

Chapter 1

Foucault on Modern Power: Empirical Insights and Normative Confusions

Until his untimely death in 1984, Michel Foucault had been theorizing about and practicing a new form of politically engaged reflection on the emergence and nature of modern societies. This reflection, which Foucault called “genealogy,” has produced some extremely valuable results. It has opened up new areas of inquiry and problematized new dimensions of modernity; as a result, it has made it possible to broach political problems in fruitful new ways. But Foucault’s work is also beset by difficulties. It raises a number of important philosophical questions that it is not, in itself, equipped to answer. This paper aims to survey the principal strengths and shortcomings of Foucault’s work and to provide a balanced assessment of it.

Most generally, it is my thesis that Foucault’s most valuable accomplishment consists of a rich empirical account of the early stages in the emergence of some distinctively modern modalities of power. This account yields important insights into the nature of modern power, and these insights, in turn, bear political sig-

This paper was originally written in 1980–81, before Michel Foucault’s death. I cast it in the present and future tenses on the assumptions that my dialogue with him would be ongoing and that his thinking on the subjects discussed would continue to develop. Now that these assumptions no longer hold, I have had to reconsider the question of tense. I have proceeded as follows: in instances where the present or future tense seemed to me jarringly inappropriate, I have substituted the past tense; in instances where the present tense seemed to suggest, entirely rightly, the continuing relevance of Foucault’s work, I have left it unchanged.

nificance — they suffice to rule out some rather widespread political orientations as inadequate to the complexities of power in modern societies.

For example, Foucault's account establishes that **modern power is "productive" rather than prohibitive.** This suffices to rule out those types of liberationist politics that presuppose that power is essentially repressive. Similarly, Foucault's account demonstrates that **modern power is "capillary,"** that it **operates at the lowest extremities of the social body in everyday social practices.** This suffices to rule out state-centered and economic political praxes, since these praxes presuppose that power resides solely in the state or economy. Finally, Foucault's genealogy of modern power establishes that **power touches people's lives more fundamentally through their social practices than through their beliefs.** This, in turn, suffices to rule out political orientations aimed primarily at the demystification of ideologically distorted belief systems.

This is not to suggest that the sole importance of Foucault's account of the nature and emergence of modern forms of power is the negative one of ruling out inadequate political orientations. More positively, it is that **Foucault enables us to understand power very broadly,** and yet very finely, as anchored in the multiplicity of what he calls **"micropractices,"** the social practices that constitute everyday life in modern societies. This positive conception of power has the general but unmistakable implication of a call for a "politics of everyday life."

These, in general, are what I take to be Foucault's principal accomplishments and contributions to the understanding of modern societies. They were made possible, it seems, by Foucault's use of his **unique genealogical method** of social and historical description. This method involves, among other things, the **suspension of the standard modern liberal normative framework,** which distinguishes between the legitimate and illegitimate exercise of power. Foucault brackets those notions, and the questions they give rise to, and concentrates instead upon the actual ways in which power operates.

As I have said, Foucault's suspension of the problematic of legitimacy has unquestionably been fruitful. It is what enables him to look at the phenomenon of power in interesting new ways and, thereby, to bring to light important new dimensions of modern societies. But, at the same time, it has given, or is likely to give, rise to some **grave difficulties.** For example, it has been or may be supposed that Foucault has given us a **value-neutral account of modern power.** Or, alternatively, since this does not square with the obvious politically engaged character of his writing, that he has euded some other normative framework as an alternative to the suspended one; or, since none is readily apparent, that he has found a way to do politically engaged critique without the use of any normative framework; or, more generally, that **he has disposed altogether of the need for any normative framework to guide political practice.**

Clearly, a number of these suppositions are mutually incompatible. Yet Foucault's work seems simultaneously to invite all of them. He tends to assume that

his account of modern power is both politically engaged and normatively neutral. At the same time, he is unclear as to whether he suspends all normative notions or only the liberal norms of legitimacy and illegitimacy. To make matters worse, Foucault sometimes **appears not to have suspended the liberal norms after all but, rather, to be presupposing them.**

These, then, are what I take to be the most serious difficulties in Foucault's work. They appear to stand in a rather curious relationship to the strengths I have mentioned; **it seems that the very methodological strategies that make possible the empirically and politically valuable description of power are intimately tied to the normative ambiguities.**

In what follows, I propose to explore these issues systematically. First, I shall **outline Foucault's genealogical method,** including his suspension of the liberal normative framework of legitimacy. Next, I shall give an account of Foucault's historical insights concerning the **nature and origin of modern power** that the genealogical method has made possible. After that, I shall briefly discuss the **valuable political implications of the view of modern power** that emerges. And, finally, in the fourth and last section of the paper, I shall discuss **the difficulties pertaining to the normative dimensions of Foucault's work.**

1. The Genealogical Method and the Bracketing of the Problematic of Legitimacy

Following Nietzsche, Foucault calls the form of his reflection on the nature and development of modern power **"genealogy."** What he means by this can best be approximated negatively at first, in contrast to a number of other approaches to the study of cultural and historical phenomena. Genealogy **represents a break, for example, with semiology and structuralism,** which analyze culture in terms of systems of signs.² Instead, **it seeks to conceive culture as practices.** Furthermore, genealogy is **not to be confused with hermeneutics,** which Foucault understands (no doubt anachronistically) as the search for deep hidden meanings beneath language, for the **signified behind the signifier.** Genealogy takes it as **axiomatic that everything is interpretation all the way down,**³ or, to put it less figuratively, that cultural practices are **instituted historically** and are therefore **contingent,** ungrounded except in terms of other, prior, contingent, historically instituted practices. Foucault also claims that **genealogy is opposed to critique of ideology.** Again, his understanding of that enterprise is somewhat crude; he means that genealogy **does not concern itself with evaluating the contents of science or systems of knowledge-or, for that matter, with systems of beliefs at all.** Rather, it is concerned with the **processes, procedures, and apparatuses** whereby **truth, knowledge, belief are produced,** with what Foucault calls the "politics of the discursive regime."⁴ Moreover, Foucault contends that genealogy must be distinguished from history of ideas. It does not seek to chronicle the continuous development of

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discursive content or practices. On the contrary, it is oriented to discontinuities. Like Thomas Kuhn, Foucault assumes the existence of a plurality of incommensurable discursive regimes that succeed one another historically. He also assumes that each of these regimes is supported by its own correlated matrix of practices. Each includes its own distinctive objects of inquiry; its own criteria of well-formedness for statements admitted to candidacy for truth and falsity; its own procedures for generating, storing, and arranging data; its own institutional sanctions and matrices.⁵

It is the whole nexus of such objects, criteria, practices, procedures, institutions, apparatuses, and operations that Foucault means to designate by his term 'power/knowledge regime'. This term thus covers in a single concept everything that falls under the two distinct Kuhnian concepts of paradigm and disciplinary matrix. But, unlike Kuhn, Foucault gives this complex an explicitly political character. Both the use of the term 'power' and that of the term 'regime' convey this political coloration.

Foucault claims that the functioning of discursive regimes essentially involves forms of social constraint. Such constraints and the manner of their application vary, of course, along with the regime. Typically, however, they include such phenomena as the valorization of some statement forms and the concomitant devaluation of others; the institutional licensing of some persons as authorized to offer authoritative knowledge claims and the concomitant exclusion of others; procedures for the extraction of information from and about persons involving various forms of coercion; and the proliferation of discourses oriented to objects of inquiry that are, at the same time, targets for the application of social policy.⁶ Their obvious heterogeneity notwithstanding, all of these are instances of the ways in which social constraint, or in Foucault's terms "power," circulates in and through the production of discourses in societies.

What Foucault is interested in when he claims to be studying the genealogy of power/knowledge regimes should now be clear: he concerns himself with the holistic and historically relative study of the formation and functioning of incommensurable networks of social practices involving the mutual interrelationship of constraint and discourse.

Foucauldian genealogy is obviously a unique and original approach to culture. It groups together phenomena that are usually kept separate and separates phenomena that are usually grouped together. It does this by adhering, or professing to adhere, to a number of methodological strategies that can be likened to bracketings.⁷

'Bracketing', of course, is not Foucault's term; given its association with the phenomenological tradition to which he is so hostile, he would doubtless reject it. Nevertheless, the term is suggestive of the sort of studied suspension of standard categories and problematics that he practices. It should already be apparent, for example, that Foucault's approach to the study of power/knowledge regimes

suspends the categories truth/falsity or truth/ideology. It suspends, that is, the problematic of epistemic justification. Foucault simply does not take up the question of whether the various regimes he studies provide knowledge that is in any sense true or warranted or adequate or undistorted. Instead of assessing epistemic contents, he describes knowledge production procedures, practices, apparatuses and institutions.

This bracketing of the problematic of epistemic justification is susceptible to a variety of construals. It can be seen as strictly heuristic and provisional and, therefore, as leaving open the questions whether such justification is possible and, if so, in what it consists. Alternatively, it can be seen less minimally as a substantive, principled commitment to some version of epistemological cultural relativism. The textual evidence is contradictory, although the preponderance surely lies with the second, substantive, construal.

Be that as it may, Foucault's views on epistemic justification are not my primary concern here. More to the point is another sort of bracketing, one that pertains to the problematic of normative justification. Foucault claims to suspend such justification in his study of power/knowledge regimes. He says he does not take up the question of whether or not the various constraint-laden practices, institutions, procedures, and apparatuses he studies are legitimate or not: he refrains from problematizing the normative validity of power/knowledge regimes.

A number of very important questions arise concerning the nature and extent of Foucault's bracketing of the normative. What exactly is its intended scope? Does Foucault intend to suspend one particular normative framework only, namely, the framework of modern liberal political theory, whose central categories are those of right, limit, sovereignty, contract, and oppression? This framework distinguishes between, on the one hand, the legitimate exercise of sovereign power, which stays within the limits defined by rights, and, on the other, the illegitimate exercise of such power, which transgresses those limits, violates rights, and is thus oppressive.¹⁰ When Foucault excludes the use of the concepts legitimacy and illegitimacy from genealogy, does he mean to exclude only these liberal norms? Or, alternatively, is Foucault's bracketing of the normative rather broader? Does he intend to suspend not only the liberal framework but every normative framework whatsoever? Does he mean he will bracket the problematic of normative justification *simpliciter*? In either case, how do Foucault's proclaimed intentions square with his actual practice of genealogy? Whatever he claims to be doing, does his work in fact suspend all political norms or only the liberal ones?

Furthermore, whatever the scope of bracketing, what is its character? Is Foucault's bracketing of the normative merely a methodological strategy, a temporary heuristic aimed at making it possible to see the phenomena in fresh new ways? If so, then it would leave open the possibility of some subsequent normative assessment of power/knowledge regimes. Or, alternatively, does Foucault's bracketing of the normative represent a substantive, principled commitment to

ethical cultural relativism, to the impossibility of normative justification across power/knowledge regimes?

These questions have enormous importance for the interpretation and assessment of Foucault's work. But the answers, by and large, do not lie ready to hand in his writings. To begin to untangle them, it will be necessary to look more closely at the actual concrete use he makes of his genealogical method.

2. The Genealogy of Modern Power

Foucault's empirical study of modern societies **focuses on the question of the nature and emergence of distinctively modern forms of power**. It is his thesis that **modernity consists, at least in part, in the development and operation of a radically new regime of power/knowledge**. This regime comprises procedures, practices, objects of inquiry, institutional sites and, above all, forms of social and political constraint that differ markedly from those of previous regimes.

Modern power is unlike earlier powers, according to Foucault, in that it is **local, continuous, productive, capillary, and exhaustive**. This is so, in part, as a consequence of the circumstances in which it arose. Foucault claims that the modern power/knowledge regime was **not imposed from the top down** but developed only **gradually in local, piecemeal fashion largely in what he calls "disciplinary institutions,"** beginning in the late eighteenth century. A variety of **"microtechniques"** were perfected by **obscure doctors, wardens, and schoolmasters in obscure hospitals, prisons, and schools, far removed from the great power centers of the *ancien régime***. Only later were these techniques and practices taken up and integrated into what Foucault calls "global or macrostrategies of domination."¹²

The disciplinary institutions were among the first to face the problems of organization, management, surveillance, and control of large numbers of persons. They were the first, that is, to face the problems that would eventually become the constitutive problems of modern government. Hence, the tactics and techniques they pioneered are, in Foucault's view, definitive of modern power.

Foucault describes a variety of new disciplinary microtactics and practices. The one for which he is best known is ***le regard* or "the gaze."** The gaze was a technique of power/knowledge that **enabled administrators to manage their institutional populations by creating and exploiting a new kind of visibility**. Administrators organized these populations so that they could be seen, known, surveilled, and thus controlled. The new visibility was of two kinds, according to Foucault: **synoptic** and **individualizing**.

Synoptic visibility was premised on architectural and organizational innovations that made possible an intelligible overview of the population and of the relations among its elements. It is exemplified in the design of prisons after Bentham's Panopticon (rings of backlit cells encircling a central observation tower),

in the separation of hospital patients according to their diseases, and in the arrangement of students in a classroom space articulated expressly to reflect their rank and ability.

Individualizing visibility, on the other hand, aimed at exhaustive, detailed observation of individuals, their habits and histories. Foucault claims that this visibility succeeded in constituting the individual for the first time as a "case," simultaneously a new object of inquiry and a new target of power.¹²

Both kinds of gaze, synoptic and individualizing, were **micropractices linking new processes of production of new knowledges to new kinds of power**. They **combined scientific observation** of populations and individuals, and hence a new "science of man," **with surveillance**. This link depended upon the **asymmetrical** character of the gaze: it was unidirectional—the scientist or warden could see the inmate but not vice versa. This is most striking in the case of the Panopticon. **Because the unidirectionality of visibility denied the inmates knowledge of when and whether they were actually being watched, it made them internalize the gaze and in effect surveil themselves.**¹³ Less overtly, the forms of scientific observation in other institutions objectified their targets and pruned relentlessly into every aspect of their experience.

Foucault would not, however, have us conclude that the objectifying behavioral sciences have a monopoly on the use of the gaze as a microtechnique of modern power/knowledge. He demonstrates the similar functioning of what he calls the **"hermeneutics of the psyche."** Practices like psychoanalysis, which constitute the individual as speaking subject rather than as behavioral object, **also involve an asymmetrical, unidirectional visibility**, or perhaps one should say **audibility**. The **producer of the discourse is defined as incapable of deciphering it** and is dependent upon a **silent hermeneutic authority**.¹⁴ Here, too, there is a distinctive use of coercion to obtain knowledge and of knowledge to coerce.

The importance for Foucault of micropractices such as the gaze far transcends their place in the history of early disciplinary institutions. As I noted earlier, they were among the first responses to the problems of population management that later came to define modern government. They were eventually integrated into global political strategies and orientations, but even in their early disciplinary form they evince a number of the hallmarks of a distinctively modern power.

Because they cause power to operate continuously, **disciplinary tactics anticipate later developments in the genealogy of modern power**. Panoptical surveillance is, in this respect, very different from premodern power mechanisms. The latter operated discontinuously and intermittently and required the presence of an agent to apply force. **Modern power, as first developed in disciplinary micropractices, on the other hand, requires no such presence**; it replaces violence and force of arms with the **"gentler" constraint of uninterrupted visibility**. Modern power, then, is distinctive in that **it keeps a low profile**. It has no need of the spectacular displays characteristic of the exercise of power in the *ancien régime*. It is lower in

cost both economically, since it requires less labor power, and socially, since it is less easily targeted for resistance. Yet it is more efficacious. Given its connection with the social sciences, modern power is capable, according to Foucault, of an exhaustive analysis of its objects, indeed of the entire social body. It is neither ignorant nor blind, nor does it strike hit or miss, as did earlier regimes. As a result of its superior hold on detail, it is more penetrating than earlier forms of power. It gets hold of its objects at the deepest level—in their gestures, habits, bodies, and desires. Premodern power, on the other hand, could strike only superficially and from afar. Moreover, modern power, as first developed in disciplinary micropractices, is not essentially situated in some central persons or institutions such as king, sovereign, ruling class, state, or army. Rather, it is everywhere. As the description of panoptical self-surveillance demonstrated, it is even in the targets themselves, in their bodies, gestures, desires, and habits. In other words, as Foucault often says, modern power is capillary. It does not emanate from some central source but circulates throughout the entire social body down to even the tiniest and apparently most trivial extremities.¹⁵

Taken in combination, these characteristics define the operation of modern power as what Foucault calls “self-amplifying.” In this respect also it is unlike the power of the *ancien régime*. The latter operated with, so to speak, a fixed amount of force at its disposal. It expended that force via what Foucault calls “deduction” (*prélèvement*); it simply counterposed itself to the opposing forces and sought to eliminate or minimize them. Modern power, on the other hand, continually augments and increases its own force in the course of its exercise. It does this not by negating opposing forces but rather by utilizing them, by linking them up as transfer points within its own circuitry.¹⁶ Hence, the panoptical mechanism takes up the inmate within the disciplinary economy and makes her surveil herself. It aims not at suppressing her but rather at retooling her. It seeks to produce what Foucault calls “docile and useful bodies.”¹⁷ Borrowing Marx’s terminology, it may be said that whereas premodern power functioned as a system geared to simple reproduction, modern power is oriented to expanded reproduction.

Foucault’s description of the disciplinary origins of modern power is extremely rich and concrete. He produced less in the way of a detailed account of the processes whereby the local, piecemeal microtechniques were integrated into global macrostrategies. The fullest account of that is the one found in volume 1 of his *History of Sexuality*. There, Foucault discusses the modern macrostrategy of “bio-power.” Bio-power concerns the management of the production and reproduction of life in modern societies. It is oriented to such new objects of power/knowledge as population, health, urban life, and sexuality. It objectifies these as resources to be administered, cultivated, and controlled. It uses new quantitative social science techniques to count, analyze, predict, and prescribe. It also makes use of widely circulating nonquantitative discourses about sexuality,

whose origins Foucault traces to the self-interpretation and self-affirmation of the nineteenth-century middle classes.¹⁸

In his Tanner Lectures of 1979, Foucault linked his work on bio-power to the problematic of political rationality.¹⁹ Indeed, his treatment of the development and use of social science as an instrument of population resource management and social control is clearly related to more familiar treatments of modernization as a process of rationalization. But there is one striking and very important difference. Whereas for other writers the concepts of rationality and rationalization have a two-sided normative character, in Foucault’s usage they do not. In the thought of Jürgen Habermas, for example, rationalization involves a contrast between instrumentalization — which is a one-sided, partial, and insufficient rationalization — and a fuller practical, political rationality. It therefore carries with it a normative standard for critiquing modern societies. Foucault’s discussion of political rationality in the Tanner Lectures, on the other hand, contains no such contrast and no positive normative pole. Rationality for him is either a neutral phenomenon or (more often) an instrument of domination *tout court*.²⁰

3. The Political Implications of Genealogy

Foucault’s picture of a distinctively modern power that functions at the capillary level via a plurality of everyday micropractices yields a number of significant political implications. Some of these are strategic and some are normative.

Consider that Foucault’s analysis entails that modern power touches individuals through the various forms of constraint constitutive of their social practices rather than primarily through the distortion of their beliefs. Foucault dramatizes this point by claiming that power is in our bodies, not in our heads. Put less paradoxically, he means that practices are more fundamental than belief systems when it comes to understanding the hold that power has on us.

It follows from this view that the analysis and critique of such practices take priority over the analysis and critique of ideology. Foucault’s insight thus tends to rule out at least one rather crude version of ideology critique as strategically inadequate to the social reality of modern power. It rules out, that is, the view that given the appropriate objective material conditions, the only or main thing that stands in the way of social change is people’s ideologically distorted perception of their needs and interests. When stated thus baldly, it is questionable whether anyone actually holds this view. Still, Foucault’s vivid reminder of the priority of practices is a useful corrective to the potential one-sidedness of even more sophisticated versions of the politics of ideology critique.”

A second strategic implication of Foucault’s insight into the capillary character of modern power concerns the inadequacy of state-centered and economic political orientations. Such orientations assume that power emanates from one or the other or both of these central points in society. But Foucault’s description of

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the polymorphous, continuous circulation of power through micropractices belies this assumption. It shows, rather, that power is everywhere and in everyone; it shows that power is as present in the most apparently trivial details and relations of everyday life as it is in corporate suites, industrial assembly lines, parliamentary chambers, and military installations. Foucault's view, therefore, rules out state-centered and/or economic political orientations. It rules out, that is, the view that the seizure and transformation of state and/or economic power would be sufficient to dismantle or transform the modern power regime.²²

These two strategic political implications of Foucault's empirical work can be combined and stated more positively. In revealing the capillary character of modern power and thereby ruling out crude ideology critique, statism, and economism, Foucault can be understood as in effect ruling *in* what is often called a "politics of everyday life." For if power is instantiated in mundane social practices and relations, then efforts to dismantle or transform the regime must address those practices and relations.

This is probably the single most important feature of Foucault's thought. He provides the empirical and conceptual basis for treating such phenomena as sexuality, the family, schools, psychiatry, medicine, social science, and the like as political phenomena. This sanctions the treatment of problems in these areas as political problems. It thereby widens the arena within which people may collectively confront, understand, and seek to change the character of their lives. There is no question that a new move to widen the boundaries of the political arena has been underway in the West since the 1960s. Foucault has clearly been influenced by it and has, in turn, helped to buttress it empirically and conceptually.

In the foregoing considerations of political strategy, it has been taken for granted that the modern power regime is undesirable and in need of dismantling and transformation. But that assumption pertains essentially to the normative political implications of Foucault's genealogical description. It is these that require thematization now.

I have noted several times that in Foucault's account modern power is not applied to individuals by the state or sovereign in a top-down fashion. Rather, it circulates everywhere, even through the tiniest capillaries of the social body. It follows from this, claims Foucault, that the classical liberal normative contrast between legitimate and illegitimate power is not adequate to the nature of modern power. The liberal framework understands power as emanating from the sovereign and imposing itself upon the subjects. It tries to define a power-free zone of rights, the penetration of which is illegitimate. Illegitimate power is understood as oppression, itself understood as the transgression of a limit.

But if power is everywhere and does not emanate from one source or in one direction, then this liberal framework will not apply. Furthermore, given its inapplicability, Foucault claims that the proliferation of discourse governed by this liberal framework may itself function as part of the capillary deployment of mod-

ern power. This discourse may function, in other words, to mask the actual character of modern power and thus to conceal domination.²³

It is clear that with this last charge Foucault has crossed the line between conceptual and substantive normative analysis. In using the term 'domination' at the same time that he is ruling out the liberal normative framework, it appears that he is presupposing some alternative framework. (I will discuss the question as to what that might be in the next section of this paper.) However, if correct, Foucault's empirical thesis that modern power is capillary does not by itself dictate the adoption of any particular normative framework. At most, it undercuts one traditional basis of the liberal one.

A similar situation arises with respect to the normative political implications of Foucault's insight into the productive and self-amplifying character of modern power, his insight into its orientation to what I called "expanded reproduction." This insight belies what Foucault calls "the repressive hypothesis." That hypothesis assumes that power functions essentially negatively, through such operations as interdiction, censorship, and denial. Power, in this view, just says no. It says no to what are defined as illicit desires, needs, acts, and speech. But if Foucault is right, modern power is equally involved in producing all these things. His empirical account rules out the repressive hypothesis and the liberationist political orientation it supports. That orientation, which is now rather widespread in the West, aims at liberating what power represses. It makes "illicit" speech, desires, and acts into expressions of political revolt. Not only does Foucault reject it as inadequate to the true nature of modern power, but once again he suggests that it is a feature of the deployment of modern power to proliferate liberationist discourse, once again to mask the actual functioning of domination.²⁴

In ruling out the repressive hypothesis, Foucault is ruling out the radical normative framework, which substitutes the contrast "repression versus liberation" for the liberal contrast "legitimacy versus illegitimacy." He has linked both of these frameworks to the functioning of what he identifies as domination. It appears, therefore, that Foucault must be presupposing some alternative normative framework of his own. What might this be?

4. Unanswered Questions concerning the Normative Dimensions of Foucault's Genealogy

It is my thesis that despite his important contributions to the study of modern societies, Foucault's work ends up, in effect, inviting questions that it is structurally unequipped to answer. A brief recap of my line of argument to this point will clarify what I mean by this allegation.

I have claimed that Foucault adopts at least the minimal heuristic principle that power regimes be broached and described as neutral phenomena, that they not, for example, be interrogated immediately from the liberal standpoint as to their

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legitimacy or illegitimacy. I have also claimed that the use of this methodological strategy permits him to give a perspicuous account of the emergence of the modern power regime, an account that in turn brought to light some neglected features of the operation of power in modern life. Furthermore, I have argued that Foucault's account of modern power constitutes good grounds for rejecting some fairly widespread strategic and normative political orientations and for adopting instead the standpoint of a "politics of everyday life."

At the same time, I have left open the question of the nature and extent of Foucault's bracketing of the problematic of normative justification of power/knowledge regimes. I have noted some indications that his description of modern power is in fact not normatively neutral, but I have not systematically pursued these. I now wish to reopen these questions by looking more closely at the politically engaged character of Foucault's work.

Let me begin by noting that Foucault's writings abound with such phrases as 'the age of bio-power', 'the disciplinary society', 'the carceral archipelago'—phrases rife, that is, with ominous overtones. I must also note that Foucault does not shrink from frequent use of such terms as 'domination', 'subjugation', and 'subjection' in describing the modern power/knowledge regime. Accordingly, the main outlines of his description can be tellingly restated as follows: In the early modern period, closed disciplinary institutions like prisons perfected a variety of mechanisms for the fabrication and subjugation of individuals as epistemic objects and as targets of power. These techniques aimed at the retooling of deviants as docile and useful bodies to be reinserted in the social machine. Later, these techniques were exported beyond the confines of their institutional birthplaces and were made the basis for global strategies of domination aimed at the total administration of life. Various discourses that have seemed to oppose this regime have, in fact, supported it, in part by masking its true character.

Put this way, it is clear that Foucault's account of power in modern societies is anything but neutral and unengaged. How, then, did he get from the suspension of the question of the legitimacy of modern power to this engaged critique of bio-power? This is the problem I want to address.

A number of possible explanations come to mind. First, one might read Foucault's critique as politically engaged yet somehow still normatively neutral. One might, that is, interpret his bracketing of the normative as covering all political norms, not just the liberal ones. In a variety of interviews, Foucault himself adopts this interpretation. He claims he has approached power strategically and militarily, not normatively. He says he has substituted the perspective of war, with its contrast between struggle and submission, for that of right, with its contrast between legitimacy and illegitimacy.²⁵ In this interpretation, Foucault's use of the terms 'domination', 'subjugation', and 'subjection' would be normatively neutral: these terms would simply be descriptive of the strategic alignments and modes of operation of the various opposing forces in the modern world.

Such an interpretation is open to a number of questions, however. It is usually the case that strategic military analyses identify the various opposing sides in the struggle. They are capable of specifying who is dominating or subjugating whom and who is resisting or submitting to whom. This Foucault does not do. Indeed, he rejects it as a possibility. He claims that it is misleading to think of power as a property that could be possessed by some persons or classes and not by others; power is better conceived as a complex, shifting field of relations in which everyone is an element.²⁶

This claim does not square, strictly speaking, with the fact that Foucault seems at times to link bio-power with class domination and to implicitly accept (at least elements of) the attendant Marxian economic interpretation. Nor does it square with his tendency to identify such capillary agents as social scientists, technologists of behavior, and hermeneutists of the psyche with the "forces of domination."

But whether or not he does or can identify the forces of domination and those they dominate, the claim that his normative-sounding terminology is not normative but, rather, military runs into a second difficulty: the military usage of 'domination', 'struggle', and 'submission' cannot, in and of itself, explain or justify anyone's preference for, or commitment to, one side as opposed to the other. Foucault calls in no uncertain terms for resistance to domination. But why? Why is struggle preferable to submission? Why ought domination to be resisted? Only with the introduction of normative notions of some kind could Foucault begin to answer such questions. Only with the introduction of normative notions could he begin to tell us what is wrong with the modern power/knowledge regime and why we ought to oppose it.

It seems, then, that the assumption that Foucault's critique is engaged but non-normative creates serious difficulties for him. It would perhaps be better to assume that he has not bracketed every normative framework but only the liberal one, the one based on legitimacy. In that case, it becomes essential to discover what alternative normative framework he is presupposing. Could the language of domination, subjugation, struggle, and resistance be interpreted as the skeleton of some alternative framework?

Although this is certainly a theoretical possibility, I am unable to develop it concretely. I find no clues in Foucault's writings as to what his alternative norms might be. I see no hints as to how concretely to interpret 'domination', 'subjugation', 'subjection', and so forth in some completely new "postliberal" fashion. This is not to deny that these terms acquire rich new empirical content from Foucault's descriptions of disciplinary power; 'domination', for example, comes to include dressage, which involves the use of nonviolent yet physical force for the production of "normal," conforming, skilled individuals. But such important new meaning accretions and extensions are not in and of themselves tantamount to the elaboration of an entirely new normative framework. They do not,

in other words, suffice to tell us precisely what is wrong with discipline in terms wholly independent of the liberal norms. On the contrary, their normative force seems to depend upon tacit appeal to the notions of rights, limits, and the like.

I suggested earlier that Foucault sometimes seems to presuppose that macro-strategies of global domination such as bio-power are connected with class domination and that the Marxian account of the latter is basically right. Could it be, then, that he is presupposing the Marxian normative framework? It is characteristic of that framework, at least on one widely accepted reading, that it does not fully suspend all liberal norms. Rather, it presupposes at least some of them in its critique of capitalist social and productive relations. For example, Marx demonstrates that although the contractual exchange of labor power for wages purports to be symmetrical and free, in fact it is asymmetrical and coercive. He is not, therefore, fully suspending the bourgeois norms of reciprocity and freedom. Perhaps Foucault could be read in similar fashion. Perhaps he is not fully suspending but is rather presupposing the very liberal norms he criticizes. His description of such disciplinary microtechniques as the gaze, for example, would then have the force of a demonstration that modern social science, however much it purports to be neutral and power-free, in fact also involves asymmetry and coercion.

This reading of Foucault's work is one I am sure he would have rejected. Yet it gains some plausibility if one considers the disciplinary, or carceral, society described in *Discipline and Punish*. If one asks what exactly is wrong with that society, Kantian notions leap immediately to mind. When confronted with the treatment of persons solely as means that are causally manipulated by various institutions, one cannot help but appeal to such concepts as the violation of dignity and autonomy. But again, these Kantian notions are clearly related to the liberal norms of legitimacy and illegitimacy defined in terms of limits and rights.

Given that no other normative framework is apparent in Foucault's writings, it is not unreasonable to assume that the liberal framework has not been fully suspended. But if this is so, Foucault is caught in an outright contradiction, for he, even more than Marx, tends to treat that framework as simply an instrument of domination.

The point is not simply that Foucault contradicts himself. Rather, it is that he does so in part because he misunderstands, at least when it comes to his own situation, the way that norms function in social description. He assumes that he can purge all traces of liberalism from his account of modern power simply by forswearing explicit reference to the tip-of-the-iceberg notions of legitimacy and illegitimacy. He assumes, in other words, that these norms can be neatly isolated and excised from the larger cultural and linguistic matrix in which they are situated. He fails to appreciate the degree to which the normative is embedded in and infused throughout the whole of language at every level and the degree to which, despite himself, his own critique has to make use of modes of description, inter-

pretation, and judgment formed within the modern Western normative tradition.²⁷

It seems, then, that none of the readings offered here leaves Foucault entirely free of difficulties. Whether we take him as suspending every normative framework, or only the liberal one, or even as keeping that one, he is plagued with unanswered and perhaps unanswerable questions. Because he fails to conceive and pursue any single consistent normative strategy, he ends up with a curious amalgam of amoral militaristic description, Marxian jargon, and Kantian morality. Its many valuable empirical aspects notwithstanding, I can only conclude that Foucault's work is normatively confused.

I believe that the roots of the confusion can be traced to some conceptual ambiguities in Foucault's notion of power. That concept is itself an admixture of neutrality and engagement. Take, for example, his claim that power is productive, not repressive. Throughout this paper I have supposed that this was an empirical claim about the self-amplifying nature of a distinctively modern power. But, in what is clearly an equivocation, Foucault simultaneously treats productivity as a conceptual feature of all power as such. He claims that not just the modern regime but every power regime creates, molds, and sustains a distinctive set of cultural practices, including those oriented to the production of truth. Every regime creates, molds, and sustains a distinctive form of life as a positive phenomenon. No regime simply negates. Foucault also makes the converse claim that no positive form of life can subsist without power. Power-free cultures, social practices, and knowledges are in principle impossible. It follows, in his view, that one cannot object to a form of life simply on the ground that it is power-laden. Power is productive, ineliminable, and therefore normatively neutral.²⁸

How is this view to be assessed? It seems to me to boil down to a conjunction of three rather innocuous statements: (1) social practices are necessarily norm-governed, (2) practice-governing norms are simultaneously constraining and enabling, and (3) such norms enable only insofar as they constrain. Together, these three statements imply that one cannot have social practices without constraints and that, hence, the mere fact that it constrains cannot be held against any particular practice. This view is a familiar one in twentieth-century philosophy. It is implied, for example, in Habermas's account of the way in which the successful performance of any speech act presupposes norms of truth, comprehensibility, truthfulness, and appropriateness. Such norms make communication possible, but only by devaluing and ruling out some possible and actual utterances: they enable us to speak precisely insofar as they constrain us.

If this is what Foucault's thesis of the general productivity and ineliminability of power means, then power is a normatively neutral phenomenon indeed. But does this interpretation accord with Foucault's usage? In some respects, yes. He does include under the power/knowledge umbrella such phenomena as criteria of well-formedness for knowledge claims, criteria that simultaneously valorize

some statement forms and devalue others; and he also includes social or institutional licensing of knowledge claimants, licensing that simultaneously entitles some speakers to make certain kinds of specialized knowledge claims and excludes others from so doing. If these are the sorts of things meant by power, then the thesis that power is productive, ineliminable, and therefore normatively neutral is unobjectionable.

But Foucault's power/knowledge regimes also include phenomena of other sorts. They include forms of overt and covert coercion in the extraction of knowledge from and about persons and also in the targeting of objects, including persons, for the application of policy in more subtle ways. These phenomena are far less innocuous and far more menacing. That they are in principle ineliminable is not immediately apparent. So if they are what is meant by power, then the claim that power is productive, ineliminable, and therefore normatively neutral is highly questionable.

I noted earlier that Foucault's notion of a power/knowledge regime covered a highly heterogeneous collection of phenomena. Now it appears that the difficulties concerning the normative dimension of his work stem at least in part from that heterogeneity. The problem is that Foucault calls too many different sorts of things power and simply leaves it at that. Granted, all cultural practices involve constraints-but these constraints are of a variety of different kinds and thus demand a variety of different normative responses. Granted, there can be no social practices without power-but it doesn't follow that all forms of power are normatively equivalent nor that any social practices are as good as any other. Indeed, it is essential to Foucault's own project that he be able to distinguish better from worse sets of practices and forms of constraint. But this requires greater normative resources than he possesses.

The point can also be put this way: Foucault writes as though he were oblivious to the existence of the whole body of Weberian social theory with its careful distinctions between such notions as authority, force, violence, domination, and legitimation. Phenomena that are capable of being distinguished through such concepts are simply lumped together under his catchall concept of power.²⁹ As a consequence, the potential for a broad range of normative nuances is surrendered, and the result is a certain normative one-dimensionality.

I mentioned earlier that though Foucault's genealogy of modern power was related to the study of modernization as rationalization, there was one very important difference. This difference was Foucault's lack of any bipolar normative contrast comparable to, say, Jürgen Habermas's contrast between a partial and one-sided instrumental rationality, on the one hand, and a fuller practical, political rationality, on the other hand. The consequences of this lack are now more fully apparent. Because Foucault has no basis for distinguishing, for example, forms of power that involve domination from those that do not, he appears to

endorse a one-sided, wholesale rejection of modernity as such. Furthermore, he appears to do so without any conception of what is to replace it.

In fact, Foucault vacillates between two equally inadequate stances. On the one hand, he adopts a concept of power that permits him no condemnation of any objectionable features of modern societies. But at the same time, and on the other hand, his rhetoric betrays the conviction that modern societies are utterly without redeeming features. Clearly, what Foucault needs, and needs desperately, are normative criteria for distinguishing acceptable from unacceptable forms of power. As it stands now, the unquestionably original and valuable dimensions of his work stand in danger of being misunderstood for lack of an adequate normative perspective.

Notes

1. Foucault adopted the term 'genealogy' only relatively recently, in connection with his later writings: see, especially, "Nietzsche, Genealogy, History," in *Language, Counter-Memory, Practice: Selected Essays and Interviews*, ed. Donald F. Bouchard, trans. Bouchard and Sherry Simon (Ithaca, N.Y., 1977). Earlier he called his approach 'archaeology': see, especially, *The Archaeology of Knowledge*, trans. A. M. Sheridan Smith (New York, 1972). For an explanation of the shift, see "Truth and Power," in *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. Colin Gordon, trans. Gordon et al. (New York, 1980).

2. Foucault, "Truth and Power," 114.

3. Foucault, "Nietzsche, Freud, Marx," in *Nietzsche* (Paris, 1967), 183-200.

4. Foucault, "Truth and Power," 118.

5. *Ibid.*, 112-13, 131, 133.

6. Foucault, "The Discourse on Language," trans. Rupert Swyer, in *The Archaeology of Knowledge*, 216-38; "Nietzsche, Genealogy, History," 51 ff; and *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York, 1979), 17-19, 101-2, 170-73, 192.

7. That Foucault's project could be understood in terms of the concept of bracketing was first suggested to me by Hubert L. Dreyfus and Paul Rabinow. They discuss what I call below the bracketing of the problematic of epistemic justification (although they do not address what I call the bracketing of the problematic of normative justification), in *Michel Foucault; Beyond Structuralism and Hermeneutics* (Chicago, 1982).

8. Foucault, "Truth and Power," 113, and *Discipline and Punish*, 184-85.

9. Foucault, "The History of Sexuality," in *Power/Knowledge*, 184, and "Two Lectures," in *Power/Knowledge*, 93, 95.

10. Foucault, "Two Lectures," 91-92.

11. Foucault, "The Eye of Power," in *Power/Knowledge*, 158-59, and "Prison Talk," in *Power/Knowledge*, 38.

12. Foucault, "The Eye of Power," 146-65, and *Discipline and Punish*, 191-94, 201-9, 252.

13. Foucault, *Discipline and Punish*, 202-3.

14. Foucault, *The History of Sexuality, Volume I: An Introduction*, trans. Robert Hurley (New York, 1978), 61-62.

15. Foucault, "Power and Strategies," in *Power/Knowledge*, 142; "Truth and Power," 119, 125; "The Eye of Power," 151-52; "Two Lectures," 104-5; and *Discipline and Punish*, 201-9.

16. Foucault, "The Eye of Power," 160; *The History of Sexuality*, 139; and *Discipline and Punish*, 170.

17. Foucault, *Discipline and Punish*, 136-38.

18. Foucault, *The History of Sexuality*, 24–26, 122–27, 139–45.
19. Foucault, “Each and Every One: A Criticism of Political Rationality,” Tanner Lectures, Stanford University, October 1979 (transcribed from tapes by Shari Popen).
20. Ibid.
21. Foucault, “Truth and Power,” 118, 132–33.
22. Foucault, “Truth and Power,” 122; “Body/Power,” in *Power/Knowledge*, 60; and “Two Lectures,” 89.
23. Foucault, “Two Lectures,” 95–96.
24. Foucault, “Power and Strategies,” 139–41; *The History of Sexuality*, 5–13; “Truth and Power,” 119; and “Body/Power,” 59.
25. Foucault, “Two Lectures,” 90–92.
26. Foucault, “Two Lectures,” and “Power and Strategies,” 142.
27. This formulation combines points suggested to me by Richard Rorty and Albrecht Wellmer.
28. Foucault, *Discipline and Punish*, 27; “Power and Strategies,” 141–42; “Two Lectures,” 93; and “Truth and Power,” 131–33.
29. I am indebted to Andrew Arato for this point.