

# Birth of the Subject

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Since 1970 Michel Foucault has published three books, *L'Ordre du Discours* (The Order of Discourse), *Surveiller et Punir* (Surveillance and Punishment) and *La volonté de savoir* (The Will to Knowledge), none of which has yet appeared in English in this country.<sup>1</sup> This body of untranslated work, which is likely to be rapidly augmented in coming years, establishes Foucault not only, as was already evident from his *Madness and Civilisation*, *The Birth of the Clinic*, *The Order of Things* and *The Archaeology of Knowledge* as being one of the most original and exciting writers on history, science and discourse, but also one of the most politically important and radical theorists currently working. The theoretical conditions which would permit an assessment of the full significance of these writings have yet to be realised, and my purpose here is simply to give a rudimentary outline of the contents of *Surveiller et Punir* and *La Volonté de Savoir*. However, it seems already clear that the present chronological threshold of English translation coincides, if not with a radical break or change of direction, at least with a major turn in Foucault's work; the turn being marked by the explicit and central thematisation in *L'Ordre du Discours* of the question of power.

Like its predecessor *The Archaeology of Knowledge* (1969), *L'Ordre du Discours* is a systematic reflection on the principles governing a programme of historical description of the production of 'discourses'. The difference between the two books can be baldly expressed by saying that, whereas in the *Archaeology* the focus is on the identification of 'rules', in *L'Ordre* Foucault speaks of the operations of a discursive 'police'. The immanent ordering of discourses is represented as the effect of an immanent power. The *Archaeology* largely consists of a systematising, retrospective commentary on Foucault's earlier studies of the discourses of psychiatry (*Madness and Civilisation*), medicine (*The Birth of the Clinic*), general grammar, natural history and analysis of wealth with their respective precursors and successors (*The Order of Things*). It identifies four modes of concrete 'historical a prioris' which regulate the conditions of possibility of these organised historical collections of statements and practices: the constitution through discourses of certain possible objects of knowledge (mental illness, the clinical case, the table of species...); the social, political and epistemological determinations of the possible place that can be taken up by the subject of a particular discourse (alienist, clinician, economist...); the modes of possible conceptual ordering local to specific discourses (taxonomies, aetiologies, semiologies...); lastly, the strategic principles governing the possible options and transformations within discourses of themes and theories, and the strategic effects of their articulation on to non-discursive social practices. A year later, Foucault gave the inaugural lecture at the College de France of which *L'Ordre du Discours* is the expanded text. The lecture is a theoretical, programmatic prospectus for his subsequent researches. Here, the theory of discourse is located for the first time within a

theory of power. A fundamental theme emerges which Foucault has since repeatedly stressed:<sup>2</sup> the intimate connection between the production of knowledge and the exercise of power. The means of regulation of discourses are exhibited as permeating effects of control and delimitation. The boundaries of discourses are demarcated by practices of exclusion: certain topics and objects of discourse are prohibited (politics, sex); certain individuals are radically disqualified as speakers (the heretic, the madman); certain statements are rejected as false by the competent social instances. The status of statements is controlled by structural principles interior to discourses: the relationship of text and commentary, the unities established by the identity of an author and the coherence of a discipline. Qualifications are demanded of the speaker in a discourse: participation in a ritual; admission to a group; adherence to a doctrine; acceptability, for example in terms of class, under a social regime of appropriation of discourse. Finally, Foucault notes the power of particular philosophical concepts such as 'ideality', 'subject', 'experience' and 'mediation' to limit the possible form of production of statements within the discourses where they hold sway. For instance: the category of original experience carries the implication that discourse is to function essentially as a recognition and repetition of pre-given significations; 'a primordial complicity with the world is taken as founding for us the possibility of speaking of it... If there is discourse, what can it then be in its legitimate form except a discreet reading?'<sup>3</sup>

This development in Foucault's theory did not amount to an overall rejection of his earlier work, but was rather an explication of its implicit orientations - no doubt with a little help from the May evenements. 'When I think back now, I say to myself, what could I have been speaking about in *Madness and Civilisation* and *Birth of the Clinic*, if not power? Now, I'm perfectly conscious of not having used the work then and of not having had this field of analysis at my disposal.'<sup>4</sup> The tentative remarks in the *Archaeology* on the strategic ordering of discourses and their articulation on the non-discursive already opened the way towards the thematisation of power. In *L'Ordre du Discours*, discourse is viewed 'from outside' as a social entity which implicates power because of its essential attributes of scarcity, instability and desirability. But the operation of power in and upon discourse is still not theorised here in a form which integrates it with the principles of discursive production: power canalises, controls, and delimits production, but these operations appear as essentially negative and mediated in their relation to production: the historically constituted forms of 'will to truth' and 'will to knowledge' which animate discourse appear in the form of 'something like a system of exclusion'.<sup>5</sup> The discursive deviation, like the mediaeval leper or madman in *Madness and Civilisation*, is expelled from the city.. The dialectical pathos of domination and repression which informed Foucault's early masterpiece is still

<sup>2</sup> Cf. 'Prison Talk', *Radical Philosophy* 16, pp14-15

<sup>3</sup> *L'Ordre du Discours*, p53

<sup>4</sup> MF quoted by Pascal Werner, *Politique Hebdo* 247, pp30-31

<sup>5</sup> *L'Ordre du Discours*, p16

<sup>1</sup> *L'Ordre du Discours*, Gallimard, 1970; *Surveiller et Punir*, Gallimard, 1975; *La Volonté de Savoir*, Gallimard, 1976

perceptible in this formulation of 1970.

Surveiller et Punir and La Volonte de Savoir advance, for the first time, a set of general theses on the history and nature of power itself, with a critique of the ideology of power as repression: an ideology whose dominance extends to the radical left. They examine the histories of two social/discursive complexes where the language of repression has customarily found its themes and materials: the prison system and sexuality. Their common thesis is that the play of power in these complexes has not, in the modern world, consisted primarily in the negative procedures of repression and prohibition, but is characteristically positive, productive, and creative: a continual process of proliferating tactics and techniques, which functions in capitalist society by reinforcing both the relations and the forces of social production, manufacturing, at the concrete physical level, docile, utilisable social individuals and, at the 'ideological' level, constituting individuals as subjects.<sup>6</sup> Foucault is to this extent in agreement with Althusser in regarding assujettissement in capitalist societies as meaning not only subjection to, but also, necessarily, subjectification. In this respect it would be true to say that Foucault has shown with greater correctness and historical specificity than anyone else how (and why) 'Substance' becomes 'Subject'. Moreover, if one can take Foucault's genealogical method as correctly positing that, in history, genesis is always also constitution, then his examination of assujettissement may provide us with some insights into the true stakes and dramatis personae of all past and present versions of the 'problem of the subject'.

## General theory of power

Foucault argues in La Volonte de Savoir that the structure of social power since the emergence of the European nation-states has had two distinct and consecutive organising principles, that the former of these regimes of power has continued, in the capitalist period, to determine the ideology of power, and that up to the present time this 'inverted representation' of power has pervaded political discourse, including that of the left. Surveiller et Punir traces, across a relatively narrow chronological threshold before and after 1800, a transformation in the power to punish; La Volonte de Savoir, in a wider-ranging, preliminary survey, outlines an ever-proliferating process of investment of the modern regime of power in an unprecedented 'apparatus of sexuality'.

'By power, I don't mean "Power" in the sense of a set of institutions and mechanisms which guarantee the subjection of the citizens of a given State ... An analysis in terms of power should not postulate as initial data the sovereignty of the State, the form of the law or a global unity of domination; these are rather only the terminal forms of power. By the term power it seems to me that one must understand first of all the multiplicity of relations of force which are immanent to the domain where they are exercised, and are constitutive of its organisation... The omnipresence of power: not at all because it might have the privilege of regrouping everything under its invincible unity, but because it produces itself at each instant, at every point, or rather in every relation from one point to another. Power is

<sup>6</sup> It being a condition and a consequence of these productions of power that individuals in general are made, for the first time, objects of knowledge. (NB: The use of the term 'ideology' here in a loose, untheoretical sense is mine and not Foucault's; his work is not directed towards the construction of a theory of ideology. Cf. The Order of Things p328; The Archaeology of Knowledge p184-6.)

everywhere - not because it encompasses everything, but because it comes from everywhere... Clearly it is necessary to be nominalist: power is not an institution, a structure, or a certain force with which certain people are endowed: it's the name given to a complex strategic situation in a given society!'<sup>7</sup> Foucault affirms the priority, in the order of exposition, of power over politics. Politics, like war, is a particular, derivative figure produced in the play of power. Power is exercised, rather than held: it is a general form of relations rather than a privileged possession, a form of relations which are immanent to social relations of other kinds - economic, cognitive, sexual - and which are productive, rather than superstructural. Power 'comes from below': relations of global domination are effects of, and are sustained by, the play of power in small, local groups, families and institutions. The intelligibility of the field of power relations consists in their being 'at once intentional and non-subjective'; they are imbued by a calculation, intrinsically oriented to aims and objectives, but this form of immanent rationality is not the effect or creation of a calculating will, that of a class or an oligarchy. They are made up of local tactics of power which are often perfectly explicit, even cynical; but they combine and compose into co-ordinated strategies without a strategist, anonymous systems possessing an unstated, yet clearly decipherable, rationality. Finally, there is no power without resistance as well; indeed points of resistance are internally related to the operation of power. This is not to say that power is inescapable and resistance vain, but only that power is essentially relational in character. In the words of Nietzsche, 'The will to power can manifest itself only against resistances; therefore it seeks that which resists it.' (The Will to Power p656). Resistances are constituted as resistances by the effect of power, but this does not mean that they are eternally passive or hopeless; like power, resistances are essentially dispersed, mobile, local and heterogeneous, and it is in this shape that they form the base and the precondition for occasions of global, revolutionary rupture and confrontations.

'The study of this microphysics assumes that the power which operates in it is not to be conceived of as a property, but as a strategy, that its effects of domination be attributed not to an 'appropriation', but to dispositions, manoeuvres, tactics, techniques, functions; that one deciphers in it more of a system of relations always in stress, always in activity than a privilege to be captured; that one gives as its model perpetual battle, rather than the contract which effects a cession, or the conquest which takes hold of a domain... This power, moreover doesn't impose itself purely and simply, as an obligation or a prohibition, on those who 'haven't got it'; it invests, traverses and works through them, just as they themselves, in their struggle against it, draw support from the very hold power exercises on them. Which means that these relations reach deep into the texture of society, that they aren't localised in the relation of State to citizens or at the boundaries between classes, and that they don't merely reproduce at the level of individuals, bodies, gestures and behaviour the general form of the law or of government; that if there is a continuity (these relations are indeed articulated on this general form of power through a complex series of interactions), there is no analogy

<sup>7</sup> La Volonte de Savoir, pp121-23; for the following cf. pp123-7

or homology between the global and the local, but instead a regional specificity of mechanisms and modalities.<sup>8</sup>

The development of this theory of power in the specific investigations of these two books concerns the interrelated problems of the forms of appearance of power (which are also the forms of its acceptability) and of the modes of its real operation within and on a particular privileged focus, namely the body of the individual member of society, on the one hand through the institutional discipline and surveillance of her/his physical existence, and on the other through the organised questioning and supervision of her/his 'sexuality' - in both these cases operating through a regime which is constantly maximising its power by functioning at the same time as a production of knowledge of the individual.

La Volonte de Savoir contains a sustained attack on the dominant notion that the relation of power to sex is essentially repressive. Foucault argues that to break away from this conception means at the same time discarding a certain general view of power which is prevalent in political analyses and deeply rooted in European history. This view is represented in discourse on sexual repression in a number of ways. First, the relation of power to sex is negative: power has no hold over sex and its pleasures, except that of saying no to them. It produces only absences and lacunae, its effects have the forms of limit and lack. Secondly, power acts by pronouncing a rule; the grip of power on sex is in this way linguistic and discursive; the purest form of power is that of the legislator. Thirdly, power takes the (paradoxical) form of prohibition of its objects: 'renounce yourself on pain of being suppressed; don't appear, if you don't want to disappear; your existence will be prolonged only at the price of your annulment'.<sup>9</sup> Fourthly, power operates a logic of censure with three principal terms: affirming that something is not permitted, preventing its being spoken, denying that it exists. Each term supports the other in a circular system, 'linking the non-existent, the illicit and the non-formulable so as for each to be at once the principle and effect of the other'.<sup>10</sup> Fifthly, power is a unitary apparatus; its form of unity is that of the law, operating in the mutual play of licit and illicit, transgression and punishment. In all the power-figures of prince, father, censor, master, 'power is schematised under a juridical form; its effects are defined as those of obedience. In the face of a power which is law, the subject is constituted as subject - subjected/subjectedified; the one who obeys'.<sup>11</sup>

Such are the elements of what Foucault calls the 'juridico-discursive' representation of power. How is it that such a curiously restrictive representation of its operation is accepted? Foucault suggests two reasons. First, power in general needs an element of secrecy; only by a partial masking of its operations can it be rendered tolerable for its subjects. 'Power as a pure limit traced to freedom is, at least in our society, the general form of its acceptability.' No doubt Kant's equation of moral freedom with the categorical imperative is the masterpiece of this jurido-discursive language. Moreover, the language of rights and freedoms (not forgetting duties) is, as Foucault points out in Surveiller et Punir (pp223-5), consonant with a system of maximising disciplinary controls. The

greater the valorisation of the individual as ideal subject (and intensification of his real technical-economic value), the greater is the demand and the legitimisation for techniques of individual training and re-training.

The second reason is historical. The monarchical state apparatus triumphed in the Middle Ages in the guise of an instance of regulation, arbitration and limitation of the previous tangle of economic, civil and military rights and obligations; monarchical law imposed itself as a principle of order and hierarchy for other, pre-existing instances of power. 'Its formula pax et justitia denotes, in this function to which it laid claim, peace as the prohibition of private and feudal wars, and justice as the way of suspending the private settlement of claims in law... Law (droit) was not simply a weapon skilfully deployed by the monarchs; for the monarchical system it was the mode of its manifestation, and the form of its acceptability. Since the Middle Ages, in Western societies, the exercise of power has always been formulated through the law.'<sup>12</sup> Although correct in its substance, the critique of monarchy dating from the 17th century which portrays the king as an arbitrary power setting himself above the law, neglects the fact that the principles of universal justice by which it condemns the monarchy are the same principles which the monarchy used to gain acceptability for itself and curtail the rights and freedoms of classes. These principles themselves were never called in question by the anti-monarchist. 'At bottom, despite differences between periods and objectives, the representation of power has remained haunted by monarchy. In political analysis and thought, we have still not cut off the king's head.'<sup>13</sup> At the present time the 'hypothesis of repression' concerning sexuality envisages and directs its liberationist critique under the guidance of a conception of the hold of social power over sex which is framed in terms of law. La Volonte de Savoir suggests that the historically rooted form of this critique permits it to be incorporated in and exploited by a regime of power which it has profoundly misrecognised. The real character of this regime is the question to which these books propose an original and radical answer.

## Birth of the prison

Surveiller et Punir, subtitled 'Birth of the prison', traces the transformation in penal theory and practice in France between 1780 and 1840. The narrative has three main phases: the style of criminal trial and punishment under the ancien regime, the programme of penal reform advanced by Ideologue writers in the revolutionary period and their Enlightenment precursors, and the new penal institutions established after the Revolution with their associated police and legal apparatuses. The socio-historical scope of the book, however, ranges beyond this domain and period because Foucault shows that the new prisons do not correspond to the penal theories of the first generation of reformers, but are rather the successor and the apotheosis of a complex of disciplinary procedures evolved over the preceding three centuries in a variety of different social institutions; the prison is the focus of the synthesis of disciplinary techniques with the reformers' ideology of punishment, and of their intensification and transformation into a new type of apparatus of political and social power

<sup>8</sup> Surveiller et Punir pp31-32

<sup>9</sup> La Volonte de Savoir, p111

<sup>10</sup> *Ibid*, p111

<sup>11</sup> *Ibid*, p112

<sup>12</sup> *Ibid*, pp114-5

<sup>13</sup> *Ibid*, p117

which, transcending particular institutions, functions as a paradigm for modern society in some of its fundamental aspects: the 'carceral society'. Surveiller et Punir links up with Foucault's work of the 1960s by presenting the genealogy of one of the 'human sciences' - penology/criminology; and by reconstructing the formation of one of the seminal incarnations of the modern 'soul', the Man of the human sciences - the criminal. Before attempting a summary of the book it should be said that Foucault shows himself once again here to be a virtuoso of the archive; his extraordinarily rich and dense text is stunningly documented from original sources, deployed in a subtle and complex exposition.<sup>14</sup>

Readers will perhaps be surprised by the problematisation of a 'birth of the prison' dated at the beginning of the 19th century; the prison as such is not after all an invention of the Napoleonic period. But in fact confinement was not primarily conceived in the ancien regime as an instrument of judicial punishment, and it occupied at best a marginal place in its penal system. In 1767 Serpillon writes in his Code Criminel that 'prison is not regarded as a punishment in our civil law'; a statute of 1670 does not mention imprisonment among the penalties of the law. In France, imprisonment was either an obsolescent, or a local and regional practice numbered among the range of trivial penalties. Execution, corporal punishment and mutilation, the galleys, fines, public exposure occupy the major penal roles. 'Prisons, in the intention of the law, being destined not for punishment but only for assuring oneself of their persons...' <sup>15</sup> The 'general hospitals' of Paris and the provinces indeed make up, as was shown in Madness and Civilisation, a massive system for the extra-judicial confinement of troublesome and deviant individuals; but in law the prisons function primarily as a place of detention for accused persons, as well as, for instance, juvenile convicts not yet old enough for the galleys.

The place of the prison is only one of the radical differences between the criminal law of the 18th and 19th centuries. Foucault begins by characterising the forensic practices of the ancien regime in France (which resembled those of most other European countries, with the exception of England). Crucial is the relationship of the judicial process to the accused. In the 18th century judicial investigation is conducted secretly and in writing as an assembling of 'proofs'; as the instrument of kingly sovereignty, the court retains sole and absolute power over the investigation and its truth. Proof of guilt is arrived at additively: a combination of 'half-proofs' is reckoned to equal a 'full proof'; moreover a 'partial proof' in itself signifies a partial culpability and justifies a partial punishment; a suspect is already, as such, culpable to a certain degree which merits a degree of punishment - custodial imprisonment, interrogation administered in the course of the trial itself. The accused himself enters the procedure directly only at the stage where he is confronted by the proofs of guilt and induced to make a confession by an institutionalised and carefully regulated use of torture. A confession has the virtue of being the completest possible proof, making other proofs superfluous; on the other hand, a prisoner who does not confess under torture is (normally) exempted from the maximum penalty

he would otherwise suffer.

This physical, corporal struggle for the truth, and overlapping of trial and punishment, extends to the execution of the penal sentence par excellence, the supplice (contemporary definition: 'A corporal, painful, more or less atrocious punishment'). The explicit rationale of the supplice is as an act of royal vengeance on one who by his crime (whatever its other consequences) has violated the sovereignty of the king; conceived metaphorically as an assault on the physical form of the sovereign,<sup>16</sup> crime is repaid literally, in kind, in a form whose greater intensification reaffirms the absoluteness of the violated royal power. The execution of sentence is commonly accompanied by a display of military force, while the executioner acts as the champion of the king who if he fails in his duties may be penalised in place of the prisoner. This procedure of penal torture has a number of additional features and functions. The display of symbolism accompanying the ceremony makes the convict into 'the herald of his own condemnation ... the convict publishes his crime and the justice he has been made to render by bearing them physically on his own body';<sup>17</sup> his public confession before execution prolongs his trial through a climactic revelation of judicial truth; the place and means of execution can be used to establish an immediate symbolic, even theatrical, correlation between the crime and the punishment; the protraction and gradation of torture, finally, serve as an ultimate extraction-revelation of truth through the victim's public contrition. 'Judicial torture, in the 18th century, operates in this strange economy where the ritual which produces truth goes together with the ritual which imposes punishment. The body interrogated in the supplice constitutes the point of application of punishment and the place of extortion of truth. And just as presumption is an integral part of the trial and a fragment of guilt, the regulated suffering of the interrogation is at once a measure of punishment and an act of inquiry.'<sup>18</sup> The precise function of torture/supplice is that of 'a revealer of truth and an operator of power. It assures the articulation of the written on the oral, the secret on the public, the procedure of enquiry on the operation of the confession...' Nothing is more foreign to 19th-century justice than this intimacy between the court of law and the punishment it prescribes.

It is thus clear why Foucault regards the history of punishment as needing to be located within a 'history of the body'; the central peculiarity of classical penal practice is not so much its singular exploitation of corporal violence as the role which it assigns to the body of the criminal as the point of integration of power and truth. With the ending of the supplice, penal practice does not migrate from the corporal to a disembodied field of moralisation, but transforms the value, the place and the fate of the body within a new regime which is none the less still centred on it. It produces 'the soul, prison of the body'.<sup>19</sup>

The 'Ideology' of the reforming literature which mediated this transformation proposed effectively to elide the physical dimension of punishment in favour of a 'penal semiotics', a 'technique of punitive signs'; its punishments were to consist in the public display of convicts in a manner calculated to act as a prophylaxis for the minds of the populace. The ideas of crime and punishment must be tightly

<sup>14</sup> Foucault himself summarises some of the principal themes of Surveiller et Punir in 'Prison Talk' (Radical Philosophy 16). I try here to avoid duplicating this material.

<sup>15</sup> Quoted Surveiller et Punir, p122. Cf. pp119-22

<sup>16</sup> Foucault cites on this E. Kantorowicz, The King's Two Bodies

<sup>17</sup> Kafka's story 'In the Penal Colony' contains an ingenious elaboration of this theme.

<sup>18</sup> Surveiller et Punir, p46

<sup>19</sup> *Ibid*, p34

connected and 'succeed each other without interval. When you have thus formed the chain of ideas in the heads of your citizens, you may then pride yourself in being their guide and master. An imbecile despot can bind his slaves with iron chains; but a true politician binds them more tightly with the chain of their own ideas, its end attached to the solid base of reason - a bond which is all the stronger because we are ignorant of its substance and believe it to be of our own making; time and despair can wear down bonds of iron or steel, but can do nothing against the habitual union of ideas, except tie them more firmly still; and it is on the soft fibres of the brain that the unshakeable base of the strongest empires is to be founded.'<sup>20</sup> Punishment as terrorism is to be replaced by punishment as moral representation; it continues the form of the public and the theatrical but changes the tone from the horrific to the 'picturesque'.

The reform programme of the Ideologues rested on a multiple critique of the supplice, for its dangerous ambiguity (liable to induce outrage and rebellion as easily as political edification); for its ineffectiveness (because of an imagined upsurge of violent crime, and of a real and economically unacceptable increase in crimes against property); and for the irregularity of its convictions and penalties. It substituted for the deliberate excess of the supplice a technique of measure and calculation. Excessive punishments are politically and morally dangerous; 'it is necessary to punish crime exactly enough in order to prevent it: just enough to outweigh the hope of criminal gain.' 'What is to be maximised is the (public) representation of punishment, not its corporal reality'; the physical person of the criminal is the least significant object of the spectacle; the 'representation' of justice necessitates its perfect certainty and truth; the procedure of judicial investigation must follow the pattern of research, not that of inquisition, and judicial judgement must approximate to judgement pure and simple. The penal code calls for a sort of double taxonomy, a 'Linnaeus of crimes and punishments':<sup>21</sup> crimes must be exhaustively classified and specified, while penalties are individualised according to the nature of the criminal, his wealth, his class. The casuistic tradition of ancient jurisprudence and the confessional, whose object of knowledge was the illicit act, begin at the same time to give place, in penal concern with recidivism and the 'crime passionnel', to the investigation of the criminal individual as a delinquent subject, a criminal will. The discourse of 'Ideology'<sup>22</sup> utilised by the reformers is in this respect a partial precursor of criminology. This discourse 'provided in fact, through the theory of interests, representations and signs, through the series and geneses (of ideas) which it reconstituted, a sort of general recipe for the exercise of power over men: the "spirit" as the surface of inscription for power, with semiology as the instrument; the subjection of bodies through control of ideas; the analysis of representations, as the principle of a politics of bodies far more effective than the ritualised anatomy of the supplices.'<sup>23</sup>

This reforming literature was directed against punishment by imprisonment; the secrecy of the prison was associated, as in the flagrant example of the Hôpital Generale, with the arbitrary royal

power of the lettre de cachet. The new prison system in France, therefore, depended on other methods and examples in the field of penitentiary technique. Foucault cites as the earliest such initiative incorrectional confinement the Rasphuis and Spinhuis founded at Amsterdam in 1596, which practised a form of pedagogical and spiritual transformation of the individual by the imposition of a system of continuous exercise. In the 18th century three important foundations introduced a number of new themes into penal technique. The Ghent reformatory (1749) stressed the function of the restraining of the prisoner as labourer: the reconstruction of a 'homo economicus'; in England Hanway's proposals (1775) and Howard and Blackstone's Act (1779), implemented notably in Gloucester prison, emphasised solitary labour as the optimal method of individual correction; the Walnut Street prison in Philadelphia specified the non-publicity of punishment as a requirement for its effectiveness as a process demanding a rigorous surveillance and classification of the individual prisoner - 'a sort of permanent observatory which permits the separating out of the varieties of vice and weakness'. These experiments shared the Ideologues' concern with the role of punishment as prevention, the specificity of penalties and knowledge of the individual, but differed from them fundamentally at the level of technique - and therefore of policy. To the reformers' fantasies of a public domain saturated by moral representations, there is opposed the necessity of closed institutions in which the delinquent, instead of being placed on display as a social enemy, is 'taken in charge' in the totality of his physical daily existence, and made, by the operation of an absolute institutional power, the subject not of an ideal and generalised but of a concrete, individualised, 'orthopaedic', process of correction. The pure legal subject thus becomes the real human individual, according to Foucault, in the shape of a body to be trained.

## Discipline

The question of precisely how and why this institutional technique conquered the field of penal practice is the fulcrum of Foucault's exposition. He does not, as with the hospital in Birth of the Clinic, relate the political struggles through which this penal policy was adopted after the Revolution. In point of fact his treatment indicates that the question of the systematic adoption of imprisonment as penal policy is perhaps wrongly posed; the problem is the wider and profounder one of the constitution of punishment as discipline,<sup>24</sup> of the prison as the point for the totalisation and perfection of a polymorphous disciplinary technique previously elaborated within a variety of other institutions. It is not surprising that this is also the point where 'questions of method' separate Foucault from more

<sup>24</sup> The problematic here is formulated by Nietzsche: cf. On the Genealogy of Morals, II, p13. 'To return to our subject, namely punishment, one must distinguish two aspects: on the one hand, that in it which is relatively enduring, the custom, the act, the "drama", a certain strict sequence of procedures; on the other hand, that in it which is fluid, the meaning, the purpose, the expectation associated with the performance of such procedures. In accordance with the previously developed major point of historical method, it is assumed without further ado that the procedure itself will be something older, earlier than its employment in punishment, that the latter is projected and interpreted into the procedure (which has long existed but been employed in another sense), in short, that the case is not as has hitherto been assumed by our naive genealogists of law and morals, who have one and all thought of the procedure as invented for the purpose of punishing, just as one formerly thought of the hand as invented for the purpose of grasping... the previous history of punishment in general, the history of its employment for the most various purposes, finally crystallises into a kind of unity that is hard to disentangle, hard to analyse and, as must be emphasised especially, totally indefinable. (Today it is impossible to say for certain why people are really punished: all concepts in which an entire process is semiotically concentrated elude definition; only that which has no history is definable.)' (translated by Kaufmann and Hollingdale, Random House, 1969)

<sup>20</sup> Surveiller et Punir, p105, quoting from J. M. Servan, Discours sur l'administration de la justice criminelle, 1767, p35

<sup>21</sup> Cf. Surveiller et Punir, p102

<sup>22</sup> (whose 'Newton', according to Condillac, was John Locke)

<sup>23</sup> Surveiller et Punir, p105



'orthodox' social historians; the elaboration of control through discipline is a paradigm case of Foucault's 'intentional but non-subjective' regimes of power whose institution cannot be reconstructed as a history of conscious individual or collective choices.

Marx noted in *Capital* how the development of a disciplinary apparatus (and penal code: 'the law-giving talent of the factory Lycurgus') is an essential part of the social regulation of the labour-process in the capitalist mode of production. Foucault's genealogy of discipline stands in close continuity with Vol. I, part 4 of *Capital*; he refers explicitly to Marx's discussion there of the relations between technology, the division of labour, and the elaboration of disciplinary procedures.<sup>25</sup> But Foucault contributes an added dimension to the study of 'the production and reproduction of the capitalist's most indispensable means of production: the worker'.<sup>26</sup> The worker as such is not produced solely through his insertion into large-scale industry as a 'living appendage of the machine', or by his 'mutilation' and 'crippling' through the division of labour imposed by manufacture. The positive, productive arts of discipline function as an analysis and transformation of the individual as human machine - both morally and physiologically - and construct a macroscopic model of social mechanics complementary to that of industrial technology. In the 19th century, 'the prison is not a factory; it is, it must be in itself a machine of which the prisoner/workers are at once the cogs and the products'<sup>27</sup> - or, in the words of a contemporary reformer, 'Labour should be the religion of the prisons. For a society-machine, purely mechanical methods of reform are needed.'<sup>28</sup>

During the 17th century, concomitantly with the use of large standing armies, the 'soldier', as specified in his necessary bodily characteristics, ceased to be a recognisable type identified and selected from among a population, and became a type to be produced through military training. The elaboration of this science was coeval with the influence of Descartes' mechanical speculations on physiology and La Mettrie's *L'Homme-Machine* ('at once a materialist reduction of the soul and a general theory of training (*dressage*)'); both drew inspiration from the celebrated clockwork automata of the period, which 'were not just a way of illustrating the human organism; they were also political dolls, miniature models of power: the obsession of Frederick II, the scrupulous king of little machines, well-trained regiments and long exercises.'<sup>29</sup> The focal concept of 'docility' designates this dynamic and constantly intensifiable interrelation of the attributes of knowability, malleability and utility of individuals. Foucault notes the general concern, throughout the 18th century, with the knowledge of the infinitely small and the 'discipline of the miniscule'. La Salle's rules for the Christian Brothers' schools stress 'how dangerous it is to neglect the little things...'; the young Bonaparte dreamed of becoming the Newton of the microscopic. This military pedagogy was characteristically 'analytic/specific', analysing physical manoeuvres into their smallest temporal segments, and scientifically founding uniform regulations on the study of individual anatomical variations, operating the repetition of precisely defined exercises and achieving its results within an un-

<sup>25</sup> And also to F. Guerry and D. Deleule, *Le corps productif*, 1973

<sup>26</sup> *Capital* Vol. I, Pelican, p118

<sup>27</sup> *Surveiller et Punir*, p245

<sup>28</sup> Cited in *Surveiller et Punir*, p246

<sup>29</sup> *Ibid*, p138



P. Giffart, *L'Art militaire français*, 1696 (reproduced in *Surveiller et Punir*).

interrupted, calibrated temporal continuum. With the stop-watch and the parade ground, knowledge and power elaborate the structure of a 'disciplinary time'. This 'analytical pedagogy' foreshadows the paramilitary social regimes of prisons and other 'total institutions', and in turn draws upon and refines the disciplinary traditions of Christian monasticism, which received a new impetus and elaboration with the Jesuit colleges in the 16th century. Foucault proposes a general analysis of the common disciplinary regime of armies, schools, workshops and reformatories (whose inherently multipurpose character is reflected in the curious hybrid foundations of the 18th and 19th centuries, such as convent-prisons and convent-factories, and reaches its apogee in the penitentiary school at Mettray (founded in 1840), 'the model which concentrated all the coercive technologies of behaviour', those of family, workshop, army, school and judicial/penal system: 'the first normal school of pure discipline'). Discipline involves a typical spatial as well as temporal technique: an enclosed site (barracks and factory follow, in this, the model of the convent), a cellular geometrical organisation and subdivision (classroom, workshop), a mobile assignment and ordering, in a space at once ideal and real, of hierarchical ranks (the 'legions' of the Jesuit schools, the complex seating plans of classrooms) - visible taxonomies like those of botanical gardens, making possible 'at once the characterisation of the individual as individual, and the ordering of a given multiplicity.' Individuation as a technique of discipline.

These procedures are supported by specific techniques of enforcement. Firstly, 'apparatuses of hierarchical surveillance': the style of 'architecture' of the military camp, 'diagram of a power which acts by the effect of a general visibility'. Hospitals, military schools and factories adopt a spatial plan which ensures the complete visibility of their inmates; a new intermediary class of specialised overseers, like the 'student/officers' of the mutual schools, takes up the functions of surveillance. Secondly, an apparatus of 'normalising sanctions': miniature institutional penal systems develop, in which quasi-judicial constraints exist to enforce natural norms, punishments themselves take the characteristic form of exercises and repetitions isomorphic with obligatory behaviour itself, and individuals are continually graded on a bi-polar continuum between reward and punishment as members in a para-religious economy, a moral accountancy of 'penances' and 'exemptions'; the knowability of the individuals is maximised at the same time as

control, and assignment of visible rank can count as a reward in itself; the essence of normalisation consists in its power simultaneously of homogenising and individualising its subjects. Thirdly, the special ceremonies of inspection and examination - the origins, for Foucault, of the methods of the 'human sciences' with their questions, notations and classifications. In the schools, examination is integrated with teaching through daily, competitive tests; education takes the form of a continuous two-way exchange of knowledge, a mutually reinforcing cycle of learning and surveillance.

## The carceral archipelago

Given, then, the prior emplacement, by the period of penal reform, of a system which superposed the functions of discipline, pedagogy, surveillance and punishment, it becomes intelligible how, once it was politically established that the judicial power to punish in a constitutional state must take the form of reformation, not revenge, there rapidly appeared a new empire of penitentiary institutions in which punishment meant placing under surveillance. Foucault's fascinating and many-faceted reconstruction of this process cannot adequately be presented here. What is perhaps most worth bringing out is the epoch-making significance of the thematisation and elaboration of the technique of surveillance itself.

(1) It signifies an 'inversion in the political axis of individualisation' and 'transforms the whole social body into a field of perception'. It has not always been the subject, rather than the ruler, whose individuality is of primary concern, nor the child who has always been more intensely individualised than the adult. The beginnings of the institutional practice of documenting 'cases', 'keeping files' on individuals, goes together with a 'deglorification' of writing and biography; no longer are the personal lives of kings the only ones worthy of written description. This shift from the visibility of the ruler to the visibility of the subject appears in the reign of Louis XIV in the shape of the mass military review as a power-display which inverts the form of the Roman triumph. The individual as subject is not just the 'fictive atom' of a mercantile ideology, but a fabricated reality - the work of a productive power. 'Knowable man (soul, individuality, consciousness, behaviour, no matter which) is the object-effect of this analytical investment, this domination-observation'.

The theme of visibility is elaborated in specific historical models, both real and imaginary. Foucault cites from the late 17th century the rules for plague towns in France - a total administration which immobilises and isolates each street and household, imposing a regular, compulsory inspection of their inhabitants; at the opposite pole from this state of exception, contemporary with the penal reforms, is Bentham's project for a 'Panopticon', a circular building composed of cage-like cells whose occupants can be continuously observed from a single closed and darkened tower at its centre: visibility as a trap. Whether implemented in the form of a factory or a prison, the plan synthesises the productive function of the institution with a power of minimal effort and maximal effect: the model for a disciplinary society.

(2) The archipelago of institutions of surveillance is the base for the disciplinary colonisation of a whole society. In the 18th century the schools, the hospitals and the public charities began to extend

their surveillance to the families of their subjects. With the prisons, the police, and the new juridical-penal conception of criminality, a whole social class is opened up to institutional management and an observation which extends political power to embrace the smallest details of social life - the police were early exhorted to keep an eye on 'everything which happens'. (As Foucault explains in 'Prison Talk' - *Radical Philosophy* 16 - the bankruptcy of the reformatory functions of the prisons by no means impairs their usefulness as instruments for the extraction of surplus power, and it is an indication of the over-determined potentialities of the disciplinary regime that, as he remarks, it is always the prison which is proposed as 'its own remedy' by reformers of the reformatory.) The criminal is henceforth understood not through his act, but through his life, which becomes the object of the combined curiosity of the law and the criminologist, and which receives the correlative ideal form of a 'disciplinary career'. The continuum established between discipline, law and punishment and the scientific normalisation of the legal has the effects of 'lowering the threshold of social tolerance of penalty' and of creating 'not just a new right to punish, but a new acceptance of punishment'.

It was said above that for Foucault the 'juridico-discursive' form of appearance of power has ceased to represent its essence but continues to provide it with its acceptable mask. Here, it seems that the inalienable power of civil society to punish its members continues to serve as the underlying 'natural' legitimization of the penal principle, while at the same time the 'purpose' of intensified disciplinary control is able to invest the 'custom' of judicial punishment, eliminate the appearance of violence previously inseparable from it, and fabricate an acceptable procedure of normalisation and power which it can bequeath to the non-punitive social institutions of medicine, psychiatry, education, public assistance and 'social work'. Perhaps it is part of the strategic role of the prison in transmuting the mode of production of power that the disciplinary regime makes possible techniques of power in which discipline itself becomes barely recognisable.

## Sexuality and the will to truth

'The will to truth, which is still going to tempt us to many a hazardous enterprise; that celebrated veracity of which all philosophers have hitherto spoken with reverence: what questions this will to truth has already set before us! What strange, wicked, questionable questions! It is already a long story - yet does it not seem as if it has only just begun? Is it any wonder that we should at least grow distrustful, lose our patience, turn impatiently away? That this sphinx should teach us too to ask questions? Who really is it that here questions us? What really is it in us that wants "the truth"?<sup>31</sup> - Nietzsche, 'Beyond Good and Evil' (1885).

Michel Foucault, following no doubt in Nietzsche's footsteps, proposes an interrogation of the will to sexual truth. He uses the metaphor of Diderot's 'Les bijoux indiscrets'. 'This magic ring, this jewel which is so indiscreet when it's a matter of making others speak, but so ineloquent about its own mechanism, it's this which we must now make loquacious in its turn, it's of itself that it must be

<sup>31</sup> Part One: On the Prejudices of Philosophers, 1 (translated by R. J. Hollingdale, Penguin, 1973)

made to speak...<sup>32</sup>

La Volonte de Savoir is the introduction to a projected six-volume 'History of Sexuality', at once a theoretical preface and an overview of the terrain to be covered by the subsequent volumes. Its central thesis amounts to something of Copernican revolution - the denial that the development in the politics of sexuality for the past three or more centuries in the west can be adequately understood in terms of repression and censorship, and the assertion that the 20th century's talk of sexual repression, the 'great sexual evangelism' which prophecies an emancipated future and denounces a past which 'sinned against' sex, is in reality a historically determined tactic within a strategy of power whose essence is, not the suppression, but the proliferation and incitement of sexualities and the multiplication of discourses about sex. Foucault proposes to examine the origin of the modern 'question' of sex, of a double process of questioning - the extraction from sex both of its truth, and of ours. It is the question of the truth of this questioning which is now posed by Foucault. What is the origin and meaning of this 'speaking sex', this 'fantastic animal housed in us', and of this 'game of truth and sex' which the 19th century has bequeathed to us', in which 'pleasure mingled with the involuntary, and consent with inquisition'?

If surveillance is the central device in the genealogy of prisons, the confession has a similar place in that of the 'apparatus of sexuality'. It is with the mediaeval development of the confessional that the modern interrogation has its origin. The changing meaning of the word 'aveu' follows the changing meaning of the 'truth' to be spoken - from the 'authentication of the individual by reference to others and his ties with others' (the aveu of the feudal bond), to 'the discourse of truth he is capable of conducting about himself'. 'The avowal of truth is inscribed at the heart of procedures of individuation by power.' Where Nietzsche spoke of Western history as breeding an 'animal with the right to make promises',<sup>33</sup> Foucault speaks of modern man as a 'bete d'aveu' - a confessing animal. The problematic of repression articulates on to, and is perfectly compatible with, the strategy of confession. Repression implies a secret, hidden and guilty: this theme of the enigmatic truth which it is for us to uncover, the secret of sex, 'is not the fundamental reality in relation to which all the incitations to speak about it are situated - whether they really attempt to resolve it, or whether they somehow prolong it through their very way of speaking. It is more a question of a theme which is part of the mechanism of these incitations: a way of giving form to the requirement to speak of it, an indispensable fable for the indefinitely proliferating economy of discourse on sex.'<sup>34</sup> We no longer perceive the obligation of confession as the effect on us of a constraining power, but as a demand of our own secret truth to reveal itself; 'if it does not do so, we believe that some constraint is holding it back, that the violence of some power is weighing upon it, and that it will only be able finally to articulate itself at the cost of a kind of liberation. Avowal frees, power reduces to silence...'<sup>35</sup> This modern philosophy of truth through self-interrogation is an

'inverted representation' of the real operations of the 'political history of truth', a ruse of power - of the strategy of subjectification - belonging to the essence of the confession. The avowal, as it determines the constitution of sexuality as an object of knowledge, is defined by Foucault as a ritual of discourse in which the subject who speaks coincides with the subject of the statement; which is deployed within a power relationship; where truth is authenticated by the obstacles and resistances which it must lift in order to be formulated, and where the utterance itself produces intrinsic changes in the utterer. Foucault stresses repeatedly that the reason for the constant valorisation and sensitisation of the truth of sexuality is not to be sought in the preeminent intrinsic significance of the pleasures of bodies or the functions of reproduction, but in the multiple challenges and opportunities for invention and exploitation which the question presents for the economy of knowledge/power.<sup>36</sup> In the 19th century, the fear of impending scandal which accompanies the project of a science of the sexual, and the initially paradoxical appearance of a theory centred on the individual reflect the magnitude of the task of creating a 'confessional science' and the massive consequences of the postulates upon which the science was founded. Among these postulates Foucault numbers: the clinical synthesis of examination and confession, of visual observation of pathological symptoms and verbal interrogation of their subject; the positing of a generalised and diffuse sexual causality, as manifested in the astonishing 19th-century proliferation of sexual aetiologies; the postulate of the 'intrinsic latency' of sexuality, of that which is hidden from the subject himself - hence the need for constraint to a different avowal; the necessity for an interpreter who can 'duplicate the revelation of the confession with the decipherment of what it says'; the postulate of a morbidity proper to the sexual, of the essential sexual duality of the normal and the pathological, with the therapeutical correlate of a cure accomplished purely through the eliciting of sexual truth.

If 'sexuality' is indeed constituted by a complex of discursive practices involving the scientific deployment of the confession, the genealogical importance of the historical derivations linking the penitential with Krafft-Ebing is evident. The confessional was first instituted in a compulsory annual form in the 13th century; during the Counter-Reformation it underwent both an intensification of its frequency and an evolution of method and emphasis, which 'makes the flesh into the root of all sins, and displaces its most important moment from the act itself to the perturbations, so difficult to perceive and formulate, of desire.'<sup>37</sup> Increasing discretion about direct reference to the bodily act, but also increasing pertinacity in probing and rendering into discourse the concupiscence of the soul. An infinite task; and an illustration of the thesis that a partial censorship can serve an overall process of incitement to discourse.

The terrain of the confession of sex widens again with its gradual 'emigration' from the sacrament and the bond with moral theology to the relationships of pedagogy, adult and child, family, medicine and psychiatry. 'The confession opens out, if not on to new domains, at least to new ways of traversing them. It is not simply a question of say-

<sup>32</sup> Histoire de la Sexualité Vol. 1: La Volonte de Savoir (Gallimard, 1976)

p104

<sup>33</sup> On the Genealogy of Morals, II, pl. ('Man himself must first of all have become calculable, regular, necessary, even in his own image of himself, if he is to be able to stand security for his own future, which is what one who promises does.' (ibid))

<sup>34</sup> pp48-9

<sup>35</sup> p80

<sup>36</sup> 'In ever narrowing circles, the project of a science of the subject has tended to gravitate around the question of sex ... not by reason of some natural property inherent in sex itself, but as a function of the tactics of power immanent in this discourse.' (ibid p99)

<sup>37</sup> Ibid, p28



ing what has been done - the sexual act - and how; but of reestablishing in and around it the thoughts which double it, the obsessions that accompany it, the images, the desires, the modulations and quality of the pleasure that inhabit it.'

Parallel developments took place in the social principles of regulating sexual practices. The triple mediaeval system of canon law, civil law and pastoral supervision concentrated its attention on the marriage relationship and its infringement. The criminal status of 'sodomy' was vague and uncertain, the sexuality of children a matter of indifference; there was no clear discrimination in terms of culpability between the 'illicit' and the 'unnatural', between marriage without consent and bestiality, copulation during Lent and rape - or rather the 'against nature' was only the extreme form of the 'against the law'. (The hermaphrodite was a constitutionally criminal being.) From the 18th century on, this pattern is progressively transformed. The normality of the heterosexual monogamous marriage is increasingly shrouded in privacy and discretion, while attention shifts towards more marginal infractions. An increasing separation appears between the instances which detect and sanction on the one hand breaches of the legislation and morality of marriage and the family, and on the other infractions of natural sexual functioning. Beneath the libertine appears the pervert. But what Foucault particularly emphasises is that the phenomenon is not solely one of a redirection of attention, of a more discriminate visibility, but also of a production of sexualities, an 'implantation of perversions'. Where only acts are in question, we can perhaps speak of perversities; the language of perversions - and the reality - become possible only when, beyond and through the act, the individual is seized in his totality.

Foucault distinguishes four of the 'implantations of perversities'. Firstly, particularly with the emergence of the campaign against child masturbation, the contradiction in the practice of prohibiting something whose (natural) existence is at the same time denied gives rise to the constituting of 'perverse' pleasures as secrets, making them conceal themselves in order to be then uncovered. Within the strategy of 'anchoring on the family a whole medico-sexual regime', the vice of masturbation figures in reality more as the support of the campaign against it than as its enemy. What appear to be barriers to the pleasures of the body function in fact as the lines of their penetration by power.<sup>39</sup> Secondly, and following on from this policy of pursuit, there is the process of 'incorporation of perversions', the formation of a new principle of specification of the individual. To the juridical subject of the illegal act of sodomy there succeeds the 'homosexual personality', a perverted essence pervading the subject's entire being and consubstantial with his person: his homosexuality (as with the voices of the Baron de Charlus in Proust) becomes a secret which his body betrays in his every act and gesture. This discourse of specification flowers in the bizarre 19th-century taxonomies of sexual perversion, and the appearance in 1870 of the concept of 'inversion' engenders the concept of the homosexual as a distinct human 'species' - marked by a 'hermaphroditism of the soul', an

'inner androgyny'. Thirdly, the technology of sexual health and pathology, as it takes it upon itself to 'grapple with the sexual body', creates a new form of interplay between power and pleasure a game of hide and seek in which 'pleasure diffuses itself on the power which pursues it, while power anchors the pleasure which it has uncovered' - 'the "pleasure of analysis", in the widest sense of the phrase'. Lastly, Foucault numbers the bourgeois family itself among the principal sites for 'apparatuses of sexual saturation': the multiple relationships between parents, children, nurses and domestics create a proliferating system of sexual power, danger, surveillance and deviation.

The historically determined characters of sexuality 'correspond', Foucault argues, 'to the functional exigencies of discourse'.<sup>40</sup> 'The various sexualities are all correlates of precise procedures of power.' The proliferation of perversions is 'the real product of the interference between a type of power and bodies and their pleasures'.<sup>41</sup> Hence, 'the history of sexuality - that is, of what functioned in the 19th century as a specific domain of truth - must be undertaken, to begin with, from the point of view of a history of discourses'.<sup>42</sup> The multiplication of these discourses derives from the position occupied by sex as a particularly rich and fruitful nexus for relations of power. The last four of the six volumes of Foucault's 'History' are planned to examine in detail four distinct 'strategic ensembles' in the creation around sex of apparatuses of knowledge/power.<sup>43</sup> These are:

(1) The 'hystericisation' of the woman's body: the analysis of the woman's body as one which is

<sup>40</sup> Ibid, p91

<sup>41</sup> Ibid, pp65-6

<sup>42</sup> Ibid, p92

<sup>43</sup> The titles of the five further volumes to be published are: (2) La chair et le corps (the flesh and the body); (3) La croisade des enfants (the children's crusade); (4) La femme, la mere et l'hysteric (the wife, the mother and the hysteric); (5) Les pervers (the pervers); (6) Population et races.



<sup>39</sup> This illustrates again the essentially subordinate function of a censorship within the 'apparatus of sexuality'; on one level schools endeavour to eliminate the sexual component of children's language, while on another they erect a pedagogical discourse about their (non-)sexuality. Foucault suggests that the former may have been a necessary condition for the latter. Possibly it is a general condition of the constituting of a subject as 'bete d'aven' that (because of this discursive 'cordon sanitaire') the subject is one who can only confess.

'saturated with sexuality', integrated by its inherent pathology into a field of medical practices, socialised and familialised by the discourses of fertility and nurture. 'The Mother, with her negative image, the "nervous woman", constitutes the most visible form of this hystericisation.<sup>44</sup>

(2) The 'pedagogisation of the child's sex'. The child, biologically susceptible to an activity 'at once "natural" and "against nature"', becomes an ambivalent and marginal social being, the object of the pedagogical concern and attention of every institution into which she/he is inserted.

(3) The 'socialisation of procreative conduct': a developing medical/fiscal/economic/political apparatus for the control and/or stimulation of the birth-rate.

(4) The 'psychiatrisation of perverse pleasures': the isolation of a biological-psychic sexual instinct which becomes the index for the normality/abnormality of the whole individual and the target of a corrective technology.

## Family, class, race

These themes are given by Foucault a number of further elaborations which are of immense interest and significance, but can only be outlined here in the briefest summary.

Firstly, the domain of the family (which covers three at least of the above four strategies) stands at the heart of the problematic of sexuality because it marks the point of articulation of two historical/ethnographic structures regulating the relations of bodies and their sex: the alliance, a system centring on the homeostasis of kinship structures, on the themes of blood and ancestry, where questions of sex (as in the mediaeval confessional) are predicated on the axis of the matrimonial alliance; and the more recent system of sexuality, oriented towards maximisation rather than stabilisation, 'linked from the start to an intensification of the body', relating sex to a problematic of sexuality, substituting the valorisation of sex for that of blood, preoccupied with heredity rather than ancestry. For Foucault it is the family which acts as the integrating 'exchanger' between the structures of sexuality and alliance; and this is why since the 18th century 'the family has become a place of obligatory affects, sentiment, love', why 'sexuality has the family for its privileged point of emergence', and why, because of this, sexuality is 'born "incestuous"'. Hence the early preoccupation of ethnography with the incest-taboo. 'To affirm that every society ... and hence our own, is subject to this rule of rules, guaranteed that this apparatus of sexuality ... couldn't escape from the old system of alliance.' 'If one admits that the incest-prohibition is the threshold of all culture, then sexuality finds itself placed since the depths of time under the sign of the law.'

As the family came to be penetrated by the discourse previously developed at its margins in the confessional and the school, its position as the centre of sexual danger took visible shape in the new gallery of sexual characters: 'the nervous woman, the frigid wife, the mother indifferent or beset with murderous obsessions, the impotent or perverted husband, the daughter hysterical or neurasthenic, the child precocious, already exhausted, the young homosexual who refuses marriage or neglects his wife ... the mixed figures of disordered alliance and abnormal sexuality.' Hence the mounting chorus of cries for help addressed from the family to clinical experts.

<sup>44</sup> Ibid, p137

Hence, again, at the end of the 19th century, the apparent paradox of psychoanalysis, which 'uncovered the sexuality of the individual outside of the family, but rediscovered at the heart of this sexuality, as the principle of its formation and the core of its intelligibility, the law of alliance, the mixed games of marriage, kinship and incest.<sup>45</sup> The problematic of sexuality, after being grafted on to the system of alliance, now comes to the latter's therapeutic aid. (This is not, Foucault however adds, to deny that psychoanalysis set itself in radical opposition to the discourses of sexual heredity and degeneracy, with their eugenically-minded therapeutics and fantastic aetiologies, spuriously buttressed upon advances in the biology of animal reproduction, which prepared the way for the state racisms of the 20th century.)

A critique of 'the repressive hypothesis' must take into account the counter-criticisms that psychoanalysis can make of it; Foucault indeed does so, and his responses connect with both his remarks on the 'juridico-discursive' image of power and his observations concerning the genealogy of psychoanalysis.<sup>46</sup> But there is also to be considered the objection that the strategy of sexual repression has had a major historical function in the service of capitalism, parallel to that of the techniques of popular moralisation, described in Surveiller et Punir, of disciplining and controlling the poorer classes. Foucault argues, however, that the construction of the 'apparatus of sexuality' had the initial and primary sense of a self-affirmation of one class, the bourgeoisie, rather than of an enslavement of another, the proletariat. The 'question of sex' is originally posed - beginning with the confessional - by means of subtle techniques available only to restricted groups. The sexual family is the bourgeois family; the nervous woman is the leisured woman; the deviant youth is the college pupil. It is its own heredity, the safety from degeneration of its own intellectual and moral powers, the 'important, fragile treasure, the indispensable secret' of its own sex which concerns the bourgeoisie: 'the high political price of its own body'. 'There is a bourgeois sexuality, there are class sexualities, or rather sexuality is originally, historically, bourgeois, and induces in its successive displacements and transpositions specific class effects.' Foucault identifies three stages in which sexuality is generalised and transposed to the masses: the late 18th century anxiety about popular infertility;<sup>47</sup> the beginnings, around the 1830s, of campaigns of popular moralisation in favour of the canonical family; the emergence at the end of the 19th century of mass medico-juridical measures against perversions, in the interest of the general biological protection of society and the race. Foucault remarks on two class effects of this generalisation of sexuality: on the one hand, the persistent suspicion of the proletariat that 'sexuality' is the bourgeoisie's affair, not theirs; on the other, the point of origin of the discourse of repression as a new principle of sexual differentiation of the bourgeoisie - no longer in terms of the sexuality of its body, but of the intensity of its repression. 'Those who have lost the exclusive privilege of concern with their sexuality have henceforth the privilege of experiencing more than others what prohibits it, and possessing the means

<sup>45</sup> Ibid, p149

<sup>46</sup> On this, see also 'Madness and Civilisation'.

<sup>47</sup> 'The discovery that the art of tricking nature, far from being the privilege of city-dwellers and debauchees, was known and practised by those who (being so close to nature itself) ought to have been more than all others repelled by it.' (ibid., p161)

of lifting its repression.<sup>48</sup> Hence the possibility of an archaeology of psychoanalysis as a historic 'displacement and realignment of the great apparatus of sexuality'; hence also the reason for doubting whether the post-Freudian critique of repression, even in the politically radical form given to it by Reich, can serve either as a principle for understanding the history of the apparatus in which it is itself embedded, or as a means towards dismantling it.

Instead, the questioning of the 'question of sex' has to be located, as Foucault's concluding chapter argues, within a historical horizon where societies appropriate the power not only to destroy the bodily life of its members, but to manage it: the era of 'the entry of life into history' in the sense that the human species itself appears as a stake in its own strategies. The political importance of sexuality consists in its being the point of intersection between two extreme levels of power over life - the discipline of the individual body, and the regulation of the life of the population.<sup>49</sup> The strategies of sexual power enumerated by Foucault have the function of integrating these dimensions of 'discipline' and 'regulation'. It is in this framework, and that of the tension between 'alliance' and 'sexuality', that Foucault situates both the route to genocidal racism and the contemporary and expressly anti-racist Freudian quest for the 'law' of sexual desire.

*La Volonte de Savoir* ends with a confrontation of the objection that Foucault has obliterated the fundamental, material fact of sex in favour of a history of discourses, thereby instituting just one more form of repression: castration, once again. His uncompromising response to this is to deny that the materiality of our bodies and their pleasures is to be identified with the 'sex' of sexuality. It is part of the armature of the 'general theory of sex' that it 'permits the inversion of the representation of the relations of power and sexuality, and makes the latter appear not in its essential and positive relation to power, but as anchored in a specific and irreducible instance which power seeks to subject as it may; thus, the idea of 'sex' allows one to evade the issue of what makes the 'power' of power - allows one to think of it only as law and interdict... Sex is only an ideal point made necessary by the apparatus of sexuality and its functioning.'<sup>50</sup>

Hence one can elicit the message - which is unlikely to be universally welcomed - that the struggle against sexism (to which, without overtly referring itself to it, Foucault's present undertaking makes an important contribution) can be effective only if it addresses itself to 'sexuality' itself - to the sexism of sex. Foucault has remarked upon the characteristic mobility of power relationships, citing in particular the instance of homosexuals who, since the 19th century, have seized upon the pathologising discourse of 'perverse implantation' and reversed it into a discourse of defiant self-affirmation; but he has recently added that 'liberation' movements are under the necessity of displacing themselves in relation to the apparatus within which they come into being, of disengaging from and moving beyond it.<sup>51</sup> As he says in *Surveiller et Punir* about the prisons,

<sup>48</sup> Ibid, p172. Cf. how the bourgeoisie appropriates to itself the art of the master criminal. See 'Prison Talk' in *Radical Philosophy* 16.

<sup>49</sup> What Foucault says here about discipline (cf. pp184-5) is in complete continuity with *Surveiller et Punir*; he adds here that the reformist theories of 'Ideologues' (discussed in that book - see above) are an early attempt, but at an abstract and speculative level only, at the problem of the integration of these two axes of power: a problem to whose solution in the 19th century the 'apparatus of sexuality' was to make a crucial contribution.

<sup>50</sup> Ibid, pp204-5

<sup>51</sup> *Le Nouvel Observateur* (12 March 1977) p95

his historical inquiry is indeed inspired by contemporary struggles. An anachronistic history, then? 'No, if one means by that to do the history of the past in the terms of the present. Yes, if one means by that to do the history of the present.'<sup>52</sup>

Foucault says that his theoretical postulates about sex and power stand in a circular relationship to the historical inquiry which he has undertaken. In a less defensive spirit, he has said that the question of philosophy and history are inseparable.<sup>53</sup> Partly because I share this view, I am not offering here a 'philosophical assessment' of Foucault's recent work.<sup>54</sup> However, one consequence of both this and his earlier writings is of some philosophical interest. This is that it unmistakably points towards the final ringing down of the curtain on the theatre of psychological interiority, and on the latter's leading player, 'the subject'. Probably we have yet to fully register what it means not to think of human individuals as 'subjects', and (of course) one condition for doing so is the settling of our accounts with moral philosophy; in any case, 'the individual' itself might have a less hegemonic part to play in a different form of knowledge.

## Utilising Foucault

Perhaps it is sufficiently clear that, if we choose to accept and utilise the substance of what Foucault is saying, this may have immediate consequences for the way we situate ourselves in relation to questions of power. These texts, which harp on the themes of 'bodies', 'discipline' and 'power apparatuses', in the absence of any prior statement of political position, are perhaps still apt to offend against our political good taste, our libertarian prudery, our sense of decency about discussions of power. One can simply note that Foucault puts on to the agenda the question of the political as such, of the relationship, that is, between our conceptions of 'politics' and our 'political' practices. 'What strikes me in Marxist analyses is that it is always an issue of "class struggle", but that if there is a word in this expression to which less attention has been paid, it is "struggle". Here again one must be more precise. The greatest of the Marxists (beginning with Marx) have insisted on "military" problems (the army as a state apparatus, armed insurrection, revolutionary war). But when they speak of "class struggle" as the general outcome of history, they are chiefly worried about knowing what a class is, where it is situated, who it encompasses, but never what in concrete terms the struggle is. With one exception (near to hand, in any case): not the theoretical, but the historical texts of Marx himself, which are finer in a different way.'<sup>55</sup>

<sup>52</sup> *Surveiller et Punir*, p35

<sup>53</sup> 'The question of philosophy is the question of the present which is ourselves. That's why philosophy today is entirely political and historical. It is the immanent politics of history, and the history which is indispensable to politics.' *Le Nouvel Observateur*, ibid, p113

<sup>54</sup> One condition for a discussion of this would be an enquiry into the knowledge/power structure involved in the production of 'history' - both the object and the discourse. (Cf. Michel de Certeau, *L'Ecriture de l'Histoire* (Gallimard, 1975) and Jean-Pierre Faye, *Theorie du Recit/Langages Totalitaires* (Hermann, 1972-3).) The need for a theory of the relationship between the standpoint, 'method' and object of history is, of course, particularly pressing when it is the history of power which is in question. The theory has yet to be produced.

<sup>55</sup> Ibid, p130

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