anthropologize" subjects by tying them to essential predicates like labor. In the 18th and 19th centuries, panopticism made it possible for

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[230] My italics. There is another passage on this stake that appears before this one and that specifically addresses the market as a foundation of the state and society: "Can the market really have the power of formalization for both the state and society? This is the important, crucial problem of present-day liberalism and to that extent it represents an absolutely important mutation with regard to traditional liberal projects, those that were born in the eighteenth century…It is a question of knowing how far the market economy's powers of political and social information extend. This is the stake." (*BB*, 117-8)

[231] This stake is announced in connection to ordoliberalism when Foucault states, "[I]t is…a matter of constructing…a social fabric in which precisely the basic units would have the form of the enterprise…this multiplication of the 'enterprise' form within the social body is what is at stake in neoliberal policy." (*BB*, 148)

labor to empirically appear and transcendentally function as the "concrete essence" of man by producing the field of visibility in which labor could appear as an object of knowledge. In the 20th century, it is the competitive market that facilitates the appearance economic rationality as the hallmark of the worker in the neoliberal re-elaboration of labor. (*DE1*, 1489-90; *EF3*, 86)

Foucault's analysis of neoliberalism allows us to see how the paradoxes of neoliberalism point to a twofold dogmatism. On the one hand, the unnatural naturalization of the market expresses a dogmatic political rejection of forms of conduct that operate outside of economic rationality. On the other, subjection through desubjection expresses the dogmatic form of neoliberal subjectivity as a fundamentally reactive subject that is incapable of the critical gesture of suspending the universals that condition its existence. At a phenomenological level, this is almost understandable. After all, the market constitutes its subjects such that their fundamental experience of time is one of scarcity. In a world where time is money and money is scarce, who has the time for critique?

A critique of neoliberalism would not only have to present its historical contingency—which Foucault has gone a long way in achieving—but also to point toward the possibility of counter-conducts that would make good on this contingency by undoing the limits that neoliberalism imposes on the present. That is, the critique of neoliberalism must offer some tactical pointers to the desire to struggle for desubjection. These would include some weak points, obstacles, and strategic resources. So then, what counter-neoliberal strategies are possible for becoming ungovernable? What marginal elements in neoliberalism might an ungovernable counter-blow take up? What type of subjectivation could break from market veridiction? I would like to offer some Foucaultian suggestions to these questions by way of a conclusion.

Chapter 7 (Conclusion): Insurrectionary Communism and "Cynicism" as Counter-Neoliberal Conducts

Learning to undo things, and to undo oneself, is proper to the war machine: the "not-doing" of the warrior, the undoing of the subject. (Deleuze and Guattari 1987, 400)

The Cynic is a philosopher at war. (*CT*, 299)

7.0 Introduction

Neoliberalism may be the extreme form of governmentality today, yet what defines a historical moment is not principally its cutting-edge mode of power, but what breaks away from it and counter-attacks by inventing new modes of existence. As I mentioned in Chapter Five, one of the peculiar things about Foucault's critique of neoliberalism is that, unlike his critique of discipline, it was not directly related to existing struggles (at least not explicitly).[232] As such, his critique simply points to the possibility of such struggles instead of following in their wake (which is not to say that he prophesies them). By way of concluding this dissertation, then, I would like to explore the strategic value of Foucault's notion of critique in the context of neoliberalism by asking how he might help us to think about struggling against it. I would like to point out two possible directions for the politics of truth in the context of neoliberalism.

Both require their own set-up. First, I will discuss how neoliberalism shows us that the category of society is an anthropological dead-end. Thinking through its reduction to the market means grappling with neoliberalism as a governmentality based on war and crisis, which fundamentally alters our strategic frameworks. Second, I'll argue that, on this basis, it is necessary to turn to a strategic rationality of ungovernability that is specific to neoliberalism. Here I will propose a counter-conduct that re-tools the subject of human capital into a different kind of machine—one that uses wealth as a means of *de-individualization,* that refuses the rules of the market game, and that begins from premises that competition disavows, namely, war and struggle. The art of not being governed in neoliberalism must affirm war—both as a collective mode of existence and as a counter-governmental rationality that turns human capital into a *communist* force.

The second line of resistance that Foucault opens up comes from his ethical turn, particularly his work on the Cynics and *parrhēsia*. Foucault never ties his work on the Cynics to neoliberalism. The third section of this conclusion will offer a reading of Foucault's interpretation of the Cynics before I turn in the fourth section to consider how the Cynics offer the rudiments of an ethics of scandalous truth that violates market veridiction and challenges others to deviate from neoliberal life.

[232] Foucault was aware of *Autonomia,* but he never makes reference to it in *Security, Territory, Population* or *The Birth of Biopolitics*.

7.1 The Neoliberal Closure of Civil Society and the Return to the War Hypothesis

As a first move, I would like to show how resistance to neoliberalism must refuse the alternative laid down by neoliberalism between capitalist triumphalism and nostalgia for either traditional liberal or Marxist politics. Second, it will be necessary to see how resistance is possible by resorting to an aspect of neoliberalism that remained unanalyzed by Foucault, namely, war. If one recalls that the first volume of *The History of Sexuality* argues that power relations can never be *totally* codifed as either politics or war, then it is hypothetically possible to analyze neoliberal governmentality in terms of the role played by war. Using *Security, Territory, Population* and *The Birth of Biopolitics*, I will argue that it is in fact neoliberalism that throws us into war in the first place by integrating wars and crises within its governmentality.

Whether one takes Deleuze and Guattari's Marxian insight that capitalism is defined by deterritorialization, or the neoliberal insight that the capitalist market is an expanding game of catallaxy in which all players and values are in constant movement, one seems to return to the following alternative. On the one hand, there is neoliberal triumphalism. This includes what Mark Fisher has called "capitalist realism,"[233] which is summarily expressed in Margaret Thatcher's statement, "There is no alternative." There's also Francis Fukuyama's thesis on the liberal-capitalist end of history and its accelerationist echo in Nick Land, who deliriously affirms capitalism as the historically realized form of "temporality itself."[234] Much of what I said in the previous chapter shows how Foucault resists the triumphalist thesis of the necessity of neoliberalism. On the other hand, there is nostalgic reaction, which includes liberal, socialist, and fascist longings.[235] However, the difficulty in resisting neoliberalism—particularly for the left—is the common tendency to *regress* to political grounds that neoliberalism has *already exhausted*, namely, traditional forms of liberalism and Marxism, with their discourses on political and social rights.

This appears to be a difficulty that Foucault was well aware of. After his discussion of neoliberalism in which he claims that *homo oeconomicus* is "eminently governable," he spends the rest of *The Birth of Biopolitics* giving an archaeology of civil society. This archaeology shows how the concept of civil society emerged as a synthesis of the two liberal subjectivities that functioned to critically limit state sovereignty: the juridical subject of rights and the economic subject of private interests. The implication, then is that neoliberal governmentality will have emerged on the collapse of the tripartite structure of liberal subjectivity: politics, economy, and society.

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[233] Fisher almost takes the concept of capitalist realism straight from Thatcher: "That slogan captures precisely what I mean by 'capitalist realism': the widespread sense that not only is capitalism the only viable political and economic system, but also that it is now impossible even to *imagine* a coherent alternative." (Fisher 2009, 2)

[234] Land: "'Go for growth' now means 'Go (hard) for capitalism'. It is increasingly hard to remember that this equation would once seemed controversial…This is the now world Transcendental Miserablism haunts as a dyspeptic ghost. Perhaps there will always be a fashionable anti-capitalistm, but each will become unfashionable, while capitalism—becoming ever more tightly identified with its own self-surpassing—will always, inevitably, be the latest thing." (Land 2011, 625)

[235] One might also include the theoreticist despair that Land calls "transcendental miserablism," where one resorts to an impotent, resentful critique of capitalism's ability to endure every crisis and incorporate any outside threat. Fair or not (Land lumps the Frankfurt School in here), the miserablist resigns themselves to the impotent, fetishistic pleasure of knowing how one is governed or dominated. This is what happens when critique is divorced from strategy. Foucault averts this by virtue of the lesson of counter-conducts, which follows from the historical non-necessity of power-knowledge and the fact that his is not a critique that transcendentally sits above the games of power.

The rise of the liberal subject's tripartite structure is as follows. According to Foucault, liberalism began with the self-limitation of natural rights as a mechanism for constituting political sovereignty and establishing the political subject of contractual rights—*homo juridicus*. (*BB*, 274-5) With classical liberalism's *homo oeconomicus*, political sovereignty underwent a further delimitation—this time due to the impossibility of sovereign knowledge of economic interests within the marketplace. (Ibid., 281) Liberal subjectivity was thus split into a subject of rights and a subject of interests, the former being visible to sovereign knowledge because of the recognition implied by the contract, the latter being invisible because it could only be ordered as the spontaneous convergence of interests, or the invisible hand of the market. In the end he shows how, starting with Adam Ferguson, civil society synthesizes these two discourses and their respective subjects. The same thing that brought *homo oeconomicus* into the fold of government was the same thing that provided the common ground for the two sides of liberal subjectivity: civil society as a common domain of bonds with their own history and complex relations with political and economic life. (Ibid., 296)

The importance of civil society was not only to unite political and economic liberalism on a common, governable ground, but also to limit the dangerous tendency of self-interest to dissolve the basis of politics. Ferguson's concept of civil society posits a network of spontaneous communal bonds arising between individuals who differ in their talents, passions, and ability to influence others. (Ibid., 304) Such differences produce a division of labor in which individuals spontaneously associate with one another, which counter-acts the atomizing forces of self-interest with the specifically social ideal of common welfare. Historically, a dialectic unfolds as the principle of economic interest plays a negative role of *dissociation*, which dissolves old political institutions, while the principle of spontaneous association brings forth new ones, until one finally arrives at a society civilized by laws and private property. Civil society is thus the milieu in which liberal subjectivity is governed.[236]

The legacy of civil society and its economic negation was essential to Marx's concept of class struggle. At one point, Althusser says that, while reading about Hegel's concept of civil society, or the society of need, Marx must have envisioned a sign that read "dig here." (Althusser 2006, 110) For beneath the unquestioned presupposition that civil society is composed of "*relations of individuals,*" there lays the simple assumption of the individual: "*homo oeconomicus* and its ethical and legal abstraction, the '*Man*' of philosophy." (Ibid.) Marx's advancement was to show how civil society is in fact an ongoing class war without any common ground. However, he failed to go far enough, since his concept of society remains within anthropology to the extent that need is what simultaneously binds classes together in times of false peace and, in times of crisis, drives them apart into open conflict. The anthropological image of class war is also responsible for Marx's prophetic eschatology, which obfuscates the meaning of struggle by replacing the common good with the universality of the proletariat. Whereas liberalism refuses social war in the name of the common good, the later fails to think it post-anthropologically.

Each of these three "territorialities"—rights, interests, and social bonds—provided liberalism and Marxism with an axis of governance and an axis for its critique. The ideal of individual political agency on the basis of state-protected social bonds has been fundamental to liberal anthropology, just as the idea of collective political agency on the basis of class belonging has been essential to the anthropology of Marxism. However, neoliberalism depoliticizes and

[236] Foucault points out in this respect that neoliberal *homo oeconomicus* was not the first to be governed by its milieu, but that the social specificity of this milieu is what American neoliberalism leaves behind.

desocializes its liberal inheritance, thereby threatening all rights beyond that of property. Its strategy has been to negate any possibility in the liberal tradition (or its Marxist critique) for challenging the totalizing tendency of economic rationality.

One way of using Foucault to frame this problem has come from the work of Wendy Brown, who sums up the predicament of liberalism this way: "[N]eoliberalism entails the erosion of oppositional political, moral, or subjective claims located *outside* capitalist rationality yet inside liberal democratic society." (Brown 2005, 45) Hence, neither the citizen, nor society, nor the worker as a state-recognized subject can support critical discourses and positions from which to critique neoliberalism. And yet, in "Neoliberalism and the End of Liberal Democracy," Brown maintains that liberalism is the ineluctable horizon of politics nonetheless:

> Still, liberalism, as Gayatri Spivak once wrote in a very different context, is also that which one "cannot not want" (given the other historical possibilities, given the current historical meaning of its deprivation). Even here, though, the desire is framed as roundabout and against itself, as Spivak's artful double negative indicates. It indicates a dependency we are not altogether happy about…What are the possible trajectories for a melancholic incorporation of that toward which one is openly ambivalent; or *perhaps even hostile, resentful, rebellious*?[237] (Brown 2005, 53-4)

Later, in *Undoing the Demos*, Brown retains an ambivalent attachment to democracy: "My critique of neoliberalization does not resolve into a call to rehabilitate liberal democracy, nor, on the other hand, does it specify what kind of democracy might be crafted from neoliberal regimes to resist them." (Brown 2015, 201) Brown reasons that liberalism still contains strategic possibilities for democracy, as evinced in her preferred reference-point at the end of the book, Occupy Wall Street. She praises the movement for expropriating privatized space to common use, refusing the sacrificial logic of neoliberal austerity, justly directing rage against the banks, and building solidarities from a political position apart from the abstract, human capitalized identities of the market (workers, consumers, students, debtors, and so on). (Ibid., 203; 217; 219) For Brown, the democracy of Occupy Wall Street involves these elements along with its assemblies that recalled the revolutions of classical liberalism.[238]

However, there are two fundamental objections to raise here, which arise from an analysis of the downfall of Occupy Wall Street (OWS). The first is that one fundamental weakness of OWS was its arbitrary delimitation of the forms of conduct that hostility and rebelliousness could take. For *the democracy of the assemblies in fact limited rebellion to forms of* civil *disobedience*. One could argue that one symptom of neoliberalism is the widespread reflex to reach for civil, democratic forms of resistance that we have nostalgically consumed

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[237] My emphasis.

[238] For a more recent contestation of neoliberalism's sacrificial logic, one could consider riots in Ferguson, Missouri as moments of unpoliced black rage. For neoliberalism silences and renders racial inequalities invisible to the extent that they (1) do not readily admit of market solutions, (2) engage in massive acts of illegality (or, in legitimate forms of protest, made demands for state economic planning), and (3) present a narrative of the market in which its ascendency is conditioned by black pain and devaluation. The result of that history is blackness as a negative quality that has to be overcome by additional human capital investments or, further, as a mark of social death, as the Afro-pessimists maintain. To that extent, the black body is unintelligible to human capital as a structural site of disinvestment. This constitutive exclusion of blackness would make neoliberal subjectivity the latest historical form of whiteness, and perhaps even of white supremacy. Lemke argues in this direction when he states, "These effects entail not just the simple reproduction of existing social asymmetries or their ideological obfuscation, but are the product of a re-coding of social mechanisms of exploitation and domination on the basis of a new topography of the social domain." (Lemke 2001, 203) Dilts also points this way when he critically asks, "Who or what had to be sacrificed in order to posit the conditions of *homo œconomicus*?" (Dilts 2008, 95)

throughout the long duration of its reign. From that perspective, Occupy Wall Street merely reproduced the spectacle of democracy. Second, the civil-democratic spirit of OWS gave the upper hand to mayors, the FBI, and police departments across the United States, who used a hardline strategy of endless evictions, jailings, and violence to drain resources, crush desire, and let Occupy fragment and exhaust itself under its own internal pressures. When neoliberal governmentality categorically deems civil society both unintelligible *and a threat to the market*, deploying civil strategies of legitimation is to bring a book to a gunfight.

Yet as Foucault indicates in the closing remark of *The Birth of Biopolitics*, any politics—including any novel form of *political* resistance—will have to situate itself in relation to the prevailing forms of governmentality as they've developed since the rise of political economy. He locates the starting point of politics neither in civil society nor in its material conditions, but instead in the "tactical polyvalence" of governmentality, which is distributed into three different historical lines: government according to the rationality of the individual sovereign (which includes *raison d'État*), the Marxist art of governing according to the "rationality of history progressively manifesting itself as truth," and the liberal governmentality of governing "according to the rationality of the governed themselves." (*BB*, 313) He describes the relation between these governmentalities thus:

> You can see that in the modern world, in the world we have known since the nineteenth century, a series of governmental rationalities overlap, lean on each other, challenge each other, and struggle with each other…What is politics, in the end, if not both the interplay of these different arts of government with their different reference points and the debate to which these different arts of government give rise? It seems to me that it is here that politics is born…(Ibid.)

This is one of Foucault's final statements on the politics of truth before he turns to the ethics of subjectivation. It broadly defines the situation of any possible counter-conduct. Instead of imploring his readers to look backward to the movements of the past, it invites us to open up new possibilities of conduct by taking up the elements of our present. Instead of a dialectical negation of the present that would prophesy a return to Political Society, he offers an open set of coordinates in which to think critically, which is to say, *to think strategically*.

One strategy—and it is not the only one—would begin from the other side of the market and understand resistance in the same terms that neoliberalism itself does, namely, as either a criminal violation of the rule of law or as an enemy threat to its order. At this point I would like to think about how neoliberalism arose not only through the foundation of the state on the market by means of research institutions and policy, but also through practices of war and sacrifice. While austerity is a common theme of sacrifice in the continuing fall-out of The Great Recession, there is another, more profound theme of sacrifice that returns us to Foucault's war hypothesis anew in order to think about neoliberalism historically. I would like to propose a way of thinking about a strategy of counter-conduct on the basis of an analysis of neoliberalism as a strategy of war.

The war hypothesis in Foucault's mid-1970s work, one will recall, laid down that power relations are intelligible *only* as relations of war. The problem of the biopolitics of populations forced Foucault to abandon this hypothesis in favor of exploring how power functions politically (in a restricted sense) as governmentality, as can be seen in the connection between the medicalization of sexuality and the emergence of things like public health as a concern of the state. And yet this abandonment does not mean that power functions *only either* as war *or* as governmentality. That is, *it does not preclude the possibility that governmentality and war at*

times mutually condition one another historically.

One prime example of how power can function as war and as governmentality in different, mutually reinforcing ways is *the role of state violence in neoliberal states and markets*. In particular, this can be seen in the neoliberal *coup d'État*.

Foucault's genealogy of the *coup d'État* in *Security, Territory, Population* shows how, starting in the 17th century, state rationality (*raison d'État*) defined itself through a theory of the state of exception thanks to a mutation of the pastoral theme of sacrifice. One of the essential problems of the pastoral shepherd was that of *omnes et singulatim*—the problem of all and each. According to Foucault, the shepherd must spiritually prepare himself for exceptional circumstances that test his skill. There will be times when he must sacrifice a single sheep for the sake of his flock. But there will also be times when he must risk sacrificing his entire flock for the sake of a single sheep. And, finally, there might come a time when he will be called upon to sacrifice himself for all of his sheep. (*STP*, 128)

This problem continues in following the crises of the pastorate that culminate in the Reformation and the emergence of *raison d'État*, or state rationality, following the Treaty of Westphalia. Citing Giovanni Botero, Foucault defines state in this discourse as "a firm domination over peoples." (Ibid., 237) For 17th century theorists like B.P. von Chemnitz and Gabriel Naudé, there are exceptional circumstances in which the very existence of the state is under threat. In such situations, "in the name of the state's *salvation,*" it will be necessary to suspend all previously established laws. (Ibid., 262) Foucault notes, "Necessity, urgency, the need to save the state itself will exclude the game of these natural laws and produce something that in a way will only be the establishment of a direct relationship of the state with itself when the keynote is necessity and safety" (Ibid.) The *coup d'État* dissolves the opposition between reason and illegality, thus opening the possibility of extra-legal violence. He continues, "We now have a *raison d'État* for which the *pastoral* will be one of *selection* and *exclusion*, of the sacrifice of some for the whole, of some for the state."[239] (Ibid., 263) It will be necessary, then, to *sacrifice* "[d]isturbers of the public peace and of the state" for the sake of the state. (Ibid., 264)

What problem did the *coup d'État* solve? What threat faced state rationality? Foucault notes that the *Coup d'État* comes up in a text that Chemnitz wrote for the negotiations in Westphalia. (Ibid., 240) In particular, the purpose of the *Coup d'État* is to secure the state of peace amongst Catholics and Protestants against *political religiosity* and the threat of sectarian warfare. However, Chemintz's historical reference here is Charlemagne's invasion of Saxony in 772. Once the invasion became an occupation, he planted undercover assassins amongst the Saxons as a permanent counter-insurrectionary force. They killed in secret and had total discretion, independently of any judiciary authority. (Ibid.) While the coup happens invisibly, its effects must be spectacular. The state must show that its existence is *inevitable*, that it is necessary, and hence that its "historical time is indefinite." (Ibid., 260) The *coup d'État* is a sacrificial act of *counter-insurrectionary war* by a state against an occupied people that has no affiliation to it. It is not the disjunctive, pastoral sacrifice of one and all, but the sacrifice that selectively kills for the state's permanent domination.

The neoliberal *coup d'État* acts not in the name of the state so much as that of the market that it protects. It combines the pastoral sacrifice of the shepherd with statist counter-insurgency. The neoliberal strategy of the sacrificial *coup d'État* is crisis governmentality: the use of crises to produce an *exceptional environment* of uncertainty that disables the self-conduct of governed

[239] Emphasis added.

subjects.[240] Since the legitimacy of the neoliberal state is derived from its ability to secure the conditions of the market, crises allow the state to manifest *not its own necessity*, but the *necessity of the market*, the *inevitability* of the market, along with *its* indefinite historical time. The neoliberal *coup d'État* declares a state of emergency in the name of economic freedom and expands executive powers to install market conditions by any means necessary, including extra-legal violence and dispossession. Afterwards, when the population exercises its liberty in the new marketplace (often out of necessity), the neoliberal state extracts a surplus of tacit consent to the coup. As economic rationality totalizes the population's behavior, their surplus tacit consent becomes *de facto* naturalized.

The neoliberal *coup d'État* illustrates that the economic tribunal not only expands the market through the privatization of the public good, but also through war. In *The Birth of Biopolitics*, the ordoliberals appear to be the first to use political and economic crisis as an opportunity to found the new state on market competition. However, the Chicago School was (infamously) the first to *manufacture* a crisis opportunity, as seen in its role in aiding Augusto Pinochet's 1973 *coup d'État* in Chile. As described by Naomi Klein, the Chicago School set up the economics department at Chile's Catholic University in order to put neoliberal ideas in competition with welfare state economics. (Ibid., 60) This effectively installed the economic tribunal that continuously denounced the Allende regime and would later govern Pinochet's dictatorship. On the day after Pinochet carried out his coup, he was given a set of policy guidelines called *El ladrillo* ("*The Brick*"). Its author was Sergio de Castro, a Chicago trained economist. (Ibid., 77)

Neoliberalism did not reinvent the *coup d'État* on its own, however. It merged with geopolitical considerations relating to the Containment Doctrine of the Truman Administration, which sought to stop the expansion of communism. The coup is an anti-communist tactic borrowed from the Cold War, which targeted communist or perceived-communist political regimes and resistance movements. To name just a few instances, the U.S. led coups against heads of state in Guatemala in 1954, Chile in 1973, El Salvador in 1979, numerous failed attempts on Fidel Castro, and, more recently, there was the failed attempt on Hugo Chavez in 2002. Where successful, these were generally followed by political purges carried out by paramilitary squads, as in the 1980 assassination of the left-wing Archbishop Óscar Romero in El Salvador.[241]

At first glance, the market appears to neutralize war and sublimate its destructive energies into productive forms of competition between entrepreneurial subjects. Yet war and competition are neither opposed nor superimposable. Instead, neoliberalism interlaces war and competition without identifying the two. They are part of a continuous governmental strategy that includes pre-emptive wars, *coup d'États*, and counter-insurrectionary violence. Thus, *laissez-faire* is not just an economic tribunal of the state; it also *deploys* the state according to a dual strategy.

On the one hand, as a principle of the neoliberal state, *laissez-faire force in relations of war*, as neoliberalism conducts high-intensity warfare and extra-legal violence to extend the found and extend the market. Such violence is necessarily always extra-legal, whether conducted

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[240] This includes what Naomi Klein calls "disaster capitalism." (Klein 2007, 6)

[241] Of course, with the War on Terror, the enemy has shifted to Islamist or perceived-Islamist terrorists, as in 2003's "Operation Enduring Freedom" in Iraq, which was organized by former Chicago School students in the Bush administration. As Peter Galbraith reported in *The Boston Globe* August 31st of 2006, the CIA first attempted a coup against Saddam Hussein in 1996.

by "public" or private military and police forces.[242] On the one hand, from this perspective, *the market is a deintensification and recodification of relations of war in terms of competition* under the rule of law. Neoliberalism descends toward a baseline of low-intensity conflict in the form of economic competition, which includes the mundane policing of criminal entrepreneurs.

7.2 The Communist War Machine as a Counter-Conduct in Neoliberalism

Since neoliberal governmentality is linked to a strategy of war, any counter-conduct that would resist neoliberalism would have to respond to the level of war in which it finds itself. That is, the neoliberal exhaustion of liberal democracy challenges those who would resist it to abandon liberalism and take up a position in the war that is already being waged. The question then is how does one situate oneself?

After *Security, Territory, Population*, Foucault indicates the possibility of returning to the idea of war, along with liberalism's historical rival, Marx. He states:

> Up to now, no one has examined or deepened the question of knowing what struggle is. What is the struggle when one says "class struggle"? Since one says struggle, it is a question of war and conflict. But how does this war develop itself? What is its objective? What are its means? *What rational qualities is it based on?* I would love to discuss how it is not from the sociology of classes but *the strategic method concerning struggles* that one must begin with Marx. It is there that my interest in Marx is anchored and it is starting from there that I would like to pose problems.[243] (*DE2*, 606).

If the polyvalence of modern politics includes Marxism, as Foucault remarks at the end of *The Birth of Biopolitics*, and if Marxism can be rethought *strategically*, then it must meet neoliberalism on the terrain of struggle. But it must also go further: it must step past neoliberalism by becoming *post-anthropological.* Just as neoliberalism succeeded liberalism by abandoning civil society, communism must abandon the concept of society as a truth that historically unfolds throughout history. It must relinquish the state (the object of neoliberal paranoia) and the party as a representational body of the universal subject of history. And it must relinquish the object of its prophecies, the anthropological *eschaton*, or communism as the figure of humanity that is reconciled with its concrete essence, labor. Rethinking communism and war together must involve not a new governmentality, but a counter-neoliberal rationality that frees subjective capacities from work *qua* economic rationality.[244]

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[242] Some critics of neoliberalism, Maxists in particular, have argued that neoliberal economics is war by other means. For instance, Steven Shaviro declaims the neoliberal erosion of civil society as the reduction of social relations to a quasi-state of nature, or a social war in which the class-lines have been erased and the parties have been atomized: "For neoliberalism, the legitimate role of the State is precisely to destroy civil society, and instead to incite a war of all against all, in the form of unfettered economic competition." (Shaviro 2010, 5) Alternately, David Harvey has argued that since capital interests have banded together through a network of associations such as the Chamber of Commerce, class war has been decidedly one-sided. (Harvey 2005, 43)

[243] My italics. Later on, he states: ""What attracts me to Marx are his historical works, like his essays on the *coup d'état* of Louis-Napoléon Bonaparte, on the class struggles in France, or on the Commune…However, these analyses, in the historical works, always end with prophetic speeches." (*DE2*, 612)

[244] In general, Foucault's challenge is to invent resistance practices that go beyond negatively tracing themselves from their object (*à la* Marx). He calls for practices that resist apparatuses with new ways of assembling bodies and producing signs (as in the case of the G.I.P.). And he calls for new modes of conduct that pervert those that already exist. The politics of truth in the context of neoliberalism, like the politics of truth that took the form of the G.I.P., would have to act at the level of the historical conditions of conduct. The difficulty in this consists of the fact that how one thinks about resistance to neoliberalism depends mainly on how one understands neoliberalism and the position from which one considers resistance. Given Foucault's account, it is one thing to resist neoliberalism from a

Starting from counter-conduct as a practice that perverts a regime of power knowledge by taking up its marginal elements and integrating them into different procedures of veridiction, with different aims, and on the basis of different corporeal relations, one could ask the following: how does one "counter-conduct" neoliberal *homo oeconomicus* as a stock of human capital made of subjective capacities and time? How does one "conduct" the flow of its income from self-investment to something else? What rationality can be used? How can one play a different game? In general, what would an ungovernable life look like starting from a life that is eminently governed?

To begin answering these questions, the first line of resistance that I would like to propose begins by situating the politics of truth within the intolerable as a limit experience of divestment from economic rationality. It then proceeds to outline a counter-conduct in which the growth of capacities *qua* communism is linked to the intensification of struggle for desubjection.

The notion of the intolerable in Foucault is not the same as moral outrage or indignation, rather it is the threshold of desubjection in an apparatus of power-knowledge. As such, it is always indexed to the mode of power-knowledge in which it arises. When subjective powers of action are governed by their freedom, intolerability often comes in the form of "sad passions" that pertain to the vicissitudes of a competitive world. Guilt resulting from debt, the anxiety of precarity, depression stemming from abandonment and isolation, and, perhaps above all, exhaustion that comes from being run up against the limits of one's ability to endure the market. This is to say nothing of the social death and abandonment of those cut off from the flows of human capital or deemed unworthy of investment in the first place. Yet from the point of view of human capital, these affects involve a deceleration or blockage of the flow of self-investment because they toward a limit of tolerability that involves incapacity, inactivity, and disidentification with *homo oeconomicus*.

If the death of God was also the death of Man, then it is also important to complete the Kantian trio by adding the death of the World. For the world is nothing other than the totality of appearances, which is grounded in God as the principle of the sum total of what is possible. (Kant 1998, 464-5; 553-4; 558) In his reading of Deleuze, Peter Pál Pelbart characterizes the exhausted subject as "he who, having exhausted his purpose, is himself exhausted, such that this dissolution of the subjection corresponds to the abolition of the world." (Pelbart 2015, 122) Exhaustion has a special proximity to intolerance because the collapse of the subject of possibility necessarily involves the partial collapse of its grounded world—for instance, the market as an apparatus that attempts to ground power relations by inducing subjects to participate in their own subjection. The inoperativity of the exhausted subject is like a blown circuit in the circulation of price signals and human capital. But nonetheless, something is affirmed in intolerance; it is not a pure passivity or inoperativity, but an affirmation of one's

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position threatened by or in the midst of formal subsumption, or the raw encounter between the decoded flows of labor and capital. But it is totally another to consider resistance in the midst of real subsumption, where capitalism takes charge of all subjective potential, the capacity to communicate, to feel, to create, to think, into productive powers for capital."[244] (Read 2009, 33) That is to say that there is no general starting point for resisting neoliberalism and hence there can be no general program for action. The subject position that one occupies with respect to the market will determine one's degree of investment in subjection. One would expect that the starting point would unevenly consist of subject positions involving smaller human capital investments, those whose investments have become intolerable to them, and those whose lives have been deemed unworthy of investment. Moreover, the starting point for resisting human capital would be complicated by existing struggles along lines that are not primarily oriented by neoliberalism. Nevertheless, this is not to say that resistance practices cannot spread or resonate across geographies and times.

capacity to be affected. Intolerance is an auto-affection that draws a line against an apparatus of subjection and opens up power relations to new possibilities.

There is no guarantee that the experience of exhaustion or the intolerable will engender a will to struggle. Most often, existential desubjection is botched along the way and ends in suicide or shooting sprees. Even our desubjections have their bad models and *clichés*. This is because the forms of struggle that would allow for powerful forms of life to emerge from these experiences are lacking and have to be invented. Making things more difficult still, the neoliberal conditions of exhaustion and intolerance are so hyper-individualized and economized that the relations that one makes in the marketplace are incentivized against caring for these experiences and help them assume a collective form.[245] What kind of a collective counter-conduct could begin from this exhaustion and fight against its neoliberal conditions?

Let us recall that the stakes of the politics of truth are the intensification of struggle and the detachment of powers of action from the intensification of subjection. Let us also recall Foucault's suggestion that it would be possible to rethink class struggle post-anthropologically in the context of the polyvalence of modern politics. The first line of resistance I'd like to propose is *communization as the rationality of a counter-conduct.*[246] This amounts to a Foucaultian intervention in the recent discourse on communization theory.

Communization theory can be traced back to the tradition of left-communist theory originating out of the French journal, *Théorie Communiste*, which began in 1977, and has more recently been taken up by the Endnotes Journal and writers like Benjamin Noys, Jasper Bernes, and Leon de Mattis. However, there is a second origin, namely, the 1970s Italian *Autonomia* movement and its reception in the writings of Tiqqun and The Invisible Committee. Both theoretical tendencies maintain that communism is not a transcendent ideal set of social conditions, but rather—true to certain passages in Marx—*a real* movement. That is, communization theory generally maintains that *communism is immanent to struggle.* What separates the positions coming out of these two origins, however, is whether or not communization is primarily a negative or a positive process. For instance, when de Mattis seeks to define communism through the concept of a "communist measure" which is a deed that measures the production of the commune in struggle, he writes, "The communist character of a measure derives from its capacity to reinforce the struggle against capital while…being the expression of its negation." (de Mattis 2015, 100) This is why de Mattis defines the communist measure as an act that generalizes and advances the insurrection against capital. The Invisible Committee, following Marx, maintains a certain measure of negativity toward capital as well: "Communism is the real movement that destitutes the existing state of things." (The Invisible Committee 2017, 89) However, they take it a step further (here as Tiqqun): "We can win our war…provided that the confrontation is always subordinated to our positivity…Each space conquered from Empire, from its hostile environment, must correspond to our capacity to fill it, to configure it, to inhabit it. Nothing is worse than a victory one doesn't know what to do with." (Tiqqun 2011, 80) And further (writing as The Invisible Committee), "[destitution] doesn't adjust itself to the movements of the adversary but to what is required for the increase of its own

[245] The closest thing to collective forms of wealth ownership in neoliberal capitalism are restricted to families, which are responsible for maximally investing human capital in their children. As Becker's analyses show, families are always analyzable into individual producers; the human capital machine is always an individual.

[246] Dardot and Laval propose something similar in the last lines of their book on neoliberalism when they write, "The practices of communization of knowledge, mutual aid and cooperative work *can* delineate the features of a *different world of* reason. Such an alternative reason cannot be better designated than by the term *reason of the commons*."[246] (Dardot and Laval 2013, 321)

potential." (The Invisible Committee 2017, 79)

A Foucaultian intervention into communist struggle would build upon the Deleuzean offerings of Tiqqun and the Invisible Committee has already offered, though without so much of their Heideggerian baggage. The intervention I'd like to propose is immanent in that it does not imply a utopian mode of production, but a set of collective practices for countering the economic rationality of the market as a model of power relations and the subject of human capital. Communism requires both the positivity of a counter-conduct that is not determined by what it negates and a measure of rationality that gives it its own strategic consistency.

A communist counter-conduct must be able to sustain the experience of the intolerable that initiates the desubjection of the entrepreneurial subject by connecting their intolerance to others. Whether as a conspiracy amongst friends or as a sudden public gathering, a collective assemblage needed in order to fight for one's escape from the market.[247] Since the primary effect of market competition vis-à-vis the subject is to individualize wealth in the form of the enterprise, it would be a matter, first, of deindividualizing the subject as a stock of capital by finding a new collective relation to wealth that resists the norm of competition. Communization first has as its object not the expropriation of both traditional forms of capital (flows of money and material capital), but our subjective capacities and affects that both empower us and tie us to a market identity that makes us docile. What rationality can jam the market's price signals and divert capital flows from *homo oeconomicus* as an operator of economic rationality? That is, what kind of rationality could attack neoliberalism by inventing a positive measure that attests to the groundlessness of power relations?

Following Tiqqun, one potential answer comes from Deleuze and Guattari's concept of the war machine. Tiqqun write, "By war machines should be understood a certain coincidence between living and struggling, a coincidence that is never given without simultaneously requiring its construction." (Tiqqun 2011, 69) In his essay, "To Have Done with Judgment," Deleuze distinguishes *combat* from war as war is merely the negative antagonism of a "will to nothingness" or destruction. In its negative, oppositional form, war begins by "mutilating" what it appropriates, determining what it can do in advance, and turning it against an enemy. (Deleuze 1997, 133) This is the method of every army, which Tiqqun view as the inescapable trap of every revolutionary movement that has produced specialized armies.[248] Combat, by contrast, is *creative*. Deleuze says that it "is the process through which a force enriches itself by seizing hold of other forces and joining itself to them in a new ensemble: a becoming." (Ibid., 132) Combat for Deleuze is a practice of assembling forces in a way that desubjects them. It involves a synthesis that mutates what comes together.

As a rationality, then, combat provides a measure for the strategic consistency of communization. This rationality could be defined as the mutual involvement and growth of heterogeneous forces in the context of a game of war. It begins from the sharing of affects when one finds others on the other side of the threshold of intolerability. It becomes a strategic

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[247] Though Foucault's experiences at Vincennes and his break with the Maoists may have left him cold to the idea of communes, in 1971 Foucault remarks, "It is possible that the rough outline of a future society is supplied by the recent experiences with drugs, sex, communes, other forms of consciousness, and other forms of individuality. If scientific socialism emerged from the *Utopias* of the nineteenth century, it is possible that a real sociealization will emerge, in the twentieth century, from *experiences*." (*LCP*, 231)

[248] As he argues with Guattari in *A Thousand Plateaus*, war is only the contingent result of an encounter with the state, which, by contrast, subjects forces to itself by separating them from what they can do. (Deleuze and Guattari 1987, 418) Tiqqun use this to problematize the urban guerilla strategy of the Red Brigades in *Autonomia*. (Tiqqun 2011, 73-87)

measure when sharing gains consistency as a sensibility and a practice that differentiates, grows, and multiples through itself. Its object is *itself,* but its relation to the neoliberal state and market is one of war. This is because any practice of communization that goes on long enough usually finds itself embattled by its conditions: if the market doesn't govern communists back into their individuality, the state will find some way of coopting or crushing them, as it did with the Black Panthers and their free breakfast programs. But more basically, foregoing competitiveness with others makes communization something like a pact to care for and strengthen each other. In this sense, communism is a politics of friendship. Tiqqun echo this when they write, "I am bound to the friend by some experience…that implies that the growth of his power entails the growth of my own." (Tiqqun 2010, 55)

Communization tacitly recognizes that the reduction of our lives to labor happens through a series of subjections that individualize us on the basis of our needs. When one asks people why they endure jobs that are joyless and even harm them, the answer is always the same, "You gotta work to survive." The strategic question of communist combat asks, "how do we grow our capacities in ways that make us collectively different and abolish the market's hold on our lives?" Or, "How do we approach questions of individual need as collective problems that we can solve together?" Desubjection, like subjection, is a strategic affair.

Communes have their existence in collective and reciprocal growth of subjective capacities and shared affects. And, correlatively, the multiplication of communes entails the weakening and divestment of markets. Just as the movement of communism desubjects those within it from their predicates, so too might it give rise to an anonymous movement of things and powers. It involves practices theorized by Peter Kropotkin and other anarchists as mutual aid (independent and non-hierarchical cooperation, gifting, and imprecise exchange), but it starts at a more fundamentally anarchic level and goes beyond them. Aside from starting with limit affects at the extreme of subjection, it also involves the free sharing of skills and capacities outside of the selective mechanism of the market. The war-machinic character of the commune arises in part from the way the commune itself autonomously determines the value of knowledges and skills. Some become worthless, while others retain their value only on the condition that their use becomes illicit or conspiratorial.

A free antifascist martial arts gym, for instance, both communizes and politicizes martial arts skills by opening conversations about the political meaning of self-defense, safety, and risk while challenging members to reflect on the politics of gender and violence. Even business skills like accountancy may help members of a commune maintain an above-ground existence that minimally interfaces with the state. Carpentry and design-build architecture allow for the materialization of communist spaces when they aren't expropriated through squatting and can build tools and weapons. In general, the de-individualizing circulation of knowledge and the critical approach to the market serve to contest the social capital that comes from having human capital.

But at a deeper level, the commune aims at other skills and practices that make up a joyous existence that has deserted the market. Living together is something that has to be learned if it is not going to result in stabilized power relations. The art of living heterogeneously, of living with others without assuming a communitarian point of belonging or a cult of individuality, is necessary. How do we share our lives together on the basis of risk in struggle while affirming a life we would want to live even in the absence of an enemy? And how do we build the commune while attending to the alterity and heterogeneity of the live we put in common? These questions lead beyond the scope of this dissertation, but they are necessary for continuing to

think the commune anarchically in the groundless openness of power.

7.3 The Other Life: Cynic *Parrhēsia* as an Ethics of Desubjection

Admittedly, Foucault stops using the phrase "politics of truth" after *The Birth of Biopolitics*. However, so far what I have presented comes from the view that it is not enough to be an ethical *homo oeconomicus*, or to make entrepreneurialism into an ethically reflected lifestyle. Economic rationality as a way of life is precisely what must be put out of operation as far as possible. Yet if we have already been subjected to neoliberal governmentality, then we are already invested in our own governability, which is to say the *truth* that the market pronounces on our value. *Ethical truth* is problem of the second line of resistance against neoliberalism. It arises out of Foucault's writings on *parrhēsia* and the Cynics.

Of course, Foucault's ethical turn is supposedly where the politics of truth goes to die. Yet, in his book, *Foucault and Power: The Influence of Political Engagement on Theories of Power*, Marceolo Hoffman argues that the relation between political action and philosophical writing continued well into Foucault's writings on ethics and subjectivation.[249] For instance, there is the often over-looked link between Foucault's engagement in the Polish Solidarity movement and his studies on *parrhēsia*. Hoffman also argues that the turn to *parrhēsia* is an amplification of the politico-ethical dimension already present in Foucault's work.[250] In other words, the turn to subjectivation was not a departure from the politics of truth, but a concentration on the ethical component that it already implied (which I detailed in Chapters Three and Four). In this light, Foucault's studies on truth-telling appear as an attempt to genealogize his (often over-looked) participation in Solidarity and his public statements against the response of Mitterand's government to General Jaruzelski's *coup d'État*.

The Solidarity movement began as an illegal trade union that spurred a series of wild-cat strikes and factory-occupations amidst austerity measures imposed by the Polish government in 1980. In 1982, Foucault would call the political situation of Europe that led to the conditions in Poland "utterly intolerable," stressing "I do believe in the importance of political affect." (*EF3*, 469, 471) As the movement grew, demands ranged from immediate economic measures to social and political demands for improved healthcare, religious freedom, and an end to surveillance and censorship.[251] When the government's counter-attacks on Solidarity failed, General Jaruzelski led a coup and instated martial law. French Foreign Minister Claude Cheysson declared that the French government's position on the coup would be "non-interference." (Hoffman 2014, 127) Along with Pierre Bourdieu, Foucault issued a response statement titled "Missed Appointments." It called for the socialist government to recognize the attacks on the labor movement and the necessarily international implications of the coup, given the relations between the French Communist Party, the U.S.S.R., and Poland at the time. (Ibid., 130) The statement gathered numerous signatures from public figures. And Hoffman describes how it forced the government

[249] He argues against Eric Paras' book, *Foucaul 2.0: Beyond Power and Knowledge*, that the turn to aesthetics of existence did not mark a break from what I have been emphasizing as the politics of truth. Instead, it leads him to discuss *parrhēsia* as a counter-conduct that opens a new game of truth within an already existing rule-bound game by contesting those rules and opening up new possibilities of action.

[250] Hoffman states claims that the links between the Polish Solidarity movement, Foucault's own practices in solidarity with it, *parrhēsia*, and the turn to the Cynics all show that he "move[d] *toward* power with ever-greater intensity *and* that his accelerated move toward power yielded theoretical reflections on militant political practices." (Hoffman 2014, 125)

[251] Details concerning the rise of Solidarity and Jaryzelski's coup come from Colin Barker's article, "The Rise of Solidarnosc." (Barker 2005)

into "protesting the coup d'état, providing relief aid to the Poles in the midst of martial law, and cancelling a visit to Warsaw by Prime Minister Pierre Mauroy." (Ibid., 131) As for Foucault, he continued to work within the Solidarity movement and increase its visibility.[252] The act of using his name to make public statements on behalf of political causes was nothing new for him. However, his efforts on behalf of Solidarity in 1981 and 1982 came to be genealogized as acts of militant *parrhēsia*. And, in turn, the study of *parrhēsia* broadened the horizon for counter-conducts in the politics of truth.

For Foucault, *parrhēsia* is opposed to a discursive practice that imposes an interpretation or conducts the conduct of others. And it is absolutely opposed to what speech-act theorists such as J.L. Austin and John Searle call the performative. Foucault states: "With *parrhēsia* we see the appearance of a whole family of completely different facts of discourse which are almost the reverse…of what we call the pragmatics of discourse." (*GSO*, 68) Performative speech acts are illocutionary in that they accomplish what they signify. They also tend to be authorized by the codes of a situation that ward off aleatory events and grant a special status to a particular speaking subject. (Ibid., 65) "Class dismissed," "You are guilty," and "Sale approved" all exemplify the performative.

By contrast, *parrhēsia* is an "irruptive event" that breaks with the regime of truth that governs a situation. *Parrhēsia* consequently opens itself to an indeterminate danger:" "*Parrhēsia* does not produce a codified effect; it opens up an unspecified risk." (*GSO*, 61) This risk consists of the unforeseeable consequences of *parrhēsia,* which establishes a double-pact of the speaker with themselves. The subjectivation of the "parrhesiast" consists of the fact that they are both the speaking subject in telling the truth and the subject of the enunciation. Hence, they stake either some aspect or all of their existence on their truth-telling. This is why, in its extreme cases, *parrhēsia* involves courage and the "risk of death over the life of security." (*FS*, 20) What is important about *parrhēsia* is not primarily the content of what is said, which is indexed to the situation, but the ethical act or gesture of speaking the truth itself. For Foucault, *parrhēsia* breaks from the rules that organize bodies, distribute subject positions, and distinguish the true from the false in a situation: "*parrhēsia* only exists when there is freedom in the enunciation of the truth, freedom of the act by which the speaking subject binds himself to the statement and enunciation of the truth." (*GSO*, 66) And perhaps most importantly, *parrhēsia* always implies an other and, however tacitly, an appeal to the other to *have the courage to form a bond with the truth-teller* and to *risk exploring the consequences of truth together*. Evental disruption, indeterminate riskiness, a subjectivation that tells the truth, and possibilities of an illicit bond are what make up *parrhēsia*.[253] The Nietzschean question "Who speaks?" re-emerges here on the order of

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[252] Hoffman sums up Foucault's direct participation thus: "In addition to his numerous public declarations on the situation in Poland, Foucault became heavily involved [in]] the daily activities of the Polish-led Solidarity committee in Paris. The head of the committee, Seweryn Blumsztajn, even expressed surprise at the intensity of Foucault's involvement, noting that he 'devoted hours on end to helping with the most bureaucratic and repetitive tasks.' Second, as in the case of his work in the GIP, Foucault placed a premium on information gathering in response to conditions of silencing." (Ibid., 132) I think it is interesting to note Foucault's willingness to participate in the more tedious kinds of intellectual labor that go well beyond the headline-grabbing work of making declarations.

[253] The subject that emerges through subjectivation is neither merely an effect of power, but nor does it pre-exist power. Foucault is still committed to a non-constitutive concept of subjectivity and he is still committed to a concept of truth that has non-true conditions. In the later works, subjectivation names the gap between power and a set of practices that are no longer discursive, but ethical. As Deleuze says, if power is the outside of knowledge, then subjectivation is the folding of the outside into the self-relation of a force. (Deleuze 1988, 100) And just as power was hypothesized in 1971 to be the condition of truth that cannot itself be true, starting in 1980 with *On the*

subjectivation.

Of all the examples of *parrhēsia* that Foucault describes throughout his late lecture courses, the most striking one—and the one most connected to his practices around Solidarity—has to do with the Cynics. When Foucault introduces Cynicism as the subject of *The Courage of Truth* in 1984, he does so by stating, "It seems to me that in Cynicism…the requirement of an extremely distinctive form of life…is strongly connected to the principle of truth-telling…without shame or fear…which pushes its courage and boldness to the point where it becomes *intolerable insolence*." (*CT*, 165) The Cynic is the one who pushes *parrhēsia* to the limit by "[risking] one's life not just by telling the truth and in order to tell it, but by the very way in which one lives." (Ibid., 234)

This is because the Cynic strategy is *transvaluation*, as expressed in the Oracle's statement to Diogenes of Sinope, "Change the value of the currency." (Ibid., 226) The currency in question is *truth*, not as a predicate of propositions, but as it concerns life—the true life (*alēthēs bios*), or the basic theme of philosophy. This involves in an idiosyncratic re-interpretation of truth as *alētheia*, or, following Heidegger's translation, unconcealment. The Cynics reinterpret *alētheia* to mean "stripping bear." Cynic *alētheia* is polysemic, as it means to reveal oneself, to disrobe, to divest oneself of property, shamelessness, and independence. It also means doing away with parts of one's life that can be used by one's enemies. Thus "stripping bear" involves a number of consequences, of which I will discuss only a few. Taken together, they paradoxically characterize Cynic life as "the other life." As Foucault says, "it is the fulfillment of the true life, but as demand for a life which is radically other." (Ibid., 270) Cynic transvaluation could be considered the first reversal of Platonism and its view that true principles are a condition of ethical life and thus of the unity of word and deed. *Cynic transvaluation means that ethics is the condition of truth, not the other way around*.

This is because the general imperative of the Cynic, "Strip bare," is a condition of *parrhēsia* in that it is both a *condition* and a *test* of freedom. Ethical life begins by stripping away all investments that bind the self to falsity. Materially, this leads to voluntary poverty. Foucault states, "The Cynic is the man…who roams, who is not integrated into society, has no household, family, hearth, or country…he is also a beggar." (Ibid., 170) Beyond stripping material comforts to a minimum, the Cynic affirms the "intrinsic value of physical ugliness, dirtiness, and destitution," that forces one to beg, and that hence sullies one's name and reputation. (Ibid., 259) Normatively, relinquishing material attachments frees the Cynic from all distracting "private obligations," "pointless conventions," and "superfluous opinions." (*CT*, 171) Stripping bear is not merely negative, however. It is a test of freedom that challenges the Cynic to cultivate an affect of shamelessness; as Foucault states, it constitutes "the life in *anaideia* (the brazen life)." (Ibid., 255) The Cynic is nothing without the test of their hardships—"the constant test of self on self"—which constitutes the self-relational pact and the exposure to risk characteristic of *parrhēsia*. (Ibid., 280)

This is also how the Cynics continue the theme of war within the context of counter-conduct. Foucault states plainly, "The Cynic is a philosopher at war." (Ibid., 299) This war, like Deleuzean combat, first concerns the self in that it involves all of the trials that the Cynic puts to themselves, which includes any anger and violence that may be provoked by the scandalous life of the Cynic. This theme of war continues in relation to others, as well as Foucault claims that the challenge to form a pact around an illicit truth can also be found in the Cynic's *pharmacological* form of care for others. The Cynic fully extends the ambiguity of the Greek

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Government of the Living, truth has a second extra-veridical condition, namely, ethical practices. (*GL,* 231-232)

word *pharmakon*, which can signify both cure and poison. Foucault states, "The medications offered by the Cynics are harsh…he is…an aggressive benefactor whose main instrument is, of course, the famous diatribe…He attacks his enemies, that is to say, he attacks the vices afflicting men, affecting those he is speaking to in particular, but also humankind in general." (Ibid., 279) The Cynic attacks others so that they might attack themselves and internalize the war against dependency and vice. (*FS*, 133) However, as Foucault says, their "battle is an explicit, intentional, and constant aggression directed at…humanity in its real life, and whose horizon or objective is to change its moral attitude (its *ēthos*) but, at the same time and thereby, its customs, conventions, and ways of living." (*CT*, 280)

One way the Cynic critiques others is by affirming opinions that they accept, drawing consequences from them, and living out those consequences in ways that go beyond the limit of what people tolerate. Put simply, the Cynic turns what people accept into what they reject and despise. For instance, the Cynic takes the premise that one ought to live according to nature and concludes that all acts that satisfy natural needs ought to be done in public, without shame—including masturbation and sex. Or there is Diogenes' famous take on Plato's definition of man as a "featherless biped" in which Diogenes plucked a chicken bare, brought it to Plato's Academy, and announced, "Behold! I've brought you a man!"

Turning to politics, Foucault discusses how the Cynic reverses the currency of ancient Greek sovereignty. Sovereignty for the Greeks meant self-possession, which was a condition for happiness and being able to conduct others, whether as a teacher, a friend, or as an example of virtue in general. (Ibid., 271-3) The Cynic perverts the Greek conception of sovereignty with their destitute poverty, their shameless satisfaction, their scandalous freedom, and their bellicose pharmacology. Cynicism takes this reversal further by contesting political sovereigns, as in the fabled encounter between Alexander the Great and Diogenes of Sinope. The latter claims to be a true king—a philosopher-king, which is *not* a king of human subjects. Diogenes depends on no one to exercise power and has already conquered his *true* enemies (his vices), whereas Alexander is still on the march to Persia and depends on countless contingencies in his empire, making him more dependent, and thus weaker. (Ibid., 276) Beyond that, Diogenes has modeled himself after Zeus, instead of receiving his title from others. And he will never be deposed because nothing can be taken from him, whereas all "kings of men" suffer the same fate: the loss of their kingdom, either by death or usurpation. (Ibid., 277)

With total sovereignty, the Cynic conducts others by inciting their desubjection. The Cynic is simultaneously the anti-king, or the "king of derision," the king who hides his monarchy in poverty, which is to say, in plain sight. (Ibid., 278) And on that account, simply by virtue of their style of existence, the philosopher-king gives themselves the authority to mock and denounce the political king. Therefore, Cynic life is also an anti-political ethos inasmuch as politics here is understood as the art of ruling the *polis*. Foucault sees in the Cynics both a style of intervening in power relations and an ethics that makes it possible to carry out a critique within them.

The logic of Cynical transvaluation is (self-) *conduction by* "*destitution*." (Ibid., 207) The other life that makes the true life possible proceeds by self-destitution and an insolence that goes beyond the limits of public tolerability. This is what makes the Cynic sovereign enough to conduct others. By destituting the effects of power in oneself the Cynic exercises power through gestures of *ungovernable aggression* that repeat themselves in others through hostility. Cynicism is a counter-conduct that *spreads*. As Lucian wrote of the Cynics, "The city swarms with these vermin." (*FS*, 116) In this sense, the Cynic goes beyond the G.I.P. questionnaires that sought to

heighten the sensitivity of prisoners to the intolerable. The Cynic *is* intolerable *because they escape all rule*.[254] The intolerable here does not name an intensive threshold in an apparatus. Instead, the intolerable is the effect of a *parrhēsia* on an apparatus as it challenges others to change their lives.

Foucault states that the Cynic reversal of the true life into the other life "has laid down this otherness of an *other* life…as the combativeness on the horizon of which is an *other* world." (Ibid., 287) The Cynic lives the other life as a style of permanent desubjection played out in the rules and strategies of knowledge-power. They gesture to the other world, which is not a beyond, as it would later be for Christianity when it takes up this theme. Instead, the other world is the world that Cynics create as they form bonds with those who accept their challenge and unfold the consequences of truth in their lives and in the world they seek to destitute. The other world swarms in the world it perverts as the cynic gathers a pack of friends.

7.4 Cynic Life as Counter-Neoliberal Subjectivation

As Hoffman points out, Foucault refused the idea that one could simply reactivate the ethics of antiquity today. (Hoffman 2014, 141) Rather, Foucault asks, who are the modern Cynics? And what has happened to them? For this he looks to the history of modern revolutionary militancy. He says that the 18th and 19th centuries gave us three types of political militancy, which continue to structure our politics today. There is the secret militancy of the conspiracy, which invisibly and strategically positions itself within the field of power, waiting until the opportune moment to reveal itself and strike. This is the strategy of the 19th century revolutionary socialist Louis Auguste Blanqui. Opposed to this there is the visible militancy of the political party or organization that appeals to the public though strikes, pickets, demonstrations, and rallies. Finally, there is a third type of militancy that repeats the Cynic ethos of the scandalous life and thereby cuts a diagonal through the first two alternatives. This form of militancy takes up a basis beyond the axes of power and knowledge (the visible and the invisible) in subjectivation. Foucault's characterizes it thus:

> [T]he third important way of being militant is militancy as bearing witness by one's life in the form of a style of existence. This style of existence is specific to revolutionary militantism, and ensuring that one's life bears witness, breaks, and has to break with the conventions, habits, and values of society. And it must manifest directly, by its visible form, its constant practice, and its immediate existence, the concrete possibility and the evident value of an other life, which is the true life. (*CT*, 184)

Foucault claims that the legacy of Cynicism is dispersed throughout history, as he places Dostoyevsky, Russian Nihilism, and Euro-American anarchism within this line of descent—the last especially for its concept of propaganda by the deed.

Foucault uses the Cynic line of descent to pose a problem to the political malaise of France in 1984. Scandalous militancy has been neutralized by the organized left, particularly the PCF, which has "banished" any subjectivation that would attest to an illicit political truth. (Ibid., 186) When revolutionary organizations make conformity to "accepted values" the condition of

[254] The ungovernability of the Cynics can even be found in their slavery. Accepting absolute poverty also means accepting the possibility of slavery, albeit not without at least a gesture of transvaluation. Foucault notes that when Diogenes was brought to the market to be sold and was denied the right to sit down, he said "No matter, fish are purchased lying on their belly," and "he lay down like a fish, thus agreeing to play the role of merchandise for sale." (*CT*, 260) Perhaps he thought it was too obvious, but Foucault fails to mention that Diogenes's act both thwarted the merchant's attempt to deny him rest and assumed an idler posture than sitting.

militancy, they reduce scandalous militancy to deviancy. Leftist political organizations have invented a whole typology of deviation for denouncing desubjection, viewing it as adventurism, oppositional posturing, bourgeois decadence (individualism), lifestyle-ism, or "leftist madness." (Ibid.) In each case, the tactic is to deintensify anything that would break from the organization's order of the visible and the sayable and its governance over conducts.

Hoffman argues toward the end of his chapter on Foucault and Solidarity that the Cynic poses an alternative to the life of disciplinary societies (despite his caveat above). The Cynic opposes the openness of a life stripped bare to the enclosed panoptic gaze, scandalization to normalization, animality to the machine, combativeness to docility, and the self-mastery of voluntary poverty to the disciplinary investment of forces in the body. (Hoffman 2014, 140-1) However, finding an alternative to discipline is not our problem, since neoliberalism has already accomplished this to some extent. Does it not present us with the visibility of an unknowing price mechanism instead of a knowing gaze, a non-mechanical (semiotic) image of subjectivity, a belligerent norm of competitiveness, and free self-investment as opposed to disciplinary docility? However, one thing has definitely not changed. The problem of the limit of disciplinary power for Foucault was the same as that of ideology in Althusser: how to resist a mode of power when one's powers of action are the immanent effects of its functioning? Disciplinary power invests bodies with powers of action only on the condition that they are made docile in the process. This is the same problem one faces in neoliberal governmentality, only now it is more paradoxical. Neoliberalism turns the very practice of changing oneself through free self-enhancement into supports of governmentality. How, then, does one invent a mode of life that resists neoliberalism when neoliberalism seeks to integrate liberty and desubjection into its governmentality? How does one push desubjection beyond mere liberty as the ability to choose between competing ends? In neoliberal capitalism, there can be no resistance to neoliberalism by desubjection alone. Therefore, it is necessary that resistance to neoliberalism be a *subjectivation*.

As an ethics, cynicism not only opposes politics (in the narrow sense of the word), but also offers insights for a counter-neoliberal ethics. A contemporary "cynicism" would counter-neoliberalism's reduction of truth to the price mechanism, its reduction of disaffected hostility to a governed, entrepreneurial competitiveness, and the reduction of freedom to liberty and self-investment. But most of all, a cynicism that would be worthy of the name today would have to counter neoliberalism's governance of and war against any divergent subjectivation.

Today, cynicism could begin by stripping away the attachment to wealth that defines the entrepreneur. One could imagine Diogenes asking, "What good are skills and knowledge if they only ensure being governed?" At one point Foucault remarks, "The Cynics, of course, would have said that someone who is rich, who has a positive relation to wealth, cannot really be wise." (*FS*, 141) The Cynic neither works nor competes for wealth, but paradoxically begs, antagonizes, mocks, and challenges humanity. In fact, one story recounted by Lucian tells of how Diogenes, the son of a banker, was known to satirize business.[255] (*CT*, 226) And whereas the neoliberal entrepreneur only becomes different under the direction of price signals that subject them, the Cynic is the reverse of this, as they make desubjection a condition of truth. The Cynic critically

[255] Lucian, the great satirist of the second century, tells the following story of Diogenes: "A report that Philip II of Macedon was marching on the town had thrown all Corinth into a bustle; one was furbishing his arms, another wheeling stones, a third patching the wall, a fourth strengthening a battlement, every one making himself useful somehow or other. Diogenes having nothing to do—of course no one thought of giving him a job—was moved by the sight to gather up his philosopher's cloak and begin rolling his tub energetically up and down the Craneum; an acquaintance asked for, and got, the explanation: 'I do not want to be thought the only idler in such a busy multitude; I am rolling my tub to be like the rest.'" (Lucian 1905, 110)

distances themselves from all regimes of veridiction, *especially the market*. Foucault never mentions neoliberalism in *The Courage of Truth*, but neoliberalism awaits its Cynical rejoinder. As Foucault says, "there is often a story of money, banking, and exchange whenever the Cynics are involved." (*CT*, 241)

The Cynics contain a number of elements that help to orient resistance to neoliberal life, even along the lines of the schematic notion of communism that I described above. First, Cynicism is useful for orienting the critique of neoliberal governmentality after one abandons traditional left projects like democracy, the welfare state, or social justice. Foucault is right that the ever-present danger of formal political organizations is that they convert affects of hostility into either sectarianism or hegemony by valorizing the reproduction of the organization and its governance over all else. This problem turns up in the context of neoliberalism as wave after wave of spontaneous resistance is either crushed by the police state, drained of its resources and energy, or channeled into dead-end political forms like the party or the organized left.

Second, then, there is the question of what to do when neoliberal life becomes intolerable. Inevitably, this is a question of how to both replace traditional political forms of organization and how to assemble affects and resources in ways that avoid ending up managed or driven into despair. In short, how to *conduct experiences of intolerability into practices that are intolerable to neoliberal governmentality*? A Cynical imperative today might be, "*Turn your intolerance into insolence*." And yet, abandoning one's governability often appears impossible, particularly by oneself, alone. The question then becomes, how can communization begin by communizing the affect of intolerance toward market life?

The answer has to do with truth. Becker mockingly asks at one point, "If governments are to expropriate all capital…should they also expropriate human capital?" (Becker 1995, 16) If we bracket the subject of this question (this is not a task for government), the answer, of course, is *yes.* As opposed to the formal organizational bond or the market contract, one might put forth something on the order of *the Cynical pact*. This need not mean voluntary poverty as the Cynics practiced it, but rather relinquishing the neoliberal relation to wealth that valorizes one's market identity. More importantly, it means attaching oneself to others by challenging them or accepting the challenge to destitute oneself and become a scandal: the Cynical "we." For the Cynical bond implies a shared struggle, even if the Greek Cynics practiced their philosophy individually. It involves sharing in affects of belligerence *and* care, which contrast starkly to the neoliberal reduction of affectivity to the human capital involved in emotional labor.[256] The expropriation of human capital would not involve governmental confiscation, but changing its currency and assembling it elsewhere, in a different life.

Third, it is generally expected that the people who "protest" today be intelligible and play the game of political recognition. Reading Foucault's descriptions of the Cynics, I am sometimes struck by how tame his own acts of *parrhēsia* were by comparison. These were generally limited to public statements, journalistic reporting, and participation in groups that narrowly addressed themselves to contemporary problems. Sometimes this involved direct, material action like his work in the G.I.P. or in the French extension of Solidarity. He also planned to give material aid

[256] Cynical care is also distinct from the exercise of care characteristic of the Christian pastorate on at least three counts. First, the Christian shepherd exercises a paternal care. Second, the object of care is maintained in a hierarchically subordinate position of dependency on the shepherd, whereas the Cynic seeks to further independence and mastery in others. Thirdly, the shepherd succeeds in his care only if he successfully leads his sheep to salvation, or the transcendent true world, whereas the Cynic aims at an other world that is metaphysically immanent. Finally, there is a qualitative ambiguity in the Cynic's care inasmuch as it often manifests itself in the form of belligerence. Christ (appropriately) only manifested such belligerence in lashing out against money-changers.

to Vietnamese "boat people" once he finished *The History of Sexuality* project. (Eribon 1991, 308) On the one hand, these are all very important examples because they point to a refusal to let one's life be separated from struggle by traditional political forms. Moreover, they show how his philosophical problems and concerns largely emerged in and through the way he practiced the politics of truth. On the other hand, Foucault's acts of truth-telling were often directed to governing bodies in the form of demands. While Foucault was defiant and valiant in his speeches, they nevertheless spoke the same language as those who governed. Often, this was a moral-juridical language of rights and obligations. And when he appealed to the public for support, I wonder whether he saw the tension between himself and the Cynics he studied, who abolished the distinction between the private and the public in their conduct.

Today, however, there are new, more inventive Cynics taking to the streets. Perhaps the most courageous risk taken by Occupy Wall Street was the way it refused to make demands that would absorb it into a game of recognition while living collectively in public. Black Lives Matter protestors have been recalcitrantly blockading or bursting into spaces of consumerism and electoral politics. And with increasing consistency and intensity, riots continue to explode with the force of the intolerable and challenge others to see whether the other life and the other world might live in the destitution of this one by a collective force. If the Cynic is a philosopher at war, then perhaps so too is the rioter. And if Cynicism returns us to war by way of governmentality and subjectivation, then perhaps one must insist on *forcing* an encounter with the intolerable.

One of the most recent insurrections against neoliberalism took place during the Spring of 2016, when France was shaken by three months of demonstrations and riots against a proposed bill called the "*Loi Travail*," or the Labor Law. Fittingly, it was proposed by the socialist administration of President François Hollande. The wave of resistance that emerged in response eventually called itself *Nuit Debout* ("Rise Up at Night") after people began assembling at night in order to organize breakaway marches throughout the city.

People often cited sociological reasons for the rage against the *Loi Travail*, such as France's 25% youth unemployment rate (10.6% generally). Ironically, the solution proposed by the *Loi Travail* amounted to a familiar series of neoliberal reforms that included reductions in redundancy severance payments and overtime pay, along with the easing of restrictions on layoffs and minimum work hours–to name but a few. The effect would be the same as what we've seen in the U.S and elsewhere: a cosmetic reduction of official unemployment figures and an increase of precarity and exploitation.

However, something political emerged in Nuit Debout that was irreducible to its social conditions, namely, a general refusal of the alternative between the failed paternalism of the social welfare state and the proposed future of heightened neoliberal precarity. Since these are both premised on governing the population to identify with work, what emerged was a breakaway from government altogether by refusing work as a way of life. Some banners read "Become Ungovernable," "Retire at age 13," and "Under the paving stones: the cops."

On March 24th, two weeks into the movement, the police violently evicted the student occupation of Tolbiac High School and, in a separate incident, brutally pummeled a 15 year old student demonstrator. At that moment, the predominantly student-led movement clearly saw how the neoliberal future on the horizon had its own foot-soldiers on the ground in the here and now. To accept order in the streets was already to accept defeat. Two days later, the 26th of March saw students go on the offensive by rioting at police stations near the Bergson High School in Paris. The social movement against the *Loi Travail* had become a *political war* against the police apparatus.

Fast-forward to June 6. Two and a half months of intense rioting and high-pitched street fights against the cops had bent power relations in a new direction and introduced a new way of being in the world—or a new way of undoing it—into the situation. Of course, riots are nothing new. But when they take on a protracted consistency in space and time, they signify the emergence of *rioters*: neither bodies exploding with rage nor yet another claim-making political identity, but battle-forged subjectivities that have learned how to fight and won't be able to return to the daily life from which they've broken away.

One of the blogs maintained by those in the struggle, *Lundi.am*, put forth an analysis of the rioting in a post titled "The Wisdom of Rioters." Directly citing *The Courage of Truth*, they explain how the rioter is not to be understood sociologically but *ethically* and *politically* as a *sage*. The rioter is someone who, like Solon, descends into the city in "only in emergency situations" and courageously communicates the truth only through gestural riddles that put them at great risk. (Lundi.am 2018, 10; 8) However, rioters are largely mute as they smash the symbols of capital and attack the police. When facing off against the cops, they would simply chant, "HOO! HOO! HOO!" The rioter is someone whose intolerance has transformed their docility into joy as they efface the faceless currency of capital. If the rioters make any appeal, it is to somehow join them: "Thus does the smashing of symbols of power communicate itself. It lays bare the fragility of power, despite itself, as an act we can and must engage in." Riots often have this quality of making-appear. Usually this happens when those excluded from politics storm its regime of visibility, as in the prison riots that inspired *Discipline and Punish*. Yet, as a subjectivation, the rioter wants nothing more than to *demonstrate* the groundlessness of power relations and the inherent breakability of every apparatus that tries to ground them. But perhaps even more important than this is that the rioter shows how *it is possible to live a different life*.

Foucault's lectures point beyond Foucault's own practices to a counter-neoliberal conduct that begins with an experience of the intolerable. To assume the intolerable is to will what it already accomplishes, namely, desubjection, or the *blockage* of its flows of self-investment. This leads to two lines of counter-conduct: one that prioritizes a collective political strategy and a second prioritizes ethical subjectivation.

The ethical gesture in neoliberalism is stripping bare, or destitution in the sense of divesting oneself of one's neoliberal governability. To become a practice, it is necessary to preserve the intolerable in an attunement that manifests itself to others as insolence and scandal. Insolence smashes the governmentality of market veridiction and the forces of the neoliberal state. Scandalous conduct involves challenging others by attesting to the truth that life under the market is a life of vice and foolishness, that is, a life that is fundamentally reactive when it need not be. The Cynic expressly seeks to polarize those they encounter by presenting them with a challenge: become a friendly partisan of truth in desubjection or remain as a mere competitor amongst competitors on the market.

The counter-neoliberal political strategy is communist combat. It starts by connecting the intolerable breakdowns in the human capital machine to those lived by others. From there, it is a matter of assembling the flows of the human capital machine differently by communizing material, financial, and human capital according to a rationality of transindividual empowerment. One builds the commune through a rationality of *combat*, which measures value by the ability to become different together through the enlistment of heterogenous forces. Communization deindividualizes the subject's relation to wealth and forces them to become different by exposing them to the affects and powers of others. It does not begin by naming external enemies, but it does not fail to affirm that there is a war to be waged. In the neoliberal world, communism is

illegal, irrational, and untrue, which is why neoliberal states will either govern or attack it as a threat. Becoming-communist involves a risk, but it is one that is impossible for neoliberal subjects: taking and facing risk together.

Appendix: Is Foucault a Neoliberal?

Some have claimed *The Birth of Biopolitics* is not a critique of neoliberalism, starting with Gary Becker himself. In 2011, Bernard Harcourt invited Becker to a conference on the lecture course that was hosted by Carceral Notebooks at The University of Chicago. Having read only the last three lectures of the course, Becker concluded that their analyses were accurate and that, in his first impression, he had little with which to disagree. And he was not sure that Foucault disagreed with him.[257] (Carceral Notebooks 2011) This reflects either carelessness or reflects the analytic strategy of *The Birth of Biopolitics,* which is simply to show how the relations of power are modeled on the market and subjectivity is modeled on the enterprise. Though I argue for the critical value of *The Birth of Biopolitics* in Chapter Six and the Conclusion, here I would like to address the possibility of a neoliberal turn in Foucault's work.

I argued in Chapters Three and Four that Foucault's critique of subjection operates within a circle of struggle and truth. That is, critique is said to have two sources, which both amount to limit experiences of the being of language. There are ruptures in the strategies of power that take the form of struggles 'from below' and there are ruptures in discourse that take the form of literature. One of the main tasks of philosophy is to orient its critique of discourses by taking up the perspective of struggles. But this presupposes that one knows which struggles to affirm, which can only be decided through the critique of discourses.

Now, nowhere in *The Birth of Biopolitics* does one find a reference to the pleb or to a perspective that would be the counterblow of power. In part, this is because a struggle against neoliberalism had yet to be invented.[258] Yet, philosophy has another principal task, which is to use ruptures in discourse in order to describe their historical *a priori*. After his Nietzschean turn,

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[257] When this link comes up in the roundtable discussion between Becker, François Ewald, and Harcourt, none of them adequately refer to its biopolitical horizon. (Carceral Notebooks 2011) Harcourt addresses Foucault's claim that, in the link between human capital and genetics, biological reproduction will come to be understood as human capital enhancement along the lines of eugenics. (*BB*, 228) He then goes on to cite Foucault, who says: "What, you will ask, is the interest of all these analyses? You will be aware of the immediate political connotations and there is no need to stress them further. If there were only this lateral political product, we could no doubt brush this kind of analysis aside with a gesture, or at any rate purely and simply denounce it. But I think this would be both mistaken and dangerous." (Ibid., 230-1) Harcourt takes this to mean that Foucault thinks that denouncing the connection between eugenics and neoliberalism would be mistaken and dangerous. However, it is possible to read Foucault's statement as arguing that that the connection between neoliberalism and racism is *not simply* a "lateral political product" and that to think as much would be mistaken and dangerous. For just a bit earlier, Foucault says that "What we might call the racist *effects* of genetics is certainly something to be feared, and they are *far from being eradicated*, but this does not seem to me to be the *major* political issue at the moment." (Ibid., 228-9) Harcourt is right that Foucault wants to postpone the question of racism here because it concerns the connection of human capital analysis to an external discourse and not a political problem that can already be found within human capital analysis taken by itself. The problem Foucault goes on to discuss, which is internal to human capital analysis, is what Harcourt rightly characterizes as discriminatory investment in human capital at the level of public policy. This would make racism a problem of the intersection of human capital analysis with pre-existing forms of racial discrimination, not a problem of human capital analysis itself. However, I would argue if that one analyzes the human capital analysis and the science of genetics at an *archaeological* level, one would find that that scientific racism is *not* an incidental or "lateral" problem, but one that is inextricably linked to the epistemological rules at play in these two sciences. This is due to the fact that human capital plays the same role as sexuality in the government of power relations, namely, as a relay between individuals and populations, as I discussed above.

[258] It is an open question whether the rise of *Autonomia* in Italy had any impact on Foucault or whether he saw any connection between the situation in Italy and the burgeoning of neoliberalism in France throughout the 1970s.

for Foucault this means analyzing the historical *a priori* as an effect of power and as the target of struggles. This, of course, includes anthropology and it means that a *historically novel* struggle would have to take up a basis not within anthropology, but outside of it. Thus, the archaeological critique of discourse has an evaluative function when it comes to thinking about struggles. It allows one to identify struggles (or tendencies within them) that break from the present. The ability to affirm the philosophical and political significance of prison riots in early 1970s France was made possible by the critique of anthropology. Or there are Foucault's positive remarks around that time on wildcat strikes as tactics that break with the anthropology and discipline of labor unions. (*DE1*, 1268) I maintain that the critique of neoliberalism in *The Birth of Biopolitics* serves a similar end: it allows one to perceive the stakes of the politics of truth today and it points out the limit that one must cross.

I have argued that three things lead Foucault to turn to an analysis of neoliberalism: most proximately, there is the continuation of the critique of governmentality, which was born of the emergence of political economy as a discourse on populations. And I have argued that the study of neoliberalism is a peculiar anthropology in the way that it objectifies subjects and in order to constitute them according to the empirico-transcendental doublet. But, above all, I have also suggested that nearly every one of Foucault's genealogical inquiries seek to analyze modes of power in order put forth a challenge, namely, to determine if it is possible to exist otherwise and in resistance to the terms of our subjection. The analysis of neoliberalism is no different: the paradoxical neoliberal strategy of integrating desubjection into the governmental tactics of subjection presents a possible limit or challenge to the Foucaultian concept of critique as a unity of the history of the present and desubjection. How Foucault's thought fares in this test is entangled with the question of whether he became a neoliberal.

Certainly, it is necessary to remind oneself that *The Birth of Biopolitics* is a lecture, not a book. It does not have the status of an "experience book" in that it was not prepared as a philosophical-aesthetic object for its audience. That is not to deny that it was transformative for Foucault. Even a cursory browsing of *Dits et Écrits* will find Foucault experimenting beyond the book format as he uses interviews and essays to test new hypotheses, concepts, and rhetorical styling. *Discipline and Punish* and *The History of Sexuality* series were made possible by the experiments conducted at the *Collège*. And even those things that never made it into the books were not necessarily omitted because they are dead ends. The same goes for Foucault's interviews. Deleuze's insight is helpful in the regard when he points out that they allowed him to relate his historical studies both to what is timely and what is untimely in the current events of his time. (Deleuze 1995, 106) Even if it varies across written books, lectures, interviews, and roundtable discussions, Foucault's thought was always testing itself.[259] Nonetheless, *The Birth of Biopolitics* comes at a critical time in Foucault's life, in the midst of his eight-year "silence" between the first and second volumes of *The History of Sexuality*. This is also the time in which he underwent a methodological crisis that would eventually yield a turn toward ethics and a

[259] In defending Foucault against Daniel Zamora's recently edited volume, *Critiquer Foucault?*, on his Progressive Geographies blog, Stuart Elden writes, "[T]here is a risk that we take Foucault's lectures as they are now presented to us, as 'books'. But they are obviously not of the same status as the books he published himself, over which he spent years of work, nor are they are of the same standing as the countless shorter works he published in his lifetime – some based on lectures, certainly, but also articles, interviews, petitions, etc. to which he put his name." Stuart Elden, "Foucault and Neoliberalism – a few thoughts in response to the Zamora piece in Jacobin," *Progressive Geographies: Thinking about place and power* (blog), December 17, 2014, http://progressivegeographies.com/2014/12/17/foucault-and-neoliberalism-a-few-thoughts-in-response-to-the-zamora-piece-in-jacobin/

complete reorientation of the project.

One can begin to measure the impact of neoliberalism on Foucault by looking to the semantic field of Foucault's concepts. The first set of terms pertains to the notion of power relations as a game and its resonance with the market as a game of governmentality. These include affirmative usage of terms such as "freedom," "liberty," "contract," and the "rule of law."

In the 1984 interview, "The Ethics of the Concern for Self as a Practice of Freedom," Foucault critically discusses Habermas and the utopian error of seeking to escape power relations, opting instead for the use of governmentality and ethics to reduce the effects of domination in power relations:

> The idea that there could exist a state of communication that would allow the games of truth to circulate freely without any constraints or coercive effects, seems utopian to me. This is precisely a failure to see that power relations are not something that is bad in itself, that we have to break free of. I do not think that a society can exist without power relations, if by that one means the strategies by which individuals try to direct and control the conduct of others. The problem, then, is not to try to dissolve them in the utopia of completely transparent communication, but to acquire the rules of law, the management techniques, and also the morality, the *ethos*, the practice of self that will allow us to play these games of power with as little domination as possible…I believe that this problem must be framed in terms of rules of law, rational techniques of government and *ethos*, practices of the self and of freedom." (*EF1*, 298-9)

Everything here should be familiar to most of Foucault's readers, except for one thing: the use of "rules of law" and "management techniques" to ensure that power relations are not so rigid as to become unalterable, but that their inherent fluidity is given a minimal structure that maximizes their openness and alterability.

One finds this already developed earlier in his 1981 interview, "The Social Triumph of the Sexual Will," which hypothesizes that identity is a game in order to elaborate on his declaration in the first volume of *The History of Sexuality* that "The rallying point for the counterattack against the deployment of sexuality ought not to be sex-desire, but bodies and pleasures." (*HSI*, 157) He discusses being gay not as an identity, but as an aesthetic mode of collective self-culture based on the creation of new kinds of relationships. As opposed to limiting the scope of gay struggles to rights, Foucault (perhaps somewhat jokingly) proposes "[securing] recognition for relations of provisional coexistence [and] adoption." (*EF1,* 158) Here Foucault envisions a counter-conduct of contractual sociability in which individuals use the liberal norm of consent to uproot themselves from traditional familial bonds and insert themselves in intimate relations conceived as a game governed by the rule of law. And there is also his famous discussions of S&M from interviews from around this time, which conceive of it as a game of power involving a "mixture of rules and openness" in which there is "*the use* of a strategic relationship as a source of pleasure."[260] (Ibid*.,* 152; 170)

Beneath such ideas, however, is the effect of governmentality in Foucault's concept of power relations. Governmentality names strategies of power in which the exercise of power

[260] When Foucault articulates possibilities for gay struggles through classical liberal concepts, he does so in the mode of a counter-conduct that puts them to different uses in order to create new possibilities of existence. The use of liberalism to think about queer culture simultaneously queers liberalism. If anything is puzzling, however, it is Foucault's one use of the concept of the rule of law to think about thwarting domination in 1984. However, if subjectivation can free up different possibilities for relating to the codes of power-knowledge and pervert these codes in the process, then, like Foucault's discussion of adoption, perhaps one should not be so quick to assume that this rule of law is one that Hayek would be able to recognize.

between forces is directly related to their self-relation, or how they conduct themselves. That is, the relationship of the subject to itself (self-conduct) is already implied where power is no longer simply about antagonism, that is, directly acting on another, but agonism, or acting on the possibilities of others. In a governmental schema, power relations are understood primarily as "strategic games between liberties." (Ibid., 299) Liberty means the openness of power relations, or the open field of possibilities that must already exist in order for one player to govern another. And likewise, every move modifies the possibilities available to the players involved. But this also means that the liberty inherent to power relations is what makes ethics possible, since the way in which one conducts oneself is not solely determined by the actions of other players, but is based upon the moves that each player makes for themselves: "Liberty is the ontological condition of ethics. But ethics is the deliberate form assumed by liberty. (Ibid., 284)

Liberty is not unrelated to the notion of resistance already present throughout Foucault's work on power, which one can also find in Foucault's 1980s interviews: "You see, if there was no resistance, there would be no power relations. Because it would simply be a matter of obedience…So resistance comes first, and resistance remains superior to the forces of the process; power relations are obliged to change with resistance. So I think that *resistance* is…*the key word,* in this dynamic." (Ibid., 167) This is to say that liberty is a different codification of the primacy of resistance over domination in the concept of power relations. Power-knowledge would be superfluous in a world where the possibilities of resistance were null.

That Foucault recognizes the immanence of his thought to the history of governmentality is obvious from "What is Critique?" where, in 1978, he states that "governmentalization…cannot be dissociated from the question 'how not to be governed?'" (*EFS*, 265) It is as a counter-conduct or a counter-governmentality that critique arises in modernity. And both the emergence of a liberal semantic field and the problem of ethical subjectivity in Foucault's work are due to the genealogy of neoliberalism that begins with the study of security mechanisms in *Security, Territory, Population.* This connection appears in a conversation between Foucault and Alessandro Fontana, who attended *The Birth of Biopolitics* lectures:

> A.F.: Five years ago, in your seminar at the *Collège de France,* we started to read Hayek and von Mises. People then said: Liberalism seemed to be a detour in order to rediscover the individual beyond the mechanisms of power. Your opposition to the phenomenological subject and to the psychological subject is well known. At that time, people began to talk about a subject of practices, and the rereading of liberalism took place to some extent with that in view…
>
> Foucault: A distinction must be made here. In the first place, I do indeed believe that there is no sovereign, founding subject...I believe, on the contrary, that the subject is constituted through practices of subjection, or, in a more autonomous way, through practices of liberation, of liberty, as in Antiquity… (*PPC*, 50)

For Foucault, freedom and liberty were not invented by the liberal tradition, even if Foucault only begins to speak of liberty in 1978. Governmentality is the general strategy of power relations in which Foucault thinks the possibility of ethics and critique as an historical practice of desubjection and self-formation. As I discuss in the Conclusion regarding cynicism, liberalism names but one line of descent in which to think critique as a counter-conduct.

There is one final point on the liberal semantics, namely, the rationality of Foucault's critique of governmentality. Within the tendency of Euro-American societies to program power relations according to governmentality, Foucault states that the critique is a "general cultural form, both a political and moral attitude, a way of thinking...which I would very simply call the

art of not being governed or better, the art of not being governed like that and at that *cost*."[261] (*EFS*, 264-5) Does "cost" here imply that the will to not be governed would arise on the basis of an economic calculation? Does this mean that the intolerable would be the ratio of costs to benefits at which tacit consent to the relations of power would break down?

If that were the case, then the intolerable would be the limit to power relations only in the sense that it would mark the point where governmentality has reduced liberty to zero and has become domination. If the intolerable is the reduction of governmentality to domination, then it could never enable a critique of governmentality. Instead, it would be a liberal criterion for the critique of domination.

Yet is this not what the neoliberals do when they put forth an inflationary critique of the state and totalitarianism? In this case, the intolerable would (a) be intelligible within the economic rationality of cost-benefit analysis and (b) be wholly compatible with neoliberal *homo oeconomicus* as an eminently governable subjectivity. And resistance would then be a matter of (1) applying a cost benefit analysis of power relations in terms of their denial of liberty, (2) applying a risk-benefit ratio for determining the amount of risk involved in optional courses of action relative to their expected benefits (the probability that they will enhance liberty and not further diminish it).[262] Is the economic rationality of liberalism, then, the grid of intelligibility for thinking ethics and politics in governmentality?

There are three reasons why I do not think that this is the case. (1) There are Foucault's explicit remarks in *The Birth of Biopolitics*, which critique both the inflationary attitude toward the state and the governability of economic rationality. (2) However errant (and stubbornly so) Foucault's enthusiastic assessment of the Iranian situation proved to be, the virtues of revolutionary subjectivity that it impressed on him nevertheless yield an important contrast to *homo oeconomicus'* use of liberty as a criterion of political assessment. And finally, (3) power relations do not have to go as far as domination for them to become intolerable.

Foucault calls the neoliberal critique of the state "inflationary," prey to "slippages," "fantastical" and "paranoid." (*BB*, 187-8) But worst of all, "it does not carry out a criticism or analysis of itself," which is tantamount to saying that it is anti-philosophical. What makes critique philosophical is that it is recursive and self-directed. Philosophy's task is to challenge its own assumptions and their relations to power. What would the neoliberals find if they were to aim critique not only at their enemies, but at themselves? Foucault does not ask this question, but he points out the path to follow when he says that one part of this inflationary critique is to say that, in its tendency toward growth, the state "will come to take over entirely that which is at the same time its other, its outside, its target, and its object, namely: civil society." (Ibid., 187)

What is the effect of the neoliberal critique of the state? It is to oppose the decentralized, voluntary coordination of the market to the centralized planning of the state in such a way that all instances in which the state posits economic ends for society is inherently totalitarian in tendency. One finds this written in Friedman's *Capitalism and Freedom*: "Fundamentally, there are only two ways of coordinating the economic activities of millions. One is central direction involving the use of coercion—the technique of the army and of the modern totalitarian state. The other is voluntary cooperation of individuals—the technique of the market place." (Friedman 1982, 13) Neoliberalism masks power relations by mapping the distinction between freedom (the voluntary) and coercion onto the market and the state respectively. By reducing freedom to the

[261] My emphasis.

[262] Here I have in mind a *perceived* risk-benefit ratio calculation, which calculates an action's ratio of risk to probable benefits, without knowledge of statistical or historical data on similar actions in similar circumstances.

voluntary selection of liberties, neoliberalism excludes the economy from power relations. Furthermore, this morally individualizes *homo oeconomicus,* who must now assume responsibility for their economic choices.

Foucault clearly critiques this distinction between coercion and consent in his emphatic characterization of *homo oeconomicus* as a model of subjectivity that is governable from the ground-up. Just as *The History of Sexuality* says that sex is not on the other side of power, we must not think that one says no to governmentality by saying yes to economic choice. (*HSI*, 157) One may use liberty to critique domination, but it contributes to the naturalization of the market by conceptually excluding it from the field of power. For this, one must return to the concept of counter-conducts in order to conceive of resistance not as a free choice amongst extant possibilities, but as the creation of new possibilities that challenge the historical order of the possible and the impossible.

Second, there is the question of insurrection that the intolerable implies. *The Birth of Biopolitics* makes no mention of contemporary struggles. Yet as I argued in Chapter Five, the Iranian Revolution was a practical impetus behind Foucault's concept of counter-conduct. Contrasting the subject of this revolution with *homo oeconomicus* reveals an important difference: the subject of the Iranian Revolution is *incalculable.* One of his first writings on Iran, "Useless to Revolt?," states: "Revolts belong to history. But in a certain way, they escape from it…because the man who rebels is finally inexplicable; it takes a wrenching-away that interrupts the flow of history, and its long chains of reasons, for a man to be able, 'really,' to prefer the risk of death to the certainty of having to obey." (*EF3*, 449) The historical novelty and inexplicability of resistance comes from the absolute risk of death. This signals that ethics is not simply a matter of trading off costs (or risks) for benefits. Even in cases where risking one's life takes the form of a sacrifice, one forgoes all certainty of one's effects. Whether death is certain or risked, dying as an *act*—something that deeply fascinated Foucault—becomes a way of fashioning a life and is thus itself a way of conducting oneself in an intolerable situation.[263] Thus there is a Nietzschean rejoinder to neoliberalism on whether liberty must be one's reference when thinking about the intolerable: great risk involves no recuperation and no playing of probabilities, but a childlike cast of dice.

For Foucault, the incalculable revolutionary is opposed to the calculability of *homo oeconomicus* (and this is to say nothing of the collective mode of existence of insurrections).[264] This incalculability extends to other traits that Foucault used to characterize the politics of truth as a counter-conduct starting in 1978. These include words like "insubordination," "intractability" and the "intransitivity of freedom." (*EFS,* 266; *EF3*, 343) One may oppose these to the entrepreneurial virtues of adaptability, flexibility, and detachment from bonds with others. Neoliberals also heroize the entrepreneur as a risk-taker. But the entrepreneur only takes *calculated risks*. And above all, the entrepreneur's risk ties them to their subjection in the form

[263] James Miller argues that, with AIDS, this element of risk was also a part of the collective practice of Gay men and that this added novel dimension to the coupling of bodies and pleasures for Foucault. Miller, citing Foucault: "I am a partisan of a true cultural struggle," Foucault reiterated nearly thirty years later: we must "teach people that there is not a piece of conduct more beautiful or, consequently, more worthy of careful thought than suicide. One should work on one's suicide throughout one's life." (Miller 1993, 351)

[264] Moreover, in Iran, Foucault found a "politically collective will" that he compared to anti-colonial revolutions. Foucault states: "What has given its intensity to the Iranian movement has been a double register. On the one hand, a politically collective will that has been rather affirmed, and, on the other hand, the will to a radical change in existence. But this double affirmation only has for its support institutions that bring with them chauvinism, nationalism, and exclusion, which make up a truly powerful driving force for individuals" (*DE2*, 754).

of moral responsibility, whereas the revolutionary's risk is a matter of desubjection.

I have argued that liberty can be used to critique domination, but not governmentality, since it artificially limits the critique from extending to the economy and because it refers to a calculating subject who is averse to risk and uncertainty. The third reason why the intolerable cannot be indexed to liberties is that the stake of the critique of governmentality directly targets that of neoliberalism. Regarding critique, Foucault writes, "What is at stake, then, is this: How can the growth of capabilities be disconnected from the intensification of power relations?" (*EFS*, 55) For neoliberalism, it is the opposite. It is about modeling power relations on the market and producing totally governable subjects. In other words, neoliberalism links self-investment in human capital—the growth of capacities—to the intensification of power relations. Neoliberalism makes desubjection *work* for subjection. The desubjection of the subject in the politics of truth must also be a growth of capabilities, but it must also fight and intensify struggle.[265] (*DE2*, 540)

Foucault's prescience regarding neoliberalism was not linked to an enthusiasm about its historical novelty. Not everything new in history is of the same value. Nor did he see in neoliberalism an antidote to the anatamo-politics and biopolitics of the welfare state. For the critique of discipline, biopower, and domination does not by default place one on the side of neoliberal governmentality. Liberals and socialists set up a false opposition when they conceive of politics within the opposition between free market capitalism and the welfare state. If Foucault, critiquing Marx, says that he is no different than Ricardo because they both engender the same anthropological rules of discourse, then one could say the same of the welfare state and neoliberalism insofar as both exist within the same horizon of governmentality. Those who critique the state are not for that reason immediately allied with one another.

Ultimately, however, the question of whether or not Foucault was a neoliberal is meaningless. It fetishizes Foucault-the-author and neglects to test his concepts for their strategic value within our current conjuncture. Johanna Oksala is absolutely correct when she states on *An und für sich*, "The only relevant question the academic left should be asking regarding Foucault's analyses of neoliberalism is whether they provide us with any useful tools that can be successfully deployed against the current neoliberal hegemony." (Oksala 2015) This is why it is important to struggle against neoliberalism—as a matter of challenging both one's mode of existence and one's concepts.

[265] The quotes in this paragraph were taken from "What is Critique?," "What is Enlightenment?," and "Analytico-Political Philosophy." They are all from 1978.

Abbreviations Used for the Texts of Michel Foucault

AK *Archaeology of Knowledge & The Discourse on Language*

BC *The Birth of the Clinic: An Archaeology of Medical Perception*

BB *Birth of Biopolitics: Lectures at the Collège de France 1978 – 1979*

DL *Death and the Labyrinth*

DP *Discipline and Punish: The Birth of the Prison*

DE1 *Dits et écrits I, 1954-1975*

DE2 *Dits et écrits II, 1976-1988*

EFS *Selections from the Essential Works of Foucault 1954—1984*

EF1 *Essential Works of Foucault 1954—1984: Ethics, Subjectivity, and Truth*

EF2 *Essential Works of Foucault 1954—1984: Aesthetics, Method, and Epistemology*

EF3 *Essential Works of Foucault 1954—1984: Power*

FL *Foucault Live: Collected Interviews, 1961 – 1984*

GL *On the Government of the Living: Lectures at the Collège de France 1979 – 1980*

GSO *The Government of Self and Others: Lectures at the Collège de France 1981 – 1982*

HM *History of Madness*

HS *The Hermeneutics of the Subject: Lectures at the Collège de France 1981 – 1982*

HS1 *The History of Sexuality, Volume I: An Introduction*

HS2 *The History of Sexuality, Volume II: The Use of Pleasure*

IKA *Introduction to Kant's Anthropology*

LCP *Language, Counter-Memory, Practice: Selected Essays and Interviews*

OT *The Order of Things: An Archaeology of the Human Sciences*

PK *Power/Knowledge: Selected Interviews & Other Writings 1972 – 1977*

PP *Psychiatric Power: Lectures at the Collège de France 1972 – 1973*

PPC *Politics, Philosophy, Culture: Interviews and Other Writings 1977 – 1984*

PS *The Punitive Society: Lectures at the Collège de France 1972 – 1973*

SBD *Speech Begins After Death*

SMD *Society Must Be Defended: Lectures at the Collège de France 1975 – 1976*

STP *Security, Territory, Population: Lectures at the Collège de France 1977 – 1978*

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