

ON FOUCAULT AND THE
GENEALOGY OF GOVERNMENTALITY

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by
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GENEALOGY OF GOVERNMENTALITY

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This Dissertation is respectfully dedicated to:

My wonderful wife, Crystal, who has been beside me through it all. I love you.

My children, Elaine and Joe, who have motivated me on many occasions when I was struggling.

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ABSTRACT

In this dissertation I perform what I take to be a genealogy of governmentality by tracing the history of governmentality through various political philosophers and culminating in the work of Michel Foucault.

I begin with some examination of governmentality as it appears in the discursive space opened by Foucault's later work, in particular his *History of Sexuality, Vol. 1*. I then turn to an examination of Plato and Aristotle, looking at how some contemporary interlocutors have been governmental in their approach. I conclude the first chapter with a look at ideology and historical explanation.

Next, I examine Machiavelli's *The Prince*, also in light of some current interlocutors, particularly Foucault and John Najemy. The purpose here is to see how Machiavelli may well have presaged some governmental space in his work and how others have utilized this space. I also address the dispute between Foucault and Derrida over Descartes as well as Foucault's insight into authorship and show how this all relates to Machiavelli and *The Prince*.

The final chapter looks at Hobbes and Locke's approaches to governance, particularly as they apply to the governance of nature. I continue the strategy of looking at current interlocutors, paying close attention to some contemporary commentary on Locke. I also look at the nature of historical explanation, in particular the approach that involves utilizing the "covering-law" models of explanation. I close with some thoughts on how this sort of explanation fails from a Foucauldian perspective.

Introduction

In this dissertation I perform what I take to be a genealogy of governmentality. In essence, my goal is to turn Foucault's genealogical methodology inward on a central concept of his later thought. My initial purpose is to clarify what this term means and to reflect upon how this concept serves as a transitional device between his earlier work and his later work. Further, and perhaps most importantly, I will make use of this concept to show that Foucault's concerns are not as divorced from traditional issues in social and political philosophy as is commonly assumed. I will proceed in what I take, and what I intend, to be a Foucauldian style, neither as parody nor tribute, but as a reflection of the impact his work has had upon the development of my thought in the area of social and political philosophy.

My intention, then, is to examine the origins of Foucault's notion of governmentality both within the context of his own work and also within the political discourses of Machiavelli, Hobbes and Locke. Governmentality is a significant part of Foucault's thought that has been both much commented upon and utilized in recent scholarship. At the same time, the correlation between governmentality and the aforementioned philosophers has not been the subject of much analysis. I believe that Foucault's shift to the use of governmentality as a mode of recognizing power is an important signifier of a change in focus in Foucault's thought from a concern with power relations between individuals themselves, or between individuals and institutions, to the relationship of

power that exists between the individual and his or herself as subject. The motivation for this shift can be better understood if some context is provided, especially a historical context for the notion of governmentality itself. It is not my contention that Foucault discovered the notion of governmentality hiding within the work of Machiavelli, Hobbes or Locke after a great deal of conceptual analysis. Rather, it is the reading of those philosophers, particularly Machiavelli and Hobbes, which occasioned Foucault's utilization of this concept and, at the same time, opened a discursive space wherein governmentality can be seen to have a reflexive character, insofar as some contemporary non-Foucauldian analyses of said philosophers were being advanced in such terms. Since it plays such an integral and transformational role in Foucault's later thought it is important to have some idea of what Foucault means by "governmentality", which then entails an examination of the origins of the idea of "governmentality" in Foucault's work. At that point, an examination of some relevant portions of and discussions regarding Machiavelli, Hobbes and Locke will also be useful in clarifying how Foucault uses this concept.

However, prior to undertaking the main portion of this zesty enterprise, I wish to clarify certain points regarding genealogy as a methodology as well as the idea of a Foucauldian style. Following this, a brief survey of the contents of this dissertation will be provided along with some rationale for addressing these topics in the manner found herein. The discussion of governmentality itself occupies a place within the first chapter and I will consequently address it very briefly in this introduction.

Let us begin by stating a few biographical facts about Foucault. He likely would find this to be horrifyingly inappropriate, insofar as it was his position that situating the author

in relation to a work only served to obscure the work itself. Indeed, in an anonymous interview given late in his life he half-jokingly suggested that all scholarly texts be published anonymously for an entire year—though in the next breath he admitted that the only thing this would accomplish is to ensure that no scholars would publish their texts during that year. Paul Michel Foucault was born October 15, 1926 in Poitiers, France. His father was a surgeon and professor of anatomy at the local university. It was widely expected that Michel would follow in his father's footsteps and, for a time, it seemed as if he would do so—albeit in psychology rather than surgery. His early interests were in history and literature. He had some training in philosophy as well, studying Bergson, Spinoza, Plato and Aristotle while preparing to take the entrance exam for the Ecole Normale Supérieure. However, his first attempt to pass the entrance exam was met with failure. His mother then sent him to a more prestigious preparatory school, the Lycée Henri-IV. Upon entering this school, he encountered one of the two most significant philosophical influences on his development: Jean Hyppolite (the other being Georges Canguilhem). In that particular term, Hyppolite was teaching Hegel. It was Hyppolite's enthusiasm for the subject matter which made a greater impression on Foucault than did the subject matter itself—indeed upon Hyppolite's death in 1968, Foucault reminisced about the course saying that Hyppolite not only represented the voice of Hegel, listening to him speak was as though one was listening to the voice of philosophy itself.¹ Foucault successfully passed the entrance exam to the Ecole Normale Supérieure on his second attempt. He read a great deal of philosophy, not specializing in classic, modern or contemporary. His biggest affinities were for Nietzsche, Heidegger, de Sade and, oddly

¹ Didier Eribon, *Michel Foucault* (Cambridge, MA: Harvard University Press, 1991), 17.

enough given the first three, Kierkegaard. He also read a great deal of history and psychology. The teacher with the greatest influence over him at this stage in his development was Maurice Merleau-Ponty, whose lectures at the time focused on problems of language, explicated in terms posed by thinkers such as Bergson, Saussure and Husserl. He began teaching at the University of Clermont in 1962, but spent a great deal of time in succeeding years outside of France, occupying positions in Sweden, Poland, Germany and Tunisia. Ultimately, he returned to France in 1968 whereupon he was appointed chair of philosophy at the University of Vincennes. He held this position for two years, leaving to occupy a newly created chair in the history of systems of thought at the Collège de France. He spent the balance of his academic career at this location, though he continued to travel extensively to Japan, Brazil and, ultimately, the United States, giving a well-received series of lectures at the University of California-Berkeley and teaching a seminar at the University of Vermont in the early 1980's. Foucault died in June, 1984 due to complications from AIDS.

Foucault's body of work extends from 1954, with his thesis *Maladie mentale et personnalité*, through the joint publication, shortly before his death, in 1984 of Volumes II and III of his history of sexuality (*The Use of Pleasure* and *The Care of the Self*, respectively). It is possible to divide his work into a variety of subcategories, but the received tradition seems to be that his works can be profitably understood in terms of two methodological foci: Archeology and Genealogy (which, in his last works becomes centered on the notion of, for lack of a better term, Morality).²

² This division is suggested by the structure developed by Paul Rabinow and Hubert Dreyfus in *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: University of Chicago Press, 1982).

Foucault's archaeological period covers his work from the *History of Madness* (1961) through *The Archaeology of Knowledge* (1969). His genealogical period begins with *Discipline and Punish* (1975) and in some sense continues through to his final works. There is some debate in the literature surrounding Foucault as to whether these methods are complementary or represent a progression in thought. While this is a fruitful area of discussion, I find it more useful to consider them as complementary for the purposes of the present study. Also, this seems more in keeping with Foucault's thought on authorship wherein he details the fictive nature of the notion of progress inasmuch as it is applied to an author's work. Briefly, he holds that 'progress' is something that is supplied after the fact in an attempt to, among other things, synchronize the events of the author's life with the work the author produces.

Even if the details of Foucault's life are irrelevant to his work, and this is an 'if' that is not at all settled in the minds of more than a few, the move from archaeology to genealogy seems to coincide with the turmoil surrounding the events of May, 1968 in France (events at which he was not present, as he was still in Tunisia) as well as the general societal upheaval of Europe and the United States of the late 1960's. Prior to this point, his work had focused very clinically on the anonymous and discrete conditions surrounding the production of discourses. After this point, his focus was on the role power played in shaping knowledge and discourse, particularly the inter-relations of power found between institutions and individuals, as in *Discipline and Punish*, as well as between individuals themselves, as in *History of Sexuality, Vol. I*. One key to note at this juncture is that Foucault was not, in any of his guises, attempting to establish a framework for explaining events, either philosophically or historically. If anything, he

was attempting to show the paucity of historical explanation; the differences and the "strangenesses", to use a neologism, of times past; the possibilities of alternate histories that differ in their descriptions. In short, the focus is to describe the way history can be used or, put another way, to show that 'history' is the conceptualization of a history that does not explain.

For Foucault, *archeology* refers to, "...the analysis of the system of unwritten rules which produces, organizes, and distributes the 'statement' as it occurs in an archive".³ A statement here can be understood in terms of an authorized utterance (authorized in the sense that it is a production of rules). Put another way, archaeology is a type of historical analysis focusing on what is allowed to be said at a particular time and place. The notion of 'allowed' is not couched in terms of a particular authority figure who permits things to be said or rejects them according to some written laws or an innate sense of propriety. Instead, the focus of archaeology is on what *is* said; how those statements connect with, and are distinct from, other statements; how they condition other statements; and how they emerge from the connection between the unsaid and the current, transient set of social arrangements. One could, for example, perform an archeological analysis to some instance of humor, examining what conditions obtain when some statement is taken as humorous and when it is not. The purpose, from Foucault's perspective, would not be to explain why the statement is humorous (or not) nor would it be to interpret humor as a concept across time. Instead the goal of archeology is purely descriptive in the sense of describing what occurred/was stated and the discursive conditions that obtained at that time.

³ Sara Mills, *Michel Foucault* (London, UK: Routledge, 2003), 24.

There are a variety of methodological problems that have been raised in relation to archaeology. For example, Foucault is quite interested in having the archeologist avoid questions of truth and meaning, or in making descriptive statements as opposed to normative judgments. However, the question arises as to how one might distinguish between accurate statements (which would presumably be ‘true’) of events and inaccurate ones.⁴ If the option is to say that all accounts are inaccurate and the goal of analysis is to make this clear, or to make clear the nature of the sorts of inaccuracies that occur, then the picture of archeological analysis becomes even more puzzling. For sensibly terming an account “inaccurate” seems to imply some notion of accuracy. Otherwise, notions such as ‘accurate’ and ‘inaccurate’ are assigned in a purely arbitrary fashion and therefore meaningless as terms of analysis.

Objections of this sort, and others, convinced Foucault to shift his perspective away from a purely archeological model of analysis to an offshoot that he termed *genealogical*. Very broadly, genealogical analysis refers to an attentiveness to the workings of power as well as describing a history of the present. The notion of the ‘history of the present’ is somewhat oblique, even within Foucault studies. Generally speaking, this can be seen as accounting for what we are, or how we constitute ourselves, because of what came before, or how we have constituted ourselves. Foucault’s genealogy arises from a suspicion about the dominance of the subject, the thinking of itself as the privileged “knower”, or at the very least as the one who is existing in a privileged

⁴ Barry Smart, *Michel Foucault* (London, UK: Tavistock, 1985), 54.

moment, of the world.⁵ Foucault's history of the present in the form of genealogy is designed to tell us something about what we are today that we couldn't immediately tell ourselves within our historical present. If there is a theme that permeates Foucault's work, and it is not at all clear that he would agree there is such a theme or that it is even useful to think thematically, it is in this attempt to analyze present practices that carry on outside the conscious awareness of the people who practice them. In other words, there seems to be a recurring attempt in his genealogical works to investigate assumptions that are taken to be fundamental at a particular time and place and thereby activate a critical attitude towards what the present understands as necessary. More simply put, the history of the present involves an appreciation of the concomitant nature of contingencies. The history of the present, then, would be the effort to say something about the individual that could not otherwise be said by mere constituted subjects. To wit, "...taken to its extreme, genealogy targets us, our 'selves'. It seems we are meant to see beyond the contingencies that have made each of us what we are in order that we may think in ways we have not thought and be in ways we have not been."⁶ I believe that this captures the importance of Foucault's thought on these matters, that the form of government which is of greatest significance to us is that which we tend to overlook: Self-government. However, that self-government can itself be directed by a governmentality which must be analyzed so that one can live in an artful manner.

It is important, of course, not to get so tied up in clarifying the nature of the history of the present that one forgets the other component of genealogical analysis: Attentiveness

⁵ The notion of 'privilege' here refers to the standpoint that one has access to knowledge that would never have been known except in the present time and place by that subject.

⁶ Gavin Kendall and Gary Wickham, *Using Foucault's Methods* (London, UK: Sage, 1999), 30.

to power. I will have more to say about power at various places in this work, but suffice it to say at the moment that Foucault takes power to be something that is performed, a tactic or strategy (to use two of his favorite words) rather than a thing itself. It is something that circulates, that is employed or exercised by individuals, not a relationship between a group of oppressed and their oppressors. Individuals are therefore not passive recipients of power, or ‘acted upon’, but rather places of action and resistance, ‘actors’, in other words. Power, then is not possessed as much as instantiated in strategies or tactics. It is situated in individuals and their relationships as opposed to impersonal institutions such as the state or government in general. So the state has power only in the most general sense inasmuch as the individuals who make up the state (or government, for that matter) are enmeshed in a vast array of power relations that are capable of being both repressive and productive--though not simultaneously, of course. Or, put even more broadly, the state is an organizing principle that places and codifies individuals in positions and relationships that allow a political system to function.⁷ The key point here seems to be that power is ultimately localized in performances, not centralized in a place or institution.

The genealogical analysis, then, hopes to accomplish a recording of “...the singularity of events outside of any monotonous finality.”⁸ In other words, the genealogist does not seek the hidden meaning of a text or statement, nor does she or he look to a fixed essence or metaphysical profundity in terms of history. The reason for this is that there are no fixed essences. There are situations that are a certain way which could easily have been

⁷ Mills, 37.

⁸ Michel Foucault, “Nietzsche, Genealogy, History” in D.F. Bouchard, ed., *Michel Foucault: Language, Counter-Memory, Practice: Selected Essays and Interviews* (New York: Cornell University Press, 1977), 139.

otherwise, discontinuities that could have easily been part of continuous development, recurrence instead of progress.⁹ It seeks to avoid getting enmeshed in depth, but rather to examine surfaces and practices, particularly shifts and details therein. This returns to the aforementioned notion of a critical attitude that implies a distance, but not a privileged status, to the genealogical perspective. From this perspective, the things that have been considered to be fraught with deep meaning are ultimately superficial. This should not be taken to mean that such things are trivial, but rather that they are constituted by surface practices and nothing more. The example used by Rabinow and Dreyfus to illustrate this point is most instructive. Erotic love has long been seen as deeply mysterious in Western thought, something that could only be spoken of metaphorically or in increasingly abstract terms, yet simultaneously served as the basis for both human action and its explanation. Through the nineteenth century, sex was seen in much the same terms, as a deeply profound matter that is key in determining the underlying meaning of a multiplicity of practices. From the genealogical perspective, what becomes accessible as an object for analysis is the underlying need for finding deep meaning within a variety of practices---sexual or erotic in this case, but perhaps in other practices as well.¹⁰

The goal of this dissertation, again, is to utilize this genealogical methodology on governmentality. This term made its initial appearance in Foucault's work as such in a lecture delivered on February 1, 1978, and published shortly thereafter in an English translation. It has recently been able to be placed in the context of his entire course with the release in English of *Security, Territory and Population*. Foucault begins this series of

⁹ Rabinow and Dreyfus, 106.

¹⁰ Ibid, 107.

lectures with a trio of lectures that each concentrate on a particular example of the operation of political rule, covering town planning, food shortages, and vaccination campaigns against epidemics. These three examples serve to illustrate three underlying themes - the spaces of security, chance and normalization - and one overarching one, the emergence of the question of population. Foucault's concern in this course is the birth of what he calls a new political technique, which is concerned with the question of how populations are governed as opposed to questions regarding the rule of the set of people who occupy a territory.¹¹

In the fourth lecture of the course, on 'governmentality' itself, Foucault provides an overview of the concerns he will thus pursue in detail in the rest of the current course. In these lectures Foucault discusses how the birth of what he calls governmentality is generally connected to administrative practices, and in particular is tied to the relation of these practices to the development of security apparatuses. There are some other relations that are significant in terms of the rise of governmentality, such as the pastoral power that arises within the early and medieval Christian church. However, it is the relation of governmentality to administrative practice on which I intend to focus on over the course of the dissertation by examining selections from Plato, Aristotle, Machiavelli, Hobbes and Locke as well as some modern commentaries on the same all of which involve, in some way, the notion of administrative practice.

¹¹ Much of the discussion here is illuminated by and consequently indebted to Adam Holden and Stewart Elden, "It Cannot be a Real Person, a Concrete Individual: Althusser and Foucault on Machiavelli's Political Technique," *Borderlands E-Journal* 4, no. 2 (2005), http://www.borderlandsejournal.adelaide.edu.au/vol4no2_2005/eldenhold_foucault.htm

I take the purpose of the first chapter to be twofold: (1) To give further background and clarity to some key Foucauldian terminology and (2) To begin the project of tying that terminology into the larger question of the relation between governmentality and administrative practice. I begin the first chapter with a discussion of Foucault on discourse. He often speaks of the discursive universe, of discourses and spaces that they open, and the like. It seems prudent, therefore, to clarify his use of the term. Here I make reference to his archeological concerns and situate that within the framework of his famous debate with Noam Chomsky over truth and knowledge. From this point, I look to address power, paying particular attention to its productive nature expressed in terms of a work from his period of genealogical emphasis, *The History of Sexuality, Vol. I*. I then go into further detail as to why Foucault thinks that a history of sexuality is a suitable subject for genealogical analysis and what discursive space Foucault believes is opened by such analysis. Next, I briefly address a common criticism of Foucault, namely that he disavows a metaphysical status to power while covertly assuming it within his work. To accomplish this, I trace a Schopenhauerian metaphysic of power, supplementing that discussion by observing the connection between that understanding and how it was influenced by Schopenhauer's reading of the Upanishads. My conclusion is that whatever influence Schopenhauer has on Foucault's thought, and there is some; it does not extend to granting power a metaphysical status.

At this point, I take up the latter part of the aforementioned twofold purpose of the chapter, with some further discussion of governmentality, in particular its relation to the opening sections of *The Republic* and the contemporary criticism of the same by Karl Popper in *The Open Society and Its Enemies*. Foucault spent a fair amount of time,

particularly in his later writings, discussing Plato and Socrates and so it seems apropos to summarize several relevant passages from *The Republic* and describe Popper's criticism of same, particularly as this involves the issue of administrative practice. I then apply the same sort of methodology to Aristotle's *Politics* and the contemporary debate over whether Aristotle was assuming a conception of natural rights within passages from this work. While I do speak of the particulars of this debate, the genealogical significance for the discussion of governmentality has to do, in both the Plato/Popper and Aristotle/natural rights discussions, that such questions are being raised at all. I close the chapter with a discussion of a section of Foucault's earliest work, *Madness and Civilization*. The point here is to show that even though the discussion of the asylum presages the discussion of governmentality by fifteen years, one can see the seeds of the governmental in Foucault's discussion herein.

The second chapter is dedicated to a discussion of Machiavelli's *The Prince* as it serves to illustrate the connection between administrative practice and governmentality. My aim here is to clarify and extend Foucault's discussion of Machiavelli in his governmentality lecture by focusing on *The Prince* as a manual for administering populations, something that separates it from other texts of its time. I begin with a discussion of the importance of stability for Machiavelli. It becomes clear that stability is a matter of the proper administration of a population, a matter than becomes confounded by chance or fortune and only partially solved by *virtù*. I also discuss the relation between power and love for Machiavelli, especially insofar as this could well be a precursor to Foucault's talk about the relational nature of power. I transition from this focus to some broader concerns about objectivity and historical explanation that seem

particularly pertinent within the framework of Foucault's genealogical methodology. I develop what those concerns are as well as why they seem to be of importance to the larger discussion. I frame this development within talk of Ricoeur's thought on ideology, in particular in terms of his answer to the question of whether there can be a scientific concept of ideology. This speaks to the issue of historical explanation and whether non-ideological explanation is possible in that arena. Again, while the possible solutions to that question are of interest, from a genealogical perspective it is worth reflecting upon the obsession with explanation in history. I illustrate this reflection with an account of the debate between Foucault and Derrida occasioned by their differing readings of Descartes' *Meditations on First Philosophy*. I further illustrate this point by looking at Foucault's thoughts on ideology and authorship, as this provides valuable insight into the overall discussion on governmentality and its connection to self-government. I close with some remarks on situating Machiavelli in the discussion of governmentality and authorship.

I begin the third and final chapter with a discussion of Hobbes' *Leviathan*, paying particular attention there to the notion of power he utilizes in his text. My initial approach to this question of power in Hobbes is in terms of the state. I discuss the state of nature and the role of the state in preventing the state of nature through the agreement of its citizens to submit to its authority, a move that not only gives the state political power but sovereignty, or moral authority, at least on Hobbes' view. I take note of Foucault's thought in this regard, in particular his assertion that the search for what legitimizes the state is destined to be fruitless—a point that should not be surprising in relation to his genealogical methodology as it has been presented thus far. I continue the

strategy of framing the historical discussion with contemporary philosophical commentary, here referencing the debate between Rawls and Nozick over contractarianism and the state. The point, again, is not so much that Foucault had something to add to the debate, though he had read Nozick's *Anarchy, State and Utopia* and was generally familiar with Rawls' work. Rather it is that the occurrence of the debate, in this case in relation to Hobbes, is of interest insofar as it illustrates the overarching and underlying concerns of a time and place while suggesting a congruity with other times and places.

At this point, I turn my attention to a passage from Locke's *Second Treatise on Government* where he talks about ownership of property, which is important as it relates to both population as well as governance. I then examine some concerns raised by William Ophuls against Locke on this point for purposes of again illustrating a genealogical approach to the discussion of power and government as it is framed in historical/contemporary terms. I then return to a discussion of historical explanation, with an examination of the rationale for applying scientific, 'covering-law' models of explanation to the discipline of history. Again, this provides an illustration of the genealogical approach towards these matters in a realm that is traditionally more closely related to an area of focus associated with Foucault. I close the chapter with some thoughts on Foucault and the 'event' which serve to reiterate the project of the dissertation—the genealogy of governmentality.

As mentioned previously in this introduction, I have written this dissertation in a Foucauldian style. This is certainly not unprecedented in academic discourse, nor is it a phenomenon that occurs only within Foucault studies. My touchstone in doing this is an

excellent set of suggestions made by Sara Mills in her previously cited *Michel Foucault*. By briefly recounting these suggestions here at the close of this introduction, and saying a few words about how I understand them, I hope to either assuage or address questions about my manner of proceeding. That said, it is not Mills' intention that these suggestions be treated as a checklist in the sense that the more of them that are followed, the more Foucauldian one's project is. Instead, these suggestions are motivated, I believe, by Foucault's comment that "I would like my books to be a kind of tool-box which others can rummage through to find a tool which they can use however they wish in their own area...I don't write for an audience, I write for users, not readers."¹² Mills points out first that in order to apply Foucault's methods one should first draw on an archive.¹³ In other words, one should not necessarily go to the tried and true, but should rather look for the obscure and unusual as a place to begin analysis. While on the one hand I have confined my attention to more well-known philosophers and concerns, the overall purpose remains to remark upon how concepts are expressed in different periods. Next, Mills holds that one operate from a universally skeptical position; radically questioning her or his own position and basis for making value judgments. In other words, rather than starting from a position of truth, where analysis then becomes a matter of finding supporting facts, one should instead start from a position of doubt, where one's analysis centers, at least initially, on examining why that particular position was deemed as suitable for 'starting'. This also involves Mills' next point about avoiding the adoption of second-order judgments—that is to say, value judgments that arise from the data garnered for analysis,

¹² Michel Foucault, "Prisons et asiles dans le mécanisme du pouvoir" *Dits et Ecrits*, t. II (Paris: Gallimard, 1994) 523-4 as translated at www.foucault-studies.com/toolbox.html.

¹³ What follows from this point is a reconstruction of Mills, 111-116.

for example, or a subtle adoption of the theoretical perspective of another (or even of Foucault's, as he would likely ask us to apply these suggestions to themselves, to make sure that we were adopting them because we were convinced of their usefulness rather than as part of some Foucauldian systematization).

Mills also suggests a search for contingencies rather than causes. I shall discuss this in more detail in subsequent chapters where I talk about the 'event', but suffice it to say at this point Foucault holds that events are overdetermined; the result of an indefinite number of causes the absence of any one of which could have resulted in a vastly different event. Thus, it is more productive, on Foucault's view, to trace the nexus of causes that surround an event and that may, or may not, be connected. In other words, there is no historical explanation as such, merely a cataloging of contingencies. Or one might make an analysis of capitalism as one productive force among many that leads to a certain set of effects as opposed to the sort of analysis that holds capitalism to be the one determining force that is causally connected to certain effects. Mills also points out that Foucault tended to look at problems rather than subjects. For example, he might investigate the way 'mad' was used across a particular amount of time in a geographic area as opposed to looking at, say, 'Madness in 18th Century France'. The investigation centers on the way a word was used at a place and time as opposed to examining the period itself. By this I mean that investigating the problem at a general, perhaps even arbitrary, level avoids the fundamental assumption that there is something particularly relevant about the 18th Century or France or 18th Century France to the question of madness, an assumption that could well color any analysis that is based upon it. The problem with such a general method of analysis is that there may well be a tendency to

generalize from one's results. This is not in itself a bad thing, but there is a fine line, perhaps indistinguishable in some cases, between generalization and overgeneralization, between making a carefully crafted statement and making a pronouncement about a particular culture at a particular time. Foucault offers no manner of distinguishing between the two and indeed he may not have always successfully done so in his own work. For that matter, a careful reading of Foucault could well find instances where each of the suggestions above is not followed in some way. Perhaps the best we can do is become more aware of whatever it is that we are doing, be it analyzing, problematizing, critiquing or judging or something else. "Know thyself", in other words—certainly that is one goal of philosophical reflection and it is to Foucault's credit that he brings it again to our attention.

Chapter 1: Governmentality

The purpose of this chapter is to identify what Foucault means by “governmentality”. In order to clarify the meaning of “governmentality”, I will first need to address two other crucial notions found in his thought, ‘discourse’ and ‘power’. I will briefly situate Foucault’s notion of ‘discourse’ in relation to other contemporaneous notions of the same. I will spend a bit more time on the notion of power as it does not seem untoward to assert that Foucault wrote many of his books with differing approaches towards an apprehension of that very central issue. It then seems prudent to develop this point with a discussion of *The Will to Knowledge: History of Sexuality, Vol. 1* and examine his thought on power therein, concentrating on the last chapter where he refers to sex as the intersection of the personal and political—and hence a focus of power. Before that undertaking, however, I will clarify a bit what I take Foucault’s methodology in *History of Sexuality, Vol. 1* to be. A methodology presupposes a project. Understanding that project may well prove helpful in providing some guidance in understanding his later points about governmentality. To that end, it may also prove useful to briefly discuss whether Foucault assumes a metaphysics of power in his discussions.

Next, I will turn to the first of what Foucault takes to be the historical antecedents of governmentality found in certain portions of Plato and Aristotle’s thought on government. I will utilize contemporary discussions of certain aspects of *The Republic* and *The Politics*, respectively to show the importance of these works in Foucault’s thought on governmentality. I also maintain that the more modern thought of Machiavelli and Hobbes is relevant, and to my mind more important, for Foucault on this

point as well. Thus, I will focus on these philosophers separately in chapters 2 and 3. At any rate, Foucault's point is not that some nascent form of governmentality was lurking in all these sources. Rather, these differing approaches towards the nature of governance found across time serve to prepare the groundwork for the appearance and utilization of governmentality as a tool in contemporary discourse. Last, in terms of the current chapter, I will turn to a discussion of the governmental as it is found in one of Foucault's earliest works, *Madness and Civilization*.¹⁴

Foucault on Discourse

For Foucault, discourse is not so much something that has to do directly with the mechanics of language, such as found in grammatical concerns.¹⁵ He views discourse in terms of bodies of knowledge, particularly in terms of investigating how those bodies are constituted.¹⁶ For example, the history of knowledge has been dominated by a certain tension between two claims: claims of attribution and claims of truth. Claims of attribution are those which hold that knowledge claims require attribution to someone. In other words, in order for some claim to count as knowledge it must be discovered and that discovery must be credited to some particular subject. The discovery by the subject serves to grant the status of knowledge to a claim, or, put another way, discovery by the subject is a precondition to a claim being the sort of thing that can be entered into discourse. What of “folk wisdom” or “common sense”? According to Foucault, these

¹⁴ I touch on these issues in my essay “Foucault: Madness, Power and the Symbol of the Asylum”, *Southwest Philosophy Review* 16, no.1 (2000): 133-140.

¹⁵ Noam Chomsky and Michel Foucault, *The Chomsky-Foucault Debate* (New York: The New Press, 2006) 15-16.

¹⁶ Michel Foucault, *The Archaeology of Knowledge* (New York: Pantheon Books, 1982), 21.

are typically devalued as sources of knowledge, even if they are granted some peripheral epistemological status as “tradition”, due to the lack of a sovereign subject as source.¹⁷

On the other hand, claims of truth are those sorts of claims that hold that truth is not constituted in history but revealed by history. In other words, proper historical analysis can clarify truth from falsehood. So if the notion of the subject aids in this task all well and good. If not, then the subject can be dismissed so that the truth can be preserved.

Herein rests a tension, one that has at its heart the question of truth versus the primacy of the subject. Put another way, from the side of claims of truth, the subject can well represent something that prevents truth from unfolding and being revealed, perhaps through presentation of myth or prejudice as fact. On the other hand, the subject as seeker of truth is important, as it is he who must stand independent of these prejudices and myths in order to find the truth. Thus, the knowing subject presents a dilemma, in that one must try to demonstrate how, under what conditions, the understanding of the individual can be modified without some individual inventor discovering the truth and at the same time how the work of these modifications can produce new knowledge.¹⁸

Discourse, then, becomes something more than a representation of a body of knowledge; it also becomes a technique for understanding the constitution of knowledge; a way of resolving, or perhaps dissolving, the aforementioned dilemma by showing the “historically specific relations between bodies of knowledge, or disciplines, and disciplinary practices (forms of social control and social possibility).”¹⁹ Thus, one can see Foucault’s approach to discourse taking the form of critique, a re-reading of historical

¹⁷ Noam Chomsky and Michel Foucault, *The Chomsky-Foucault Debate*, 16.

¹⁸ *Ibid.*, 17.

¹⁹ Alec McHoul and Wendy Grace, *A Foucault Primer* (New York: New York University Press, 1993), 26.

and social conditions that does not look for the unfolding of the truth within those conditions so much as questioning the truths that those conditions have been held to reveal or make manifest.

McHoul and Grace contrast this approach to discourse with what they term the formal approach and the empirical approach.²⁰ The formal approach leans towards understanding discourse in terms of text. One example of this is found in what is called ‘speech act theory’, the idea that while words and utterances perform certain functions as parts of speech, there are certain underlying rules that exist behind speech that are of greater import. By discovering these rules, a text can be reinvented or reimagined as something greater than what was originally present. The empirical approach eschews linguistics for a more sociological account of speech. In other words, this approach is interested in the common knowledges “...that inform conversational rules and procedures.”²¹ These knowledges are understood more in the sense of knowledge of techniques, a “how-to” make conversation/engage in discourse as opposed to a more Foucauldian concept of knowledge understood in terms of the conditions under which a statement counts as true or false. I will address Foucault’s relationship with the formal school when I discuss the Foucault/Derrida controversy in a subsequent chapter.

At any rate, Foucault would then be seen to understand discourse as something that refers to knowledge. This is not ‘knowledge-how’ in the sense of the other schools of thought, but rather “knowledge-of” times, ways of thinking and, more importantly, what can be said about such knowledge. In other words, in “any given historical period” there are only certain ways in which we are able to cognize and report upon particular

²⁰ Ibid., 27.

²¹ Ibid., 29

concepts. For example, if one lived in 18th century France and happened to be thinking about the concept of the prison, then that person's conceptual framework would be constrained in certain ways and enabled in others. In other words, there are some concepts that our 18th century thinker would find right and proper to include in a penal discourse and others that would seem inconceivable. By the same token, our contemporary historical talk of prisons in France in the 18th century is constrained in a different set of ways and enabled in others. Discourse, then, is that which both constrains and enables us to think and express our thought in the manner which we do. Foucault's discursive project, then, consists in detailing the historical specificity of those things that count as knowledge; how that, given a slight change in conditions, what we know with certainty to be true could be quite different because the change in conditions would engender a change in what could, and could not, be said.²²

Foucault holds that the formal and empirical approaches have focused on the 'enunciation' of discourse, "...an examination of the ways and means through which concepts are spoken or written."²³ His focus will be on what is enunciated, that is to say the 'statement'. Of course, the question as to what exactly the 'statement' is suggests itself immediately. Foucault is sensitive to such a question and provides, in a somewhat roundabout way, a definition of 'statement' in his clarificatory work on discourse entitled *The Archaeology of Knowledge*. He points out that he has in past work, most notably *The Order of Things*, he had used 'statement' in an inclusive sense to speak of populations of statements but also in an exclusive sense, to specify the distinction of statement from

²² Alec McHoul and Wendy Grace, *A Foucault Primer*, 33.

²³ *Ibid.*, 35.

discourse "...as the part is distinguished from the whole."²⁴ So in one sense, it is possible that the statement may well be taken as the basic unit of discourse.

However, this answers the aforementioned question in one way but fails to address the deeper concern that motivates said question in the first place. Thus, Foucault is aware that more definition must be given so that the nature of the 'statement' can be understood. Is a statement synonymous with a proposition, a sentence or a speech act? Foucault claims that the answer is 'no' to all three. First, distinct statements can have the same propositional truth-value. Foucault cites the example of "No one heard" and "It is true that no one heard". Logically, these are indistinguishable from one another, but in terms of meaning they are not necessarily, and indeed more than likely not at all, interchangeable. For example, if the former construction were found as the opening line of a novel, it would suggest certain possibilities as to who was using it and how—a character as part of an exterior monologue, for example. The latter construction suggests a different set of possibilities—a piece of dialogue, perhaps.²⁵ A statement has a certain function on a local level, as in the previous example where different narratives are suggested by the differences in the statements, whereas a proposition has a truth-value that is stable across contexts—it is either true or false. Put another way, statements are functional, bringing about certain effects where propositions are representational of states of affairs.²⁶ At any rate, Foucault's claim is that a 'statement' and a 'proposition' are not the same thing.

²⁴ Foucault, *The Archaeology of Knowledge*, 80.

²⁵ *Ibid.*, 81.

²⁶ Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981-82* ed. F. Gros (New York: Palgrave-Macmillan, 2005), 324.

Neither are ‘statement’ and ‘sentence’ synonymous. Foucault admits that there is some variance as to what exactly constitutes a sentence, because the sentence can so easily appear in something other than subject-copula-predicate form.²⁷ Grammarians will grant sentence status to simple appearances of adverbs (“Certainly!”) or pronouns (“You!”). At the same time, this would seem to bespeak a certain similarity between ‘sentence’ and ‘statement’ because what we know of statements to this point is that they are functional, that they cause effects and certainly it seems that the examples above would be functional in that same sense. Foucault would allow that while there are some constructions which could be both ‘sentence’ and ‘statement’, the terms are not mutually co-extensive. On his view, there are some statements that would clearly not be sentences—a conjugation of a verb in Latin or a classificatory table in a biology text or even the periodic table of elements.²⁸ This is a key point—that classificatory schema can be statements, for it is here that Foucault is able to begin to point out the constraining and enabling activity of discourse. This is because statements are now seen to be something beyond their grammatical characteristics. In other words, statements serve a constitutive function within the delineation of bodies of knowledge, not simply in its grammatically meaningful expression, as in sentences.

Last, Foucault wonders if there is some connection between the ‘statement’ and the ‘speech act’. The speech act itself is not what it might seem at first glance. It is not the act of speaking or writing, nor is it referring to the intention of the speaker pre-speech or the post-speech consequences of what she might say.²⁹ Rather, it is solely referring to the

²⁷ Foucault, *The Archaeology of Knowledge*, 81.

²⁸ *Ibid.*, 82.

²⁹ Foucault, *The Archaeology of Knowledge*, 83.

operation that has been carried out by speech (a promise or an oath, for example); by the fact that a statement was made in specific circumstances. This would seem to generate an equivalent, or at least a reciprocal, relationship between the two activities. However, Foucault holds that this is not necessarily the case. Something more than a statement is often required to “effect a speech act.”³⁰ For example, a prayer may require several sentences, perhaps expressed in a certain formulation. Indeed, even the notion of ‘prayer’ is somewhat of an umbrella term, if you will, that designates a set of attitudes, utterances and formulae. So while speech acts may, or may not, contain statements, there is not a one-to-one relationship between them.

So what then is a statement? Is it the fundamental unit of discourse in the way that the proposition is for logic or the sentence is for grammar? Foucault’s answer is negative on all counts. A statement is not even really a unit, but a function that cuts across categories like ‘proposition’, ‘sentence’ and ‘speech act’ and reveals them as such in relation to a particular time and space.³¹ So a statement is not a fixed component of discourse, but something that can be recognized by the rules of discourse, rules that “govern their function”³² These rules are not grammatical in nature. Instead, they are rules that are grounded in bodies of knowledge, which are contingent to time and space. Put another way, they are the rules of what is possible to know.³³ Discourse, then, refers to a set of statements that share a discursive formation or, put another way, constitute a body of knowledge. Analysis of discourse then involves working through an accumulation of

³⁰ Ibid., 83.

³¹ Ibid., 87.

³² McHoul and Grace, *A Foucault Primer*, 38.

³³ McHoul and Grace, *A Foucault Primer*, 39.

statements in an attempt to make clear the fragmentary nature of discursive unity.³⁴ Put another way, Foucault's project is to show the limited, rarified nature of bodies of knowledge; how they are products of particular functions that could easily have been otherwise. In analyzing these functions, Foucault turns to specific historical conditions—a history writ locally instead of in totality, a history traced through a series of relations of exteriorities instead of an understanding based in terms of timeless transcendental foundation.³⁵ In other words, and this conception will be developed in more detail in a subsequent chapter, discursive rules are understood in terms of the event.

This leads inextricably to a discussion of power or, more particularly, power relations. This is because events do not simply occur, but instead occur in relation to “constraints, rules and conditions of possibility.”³⁶ In short, discourse is conditioned by power.

Foucault, Power and the History of Sexuality

In speaking of power, Foucault tends to be more concerned with its exercise as opposed to its theoretical construction. In other words, power is not an attribute possessed by a dominant group or individual, but rather a set of techniques and strategies that typify its use. In other words, Foucault understands power not in terms of who possesses “it” and who doesn't, but rather in terms of the forms that it takes and the relations in which it is held and utilized. Power also includes within it resistance—indeed there are a multiplicity of points of resistance that exist within any formalization

³⁴ Foucault, *The Archaeology of Knowledge*, 125.

³⁵ *Ibid.*, 125.

³⁶ McHoul and Grace, *A Foucault Primer*, 39.

of power.³⁷ Thus, power exists not as any one thing or relation in particular, but as a characterization of relations that occur in a variety of forms between a variety of actors. Put another way, power is not a right or commodity that can be traded or ceded. This also precludes Foucault's acceptance of a Marxist notion of power that is expressed solely in terms of economic analysis.³⁸ This is important, Foucault believes, because it is difficult to see how an analysis of power that is grounded in politics or economics can clearly pick out the interconnections and interactions between politics and economy.³⁹ The existing non-economic conceptualizations of power, as found in Nietzsche's notion of power as relations of force, are inadequate because they reduce power to relations of domination and oppression while failing to recognize the productive nature of power.⁴⁰

It seems, then, that in order to have a productively encompassing conception of power, we must think in terms of the relations and techniques that have come to be taken to constitute it while keeping in mind that it itself is nothing beyond those relations and techniques. This is at least part of the reason why Foucault chose to stress the productive aspect of power as something more than other analyses that saw power as inherently repressive or minimally productive. In relation to this latter point, Foucault is quite willing to admit that it is possible to hold a productive concept of power where power is understood as a thing, like a "culture", as in structuralism or a "text", as in semiotics, and base an analysis of its productive nature on such identifications of it, which thereby turn

³⁷ Barry Smart, *Michel Foucault* (New York: Routledge, 2002), 77.

³⁸ Michel Foucault, "Two Lectures" in *Power/Knowledge: Selected Interviews and Other Writings 1972-1977* ed. Colin Gordon (New York: Pantheon Books, 1980), 89.

³⁹ Barry Smart, *Michel Foucault*, 78.

⁴⁰ Michel Foucault, "Two Lectures", 92.

it into some sort of vague totalizing force.⁴¹ Yet Foucault notes that such characterizations of power possess a certain paucity, inasmuch as they leave power “undifferentiated”.⁴² In other words, they do not take into account the variety of techniques and strategies involved in the deployment of power, maintaining instead that there are certain necessary and timeless conditions that constitute power. This is a significant point in Foucault’s analysis. The prevailing view was to view power as something—a right, a commodity, or what have you and then trace that right or commodity through its various iterations. From Foucault’s perspective this gets things the wrong way round. The only adequately descriptive analysis of power is one where specific circumstances are investigated to see how they might count as an iteration of power—a bottom-up understanding of power relations as opposed to the traditional top-down conception of power *qua* power.⁴³ Put another way, Foucault’s analysis of power consists in examining techniques and strategies to see how they are understood in terms of and exercised as power relations.

One may wonder how a differentiation in power techniques can be achieved if there is no overarching theory of power present. For example, suppose a grocer is separating a recently received shipment of apples into two groups, the first containing apples that she deems “acceptable”, and consequently will sell, and a second group that she considers “unacceptable”, and consequently will return. The fact that she is able to differentiate among apples as being “acceptable” or “unacceptable” indicates that she has some overarching set of criteria about what constitutes an acceptable apple and what constitutes

⁴¹ Alec McHoul and Wendy Grace, *A Foucault Primer*, 65.

⁴² *Ibid.*, 65.

⁴³ Thomas R. Flynn, *Sartre, Foucault and Historical Reason: Towards an Existentialist Theory of History* (Chicago: University of Chicago Press, 1997), 194.

an unacceptable one. Without a valuative notion of “good” or “bad” present, it seems that such differentiation would be purely arbitrary. This sort of concern has been raised against Foucault’s project on several occasions. One of the best known critics, Nancy Fraser, puts the complaint in the following way, “Because Foucault has no way of distinguishing....forms of power that involve domination from those that do not, he appears to endorse a one-sided, wholesale rejection of modernity as such....Clearly what Foucault needs...are normative criteria for distinguishing between acceptable and unacceptable forms of power”.⁴⁴ In other words, Foucault wants on the one hand to claim, or at least leave the impression that he is strongly in favor of someone who might claim, that certain forms of power are acceptable (or productive) and others unacceptable (or repressive). However, he does not provide any sort of criteria for distinguishing between the two.⁴⁵ It appears, then, that Foucault may wish to make some normative judgments while setting forth a purely descriptive framework. After all, if power inheres in everything, or at least in every human relationship, then it seems that any attempt on Foucault’s part to say that some forms of power are better than others is at best *ad hoc*, at worst disingenuous. It is not clear how understanding power as the constitutive feature of the human experience does anything to address this sort of concern—in point of fact it is precisely this construal that leads *to* this concern.

There are a variety of responses that are possible here. In the first place, Foucault would point out that in distinguishing ‘productive’ from ‘repressive’ forms of power, he

⁴⁴Nancy Fraser, “Foucault on Modern Power: Empirical Insights and Normative Confusions” in *Unruly Practices* (Minneapolis: University of Minnesota Press, 1989), 32-33 as quoted in Paul Patton, “Foucault’s Subject of Power”, *Political Theory Newsletter*, Vol. 6, No. 1, May 1994, 60.

⁴⁵ Save perhaps for some implicit intuitive appeal that one simply knows the difference between the two.

is making a descriptive judgment identifying techniques of power based on their effects rather than a normative one regarding which is better. The normativity, or the need for normativity, is imported by Fraser in implicitly equating ‘productive’ with ‘good’ and ‘repressive’ with ‘bad’. This is not to say that Fraser is doing something that is beyond the pale in treating those terms as synonymous, but rather that what she is pointing out is a problem for her conception of Foucault’s position, a conception that is tied into some presuppositions about the nature of power and ethics that Foucault simply does not share. Indeed, Foucault speaks of moving beyond the traditional categories of the Negative, categories such as law, limit, and lacuna, in order to embrace the “positive and multiple.”⁴⁶ By this I take him to mean that power relations can be understood in forms of discourse distinct from rights-talk or discipline-talk. If one persists in rights-talk or discipline-talk, then repressive/bad and productive/good do become conjoined terms. However, one need not persist in this manner. One could speak of a type of behavior or set of actions as being repressed or produced without simultaneously granting a moral standing to the repression or production. This would be moving beyond talking about the effects of power strictly in terms of what it excludes, represses, or censors. It would be moving to an understanding of power that produces “domains of objects and rituals of truth” which can only be predicted at a local level, not in terms of general laws.⁴⁷

Beyond that, the claim that power ‘inheres’ in everything grants power an ontological status which Foucault need not and, as we will see, would not allow. Nevertheless, the

⁴⁶ Michel Foucault, “Preface to *Anti-Oedipus*” in *Power: Essential Works of Foucault 1954-1984*, vol. 3 ed. P. Rabinow and J. Faubion (New York: The New Press, 2000), 109.

⁴⁷ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (London: Allen Lane Press, 1977), 194. This will be developed in more detail with a discussion of covering-law models of explanation in a subsequent chapter.

basic thrust of this objection, that the terms ‘repressive’ and ‘productive’ require some overarching criteria in order to be used distinctively seems misguided because it depends on the undifferentiated notion of power mentioned above. Some further insight into how this might be the case can be garnered by examining Foucault’s analysis of the history of sexuality, to which we now turn.

Why a History of Sexuality?

Much of my discussion in this section has its roots in two chapters of *History of Sexuality, Vol. 1* and is for the purpose of further illustrating Foucault’s re-conception of power as it leads to his discussion of governmentality. The points I will address first are from part four of that work, entitled “The Deployment of Sexuality”. There are two questions Foucault wants to provide answers for in this area:

- 1) Why a history of sexuality?
- 2) How shall this history be set forth?

In answer to the first question, a history of sexuality will represent (or at least could represent) a relational aspect of power that moves beyond the notion of repression even though it might make use of that notion in a certain sense.⁴⁸ However, there may well be some confusion on such a point. His claim, at least initially, is that sex and sexuality are not repressed because sexual desire is prior to the mechanism of repression, where that mechanism is understood in terms of prohibition and censure of desire. Foucault’s use of the word ‘mechanism’ is curious at this point. It may seem as though he is thinking in

⁴⁸Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction* (1978: reprint 1990: Vintage Books, New York), 81.

terms of structures that work to throttle, or re-channel, desire. However, with this turn of phrase, Foucault refers to the use of ‘repression’ as representing some internal force that throttles the energy of rebellion as opposed to referencing the source of ‘repression’. Sexuality thus appears to be an inextricable combination of power, understood as capacity to act, and desire, a yearning. The issue then, is this: a history of sexuality, carried out in the way Foucault wishes, will be a history that allows us to look at power outside of the notion of repression-as-negation—power can be seen and understood positively in terms of what it produces. As Foucault puts it, “...thus one should not think that desire is repressed, for the simple reason that the law is what constitutes desire and the lack on which it is predicated.”⁴⁹ To what law does he refer? He makes the point that until the end of the eighteenth century, sexual practice was governed by three codes: canonical law, the Christian pastoral, and civil law.⁵⁰ All of these concerned themselves with the proper conduct of marital sexual relations (and, of course, the condemnation of non-marital sexual relations, be they adulterous, premarital or homosexual). The law, then, set the boundaries for proper sexual conduct within and without the marital relationship, and so represented the policing (and indeed punishment) of desire.

This role of law was modified somewhat with the advent of the sciences in the eighteenth and nineteenth centuries. The married couple became entitled to a bit more privacy and their sexuality began to function more as a norm. There was less attention paid to it. This attention had to go somewhere, of course, and Foucault points out that it came to focus on the sexuality of children, of the mad, and most particularly of those who

⁴⁹ Foucault, *History of Sexuality*, Vol. 1, 81.

⁵⁰ *Ibid*, 37.

were not attracted to the opposite sex.⁵¹ Such desires became unnatural, thus illegal, and hence immoral. “Power operated as a mechanism of attraction; it drew out those peculiarities over which it kept watch.”⁵² The upshot, then, is this: we cannot get around power. If we desire something or someone, then there is a power relation present; a perpetual spiral of power and pleasure.

Yet the above discussion may not go very far towards alleviating any confusion. In point of fact, it may begin to seem as though he is in worse shape than before. Here we return to the earlier criticism raised by Fraser, albeit expressed by Foucault in slightly different terms. It seems that he has conflated “law” with “repression”, insofar as he holds that law is that which establishes and limits desire. Moreover, he has done so in a manner that leaves him, or at least *appears* to leave him, open to a charge of equivocation. The complaint may go like this: On the one hand, Foucault, in the past you have talked about power in terms of repression and in terms of law, never really bothering to distinguish one from the other. At the same time, you seek to speak in terms of the productive nature of power free from the constraints developed through repression. So you want to leave behind repression and make use of law when we are not sure that they are really different from one another.⁵³

Even though this complaint is phrased in slightly different terms, I think Foucault’s answer here will develop in fuller measure the response outlined earlier. He begins by making a distinction in what he is trying to do: Rather than set forth a theory of power, he is hoping to develop an analytics of power. In other words, he hopes to discover the

⁵¹Foucault, *The History of Sexuality*, 38.

⁵²Ibid., 45.

⁵³ Ibid., 82.

domain that ensues from relations of power while seeking to determine how, and with what, that domain can be analyzed. This is why Foucault is not concerned with the question ‘Why are we repressed?’ but instead the question ‘Why do we say we are repressed?’⁵⁴ Sexuality is, from Foucault’s point of view here, little more than a “...historically constructed apparatus.”⁵⁵ So the purpose of a history of sexuality is to examine those techniques and strategies that have historically been utilized to determine the ends of sexual practices. The analytics by which this history can be set forth depend upon an understanding of the role played by power relations in formulating ‘sexuality’ and a concurrent freeing of one’s analysis from within the framework of said understanding.⁵⁶ Put another way, a productive analysis of sexuality will be undertaken in terms of power relations but from a perspective that has a critical distance, if you will, or an awareness of the illusory nature of the necessity of the terms in which those relations are posited.⁵⁷ Thus, by answering the first question, we have also set the terms for answering the second.

Sex and Power

The question still remains, in relation to how the history of sexuality will be set forth, as to why sexuality is so important in the discussion of power in which Foucault engages. A goodly portion of an answer comes from the central place that sexuality occupies in Western thought. Sexuality and sexual expression, then, become places of deep truth and

⁵⁴ Foucault, *History of Sexuality*, 9.

⁵⁵ McHoul and Grace, *A Foucault Primer*, 77.

⁵⁶ Foucault, *History of Sexuality*, 82-83.

⁵⁷ Jan Goldstein, “Foucault and the Post-Revolutionary Self” in *Foucault and the Writing of History* ed. J. Goldstein (Cambridge, MA: Basil Blackwell, 1995), 100.

fundamental revelation about whom and what we are as individuals. This is not to say, as we have seen in the previous discussion, that sexual repression is the heart of our truth as subjects, but rather that the social and religious focus on sex, informed by Christianity, has made knowing one's sexuality tantamount to knowing who one is.⁵⁸ For example, the Christian emphasis on confession, in either the Protestant or Catholic understanding, focuses on taking one's shortcomings and making them central to consciousness; on positing that the way one is has to do with the conduct of the body as well as the conduct of the mind. Failing to conduct one properly is as bad as failing to properly conduct the other. In Augustine's *Confessions*, for example, proper conduct of the self is at least partially understood in terms of remembering one's imperfections—in other words accurately recalling the sinful physical and mental acts that one has committed, particularly those involving licentiousness.⁵⁹ Salvation then becomes a matter of remembering and mastering one's sexuality; of avoiding the traps that sexuality lays for the individual.

Foucault would have us remember that this discussion does not take place in a vacuum. Consider the analogy that appears to exist with carceral behavior of the eighteenth century. The rehabilitative and retributive techniques that were established during this time involved managing the prisoner as a person; in training him to recognize his unworthiness and to utilize this recognition in order to become a productive member

⁵⁸ Michel Foucault, "Power and Sex" in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984* (New York: Routledge, 1990), 111.

⁵⁹ Brian Stock, *Augustine the Reader: Meditation, Self-Knowledge and the Ethics of Interpretation* (Cambridge, MA: Harvard University Press, 1996), 221.

of society.⁶⁰ Therefore, the exercise of power becomes an exercise of productivity. While at least some of the talk is prohibitive in terms of sexuality, it is part of a larger complex of institutions, techniques, incitements and manifestations that produce a discourse of sexuality.⁶¹ This discourse then plays a larger role, from Foucault's perspective, into productions of truth. Indeed, we live in a society that prizes truth as a function of discourse.⁶² In other words, we want to know what is true and we also want to know who speaks the truth. Sexuality then becomes a labyrinth of truths that is both an effect of and a validation of one's passion for truth. One needs to know the truth about oneself, a truth that is understood or explicable in terms of one's sexuality. Foucault is not talking here merely of penetration and pleasures, though certainly those are components of sexuality that need to be taken into account. The need, then, is ultimately to understand the procedure by which sexuality and its truths are produced, a procedure that has its roots in power relations.⁶³

Different procedures have arisen in different cultures, according to Foucault.⁶⁴ In the non-western (and early western) societies, there was an erotic art that developed whereby truth was understood in terms of the pleasure produced by the sexual practice and experience. Pleasure, then, becomes not a matter of transgression or taboo, but an end unto itself, containing its own truth. Thus there is created a secret of sex, available only to a select few who understand and master the esoteric relation between pleasure and

⁶⁰ Michel Foucault, "On Power" in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984* (New York: Routledge, 1990), 105.

⁶¹ Foucault, "Power and Sex", 111

⁶² *Ibid.*, 112.

⁶³ Ed Cohen, "Foucauldian Necrologies: Gay Politics? Politically Gay?" *Textual Practice* 2.1 (Spring 1988), 93.

⁶⁴ Foucault, *History of Sexuality*, 57.

itself. This is passed on through a series of initiations into a master/disciple relationship for which not everyone is suited.

However, Foucault holds that this is not the case for western culture. In this case a *scientia sexualis* has developed, a way of establishing the truth not through secrecy, but through confession. Certainly this can be understood in a religious sense, but also much more generally. Interrogative techniques of the police are designed and intended to bring about a confession. Consulting a physician requires confession in order for a diagnosis to be effected, if not effective. Certain forms of mental health therapy require one to address the questions, “What is really happening, what have you done, what are you thinking?” This can be seen in the formal and empirical approaches to discourse mentioned earlier as well—the goal of these approaches is to move beyond the text, to wring a confession from the author as to what she is actually saying.⁶⁵

Confession has been so deeply implanted within us as a natural and productive thing to do that we no longer see it as a relation of power that envelopes us, compels us to believe that truth is hidden within us, simply waiting to be discovered, restrained from discovery by our failure to confess, to own up to who we are as subjects, to liberate oneself from falsehood. Sex then becomes a thing to be managed as part of a politics, because sex provides the link between the body as a biological process and the population as a ‘species-body’.⁶⁶ It is this management of sex in light of population that opens the space for governmentality.

⁶⁵ Foucault, *History of Sexuality*, 59.

⁶⁶ McHoul and Grace, *A Foucault Primer*, 77.

Is Foucault Assuming a Metaphysics of Power?

Before addressing the concept of governmentality in more detail, I wish to briefly consider an objection, or perhaps a concern about what Foucault has said thus far. It could well be that Foucault, by focusing on power, is implicitly doing something that he claims not to do—making power into a fundamental notion through which all others are evaluated or, in other words, giving it a metaphysical status. If there was one philosopher who could be said to grant a metaphysical status to power, it would be Schopenhauer. Foucault was certainly familiar with Schopenhauer, making reference to him at several junctures in his work. Foucault pointed out the fact that even though Schopenhauer’s influence served to “orientalize” philosophical discourse, it is the Westernization of the world that has made Eastern philosophical movements more accessible.⁶⁷ It seems prudent, then, to look at Schopenhauer on power through examining some of the Eastern influences on his thought for the purpose of determining whether Foucault is granting a metaphysical status to power. I will begin by providing an overview of some important aspects of Schopenhauer’s philosophy. In particular, I will trace the notion of “will” through his political philosophy and his metaphysics, showing how it depends, particularly in the latter case, on presuppositions about the nature of Brahman. Last, I shall attempt to draw some parallels between “will” in Schopenhauer and “power” in Foucault for the purpose of discerning whether Foucault is doing something he explicitly disavows—attaching metaphysical import to power. Generally speaking, I find

⁶⁷ P. Caruso, “Who are you, Professor Foucault?” in *Religion and Culture: Michel Foucault*, ed. by Jeremy R. Carrette (New York: Routledge, 1999), 90.

Schopenhauer to be one of the first to suggest an underlying metaphysics of power and its relation to the particulars of human existence.

Schopenhauer's Political Philosophy

It should be admitted at the outset that Schopenhauer was not overly concerned with political theory. That said, it is nonetheless the case that his political philosophy can provide a useful springboard into his larger concerns. Schopenhauer's political philosophy is detailed in relatively few places in his works. He spends some time discussing the state and the citizen in his 1837 essay *On the Basis of Morality* (hereafter *OBM*); in a few chapters of Volume I (and, consequently, of Vol. II) of his masterwork *The World as Will and Representation* (hereafter *WWRI* or *WWRII*); and in one section of a modern collection entitled *Essays and Aphorisms* (hereafter *EA*), which was culled from one of his later works named *Parerga and Paralipomena*.

Schopenhauer tends to approach the issue of the state from a discussion of justice. In the section of *EA* called 'On Law and Politics' he begins with the following: "If you start from the preconceived opinion that justice must be a positive concept, you won't get very far: you will be trying to embrace a shadow, pursuing a ghost..."⁶⁸ In *OBM* we find more of the same: "Thus there arises from this first degree of compassion the maxim *Neminem laede* (Injure no one), i.e., the fundamental principle of justice."⁶⁹ Though I intend to talk

⁶⁸ Arthur Schopenhauer, trans. by R.J. Hollingdale, *Essays and Aphorisms* (London: Penguin Group, 1970), 148.

⁶⁹ Arthur Schopenhauer, trans. by E.J.F. Payne, *On the Basis of Morality* (Indianapolis: Bobbs-Merrill Company, 1965), 149.

about his ethics in more detail at a later point, suffice it to say that much of the discussion of justice flows from his analysis of the terms ‘right’ and ‘wrong’.⁷⁰

For Schopenhauer the terms ‘good’ and ‘bad’, whether they are applied to an agent or an agent’s actions, describe, or in the latter case refer to, the motivations of agents.⁷¹ Thus, the rules governing their proper usage are to be found in relation to the agent herself. When speaking of ‘right’ and ‘wrong’, though, we do not look to the agent when thinking about usage. Rather, we look at the recipient of the action in question. What, then, is it to do wrong? For Schopenhauer, to do wrong is to force one’s will upon someone when they would pursue their own goals were they not being interfered with. Right, then, is defined negatively—something is right if it is not wrong. In much the same way, I have a right to do anything that is not wrong, on Schopenhauer’s view. This right comes not from any set of societal arrangements or from any monarch. Rather, it is a component of what it is to be human. The state exists to protect this right and thus to ensure that no one suffers a wrong.⁷²

For Schopenhauer, the chief wrongs a person can suffer involve interference: interference with a person, interference with a person’s property, and interfering with agreements.⁷³ The job of the state and the law is to uphold a person’s rights to personal privacy, to property, and to enforce agreements. Schopenhauer believes that the latter point is the most crucial for the reason that social issues can be settled only in one of two ways: agreement or force. If there is no way of constraining men to keep their

⁷⁰ Bryan Magee, *The Philosophy of Schopenhauer* (New York: Oxford University Press, 1997), 202.

⁷¹ Schopenhauer, *On the Basis of Morality*, 43.

⁷² Arthur Schopenhauer, trans. by E.J.F. Payne, *The World as Will and Representation*, Vol. II (New York: Dover Press, 1966), 594-5.

⁷³ Magee, *The Philosophy of Schopenhauer*, 203.

agreements, then there is no possibility of a functioning society. So, politically Schopenhauer can be termed a conservative contractarian; one who combines the sanguine nature of Locke with the pessimism of Hobbes.

Schopenhauer and the Will

In this section I intend to provide a brief overview of what I take to be similarities between 1) the “relationship” (for lack of a better word) of Brahman and the world as posited by Advaita Vedanta and 2) the relationship of the Will and the world as posited by Schopenhauer for the purpose of setting forth a metaphysical understanding of power. Many commentators have found Schopenhauer’s abiding interest in and respect for the Upanishads to be of great importance in grasping his philosophy. For that reason, I believe a bit of extended discussion on this matter will prove enlightening in terms of the overall point of this chapter. Asserting similarities between Eastern and Western thought is nothing new. Eliot Deutsch, in his *Advaita Vedanta: A Philosophical Reconstruction*, indicates the tendency of Western Philosophy to suppose that there are similarities between Advaita Vedanta and the idealistic systems of Berkeley and Hegel.⁷⁴ Schopenhauer is often linked with Buddhism due to allegations of “pessimism” on both their parts. However, I believe there is a more appropriate comparison between Schopenhauer’s idea of “noumenal will” and Brahman as delineated (for lack of a better word) in Advaita Vedanta. One reason for believing this is that, as mentioned earlier, Schopenhauer was one of the first Western philosophers to have taken Eastern thought into account. In point of fact, Schopenhauer said that the Upanishads were, “...the most

⁷⁴Eliot Deutsch, *Advaita Vedanta: A Philosophical Reconstruction* (Honolulu: University of Hawaii Press, 1973), 32.

profitable and elevating reading which is possible in the world. It has been the solace of my life and will be the solace of my death.”⁷⁵

At any rate, the following sections will attempt to touch on some reasons why the aforementioned comparison is apt, thus helping to illuminate the connection between metaphysics and ethics on Schopenhauer's view. In order to do this, I will first elucidate the Vedantic conception of Brahman and its relation to the world. Next, I will set forth Schopenhauer's view concerning the Will and the world. I will then point out what I take to be some apparent similarities between the two systems. Last, I will conclude with some comments as to how Schopenhauer's discussion of ethics leads to his metaphysics.

What is Brahman?

One should be willing to admit at the outset that any answer one attempts to this question will ultimately prove unsatisfactory. The reason for this, in short, is that language can only refer to things that are in the world (or are conceivable by the mind)--in short, *phenomena*. The ultimate reality of Brahman is inexpressible insofar as it lies beyond the phenomenal world.⁷⁶ Even the Vedantic term *saccidananda* (comprised of the terms for “being” (*sat*), “consciousness” (*cit*) and “bliss” (*ananda*)) which is often used in reference to Brahman does not, strictly speaking, represent any attributes of Brahman so much as refer to the state of those who come to apprehend Brahman (or,

⁷⁵Arthur Schopenhauer, *Parerga and Paralipomena*, Vol. 2 (Oxford: Clarendon Press, 1974), 185.

⁷⁶This is not to deny that Brahman is what is Real in terms of the phenomenal world, insofar as it is the material and efficient cause of the phenomenal world. However, its ultimate Reality is forever beyond our apprehension. Thanks to Dr. Bina Gupta for helping me to see this point, as well as for her illuminating discussion of Advaita Vedanta.

more properly put perhaps, those who seek to interpret a Brahman-experience).⁷⁷ Even with this difficulty, though, we can perhaps still say something about Brahman by talking about what it is not: “There is no other or better description of Brahman than this: that it is not-this, not-this (*neti neti*)”.⁷⁸ In other words, Brahman can only be described negatively, as doing otherwise would be ascribing attributes to that which is beyond such.

So if the claim was made that “Brahman is infinite”, it would be mistaken to understand this as being a positive attribution of a quality to Brahman. Rather, it is best taken as the claim that Brahman is not non-infinite. That is to say, whatever terms used in relation to Brahman are best understood as focusing one towards Brahman rather than asserting what Brahman is like. Those who have experienced Brahman realize the incommunicable nature of that experience, while those who seek Brahman need something towards which to orient themselves. This, then, is the point of trying to speak about Brahman even though all attempts are doomed to fall short.⁷⁹

Advaita Vedanta distinguishes between two aspects of Brahman.⁸⁰ These are *Nirguna* and *Saguna* Brahman. The distinction between these two aspects of Brahman is quite clear. *Nirguna* Brahman is Brahman without attributes, ultimately ineffable and transcendent. It is Brahman of which nothing positive can be said or known because it so completely goes beyond our language and categories of experience. *Saguna* Brahman is Brahman as understood by the limited intellect of persons. The contrast can perhaps be better seen couched in Deutsch’s terms: In *Nirguna* Brahman the subject/object

⁷⁷Deutsch, *Advaita Vedanta: A Philosophical Reconstruction*, 9-10.

⁷⁸*Ibid.*, 10-11. There is an interesting parallel here with what Wittgenstein had to say in terms of the *Tractatus Logico-Philosophicus*, to the effect that the most important part of the book was what was not written.

⁷⁹*Ibid.*, 12.

⁸⁰*Ibid.*, 12.

distinction is destroyed, whereas in Saguna the distinction is harmonized--that is one becomes aware of one's connection to all things (or becomes aware that "thou art that"). Saguna Brahman is, then, a profoundly spiritual experience, whereas Nirguna Brahman is (strictly speaking) not, inasmuch as it is the negation of all experience save itself. The crucial point here is that Brahman is undifferentiated and non-dualistic; that there is ultimately no subject/object distinction.

What is the Relation of Brahman to the World?

The preceding sketch of Brahman as presented in Advaita Vedanta was a bit quick, but should suffice. Explicating the relation between Brahman, which is understood as transcending the world of phenomena and the phenomenal world of experience, may seem a bit problematic unless one is willing to deny the reality of the external world. After all, if Brahman alone is ultimately real, then the world is, for all practical purposes, non-real. But this sort of supposition is too hasty, as we have seen that Advaita Vedanta can provide some account of Brahman while still allowing the reality of the empirical world. This account is based on the following three notions: *Maya*, *satkaryavada*, and *vivartavada*.

Maya is a relatively familiar idea. It occurs when we take the real as unreal and vice versa. Put another way, it is the illusion we labor under when we take sublatale experience for non-sublatale experience. In other words, it is the error made when one takes the evidence provided by one's senses as the guide to what is ultimately real. Empirical reality does not exhaust the store of what is. Therefore, the world as we understand it is *Maya*. It does not follow from this that the world is unreal or empirical

reality is to be rejected out of hand and as a matter of course. Indeed, in Advaita Vedanta, “real” just means non-sublatable, and Brahman alone fits that description (for lack of a better word).⁸¹ So thinking of *Maya* strictly in terms of “illusion” is not quite proper. *Maya* is the veil through which the relation between Brahman and the world is seen.

As Deutsch points out, *satkaryavada* and *vivartavada* are closely related doctrines. *Satkaryavada* is the theory that the effect pre-exists in cause, while *vivartavada* is the theory that the effect is only an apparent manifestation of the cause, as opposed to an actual change.⁸² It is important to realize that these theories do not prove a relation between Brahman and the world. Rather, they are generally taken to show that the world is in some way an effect of Brahman. But how can Brahman cause the natural world?

The question is misguided because it assumes that there are two separate things (Brahman and the world). But this is not what Advaita Vedanta claims. It is predicated on the idea that all is Brahman. So the empirical world is not separate from and mysteriously acted upon by a transcendent Brahman. Rather, the empirical world is Brahman made manifest phenomenally. If this is the case, then the claims of *Satkaryavada* and *vivartavada* become somewhat less mysterious. However, this also calls into question the import of the original object of inquiry.

In one sense *Satkaryavada* is designed to answer what seems to be a sensible philosophical question--What is the relation between Brahman and the world? Yet we must realize early on that such a question and any answer to it will be unfailingly formulated in terms of *Maya*. Perhaps, then, *satkaryavada* is not intended to provide a

⁸¹Deutsch., 32.

⁸²Ibid., 35.

definitive answer so much as to lead us to begin to realize that the question itself is ultimately unimportant. This occurs when we move from thinking of the effect as pre-existing within the cause to the related position that any effect as different from cause is only apparent, the view of *vivartavada*.

I have tried to briefly set forth the Advaita Vedantic view of Brahman and to show that the question of its relation to the world is understandable, yet ultimately inappropriate. I wish now to turn my attention to Schopenhauer. He sought to rethink and clarify Kant's noumenal/phenomenal distinction in order to alleviate human suffering. He does this by utilizing the notion of will. Schopenhauer's thought on this point is quite subtle, and has been the subject of some debate. I take it that he speaks of will in two senses: will-in-the-world (or phenomenal will) and will as thing-in-itself (or noumenal will). Let us turn first to will-in-the-world. He believes that the phenomenal universe is essentially composed of energy, and as a result that all things within the universe are fundamentally one. By this, Schopenhauer means that this energy is the manifestation of the ineffable undifferentiated noumenon in the world of phenomena. So, then, will-in-the-world refers to this energy that constitutes everything in the phenomenal universe. This does not mean that we do know or can know what the noumenon is, of course. Rather, it is that this fundamental energy is the thing of which we can say is the phenomenon at the closest point to the noumenon.⁸³ Put still another way, we can say the phenomenal will represents the inner nature of the world as representation--the way things appear to be to us.⁸⁴ The noumenal will is, for Schopenhauer, the ultimate reality.

⁸³Bryan Magee, *The Philosophy of Schopenhauer*, 446.

⁸⁴John Atwell, *Schopenhauer on the Character of the World: The Metaphysics of Will* (Berkeley: University of California Press, 1995),126.

It may also be thought of as “unconditioned being”. By “unconditioned being” it is meant that: “...which is, by definition, not conditioned by any mode of knowledge or thought; hence it is not subject to time, space, and causality (and as well) not subject to objectness.”⁸⁵ So the noumenal will is beyond all thought, beyond all apprehension and knowledge. Indeed it is beyond philosophy. Yet we can still speak of it in some way, inasmuch as we can say what it is not--not object, not-conditioned. The import of this seems to be as follows: The world of phenomena is not lasting. It consists of entities that come into being and then cease. Only outside the phenomenal universe can there be something eternal and immutable. This is the noumenal will. The phenomenal world, animated by the phenomenal will, is simply the noumenal will made manifest. We cannot ask why this is the case, nor can we ever have any direct evidence that it is the case, but this is hardly unexpected. The noumenal will is unconditioned, so to ask why it is or how it came to be would be an attempt to condition it, which is impossible. So the existence of the world is an affirmation of the will to life, the negation of the will to life is no appearance, no world, and no representation--for us there is nothing.⁸⁶

Indications of Similarity

I wish to mention three particular similarities. There are no doubt more, and certainly there is a need for further, deeper investigation. Nevertheless, let me point out and then elaborate on two things:

1) Schopenhauer and Advaita Vedanta appear to agree on the status of the human condition and offer similar proposals for relieving that condition.

⁸⁵Ibid., 126.

⁸⁶Ibid., 113.

2) Schopenhauer's noumenal will and the Vedantic idea of Nirguna Brahman are extraordinarily close, insofar as we can talk about them.

Since a great deal of the section to this point has hinted at the second similarity, I shall comment on the first. Schopenhauer saw that the fundamental state of man is that of suffering. Human life consists in being caught between the Scylla of willing and the Charybdis of boredom.⁸⁷ Life for the vast majority of people (at least according to Schopenhauer) consists of bouncing between the two. As he says, "...they will, they know what they will, and they strive after this with enough success to protect them from despair and enough failure to protect themselves from boredom."⁸⁸ So human life consists of trying to avoid the particulars of our existential situation, that "...life is deeply steeped in suffering, and cannot escape from it; our entrance to it takes place amid tears, at bottom its course is always tragic, and its end even more so."⁸⁹ We live, deceiving ourselves into thinking that our individuality, actions, dreams, and desires have great significance; that all things work out for the best; and that life, at bottom, is essentially good.

Schopenhauer will have none of this: "Optimism, where it is not merely the thoughtless talk of those who harbor nothing but words under their shallow foreheads, seems to me to be not merely an absurd, but also a really wicked way of thinking."⁹⁰

Schopenhauer is keenly aware of the suffering that goes on in the world. And he is also aware that we bring the majority of it on ourselves:

⁸⁷Magee, 220.

⁸⁸Arthur Schopenhauer, *The World as Will and Representation*, Vol. 1 (New York: Dover Publications, 1968), 327.

⁸⁹Arthur Schopenhauer, *The World as Will and Representation*, Vol. 2 (New York: Dover Publications, 1968), 526.

⁹⁰Schopenhauer., ii., 526.

The chief source of the most serious evils affecting man is man himself...He who keeps this last fact clearly in view beholds the world as a hell surpassing that of Dante but the fact that one man must be the devil of another...In general, however, the conduct of men towards one another is characterized as a rule by injustice, extreme unfairness, hardness, badness, even cruelty; an opposite course of action appears only as an exception. The necessity for the state and for legislation rests on this fact.... But in all cases not lying within the reach of law, we see at once a lack of consideration for his like which is peculiar to man, and springs from his boundless egoism and sometimes even from wickedness. How man deals with man is seen, for example, in Negro slavery, the ultimate object of which is sugar and coffee. However, we need not go so far; to enter at the age of five a cotton-spinning or other factory, and from then on to sit there every day first ten, then twelve, and finally fourteen hours and perform the same mechanical work, is to purchase dearly the pleasure of drawing breath. But this is the fate of millions, and millions more have an analogous fate. We others, however, can be made perfectly miserable by trifling incidents, but perfectly happy by nothing in the world. Whatever we may say, the happiest moment of the happy man is that of his falling asleep, just as the unhappiest moment of the unhappy man is his awakening.⁹¹

It is crucial here that Schopenhauer's reaction to this is not so much to offer a way out of suffering, but rather to clarify what ways out there are. The realization one arrives at through Schopenhauer is that one's own being is essentially the same as everything else within the world---empty and meaningless, manifestations of a blind will of which nothing can be known or attributed. This insight results in the denial of the will to live. This is not an endorsement of suicide, but rather attaining a condition in which one is able to deny their self-will.⁹² Schopenhauer believes that this is possible to attain, and indeed many ascetics of many different religions have been able to do so. The link

⁹¹Ibid., ii., 577-78.

⁹²Magee, 222.

between these differing persons is that they have been able to deny their self-will. By doing so, they have been able to achieve a state of consciousness that can best be characterized as “detached”.⁹³ So the idea is that denial of the will to live is turning away from what life has to offer rather than terminating one’s life⁹⁴. Schopenhauer maintains that his philosophy makes denial of the will understandable, and demonstrates how a variety of people coming from different religious perspectives (or no religious perspective at all) are in actuality aiming for the same thing, though they might have different names for it.

This is not to say Schopenhauer was particularly religious. The noumenal has no personal characteristics or religious connotations to him. This seems closely in line with Nirguna Brahman, as in our second point. But to return to the first similarity: Schopenhauer and Advaita Vedanta appear to agree that this world possesses empirical reality, but at the same time it is ultimately illusory (or *Maya*). The belief that this world is ultimately real causes suffering as we seek, in the terminology of Schopenhauer, to fulfill our will to live--a fruitless pursuit. This has a close parallel in the Vedantic idea of sublation. The key to overcoming suffering for Schopenhauer is to realize the emptiness of this world and deny one’s self will. Again, the parallel with Advaita Vedanta is clear.

Before considering the relationship of all this to Foucault, I wish to point out one further similarity between Schopenhauer and Advaita Vedanta. Schopenhauer believed that once his philosophy was accepted, then there was nothing else to be done. This is not because he had explained everything, but because he had illuminated the limits of

⁹³Ibid, 223.

⁹⁴Schopenhauer believes that suicide is willing not to live life on the terms in which it is presented, which is a separate thing entirely.

explanation. As he says, “...even the most perfect philosophy will always contain an unexplained element, like...the remainder that is always left behind by the irrational proportion of two quantities. Therefore, if anyone ventures to raise the question why there is not anything at all rather than this world, then the world cannot be justified from itself, no ground, no final cause can be found in itself.”⁹⁵ That is, the fundamental nature of what really *is* and why it is that way lie beyond explanation. Compare this to Deutsch, “...assuming the meaningfulness of the notion of Brahman, the final teaching of *vivartavada* would seem to be the correct answer to the question concerning the relation that obtains between Brahman, Reality and Appearance. It insures the non-dual character of Brahman and, although it does not actually explain the world in terms of the world, it shows how it makes its appearance in experience. What is a loss to strict intellectual satisfaction might nevertheless be a gain to that love of wisdom, which, after all, still has something to do with that which we call philosophy.”⁹⁶

The crux of the issue addressed in this section lies in the subtitle of the *History of Sexuality, Vol.1: The Will to Knowledge*. Is the notion of ‘will’ employed here by Foucault similar to the notion of “Will” so significant to Schopenhauer? Again, for Schopenhauer, ‘Will’ is the basic constituent of all life or, put another way, all life is an expression of an underlying “Will-to-live”. Thus, the fundamental nature of existence is explicable in terms of ‘Will’. Foucault does not seem to be making any sort of grandiose claims here. Indeed, it seems that the totalizing Schopenhauerian project would be anathema to the localized nature of Foucault’s work that has been discussed to this point. However, one should at least consider the nature of ‘will’ utilized by Foucault. He is

⁹⁵Schopenhauer, ii., 579.

⁹⁶Deutsch, 45.

pretty clearly not speaking of a will to live. Instead, his focus is on a will to truth. However, the questions may still be posed: The truth about what? On a certain level, of course, there is the will to truth about sex. Sex, as we have seen, certainly plays a defining role in one's conception of self. Thus, there is a certain power relation that holds in relation to sex. It appears, then, that the will to knowledge is a will to knowledge about self, and consequently about the construction of self that appears through sex. Power, then, is not a thing, but a set of relations to be traced. Since Foucault has explicitly denied that there is any sort of overarching concept of self, or anything else for that matter, it does not seem as though he is assuming a metaphysics of power.

On Governmentality

As mentioned earlier, the space in which governmentality appears comes about as the result of the link between management of the self and management of the population that was occasioned by sexuality and sexual practices. Thus areas such as scientific research, civil society, and personal life are not areas of freedom and enlightenment, but areas where power relations have diffused themselves and are proliferated.⁹⁷ Modern liberal thought has championed the idea of personal freedom while at the same time making the exercise of that freedom submit to ever-increasing authority both external, as in the state, and internal, the aforementioned schema of confession. What, though, has convinced people of the veracity of the value of freedom and personal liberty as expressed in terms of submission to authority? For Foucault, the answer would appear to be governmentality. This is not to say that governmentality is inherently good, bad or

⁹⁷ David Halperin, *Saint Foucault* (New York: Oxford University Press, 1995), 19.

anything at all. Rather, given the conditions that obtain currently and the history of thought that has led up till now, governmentality is the result. Government has its own ends that are internal to itself—the question of sovereignty, for example, is a question of how government can be legitimized through submission to law. The goal of governing is to manage production for the purpose of maximizing wealth (for the few or the many—that distinction is of little matter), of maintaining order, of looking after the population and all the various permutations that the above require. The way to do this is not through law, but through employing, and perhaps not even in a conscious or insidious sense, a tactic or technique of governmentality. We can see how this might be affected by examining some contemporary questions that have been raised of ancient philosophers, particularly as relates to the notions of power, administrative practice and governmentality.

The Discussion of Justice in Plato as Governmental Discourse

The purpose of this section is to show how a certain criticism Karl Popper raises concerning Plato's notion of justice as exemplified in *The Republic*--the claim that Plato possessed a modern conception of rights and, as such, the version of justice he propounds is totalitarian in nature—can be understood in a way that reflects a governmental approach to Plato's work. This is not to discredit Popper's critique, but rather to provide some insight into the spirit in which it is offered. In his book *The Open Society and Its Enemies, Vol. 1* (hereafter *TOS*), he raises several criticisms against Plato's views. His

overall point is that Plato's work is not, as it was traditionally seen, the forerunner of the modern democratic state but rather of the modern totalitarian state. My primary concern in this section is Popper's critique of Plato's notion of justice, which he sets forth in Chapter 6 of *TOS*. In this chapter, Popper gives several conceptions of justice as construed by those of us who are "humanitarian"; none of which, he claims, agree with Plato's "justice".⁹⁸ Moreover, Popper claims that even though Plato was aware of this modern, humanistic, individualistic conception of justice he chose to ignore it as a candidate to challenge the view of justice espoused in *The Republic*. I intend to argue that Plato was likely not aware of this humanitarian version of justice and, at the very least, the textual support offered by Popper for the conclusion that Plato was aware of it seems unable to bear the weight that he places upon it. As a way of illuminating this issue, I will look somewhat briefly at a roughly analogous claim concerning Aristotle and the modern notion of rights. By doing this, I hope to show what sort of case Popper would have had to make to strengthen this particularly weak portion of his case. I want to begin, however by examining several sections of *The Republic* that pertain most closely to Popper's concerns.

Plato's Argument

It is not too strong to assert that the whole of *The Republic* is concerned with justice.⁹⁹ At the beginning of Book II, Glaucon and Socrates are debating whether justice is better than injustice in all ways. Glaucon believes that injustice is intrinsically better, and any extrinsic benefits come from appearing to be just, rather than actually being just.

⁹⁸ Karl Popper, *The Open Society and Its Enemies*, (Princeton University Press: Princeton, NJ, 1966), 89.

⁹⁹ All citations from *The Republic* are from the translation by G.M.A. Grube, revised by C.D.C. Reeve (Hackett: Indianapolis, IN, 1992).

Socrates, on the other hand, wants to argue that justice is intrinsically better, and there are extrinsic benefits that cannot be garnered without actually being just. Socrates' argument takes up the majority (if not the entirety) of the rest of the book. His strategy is as follows:

- 1) Discover what justice *is*.
- 2) Show how it is intrinsically better than injustice.
- 3) Show how it is extrinsically better than injustice.

For the purposes of this paper, we shall only concern ourselves with the first of these three projects. To that end, let us examine the methodology of this first project. In short, we should look for justice in the state first, since it will be easier to find there (as opposed to the individual). The idea is that it is easier to pick out something in a large setting rather than a small one. But in which state will we find justice? The ideal state will be a just state.

In order to find justice in the state, we must first look at the origin of the state. According to Socrates, a lack of self-sufficiency makes it in everyone's best interests to cooperate, and the state follows from this cooperation.¹⁰⁰ That is to say, there is a natural diversity of talent among people or, in other words, some people are better at some things than other things. So the carpenter may not be adept at growing food while the farmer cannot build a barn. If we think in terms of self-sufficiency, we will have (by and large) well-constructed barns with little in them, and bountiful harvests rotting in poorly constructed sheds. Even if this instance overstates the case, the point is that if the standard is self-sufficiency in all things, then persons will not be as well off as they could be, and thus such a state would not be ideal.

Given this brief synopsis of the early part of *The Republic*, let us now shift our attention, for time's sake, to some passages that Popper considers more problematic.

¹⁰⁰ Plato, *The Republic*, (369 b-370e).

First, there is the section from 419-427d. This section continues the discussion between Socrates and Adeimantus from Book III. Adeimantus raises the point that the guardians will likely be unhappy with all the restrictions placed on them (i.e., being unable to own property, have money beyond their keep). Socrates points out (420b-c) that he is attempting to fashion the happy city, not to necessarily make individuals happy. Guardians are made happy by different things than the rest of the members of the city. Socrates goes on to give other advantages of the city that is not interested in money--they will be able to fight more readily and will find it easier to gain allies (422b-422e). In 423a we find an interesting precursor to Book V. Socrates states that the only entity that deserves to be called a city is the one which he is setting forth. Other things called a "city" are in fact "cities", inasmuch as they contain at least two sections (the rich and the poor) that are at "war with each other".

In order to understand how this relates to Book V, we must briefly examine two aspects of the Forms. In 485b, Plato discusses the properties of the Forms. In particular, he asserts that Forms have the property of being immune to change, as opposed to sensibles that are constantly changing. As Nicholas White points out, this is not to be taken as asserting that the Form of X is unchanging in the sense that it never came to be X and never ceases to be X, but rather that it is X *timelessly*. Put in the language of the *Timaeus* (38a, page 1167 in the Hamilton/Cairns), it is not proper to say of the Form of X that it "was" or "will be", as these are expressions of time (which is an image of the eternal or, in other words, a sensible). It is only proper to say that the Form of X "is".

Another property Forms have is that of unity. Put another way, the Form of X is not a collection of "X's" but rather a single exemplar X (*Symposium* 211b).

So here in 423a Plato seems to be treating his city like a Form, after a fashion. This can be seen through his emphasis on the stability of the city, as well as the

aforementioned claim of unity. Now the city cannot actually be a Form (though there might well be a Form of City) as it is construed temporally, but the unity and stability of the city seems to be the prime reason for its goodness (and consequent justice). To see this, let us turn to the next section.

Glaucou Returns

427e-434d-- At 427e Glaucon enters the picture again. In the previous section Socrates has concluded that the city has been established satisfactorily. Glaucon notes that even if this is the case, we still must identify justice within it. Socrates points out that the if the city has been founded in the manner described to this point it is completely good--that is to say that it possesses the virtues of wisdom, courage, moderation and justice. By identifying what it is in the city that possesses wisdom, courage and moderation, Socrates believes that we can then identify justice as that which is left over. The rulers possess wisdom, which he takes to be knowledge of the city as a whole (428c-d). Courage lies in with the soldiers (auxiliaries)--it is keeping the law-inculcated belief about what is (and is not) to be feared (430b). Moderation spreads through the whole of the city--it is the agreement and unanimity between the ruler and the ruled about who should rule (431e-432a). What then, is justice? According to Socrates, it has been right in front of them all along (432e). Justice in the city is each person doing that for which they are naturally suited (434a). Thus, justice contains courage, wisdom, and moderation, yet is more than the sum of these three things.

Justice in the Individual

434e-441c--Socrates' project involves finding justice in the individual. The city was constructed as an heuristic device to further this investigation, as it is easier to identify justice in something larger than smaller (368e-369a). Socrates asserts that he is justified at reading the politics of the city into the soul since the city owes its virtues to the virtues

of the citizens (434d-435a). The purpose of this section is to show that the virtues of the soul have some parallel to the virtues of the city. The following argument should adequately demonstrate Socrates' thought here:

1. Conflict in the soul implies that different parts are in opposition to one another (436b-438a).
2. Desire (appetite) is opposed to the reasoning part of the soul (438a-439d).
3. There is a third distinct part of the soul--this is called spirit. (439e-441c)
4. From (1), (2), and (3), the parts of the soul are identical in number and function to the parts of the city. (441c)
5. Therefore virtue in the individual is structured in the same way as virtue in the city (441c-442d).¹⁰¹

So the just person is one in whom each part of the soul is fulfilling its role.

The City and the Soul

441c-444e--This section is given over to drawing out the similarities between the parts of the city and the parts of the soul. The rational part of the soul rules, while the spirited part obeys it and is its ally (441e). The former is analogous to the rulers, the latter to the auxiliaries. These parts combine to control the appetitive part of the soul, which is the largest (as in the city, where the producers take up the largest part). Moderation is found in each part operating as a unified, harmonious whole. It is important to note that justice in the individual is internal rather than external (443d), which is a notion that seems at odds with more current conceptions of justice. Injustice is vice (cowardice, ignorance, etc.) and occurs when the harmony of the soul is disrupted (when the appetites try to rule, for example) (444b).

445--Socrates now begins to turn his attention to the original challenge of Glaucon and Adeimantus; namely to show that justice by itself will benefit the just, not because of its

¹⁰¹This formulation is indebted to Nickolas Pappas, *Plato and the Republic* (London: Routledge Press, 1995), 83.

consequences (seek Book II). To show that justice is better than injustice, Socrates proposes to examine the different ways in which souls and cities can be unjust. However, he is sidetracked from this task in books V through VII. He doesn't finish his response to Glaucon & Adeimantus until book IX. Thus, let us now briefly turn our attention to Book V.

Book V: Summary

451c-471c--At its outset, Book V continues the virtue/vice discussion from the end of Book IV. However, Polemarchus and the others (Glaucon, Adeimantus, and the long-silent Thrasymachus) wish to discuss some of Socrates' more radical notions concerning the guardians--specifically the idea of holding wives and children in common. Socrates begins his discussion by positing the role of women. He opines that there well could be some women who are suitable to serve as guardians and thus should be trained in the same manner as men (452a). It is objected that this will require some ridiculous things, such as men and women exercising together. Socrates points out, though, that if something is really good, then it is not really ridiculous (452e). He considers further objections to his vision of the city--specifically the objection that since men and women are different in nature and, by his own admission, different natures should have different jobs, men and women shouldn't share jobs. He responds that not every difference in nature is applicable to the job one does. Women share by nature in every way of life as men do (455e). Some women have the nature of a guardian then, thus it isn't wrong to train them as guardians (456b). So it isn't really against nature to assign men and women the same tasks, and the city is not an impossibility on this account. These complaints constitute the first "wave" of criticism of his theory (457a-c). The second wave is made up of several objections to the idea of holding wives and children in common, and the ideas that parents should not know their children and vice versa (457c-e). Much

discussion follows this, and while it is most interesting, it is at best ancillary to our purposes. The upshot is that this system would be best for the city as men and women would be sharing tasks and doing that for which they are best suited (458a-466c). At 466d, the third “wave” of criticism begins. Specifically, we must ascertain whether this sort of community is possible among humans. What follows in Book V can be understood as a response to this third criticism, though it is the case that the full response lasts through Book VII. As it is, Socrates delays addressing this criticism until 471d. 471d-473c--Even at this point, Socrates hedges a bit. He points out (472b-e) that the original point of the entire discussion was not the possibility of such a city existing, but rather of finding out what justice was like in order to have a model. Note well: White points out that the word used for model (paradeigma) is the word Plato often uses when referring to Forms. This will perhaps help put the earlier discussion of 423a in sharper relief. In particular, it is unwarranted to assume that the city represents the Form of Justice. Socrates maintains that we can show the possibility of a thing if we are able to come as close as we can to approximating it. In other words, if the city as he has described it is a coherent goal, then he has demonstrated its possibility.

Philosophers

473d-474c--Here Socrates begins his actual response to the third “wave”. The city could be established if philosophers came to rule (or if a ruler became a philosopher). In other words, power in the city and philosophy are joined together. This may seem odd to many, but will be less so once we explain what we mean by philosophers--those who are naturally suited for philosophy and ruling. To put it in White’s terms, if a natural philosopher is allowed to pursue his natural end, he will tend to be a ruler. If a natural ruler is allowed to pursue his end, he will become a philosopher.

Divisions among Members of the City

The last part of Book V is quite dense. If we are to grasp what he has said in the preceding section, we must bear in mind that someone who is a lover of X is not someone who loves a certain type of X, but rather all X. As a philosopher is a lover of wisdom, then he or she loves all wisdom and learning rather than a type of wisdom or learning (474d-475b). Glaucon objects--this sort of thinking will include lovers of sights and sounds, i.e., the easily distracted, as philosophers/rulers. Socrates' response is complex--he begins by saying that the lovers of sights and sounds only act philosophers (475e). The true philosophers are those who love truth. He puts the distinction as follows--the lovers of sights and sounds love beautiful things (sensibles) while the philosopher loves beauty itself (the Form of Beauty). Someone who loves beautiful things but doesn't see (or rejects) the beautiful itself is like someone who is dreaming. They confuse the appearance (likeness) of a thing with the thing itself (476c). This person doesn't have knowledge, but opinion. *Knowledge is knowledge of the Forms*. This is attained by the person who believes in and can see the Beautiful as well as the things that participate in it without confusing the participants for the Thing itself. The key issue here, at least in terms of Popper, is that not every member of the city is able to be so discerning. This goes along with his earlier division between merchants and guardians.

There then follows, from 476d to 480a, further argumentation in response to Glaucon's claim that lovers of sights and sounds should be counted as philosophers. As White points out, the argument has two stages--the first running from 476d to 478e concentrates on demonstrating that knowledge and opinion have different objects. Here is the first part of the argument:

- P1) Knowledge has to do with what is (that is, the Forms).
P2) Ignorance has to do with what is not.
C1) Therefore, opinion has to do with that which is between that which is and that which is not.

In other words, sensible objects, or objects that can contain their contrary--that is to say objects that are an exemplar of X and non-X. An example would be an object that appears large in one context but small in another--there is also a closely related discussion of this distinction between Form and particular in the *Symposium* (210e-211b)).

Arguments regarding Form and Particular

The second part of the argument runs from 479a-480a and is designed to demonstrate that there is indeed something between what is and what is not. It goes like this:

- P3) The Form of X is always X.
P4) Beautiful objects are (or at least can be) also ugly, just things also unjust and so forth.
P5) Therefore, a particular X-thing is both X and non-X.
C2) Therefore, a particular thing both is and is not.
C3) Therefore, the form of X is the object of knowledge, while X-things are objects of opinion.

Thus, the distinction between the philosopher and non-philosopher is revealed. The import of this for justice is clear--Plato is not particularly concerned with whether the City as he has described it can be attained or not. The key is to find what is just for the individual. So it may well be the case that Popper's entire line of criticism is not actually against Plato (a fact which he does not seem to realize, given his constant *ad hominem* attacks) but rather against a legion of Platonic interpreters. At the very least, his complaints do not seem to support the charge that Plato's justice is totalitarian in itself, as we shall soon see.

Popper's Complaint

According to Popper, Plato's political philosophy is based on two principles:

A) Arrest all change (in this case, by making the city a copy of the Form).

B) Back to "nature" (in this case, a glorification of tribalism, which, on Popper's view, Plato found more stable because it respected the "natural" divisions between persons).¹⁰²

He believes that Plato derives five further principles from these two. First, there is the Principle of class division (as seen in the famous Myth of the Metals). Next, there is the idea that the "fate of the state = the "fate of the ruling class", as established by Plato's rules for unity and breeding of the guardians. Further, there is the requirement that the ruling class has a monopoly on military service (which will serve to keep the social order static by preventing revolution, on Popper's account) and is forbidden from making money or accumulating goods. Fourth, there is the censorship of the intellectual life of the ruling class (established so that nothing would come between them and the state-- which is also part of the aim of the second and third principle above). Last, there is the principle that the state should be economically self-sufficient (which may not be bad in and of itself, but is the final nail in the coffin, as it were, for Popper) in order that the state not become dependent on merchants or, worse, that the rulers become merchants (which would be unjust). Popper's claim is that, cumulatively, this set of 5 principles represents a totalitarian program.¹⁰³

Now part of Popper's motivation here is to "de-deify" Plato. Plato's work had not been subjected to intense philosophical scrutiny (in the negative sense of the term) until after the end of World War I. Many people who had come to disagree with Plato in matters of politics or metaphysics still believed that, at heart, Plato was a humanitarian. Popper wished to even criticize this view. To him, Plato was an intellectually dishonest

¹⁰² Popper, *The Open Society and Its Enemies*, 86.

¹⁰³ Popper, 87.

charlatan (indeed, in many ways Popper's attacks on Plato are somewhat reminiscent of the vitriol spewed by Schopenhauer against Hegel and his contemporaries. It should also be noted that Popper was no friend of Hegel--see *The Open Society and its Enemies*, Vol.2). He begins his sustained attack on Plato with, as mentioned earlier, a critique of his concept of justice. To that we now turn.

Popper begins with characteristic clarity. He wants to know what we mean when we use the term "justice". He identifies four possibilities (and one suspects that his own view of justice is a conjunction of these four):¹⁰⁴

- A) Equal distribution of the burdens of citizenship--that is freedom is equally limited.
- B) Equal treatment before the law, inasmuch as the law shows neither favor nor disfavor towards particular citizens or classes of citizens (and presumably this prohibition is extended to forbid cases of alleviating the results of past discrimination, e.g., affirmative action).
- C) Impartiality of the courts.
- D) An equal share in the advantages of citizenship.

I take his argument to be as follows:

P1) These sorts of things (1-4 above) are what we mean by justice (where "we" is understood as referring to contemporary democrats).

P2) Plato meant none of these things when he spoke of justice.

C1) Therefore, Platonic justice is not democratic.

P3) By justice, Plato meant "what is in the best interest of the state".

P4) Theories that stress the interest of the state over the interests of the individual are totalitarian.

C2) Therefore, Plato's theory of justice is totalitarian.¹⁰⁵

Note also, in textual support of P3, Popper reiterates his earlier point that it is in the best interest of the state to arrest all social change by having rigid class divisions. Indeed, Popper makes Plato sound quite Machiavellian.

¹⁰⁴ Ibid., 90-91.

¹⁰⁵ Popper, 91-92.

But is C2 really supported by what Plato has to say about the nature of justice? Plato believes that justice in the city is when each person does his own work (and thus by extension the just person is one whose soul has each of its parts doing its job and its job alone). Popper ignores the fact that Plato presents the extended analogy of the state to find justice in the individual. Rather, he seems to want to assert that Plato is setting forth a blueprint for a desirable society. If this is the case, then he believes that Platonic justice will indeed be satisfied only when the ruler rules, the worker works, and the slave slaves *in perpetuity*.

One traditional response to Popper's arguments is to claim that it is unfair to Plato to hold him to twentieth century conceptions of justice and individual rights, as he could hardly have been familiar with them. Indeed, should we expect Plato to take into account twentieth-century liberal democracy, that odd byproduct of the Enlightenment, when he is surveying candidate theories for justice early in *The Republic*? According to Popper, our expectations are irrelevant for Plato does indicate that he is aware of our modern conception of justice in the *Gorgias*. So if this is right, Plato is knows of justice as individualism and equalitarianism in the sense Popper pointed out earlier. In effect, then, Plato knowingly proposes a standard of justice that is contrary to what we believe and what he himself knew the popular conception to be. Further, he wished to use his influence to argue *against* democratic justice while convincing others that totalitarian justice was somehow better (thinking back to Popper's earlier claim, it is clear that he believes Plato thinks "more natural"="better"). More troubling, Plato's arguments against democratic justice are not even real arguments on Popper's view. He either ignores democratic justice completely or dismisses it with mocking, joking asides (a fact which might account for Popper's ugly tone in *The Open Society*).

As stated earlier, Plato pretends that he has given an exhaustive account of all types of justice and has found them lacking in some way. This, in turn, motivates the search that

takes up most of *The Republic*. Again, though, there is a strong suggestion of intellectual dishonesty if it is the case the Plato has ignored a possible candidate for justice. There is a similar case in the current literature involving Aristotle. Let us briefly turn our attention to this in order to illuminate the present case more fully.

The Discussion of Rights in Aristotle as Governmental Discourse

There has been a good deal of debate recently on the topic of what sense of “natural rights” is present in Aristotle’s *Politics* and the role that those rights play. The debate was touched off or, more properly, reignited, by the publication of Fred Miller’s *Nature, Justice, and Rights in Aristotle’s Politics* (hereafter *NJR*). In this work, Miller maintains that there is a sense in which Aristotle can be understood as asserting the existence of “natural rights” and, more controversially, that this conception of natural rights plays a large role in the *Politics*. Not surprisingly, there was much criticism of the latter part of his claim. I will begin by setting forth a brief history of the issue of ascribing natural rights to Aristotle. I then will examine some of the relevant passages in the *Politics*, after which I will set forth Miller’s view and his main line of argument in support of it. Next, I will communicate two criticisms, paying special attention to the justification for each. I will close by attempting a response on Miller’s behalf against Kraut and Cooper. It seems to be the case, though, that the response which can be made on behalf of Miller is not able to meet the criticisms raised by Kraut and Cooper. In that light, these criticisms can be seen to apply to Popper’s case as well.

A Bit of Background

In the late nineteenth and early twentieth century, many commentators on Aristotle ascribed “rights” locutions to Aristotle when presenting his political theory. That is to say, some commentators believed that Aristotle was concerned with individual rights,

which the state functioned to protect. There has been much disagreement over this sort of point, especially in the last 50 years or so. Some, including Karl Popper, have held that Aristotle's views were far too amenable to totalitarianism (if not totalitarian themselves) and thus inimical to the idea of rights (especially natural rights possessed by individuals). Others, including Alasdair MacIntyre, took a Hegelian tack in their criticism. In short, they adopted the Hegelian "principle of subjective freedom"¹⁰⁶ and argued from it to the conclusion that any ascription of "rights-talk" to Aristotle (or any classical Greek thinker for that matter) is misguided, as he could not have had a relevant conception of the individual. Miller is aware of these objections, and so is not interested in following the earlier commentators in their ascription of pre-political natural rights to Aristotle. He does believe that there is a way of understanding Aristotle that involves "natural rights", but in a somewhat different sense than that to which we are accustomed.

It seems prudent at this point to discuss what is commonly meant by "natural rights", as the phrase is being bandied about quite a bit. Miller and his critics agree that there are two senses of "natural rights"--which I will refer to as natural rights (a) and natural rights (b). In sense (a) rights are natural insofar as they are not conventional. To put it another way, they are based on natural justice rather than civil justice.¹⁰⁷ Now it is important to mention here that Aristotle makes the distinction between natural justice and civil justice within the confines of his discussion of political justice.¹⁰⁸ So in sense (a) rights are natural in their applicability. In sense (b), which is more in line with conceptions of

¹⁰⁶ Broadly speaking, this is the idea that the will of the individual working out for itself what is good for that individual is, in itself, valuable. Miller acknowledges this principle, but traces its origin to the Kantian distinction between persons and mere things.

¹⁰⁷ Fred Miller, *Nature, Justice and Rights in Aristotle's Politics* (Oxford: Oxford University Press, 1995), 88.

¹⁰⁸ *Ibid.*, 75. This distinction is made in the *Nicomachean Ethics*, which serves, in part, as a prologue to the *Politics*. At 7 1134b18-24 he states that the distinction is between natural justice and political justice, inasmuch as natural justice applies everywhere, even if it seems it should not. Something is legally just if it makes no difference originally whether it is done or not, but it has been codified by a society.

rights found in Hobbes, natural rights are those rights persons have simply in virtue of being persons, regardless of whether the state exists or not. They are pre-political, whereas natural rights (a) are post-political.

So the issue for Miller is whether Aristotle can be thought of as speaking of natural rights (a). The objections brought against this position by Kraut and Cooper both have their basis in the Hegelian criticism mentioned earlier. For Miller to demonstrate that Aristotle is speaking of natural rights (a), he will have to show that certain locutions Aristotle uses can be understood as referring to rights in this sense, as well as explain why it is not anachronistic to ascribe such connotations to Aristotle's views.

Miller on Aristotle and Natural Rights

Miller begins his argument by demonstrating a parallel between the locutions he claims Aristotle uses for "right" and the distinctions between types of rights made by the twentieth century legal scholar W.N. Hohfeld.¹⁰⁹ Briefly, Hohfeld maintained that the term "rights" was fraught with ambiguity--that it had different connotations. One traditional objection to talk of rights in Aristotle is that since the Greek language has no single term that is directly translatable as "right", and then the Greeks were not speaking of rights. So Miller's strategy is to examine the different senses of "right" established by Hohfeld (and widely accepted by most scholars) and see if those senses have parallels in Greek thought. Hohfeld identifies four types of "rights": Claim, Liberty, Authority, and Immunity.¹¹⁰ Claim-rights are the sorts of rights creditors have against debtors. The notion of claim-right in this context also includes that the debtor has a corresponding liability to the creditor. Liberty-rights are understood in the sense of a person's right to

¹⁰⁹ Fred Miller, Jr., "Aristotle and the Origins of Natural Rights" in *The Review of Metaphysics* (June 1996), 49 no. 4 873-908. See also: Miller, *Nature...*, 93-96.

¹¹⁰ Miller, *Nature...*, 94. Originally presented in W.N. Hohfeld, *Fundamental Legal Conceptions as Applied to Judicial Reasoning*.

consume his own property.¹¹¹ Authority rights are the rights by which a judge sentences an offender. Immunity rights are exemplified by a wife's immunity against being compelled to testify against her husband (she is immune against the compulsion, at least in a legal sense). It is important to bear in mind that Hohfeld presentation was originally an explication of legal rights, but has become accepted as an analysis of moral rights as well. Miller then claims that these senses of "right" are analogous to certain terms

found in the Greek language:

Claim-right	<i>to dikaion</i>
Liberty-right	<i>exousia</i>
Authority-right	<i>kurios</i>
Immunity-right	<i>akuros</i> ¹¹²

Now, if he is correct in this assertion, then he will have given a compelling reason to disregard the objection about the lack of a term for "right", but also given a fairly substantial basis for his main assertion--that we can speak of natural rights in Aristotle. It would take a great deal of space to set forth all the textual references, both in Aristotle and among his translators and commentators. Fortunately, a couple of examples should serve to make Miller's point clear.

Much of the work Miller does here concerns matters of translation. Not being familiar with the Greek language is a problem here, but one may still see whether the translations offered by Miller (which compare Aristotelian locutions for "right" to the distinctions contained within the English term "right" as delineated by Hohfeld) make any clear sense given the context of the reading. One of the most important rights locutions in Aristotle, according to Miller, is expressed by *to dikaion*, which translates literally as "the just thing".¹¹³ He construes this as pertaining to specific incidents of virtues of justice, or to identify what it is that justice requires. Consider the passage in the *Politics* at III 1

¹¹¹ Miller, "Aristotle...", 879.

¹¹² Miller, *Nature...*, 106.

¹¹³ Miller, *Nature...*, 97.

1275a7-14. This passage has to do with qualifications for citizenry. Miller translates part of the passage thusly: “...nor are those persons citizens who partake of just-claim rights to the extent of undergoing and bringing lawsuits, for this also belongs to those who have community as a result of treaties (for these [rights] also belong to those persons)”.¹¹⁴ Compare this with the translation of the same passage by William Ellis: “...nor will it be sufficient for this purpose [being called a citizen, my note] that you have the privilege of the laws and may plead or be impleaded, for this all those of different nations, between whom there is a mutual agreement for that purpose, are allowed.” So, on comparison, we see that the terms Ellis translates as “privileges” and, roughly, “what is allowed” correspond to what Miller translates as “just-claim right”¹¹⁵. When Miller makes this translation, he wishes to make clear that these sorts of rights have a relation to justice.

Now this may seem problematic. After all, rights and privileges seem to be two entirely different things. And if we are speaking of rights (b) as outlined above, then they are two different things. But if we are speaking of rights (a), as Miller claims Aristotle is, then the difference may not be so glaring. Miller believes that the most broad construal of “rights” involves “a claim of justice which an individual has against other members of a community”.¹¹⁶ The distinction between (a) and (b), of course, is whether those claims can be made on the basis of community membership or of one’s individuality. So if we can make clear what constitutes citizenship, then the comparison of privileges to rights (a) will be clearer still, which will also give additional plausibility to Miller’s thesis.

Basically, Aristotle considers a citizen to be one who has a right to share in the government or judiciary of a city.¹¹⁷ Now this is not a right (b), or something that a

¹¹⁴ Ibid., 98-99.

¹¹⁵ It is important to keep the Hohfeldian model in mind on this point.

¹¹⁶ Miller, “Aristotle...”, 879

¹¹⁷ Aristotle, *Politics* III 1 1275b 18-19. Translated by W. Ellis (Amherst, NY: Prometheus Books, 1986), 68.

citizen is entitled to, but rather a right (a), in the sense of something a citizen will do as a matter of course. In other words, the citizen will do these things inasmuch as he is a citizen. So the citizen has certain responsibilities that are not shared by other residents of the polis who are not citizens. But these responsibilities can, in a sense, be understood as privileges, especially as seen in light of the lot of non-citizens. Put another way, rights (a) are those sorts of rights that can only be fulfilled within the polis by citizens who are doing their part (i.e., fulfilling their responsibilities) within the polis. Now rights (a) are natural rights in this sense because, as stated earlier, they are based in natural justice which, in turn, can only be found in the polis.

This last claim becomes more clear when we examine the notion of natural justice more carefully. Before this is done, let me recap how I have presented Miller's position to this point. I began by pointing out that he claims a connection between the different senses of "right" set forth by Hohfeld and several locutions used by Aristotle. I then examined the connection between one such locution (*to dikaion*) and Hohfeld's claim-right, or as Miller puts it, just-claim right. I then related this discussion to the requirements of citizenship, so that a similarity could be shown between Miller's translation and that of another scholar (which demonstrates that his translation, while different, does seem to fit in the sense of what others have held Aristotle to be saying). In order to get at the relation of natural justice to Miller's thesis, we must turn to John Cooper's objection.

Cooper's objection

Miller points out that a theory of justice supports a notion of individual rights if it is the case that "each and every" person in the polis has moral standing and a claim to protection. John Cooper contests this claim, taking as the ground for his objection the

Hegelian “principle of subjective freedom” mentioned earlier.¹¹⁸ Briefly put, his point is that an ancient thinker such as Aristotle lacked the necessary conception of individuality to posit natural, individual rights. Thus he was unaware of the good that is the will of the individual working out what is good for that individual. Cooper goes on to qualify this objection, however. He states that while the Hegelian suggestion is the best way to account for the coming about of our modern notions of right, it is not the case that all notions of rights have to be such as our modern ones. That is to say, some theories justify rights on grounds other than those having to do with the good of the individual will.¹¹⁹ So we should be wary of making the Hegelian principle into some sort of sufficient condition for a theory of rights. In other words, we need to be careful not to build the Hegelian principle into our concept of rights *qua* rights. So we can, on Cooper’s account, conclude that Aristotle speaks of rights (or at least in the language of rights). However, given that we are not building this Hegelian notion into our theory of rights, it is not feasible, he says, to conclude that Aristotle is thinking of natural rights. So, on Cooper’s account, we cannot have a theory of natural rights without satisfying the principle of subjective freedom. Satisfying this principle requires that a thinker conceive of rights in an individualistic sense, which ancient thinkers did not do.

Miller holds that this objection is misguided. While he agrees that one need not build the principle of subjective freedom into one’s concept of rights, he also thinks that there is a way to think of members of a community as individuals without having to satisfy this stricture. Consider Aristotle’s statements in the *Politics* III 12 1282b16-18, “Since in every art and science the end aimed at is good, so particularly in this, which is the most excellent of all, the founding of civil society, the good wherein aimed at is justice; for it is

¹¹⁸ John Cooper, “Justice and Rights in Aristotle’s *Politics*”, *The Review of Metaphysics* (June 1996), 49 no. 4, 859-873.

¹¹⁹ Cooper, 865.

this which is the benefit of all.”¹²⁰ Miller takes this to mean that Aristotle is equating political justice with the common good or, in other words, the advantage of all.¹²¹ It then follows that justice is understood in an individualistic sense because Aristotle understands “common good” in an individualistic, as opposed to holistic, sense. A holistic theory would be one such as utilitarianism, where certain individuals could be sacrificed so that the good of the majority could be maintained. Whereas if one is looking from the individualistic standpoint, common advantage is best understood as mutual advantage.¹²² To put it another way, Aristotle’s idea, according to Miller, is that justice is when the advantage of each and every citizen of the polis is aimed for, rather than a common goal of the polis (as a collective entity). Consider Aristotle’s words at II 5.1264b15-24, where he is critiquing Plato:

“...though he deprives the citizens of happiness, he [Plato] says that the legislator ought to make all the citizens happy; but it is impossible that the whole city can be happy without all, or the greater or some part of it be happy. For happiness is not like numerical equality which arises from certain numbers when added together, although neither of them separately may contain it; for happiness cannot be thus added together, but must exist in every individual...”¹²³

What he is saying is that we do that which allows each person to flourish, e.g., be happy, to the fullest of his potential as an individual, while recognizing that flourishing consists in other-regarding (or, at a minimum, other non-excluding) activities. Now this sense of individuality is quite different from the modern conception, but that in itself is not a very meaningful objection. Aristotle simply had a different view of the role of the state and concept of an individual. Just as it seems misled (or unreasonable) to confine the concept of “rights” to the modern, it seems equally mistaken to do that with the concept “individual”. It is important, Miller points out, not to equivocate between “state” and

¹²⁰ Aristotle, 88.

¹²¹ Miller, “Aristotle...” 876.

¹²² Ibid., 876-77.

¹²³ Aristotle, 37.

“polis”; as the state is merely one aspect of modern society, where for Aristotle the polis was society.¹²⁴ So Miller has demonstrated a sense of “individual” which is amenable to talk of natural rights and based upon a principle of natural justice; but yet is not bound to satisfy the principle of subjective freedom. Let us now turn to another objection against Miller’s thesis.

Kraut’s objection

Richard Kraut’s objection is similar to Cooper’s, yet he is willing to concede the point about individual rights in order to make another, more telling, complaint. I think his objection goes something like this:

- P1) Miller claims that Aristotle possesses some concept of right and assigns it a central place in his political philosophy.
- P2) It is not at all certain that Aristotle possesses some concept of rights.
- P3) Even if Aristotle does possess some concept of “rights”, he does not assign it an important place in his political philosophy.
- C) Therefore, Miller is mistaken in at least part of what he claims.

Kraut is willing to allow that Aristotle could well have conceived of rights in the manner which Miller claims.¹²⁵ Kraut’s reasoning is somewhat different, in that he wishes to think that there is some sense in which natural rights in Aristotle could be pre-political as well as post-political. His argument for this, which depends upon his conception of the beginnings of the polis, is interesting but ancillary to his main objection.

Kraut believes the problem lies in Miller’s construal of political rights. His assertion, in effect, is that we have no good reason to think that natural justice is a basis of a right to participate in the affairs of the polis. He offers the following example: Suppose we are

¹²⁴Miller, “Aristotle...”. 877.

¹²⁵Richard Kraut, “Are There Natural Rights in Aristotle?” *The Review of Metaphysics* (June 1996) 49 no. 4, 755-775.

having a banquet and are deciding who to invite as a speaker. Since being chosen as speaker is a privilege, we want to select those who deserve such an honor. Kraut's point is that there will be many qualified candidates, but none of them has a right to be invited to be the speaker at the banquet. The analogy with Aristotle's views on rights of participation seems clear enough--Aristotle holds that deciding who should rule is dependent on who is best qualified, and that is dependent on identifying qualities most relevant to political life. Political office is a privilege, like a speaking position, and should only be given to one who deserves it. Now certain persons do deserve to rule, according to Aristotle, and it is naturally just that they be given those positions. But just as the speaker, while deserving, does not have the *right* to speak at the banquet, neither does it follow that someone who deserves to rule has the *right* to do so--at least not derived from any natural sense of rights.

This is quite a thorny objection, but it is not necessarily insurmountable. There is much to say about the notion of desert, and the role it plays for Aristotle, but for present purposes we must simply recall Aristotle's notion of the polis as a "community cooperating for mutual advantage".¹²⁶ Consider Aristotle's words at III 9.1280b40-1281: "...but a city is a society of people joining together with their families and their children to live agreeably for the sake of having their lives as happy and as independent as possible...".¹²⁷ It then follows that those who contribute more to this principle are contributing more to the polis than those who contribute less. And, as has been touched upon earlier, Aristotle holds that the just distribution of political offices depends on what one gives to the community--in the sense of how much one helps the community realize its end, as expressed in the previous quotation.¹²⁸ So Kraut's objection seems to be

¹²⁶ Miller, "Aristotle...", 880-882.

¹²⁷ Ellis, 83.

¹²⁸ Miller here references *Politics* III 12 1283a1-3. I would also suggest the discussion at II 2 1261a-b.

robbed of much of its force, as there is a sense in which natural rights follow from desert, though this is not the only thing from which they follow.

Conclusions about Aristotle

I believe that Miller has presented his case in a somewhat flawed manner. His thesis that one can speak of natural rights in Aristotle seems well supported if one is willing to accept certain qualifications on certain notions, as I have outlined. There seems to be no overwhelmingly strong reason presented as yet to accept these qualifications. Even if we grant that a stronger case must be made than Cooper or Kraut are willing to make in regard to the role the principle of subjective freedom must play in the concept of rights in order to defeat Miller's point, it is nonetheless the case that his answer of their charges is less than satisfactory. It seems as though the same will hold true of Popper as well. And the same goes for his qualifications on "Individuality" and "natural justice". Perhaps good reasons may be found in the Greek for not construing these terms as Miller has done, but his interpretation seems to make sense, as well as agree with other translations of the *Politics*.

After all has been said and done a question may remain as to whether any of this is of any real import. I think it is for two reasons. First, if we are able to trace back the history of the notion of rights, then we will be able to gain a clearer understanding of what they are. This could well prove useful in our current national situation in which we find several conflicting senses of rights reflected in many pieces of proposed legislation. Perhaps some of this conflict may be ameliorated if we are able to trace the roots of these notions to see which have a common ancestor and which are superfluous offshoots. Our modern notion of rights, the (b) sense referred to in this paper, did not spring into being *ex nihilo* in the time of Ockham and his immediate predecessors. So if we wish to make sense of our modern notion, we must be able to identify from whence it comes. And this

idea that Miller puts forth helps spread some light in that area. Next, when one considers how few truly great philosophers there have been (Plato/Socrates, Aristotle, Descartes, Hume, and Kant would comprise my list--the content of the list as a whole does not matter, merely if one is willing to agree that Aristotle belongs on it) it would seem imperative to continue to study their views and take them seriously. Now that pronouncement may seem trivial, but the thought behind it is that since we certainly have not settled many of these issues which Aristotle addressed his views should either be seen as a challenge to or evidence for our beliefs. And when these beliefs involve something as vital and personal as the relation of the state to the individual, it seems clear that any new understanding of Aristotle is welcome, even if only to spark debate. I have tried to show that Miller's insights into natural rights (a) in Aristotle seem to be unable to withstand the criticisms levied against them by Cooper and Kraut. Now this is not to say that he has failed in his quest--rather it is an indication of the need for a closer examination of his, and by extension Aristotle's, claims.

Plato, Popper and Justice--Some Considerations

Returning to the discussion regarding Popper, let us make a few suggestions in defense of Plato and then show the parallel with the discussion surrounding Aristotle:

- A) Popper has misread the *Gorgias*. In effect, he has transferred his conception of democratic justice onto a conceptual framework that will not support it and that was never intended to do so.
- B) Popper and others have confused a hypothetical exercise with an actual blueprint.
- C) Popper has not allowed that Platonic justice could be construed in such a way to meet one of his meanings.

The first of these suggestions has real possibilities. However, pursuing it would require an intensive study of the original Greek both of the *Gorgias* and *The Republic*, as

well as research into the history, anthropology, and sociology of Platonic times. Such a project is beyond the scope of this project, but it is nonetheless compelling and, to my knowledge, is underrepresented in the well-known literature on this topic.

The third option has certain possibilities as well, but full development is again beyond the scope of this paper. The second alternative, however, lends itself to at least a bit of development within a short space.

It does seem that Popper has missed something with his objection. Suppose justice isn't only concerned with relations between the state and the individual (indeed, on Popper's account justice seems to be merely a matter of the relation of the state *to* the individual rather than involving any reciprocity) but is rather, and perhaps primarily, a matter of relations between individuals. It even could be that justice is a matter of the individual ordering his intentions in a certain manner (and, in point of fact, this seems to be what Plato has in mind). So *The Republic* becomes an extended argument from analogy concerned with locating justice in the individual rather than the state. It appears, then, that Popper's statist interpretation of Plato is not the only candidate. Surely Popper was aware of this alternative interpretation of Plato on this point. Yet it is very curious that he does not address it, even though by not doing so he runs a great risk of his own interpretation of Plato being reduced to little more than a straw man argument backed by a collection of *ad hominem* attacks. The great irony here is that Popper seems to be guilty of the same sort of intellectual charlatanry of which he accuses Plato--not taking a viable option seriously in order to buttress his own agenda.

It also seems at this point that the parallel between Popper/Plato and Miller/Aristotle becomes clear. The second suggestion outlined above owes much to Kraut's, and to a lesser extent Cooper's, objection to Miller. To wit:

1. Miller claims that Aristotle possesses some concept of rights and assigns it a central place in his political philosophy.

2. It is not at all certain that Aristotle possesses some concept of rights.
3. Even if Aristotle does possess some concept of “rights”, he does not assign it an important place in his political philosophy.
4. Therefore, Miller is mistaken in at least part of what he claims.

Now consider the following:

P1) Popper claims that Plato possesses a modern conception of justice and ignores it in order to further his own totalitarian conception.

P2) It is debatable whether Plato’s conception is intended to be a guide for an actually existing society.

P3) Popper ignores the possibility of P2

C1) Therefore, Popper’s original claim is suspect on the same grounds on which he criticizes Plato--ignoring the possibility of another reasonable explanation.

Put another way, the question that is at issue is the following: Does Plato intend *The Republic* to provide a blueprint for an actually existent city that would be ideally just or does he intend it to be a representation of justice in the individual simply writ large?¹²⁹ Popper is committed to answering “yes” to the first part of the question and *ignoring* the second part of the question *altogether*. The force of this point does not require that the disjunct be exclusive. It could well be (and likely is) the case that there is a role for “justice” in relations between the state and the individual and among individuals themselves as well as in the internal state of the individual himself--to speak Platonically, in his *soul* or, in a more modern vernacular, in his *intentions*. However, this admission does not remove the fact that Popper is extraordinarily weak at the following point: For his charge of totalitarianism to work and have the force he wishes, he must ignore the disjunction mentioned above. And, as I have endeavored to show, this is what he cannot do on pain of falling to the same sort of charge he raises against Plato.

¹²⁹ This seems to accord more with what Plato stated he had in mind. Now Popper would likely disagree, but his disagreement can hardly be based on the idea that Plato is a totalitarian, since that is what he is attempting to prove.

Madness and Civilization

In this section I hope to show that Foucault's discussion of the asylum in *Madness and Civilization* constitutes a disclosure of the power relations used by bourgeois society to produce order and control. I will set forth Foucault's elucidation of the early forms of the asylum as exemplified by Tuke (who was associated with the Quakers) and Pinel (famous for his liberation of the mad from prisons). I will also interpret his examination of the role of the doctor/psychiatrist in the life of the asylum, particularly as he is involved in "curing" a madman. In doing this, I hope to make clear the relation between the asylum and the aforementioned theme of power and control. In *Madness and Civilization*, Foucault is trying to get across what it *is* about madness that leads civilization to view it as a threat by explicating the manner with which madness has been dealt historically-- a process that culminates in the symbol of the asylum.

Tuke and the Asylum as Liberation

The ostensible purpose of the asylum was to "liberate" the mad from the prisons/physical confinements to which they had heretofore been subjected. Foucault questions whether this constitutes a true liberation or not. It seems not, inasmuch as the asylums substitute a mental incarceration (through the use of guilt and fear mediated by religion) for the previous physical one. In Tuke's case, the asylum was associated with the Quakers and provided a place for the mad where they might be segregated from the ill effects that prison had upon their character.¹³⁰ Foucault points out that this segregation was moral or religious in nature, inasmuch as religion served as both custom and rule.

¹³⁰Michel Foucault, *Madness and Civilization* (1965; reprint 1988: Vintage Books, New York), p. 243.

Put another way, religion still held some sway over a goodly portion of the mad, as it had been inculcated in them through its societal omnipresence and since its principles served as a form of constant coercion.¹³¹ In this way the force of religious belief is presented as a threat, held over the mad so that they might be kept in a state of “perpetual anxiety, ceaselessly threatened by Law and Transgression”.¹³² So in Tuke’s asylum fear is the key to understanding the relation between reason and unreason. But it is not fear as it has been established before, where reason isolated unreason in fear of the effect it might have. Rather, it is now unreason that is placed in a fearful, submissive posture to reason by the virtue of the fact that they are linked by this fear of “Law and Transgression”.

The role of guilt is crucial in Tuke’s asylum as well. For not only does the “ceaseless anxiety” to which the madman is subject serve to make him fear what he might do, it also places the guilt for his situation squarely on his own shoulders. He is not guilty of being mad, but rather guilty of the effects his madness has on society.¹³³ So fear and guilt become mental bludgeons in the hands of the asylum keepers which they used to remove the threat that madness represented.

If all this is the case, it becomes clear that we must follow Foucault’s lead and re-evaluate what Tuke’s work really means. While the asylum did physically liberate the mad from prisons, and thus freed him from physical confinement, it substituted a far harsher and more insidious punishment. To be sure, it no longer held the madman guilty of his madness and punished him accordingly. Rather, it punished him with his own guilt; punished him mentally and emotionally as opposed to physically; set into motion

¹³¹Ibid., 244.

¹³²Ibid., 245.

¹³³Foucault, *Madness and Civilization*, 246.

and facilitated the madman's punishment of himself by *organizing his guilt*. Through guilt the madman became an object of punishment to himself, and through this recognition of his self as an object was returned to awareness of his subjectivity. That is to say, the madman began to recognize that it was he *as a person* who was guilty of madness. This awareness is inextricably tied up with, and reinforced by, the notion of work, a very important notion to the Quakers according to Foucault.

The importance of work cannot be overstated either. Work is a form of moral treatment for the affliction of madness.¹³⁴ Work of the sort prescribed in the asylum required a certain attention to detail, a certain regularity-- in other words a certain pattern of behavior that requires responsibility and discourages liberty of thought (or, put another way, madness). However, the work in the asylum was non-productive in nature. It was work as moral censure; work for the sake of work, not for the sake of producing any particular *thing*, except submission of the liberty of the will. This seems paradoxical. On the one hand, work is important or valuable to the Quaker because of what it produces (because God blesses the diligent with prosperity). On the other, the work that the mad must do, the work that rehabilitates them; that makes them back into productive, reasonable members of society *is itself unproductive*.

These notions of anxiety, fear, guilt, and work all seem to imply the idea of Judgment.¹³⁵ And what is judged? As we have seen, the madman constantly judges himself internally. More important for Foucault is the external sense of judgment. As he says, "Madness is only responsible for that part of itself which is visible".¹³⁶ In other

¹³⁴Ibid., 247.

¹³⁵Foucault, *Madness and Civilization*, 250.

¹³⁶Ibid., 250.

words, if one does not appear mad (if one's actions are not judged mad or if they do not violate the moral/societal order) then one is not mad. The character of madness seems to change due to the structure of the asylum. Madness is decided by the observer, the watcher, the third party. Or, to put it in other terms, by a Father figure.¹³⁷ This leads to the last important feature of Tuke's asylum--the notion of family.

If madness is judged by a Father figure, then it is cast in the role of a child.¹³⁸ Indeed, in the organization of his asylum Tuke strove to recreate the family structure through symbols and signs that represented the family (such as the commonly held series of "tea parties") and simulated the care that the family traditionally provided.¹³⁹ This was done in order to perpetuate the idea of madness as childhood and the mad as physically overdeveloped minors. The madman could be treated as a child with reason as his Father. Again, unreason is placed into a submissive posture, one in which madness is seen as a child mounting an attack against the Father. Thus, the asylum became a place where a comfortable fiction was established and adapted while it itself became more maladapted and isolated in a sense. To wit, it perpetuated a fiction that was no longer reflective of anything in the actual world, the very world which it was attempting to enable the mad to re-enter.

¹³⁷Ibid., 254.

¹³⁸Ibid., 252.

¹³⁹It goes without saying, of course, that none of the care and concern normally present in the family was not present in the simulation, especially given what has been said concerning the nature of judgment and observation to this point. See p. 249.

Pinel and the Asylum as Punishment

Pinel's asylum differed from Tuke's in some respects but had a certain similarity overall. The relation between madness and reason was cast in moral terms, but not necessarily based on religious principles. Foucault put it thus; "The asylum is a religious domain without religion, a domain of pure morality..."¹⁴⁰ This appears to mean that in Pinel's case religion, i.e., religious feeling is treated as a medical object. More particularly, in some cases it might be beneficial to advance religious beliefs in order to treat madness. In others, it might be necessary to alter the nature of these thoughts lest they lead to further mania. This alteration takes the form of an ontological limitation of religion.¹⁴¹ By this I mean that the moral content of religion, particularly the Catholic religion, was divorced from what Foucault calls its "iconographic content" and applied as a standard. This moral content Foucault identifies as "...the moral power of consolation, of confidence, and a docile fidelity to nature."¹⁴² Certainly there is also present in religion's moral content strong senses of guilt and sin; sin into which we humans are born and have no power from which to remove ourselves. The goal of this sort of use of religion is to establish a certain norm, i.e. sinfulness, to which the patient is identified. So Pinel's asylum is a place where a certain moral uniformity, based in limited religion, is instilled. But how is this done; and for what end?

On one level, this moral homogeneity is seen as a device of control. That is, by eliminating difference one eliminates those distinguishing characteristics of madness. But if this is the case, then a deeper purpose emerges. Specifically, the asylum functions to

¹⁴⁰Foucault, *Madness and Civilization*, 257.

¹⁴¹Ibid., 256-7.

¹⁴²Foucault, *Madness and Civilization*, 257.

protect the existing social and moral order from the radical freedom represented by madness.¹⁴³ Its reason for being is to segregate the mad, not for religious reasons as in Tuke's case, but for social ones; to "...guarantee bourgeois morality a universality of fact and permit it to be imposed as a law upon all forms of insanity."¹⁴⁴ Insanity and madness then become a failure to conform to certain societal standards. It seems, then, that in both cases the end of the asylum is to guarantee conformity. If some inmate refuses to accept this then the asylum becomes a prison yet again. In particular, those who disobeyed due to religious fanaticism, who resisted work, and who indulged in theft were separated from the rest of the asylum population. According to Foucault, these represent unforgivable transgressions against the essential values of the bourgeois morality.¹⁴⁵ Some of the mad could be rehabilitated insofar as the values of work could be reinstalled within them. These three sorts are beyond help, even beyond concern. Thus confinement of these persons, making sure that they could never infect others in society, represents a very real reason for the existence of Pinel's asylum.

Foucault identifies three organizing principles designed to bring about this end in Pinel's case. These are: Silence, Recognition by Mirror, and Perpetual Judgment.¹⁴⁶ These appear somewhat parallel in purpose and intent to Tuke's methodology. Silence represents the unwillingness of reason to dialogue with (or even listen to) unreason. In a very real way, reason makes unreason submit by ignoring it (much in the same way that a

¹⁴³ And here we begin to see what it is about madness that leads civilization to see it as a threat--the fact that it represents this radical freedom which could lead to the overthrow of that civilization (inasmuch as it goes against the values, i.e., labor, work, sameness, that define the civilization as such).

¹⁴⁴ Ibid., 259.

¹⁴⁵ Foucault, *Madness and Civilization*, 268.

¹⁴⁶ Ibid., 260-265. Foucault identifies a fourth factor, that of the medical personage. This is important, but we shall deal with it separately.

parent indicates disapproval of an older child's actions by ignoring his or her words). Recognition by Mirror occupies two phases. First, the madman is made to recognize madness in others.¹⁴⁷ Once the idea of madness in others has been accepted, that is to say once the madman possesses the concept of madness, then the Mirror (metaphorically speaking) comes into play. The keeper then shows the madman that the madness he recognized in others lies in himself as well. So, for Pinel, madness was an arrogant impulse from within the individual that could only begin to be resolved when identified by the madman himself. Foucault points out that this identification through the Mirror is in reality a call for the madman to continually evaluate (that is to say judge) himself. This is the notion of Perpetual Judgment.¹⁴⁸ Here the similarity to Tuke is at its greatest; when Pinel effects "an invisible tribunal in permanent session".¹⁴⁹ The asylum implants the image of judge, jury, and executioner in the mind of the madman. More than this, though, the inmate becomes doubly judged and punished: Once by his own self, a perpetual mental judgment, with its concomitant guilt and fear, and next by the asylum keepers, who used therapies in a disciplinary manner. For example, the bath or shower was seen classically as a therapeutic device for the distressed, inasmuch as it was relaxing. In the hands of Pinel, it became a juridical device designed for transgressors.¹⁵⁰ It is a physical punishment, to be sure, but it was designed to continue on as a mental punishment, to be a constant source of terror for the madman.

In a certain way, then, the healing that took place in the asylum is not a cure in the traditional sense. Consider what we mean when we say that someone has been cured, or

¹⁴⁷See the example of the three inmates who all claimed to be Louis XVI.

¹⁴⁸*Ibid.*, 265.

¹⁴⁹Foucault, *Madness and Civilization*, 265.

¹⁵⁰For an example of this, read the paragraph from Pinel's own hand on 267.

healed, of cancer. We mean that the disease has been eradicated; that it is no longer present. But this is not at all what happens in the asylum (in either Pinel or Tuke's case, I would venture to say). Madness is not eradicated or removed; rather it is brought to the forefront of the consciousness in order to be seen by the madman as his shame and disgrace. This shame and disgrace is instilled in the conscience like a policeman so that the "cure" might hold. For if the madman was to lose this sense of guilt and shame, he would return to his mad ways. It is the constant and inescapable awareness of the presence of these feelings (which is the essence of perpetual judgment) that constitutes the "cure" of madness. This leads us to the next issue.

Stages of the Cure: From Tuke and Pinel to Freud

According to Foucault, the physician had played no real role in confinement prior to Tuke and Pinel.¹⁵¹ Now the doctor, venerated more and more as having privileged access to the source of true knowledge (which is science), becomes the ultimate arbiter of who is mad and who is not. In other words, the power over who will be and who will not be a part of society lies with the doctor. The end result, of course, is that the certainty attached to science (and the judgments of men of science) provides a far firmer justification for the oppression and mental terror inflicted upon the mad than had been available before. In effect, Tuke and Pinel had introduced a scientific personality to the asylum, which is a different thing than science itself.¹⁵² The personality of the physician has recourse to the tools of the asylum and utilizes these to effect a cure that appears

¹⁵¹ In point of fact, Foucault claimed that Pinel was responsible for instituting the positivistic element into the asylum (269). This coincides with the growing spirit of positivism in medicine in the early-to-mid nineteenth century.

¹⁵² Foucault, *The History of Sexuality*, 276.

magical, thus becoming a thaumaturge to the patient.¹⁵³ The cure that the physician brings about is not the result of some new knowledge or breakthrough, but rather the skillful manipulation of the moral strictures introduced by Tuke and Pinel. As Foucault puts it, “What we call psychiatric practice is a certain moral tactic contemporary with the end of the eighteenth century, preserved in the rites of the asylum (*which, as we have seen, are ahistorical--A.N.*) and overlaid with the myths of positivism.” In a related vein, consider the words of Althusser, written after he himself had been released from a mental institution, “...the realm of ‘psychiatric expertise’...the world of people...who often appear sure of themselves in an attempt to overcome their own feelings of uncertainty, their anguish even, and (who) project on others their inner distress.”¹⁵⁴

Foucault is quite interested in the role psychoanalysis plays in the overall picture of madness. On the one hand, he thinks that Freud “demystified” the structures of the asylum *qua* structures (i.e. Silence, Observation, Recognition by Mirror) by accepting the idea of a patient-doctor couple. But through this acceptance he further mystified the doctor, making him ever more wizard-like in his abilities. And since the abilities of the doctor, here seen as the psychoanalyst, consisted in simply using those old structures under a new positivistic cover it does not seem as though Freud has actually solved anything. He has simply transferred the structures of power, terror, and oppression from the institution of the asylum to the personage of the doctor.

Some might well grant the criticism of Freud that Foucault presents here, especially since psychoanalysis is no longer in vogue in contemporary western psychology. But that qualification also represents a challenge to Foucault, as the implication is that the

¹⁵³A thaumaturge is a miracle-worker or wizard. Also, see 275.

¹⁵⁴Louis Althusser, *The Future Lasts Forever* (New York: The New Press, 1992), 26.

points he has made concerning the treatment of the mad have lost their relevance as well. That is, given the current reliance that psychology places on chemicals and drugs to alleviate the symptoms of madness, it may not be the case that a critique of psychoanalysis carries much weight. I think that there are at least two points that could be raised in reply to such a claim.

First, it is important to remember that Foucault was critiquing the pretensions of medicine inasmuch as its practitioners were claiming increased authority for their predictive ability based on the increased positivism of their methodology. That is, he was critiquing psychoanalysis in its claim to be a new and different (and therefore more advanced) form of treatment. The point of his critiques was that while psychoanalysis set aside some of the problems of the asylum; it set them aside merely to place them on the personage of the doctor. It does not seem that current psychiatry, with its emphasis on drug-based therapy, would be immune from such a criticism either. Much of Foucault's work was based on the idea that there were hidden power relations that society used to control its members. He found these relations in places where no one else had expected them to exist, such as in the notion that Pinel and Tuke were not actually liberators of the mad but agents of homogenization. The point is that he was willing to examine the presuppositions of claims that others were willing to take for granted. Modern psychiatry is not exempt from making claims and there seems to be no *prima facie* reason to further exempt those claims from analysis.

Second, even if we grant the objection and say that Foucault's claims are only of historical interest in regard to psychoanalytic practice (which supposes that since psychoanalysis is out of vogue it is defective in some way) it still seems to be the case

that the objection loses sight of Foucault's larger project, both in *Madness and Civilization* and overall. Thus, this sort of criticism does nothing to blunt the force of the idea that there are certain hidden power relations present in the way madness is dealt with, either historically or in the present day and that these power relations are hidden by an insistence on thinking in terms of *oeuvre* or of objectifying madness.

Some Observations

In this part of the chapter, I have attempted to make clear the connection between the asylum and the hidden relations of power implicit in the way bourgeois society deals with madness. Madness, at least in some of its forms, represents a freedom that threatens to undermine the foundation of bourgeois society, a society that came into existence at the birth of capitalism. When capitalism was born, attitudes towards the mad changed. No longer were the mad seen as harmless or non-threatening, as in the Middle Ages. Instead, madness came to be seen as akin to leprosy, or as some sort of criminal shortcoming. Pinel and Tuke were seen as liberators when they removed the mad from the prisons and provided a separate place for them. But rather than liberation, the asylum represents a different form of domination. It took on the symbols of society and family, but like all symbols, was merely an empty representation of those things. The "cure" offered by the asylum did not eliminate madness, but rather subsumed it through fear of Law and Transgression. Modern psychiatry, in terms of psychoanalysis and later methodologies, utilizes these same tools from the asylum with an added positivistic gloss. There is nothing ideal or praiseworthy about madness, to be sure. Yet, if Foucault is correct, there

is little praiseworthy about the way civilization has treated it in the recent past or about its motives for doing so.

It seems, then, is that Foucault was thinking in terms of the governmental and power when he examined the asylum and its administration (and in the larger picture the administration of madness). At one point in the mid 1970's was looking back over his earlier work he indicated that the reason his earlier analysis were less than satisfying is because they were talking about power without making use of the concept of power. In other words, these analysis were hinting at what he would later identify. The point was not to expose some truth about madness or psychiatry, but rather to disclose the productive and constraining notions of power that made possible the creation of the asylum at a certain time and place; the relationship between doctor and patient; and the effects of this creation and relation to the present time and place.

The next chapter will examine the influence of the thought of Machiavelli on Foucault's conception of governmentality as well as how the governmental is expressed in some modern understandings of Machiavelli.

Chapter 2: Machiavelli and the Government of the State

Niccolo Machiavelli. The very name brings to mind ideas of intrigue, of malfeasance, of duplicity. Indeed, an important part of the present chapter is a study of the manner in which the philosopher's name, and concomitant reputation, oftentimes predisposes the response of the reader to the philosophy—a phenomenon which will not be unfamiliar to those who have studied Foucault.¹⁵⁵ Yet there is something more there, something that makes his work *The Prince* stand out across time, something that makes a work detailing a history of struggles between kings and princes long consigned to the dust seem *immediate* and *vital*. Perhaps it is the sneaking sensation that Machiavelli was able to put his finger on something about human nature that we wish to deny; something that has not changed much across 500 years.

At any rate, it is enough to point to Machiavelli as being present at the beginning of a system of thought that could be termed “Modern”. By this, I mean to say that his stated focus was on the immediate, the here and now, the human. His goal was not that of Aquinas, or certain of the other Scholastic thinkers, to detail how the government of the state should reflect God's government of earth. Rather, he sought to find some way of preserving the relationship of the Prince to the people/area that the Prince dominates.¹⁵⁶ As he put it: “It seems to me better to represent things as they are in actual truth, rather

¹⁵⁵ This is illustrated by the way Foucault is thought of in popular culture as the “gay” philosopher or the “sado-masochistic” philosopher. In much the same way both Heidegger and Nietzsche are “Nazi” philosophers and so on.

¹⁵⁶ Michel Foucault, *Security, Territory and Population: Lectures at the College de France 1977-78*, trans. Graham Burchell (Palgrave Macmillan: New York, 2007), 243.

than as they are imagined".¹⁵⁷ As such, his thoughts on political power as recorded in *The Prince* seem to be an appropriate place to start a longer reflection on the role his thought played as a precursor to governmentality. It is crucial that one understands at this point that Foucault did not find the notion of governmentality within Machiavelli's writing.¹⁵⁸ The point of this chapter is to show the manner in which Machiavelli's thought on political power prepared the way, if you will, for governmentality. The focus in the first part of the chapter will thus of necessity be more on Machiavelli and certain of his interlocutors than on Foucault.

I shall begin by identifying three main sections of The Prince where power (again, it should be made clear that Machiavelli is speaking in terms of political power, as opposed to Foucault's more broad conception) appears to be the predominant theme. Through an exegesis of certain passages contained within these three sections, I hope to provide an indication of Machiavelli's discourse about power. Chapter XXVI is quite important in understanding Machiavelli's claims about the relation of power and love. I shall take note of and address some contemporary commentary on these points as they relate to the larger theme of governmentality. As part of this process, I will address the theme of governmentality by discussing Foucault's thought on Machiavelli. I will close the chapter by discussing the notion brought up at the beginning of the chapter as to the role the author plays in his or her text, or in the reception of his or her text.

An understanding of Machiavelli as he would want to be understood, as a purely political thinker, is not uncontroversial, either in the centuries immediately after

¹⁵⁷Niccolo Machiavelli, 'Dedicatory Letter', *The Prince*, as quoted by Louis Althusser, *Machiavelli and Us* (London: Verso Books, 1999), 7.

¹⁵⁸ Michel Foucault, "The Political Technology of Individuals" in *Power: The Essential Works of Michel Foucault 1954-1984, Vol. 3* (New York: The New Press, 2000), 407.

Machiavelli's death or in the present day. Historically, even those thinkers who disagreed with Machiavelli's political philosophy couched their disagreement in terms of moral censure. Speaking in terms of the present day, the issue is not so much that many people have spoken out against such an interpretation as much as that such a view goes against the received wisdom regarding Machiavelli—a received wisdom deeply colored by, and one might even say expressing a continuity with, the historical criticisms.

Contemporaneously, for example, one might think of Leo Strauss in this regard, considering his polemic against Machiavelli's character found in his *Thoughts on Machiavelli*. However, the purpose of the current chapter does not lie in evaluating Machiavelli from an explicitly moral perspective. That said, it may be the case that, as Foucault claimed, there is no ultimate distinction between the political and the ethical, so that in analyzing one, we are subject to an influence from the other.¹⁵⁹ As such, a more profitable, and typical, expression of contemporary disapproval of Machiavelli may be found in Louis Althusser's *Machiavelli and Us*, where he takes power to be best explained in terms of fear. I hope to show that looking at Machiavelli in this manner is not as well supported by the text as Althusser takes it to be. In fact, it appears that Machiavelli has two different discourses of power in *The Prince*. The first, which I shall term the “practical” account, takes up the majority of the work. The second, the “absolute” account is hinted at in Chapter XXI and elaborated on in Chapter XXVI.

In both accounts of power, Machiavelli uses the language of intimate relationships to typify the relationship between prince and subject. It may seem odd to think of Machiavelli's conception of power in terms that seem as disparate (at least on their face)

¹⁵⁹ Michel Foucault, “Politics and Ethics: An Interview” in *The Foucault Reader* (New York: Pantheon Books, 1984), 374.

as *love* and *obedience*. However, it may be that if these are indeed legitimate ways to express his concept(s) of power, then it is not at all far to the vocabulary of dominance and submission so often associated with Foucault.¹⁶⁰ The pertinent sections in *The Prince* are:

I. Chapters VI through XI

II. Chapters XIX through XXI

III. Chapters XXIV through XXVI

However, prior to this discussion, some information on the intent of Machiavelli in writing *The Prince* may well be in order.

In one sense, the whole of *The Prince* may be understood as defining the concept of political legitimacy in terms of stability. This thought can be made somewhat clearer by briefly elaborating on three points: 1) the importance of stability to Machiavelli, 2) the methods which must be utilized to maintain that stability, and 3) the nature of Machiavelli's reality. Bringing the first point into greater resolution will require a brief look at the society and times in which Machiavelli lived. The second notion strikes me as the most important, at least in terms of *The Prince*, and will necessitate an examination of certain claims he makes in that book. The third element is, admittedly, a bit nebulous, but it appears that if one wants to be said to understand Machiavelli's aims in the work at issue, then she must entertain this topic.¹⁶¹

The Importance of Stability to Machiavelli

¹⁶⁰ See, for example, Alec McHoul and Wendy Grace, *A Foucault Primer: Discourse, Power and the Subject* (New York: NYU Press, 1993), 57.

¹⁶¹The reason for this claim is that this is the question which, in my mind, connects the discussion of legitimacy with stability.

Machiavelli wrote *The Prince* in 1513 while in political exile from Florence. He had occupied a position of some importance in the Florentine republic until 1512, when that government was toppled and the Medici family regained control. There is some question in contemporary scholarship as to what Machiavelli hoped to accomplish in writing *The Prince*, though that issue is peripheral here.¹⁶² As pointed out earlier, Machiavelli was one of the first people to discuss the political world as it actually was, or at least how he took it to actually be, rather than as it should be. He offered a methodology for achieving and maintaining power, to be sure, but it was offered with his focus squarely on this world and the way humans actually behave.¹⁶³ This stands in stark contrast to previous works written for the purpose of advising rulers, such as those by Seneca and Cicero, which tended to operate on the assumption that people were inherently good, and consequently tended towards giving advice for situations that might rarely occur.

Machiavelli begins his discussion by identifying different types of principalities and describing how they might be governed and defended. He identifies hereditary principalities used to living under the rule of one man, acquired with one's own armies, and acquired by strength of purpose (*virtù*)¹⁶⁴ as the easiest to acquire and maintain, as they are already stable. In cases such as this, it is the job of the new ruler not to do

¹⁶²There are those who hold that his goal was to gain an appointment as an advisor to the Medici family (who also controlled the papacy at that point). Others point out that his goal could hardly have been to gain an appointment with the Medici, given the circumstances of his dismissal from government and what happened shortly thereafter. Still others hold that, since Machiavelli was best known at that time for his plays, the work should be treated as a satire--that he is trying to show what a ruler should not do to be successful. This third view seems misled to me. Attempting to settle the dispute between the first two claims is beyond the purview of this paper, but it is instructive for the reader to be aware of the dispute.

¹⁶³Niccolo Machiavelli, *The Prince*, trans. David Wootten in *Machiavelli: Selected Political Writings* (Indianapolis: Hackett Publishing, 1994), 48.

¹⁶⁴This word is one of the more problematic in the text, as it means different things depending on the context in which it is used. The basic idea, as I take it, is that of skill and strength of purpose. It should not generally be taken to refer to virtue in the traditional moral sense.

anything that would lead towards a destabilization of the principality. Other types of principalities may be acquired in other ways and held; but, according to Machiavelli, they present special problems. Even in these types of principalities the key is that the ruler should not do anything to destabilize the situation that exists (which stands in opposition to the aforementioned traditional stance that special problems require special responses from the ruler).¹⁶⁵

Stability is important to Machiavelli, then, precisely because he recognizes that government cannot exist without it. And where there is no government there is chaos, that is to say, principalities that are ruled by fortune and chance.¹⁶⁶ As stability increases, the role of fortune and chance decreases, though, to be sure, it can never be totally eliminated and can destroy even the most careful ruler (Machiavelli uses Cesare Borgia as an example of this). The more stability a principality has, the greater the chance that the ruler will be successful. Indeed, it is the conflict between fortune and power that occupies a good bit of his thought in latter sections of The Prince.

Ways to maintain stability

One important way in which the ruler can maintain stability is through his actions towards his allies and his subjects. It is here that Machiavelli's practical side causes him to give some advice that is quite different from others who had written on the same topic.

¹⁶⁵These situations will not be as stable as the aforementioned hereditary principalities, however, and Machiavelli does give some guidance as to how to increase one's power through making the situation more stable. See pages 10-11.

¹⁶⁶Machiavelli, 76.

His idea is that not everyone is good, and so, consequently, not everyone will act in a good manner all the time. If the ruler concentrates on being good, he is doomed to fail as those who deceive, for example, will always be able to manipulate him for their own ends¹⁶⁷. Those who rule cannot but be described in terms that are evaluative, i.e., “generous” or “miserly”, “cruel” or “gentle”. It is important, says Machiavelli, to avoid being thought of as having those evil qualities that would prevent you from maintaining your power (as the populace would grow restless and stability would be undermined). It is also important to have, or at least be thought to have, those vices that tend to engender respect, as they perpetuate the ruler’s power.

To see how this might be the case, consider his discussion of generosity. It is good for the ruler to be thought generous. It is not good for the ruler to actually act in the manner that would give him that reputation; that is to say that the ruler should not actually *be* generous. If the ruler pursues that generous reputation, it will bring about his downfall. This is the case because the lavish expenditures necessary for acquiring and maintaining that reputation will require increasingly heavy taxation. And, as he points out in another passage, a sure way to become hated (which is the one thing a ruler should seek to avoid) is to “prey on the possessions and women of your subjects”.¹⁶⁸ Thus, on this account, it is better for the ruler to be thought miserly because, over time, his reputation for generosity will grow due to the fact that he does not have to tax income to support the regular duties of state. The people who miss the handouts will be a comparative few and their dissatisfaction will be more than counterbalanced by the satisfaction of the many. Machiavelli’s point here is that pursuing a reputation for generosity is self-defeating, as

¹⁶⁷Machiavelli., 48.

¹⁶⁸Ibid., 56.

the more generous you are, the less generous you can be. Better to be despised as a miser than hated as overly rapacious, the inevitable end to which the pursuit of a generous reputation leads.¹⁶⁹

Consider further his thoughts on when rulers should keep their word. Like generosity, trustworthiness is generally considered one of the better traits for a leader to have. Machiavelli grants that it is praiseworthy to be such a person, but it is not practical for a ruler in the actual world. He points out that those rulers who have practiced deceit have overcome those who possess integrity (53). His argument here is as follows: One can either respect the rules or one cannot. If one respects the rules, then one cannot always win. It is better to win than to lose, particularly in the case of the ruler.¹⁷⁰ Therefore, in order to win as often as possible, one must be willing to not always respect the rules. The ruler must be prepared to be “like an animal, ...the fox and the lion”, that is, be willing to fight no holds barred if the situation calls for it while combining the craftiness of the fox and the savagery of the lion.¹⁷¹ His justification for disregarding the rules, that is, for not being trustworthy, is that all men are wicked. That is to say that, given the chance and if it benefits him, a man will violate the rules to take advantage of another. The only way to compete is to do the same, before the other can act. Again the point is as follows: Though the ruler must seem pious, reliable, and truthful (among other things), he need not actually *be* any of those things. The people judge by appearances alone, as appearances are all they will ever have on which to base their judgments. So, for Machiavelli, the people only see the ruler as he appears to be. If he appears

¹⁶⁹Machiavelli., 49-51.

¹⁷⁰This premise is implicit in the text, but given the tone of the book it should be non-controversial to attribute it to Machiavelli.

¹⁷¹Ibid., 56.

trustworthy and virtuous then the majority will accept him as such. He must keep up these appearances to maintain stability, for if the people knew what the ruler was really like, they would surely revolt.

The nature of Machiavelli's reality

This section deals with the issue of political legitimacy in Machiavelli. I have tried to demonstrate that stability is the key issue for Machiavelli in *The Prince*. If this is the case, then it must also be the case that whatever action(s) tend(s) to increase stability in the body politic (that is, decrease the effects of chance) are legitimized for that very reason. So, while it is sad that people lie and cheat (and certainly the world would be a better place if they did not) that is they way that people are. If the ruler is to be successful, he must be willing to do these same sorts of things as well, while appearing to be virtuous and blame-free in a moral sense. And if he performs these actions well, that is to say if stability is maintained within whatever governmental structure that exists (republic or principality), then these sorts of actions are approved. The penultimate point here is that the political reality reflects how the world really is. Thus the world can be made intelligible only through the lens of power.¹⁷² Put another way, the world is understandable insofar as it is controllable.

It appears to me that Machiavelli would assert that actions legitimize themselves by their outcomes. He starts from the basic assumption that men are fallible and, more importantly, inherently self-interested. The ruler must be willing to do whatever it takes

¹⁷²John M. Najemy, *Between Friends: Discourses of Power and Desire in the Machiavelli-Vettori Letters of 1513-1515* (Princeton, NJ: Princeton University Press, 1993), 208.

to maintain stability. So then for Machiavelli a politically legitimate action is one that supports or leads to this desired outcome.¹⁷³

Chapters VI through XI

I now turn to certain textual evidence for the claim that power can be understood in terms of love. It should be pointed out again that we are here talking about political power, and love refers to a feeling that the people have towards the prince. It should also be pointed out that Machiavelli attempts to suppress talk of love as much as he can.¹⁷⁴ Stated simply, the reason for this suppression is that he recognizes the difficulty of making love and fear work together. Fear is much easier to explain, or account for, particularly when one is speaking in terms of force and obedience as Machiavelli so often does. Love seems to be the opposite of fear, inasmuch as they are almost taken to be mutually exclusive.

As intimated earlier, one condition that serves to bring about stability is power. In Chapter VI, Machiavelli is discussing new principalities acquired by one's own arms and ability. Herein he says the following: "Those who...become rulers through their own abilities experience difficulty in attaining power, but once that is achieved, they keep it easily".¹⁷⁵ Thus, power appears to be a state that may be attained, something that can be explicated in historical terms. That is to say, Machiavelli can (and does) illustrate what he means by his use of the term "power" through historical examples. Indeed, these

¹⁷³An interesting take on this, which doesn't mention Machiavelli by name, can be found in Camus' essay "Summer in Algiers". I find it a demonstration of what a thoroughly Machiavellian society would be like.

¹⁷⁴Najemy, 209.

¹⁷⁵Niccolo Machiavelli, *The Prince*, ed. by Quentin Skinner and Russell Price (Cambridge, UK: Cambridge University Press, 1988), 20.

historical examples serve in place of any conceptual analysis Machiavelli might offer of power or its indices.

There is an interesting question at this juncture. Why is it that some people succeed in attaining and maintaining power? As Machiavelli puts it: "...all armed prophets succeed where as unarmed ones fail. This happens because....the people are fickle; it is easy to persuade them about something, but difficult to keep them persuaded. Hence, when they no longer believe in you and your schemes, you must be able to force them to believe."¹⁷⁶

There is a lot going on in this brief quote, to be sure. The term "prophets" may cause some wonderment. Skinner points out in his commentary that this does not refer strictly to religious rulers, but to all new rulers. Thus, the new ruler is taken as someone who is heralding something new, as opposed to someone who is merely assuming a position or filling in a previously established role. This is not to say that every new ruler is the result of some wholesale change, but rather that the ruler needs the persuasive ability, perhaps expressed in terms of personal magnetism, for example, of a prophet. Note that not just any prophet will do, though. It is the armed prophet who succeeds. Personal magnetism only carries one so far. This is reflected in the latter portion of the quote. The people, or the "masses", if you will, are capable of turning quickly. Thus, one must be prepared to force obedience. Put another way, one must be willing to force the people to act as if they believed, even if they actually do not. Power lies in the ability to do this.

One might well wonder at this point as to the connection of the force asserted above with love. It may well be remarked here that Machiavelli's focus is on a particular situation at this juncture--how best to keep new principalities acquired through one's own

¹⁷⁶Ibid., 21.

arms. What works well here may not work in some other situation. By the same token, what is effective in another situation may well be ineffective here. That said, it may well be that love and force are two sides of the same coin. That is to say, the act of forcing obedience requires two parties--in this case the ruler and the masses. If the ruler were to apply force alone, the end result need not necessarily be obedience. Rather, it could result in something as benign as migration or as stark as revolt. However, if there is a certain love present, a love of the masses for the ruler, then these extremes can be avoided. This will be made clearer by the discussion of chapter XXV that is yet to come.

At this point, my claim is that forced obedience can be understood in terms of the masses allowing themselves to be ruled. Put another way, the people give up their ability to revolt; they give up their ability to leave. One way of making sense of this is by understanding their actions in terms of love. Now this is not necessarily love in the traditional sense of affection, but rather in a sense of completeness. That is to say, understanding love in this way means accepting the idea that the people have a need to be ruled, a fear of freedom, if you will.¹⁷⁷ There may be a danger of imparting too much of a modern existentialist sensibility to Machiavelli at this point. Note, however, that the point of these last paragraphs is to provide some meaningful account of the relation between forced obedience and love, especially in light of the fact that Machiavelli holds that forced obedience is effective.

So let us look at an illustrative example that supports the connection between forced obedience and love. Bergmann, in his *On Being Free*, references the story of the Grand Inquisitor found in Dostoyevsky's *The Brothers Karamazov*. The parable is this: Jesus

¹⁷⁷Frithjof Bergmann, *On Being Free* (Notre Dame, Indiana: University of Notre Dame Press, 1977), 2-4.

returns to earth for one day at the height of the Inquisition. The people recognize Jesus immediately and begin praising Him with the highest Hosannas. The Grand Inquisitor recognizes Jesus as well and has Him arrested. During their conversations, the heart of the Grand Inquisitor's position becomes apparent: Jesus offered mankind (i.e., the "people") freedom, but this is something the people really want or can actually bear. The Grand Inquisitor has removed this scourge of freedom from man, and replaced it with authority, which is the thing that man really craves, desires, and loves.¹⁷⁸ The idea, put back in the Machiavellian framework, is that forced obedience still represents an attitude of love on the part of both ruler and ruled. The ruled love to be forced; they love the act of submission whereas the ruler satisfies that desire of the ruled to be ruled so that he or she can co-incidentally satisfy his or her own love of power.

In chapters VII through IX, Machiavelli deals with principalities established in other ways, either through the power of others and their favor, through wicked means, or through the will of one's fellow citizens.¹⁷⁹ Let us take representative passages from chapters VII and VIII, as these should suffice to illustrate the suppressed theme of love as it runs therein.

There is an interesting discussion in chapter VII that presages much of Machiavelli's concern in chapter XXV about the relation between power and fortune. In it, Machiavelli talks of the travails of Cesare Borgia. Borgia had attained a position of authority due to the influence of his father and had lost it once that influence waned. Put another way, his authority (or power) was attained through luck and he failed through no fault of his own,

¹⁷⁸Fyodor Dostoyevsky, *The Brothers Karamazov* (London: Penguin Books, 1880, republished 1993), 286-299.

¹⁷⁹Machiavelli, *The Prince*, VII, VIII, IX, passim.

but because fortune went against him.¹⁸⁰ Let us think back to one of Machiavelli's basic assumptions: that the world is intelligible insofar as it can be controlled. Fortune defeats this intelligibility insofar as it threatens this control. At the same time, it is a mistake to treat that attainment of power as dependent on Fortune.¹⁸¹ It is enough here to note this tension.

In chapter VIII, Machiavelli discusses those who become rulers by wicked means. Machiavelli here draws a distinction between power and glory. Power can be obtained through wicked means, such as "...to kill one's fellow-citizens, to betray one's friends, to be treacherous, merciless and irreligious", but glory cannot.¹⁸² However, glory is almost incidental in Machiavelli's scheme of things. He wants to maintain some tone of disapproval of things that are considered wicked. However if we look at chapter XV, which is admittedly a bit outside of our purview, we can see that the attaining and maintaining of power is key. Here he says that a wise prince must have the power to be not good, and know when to use this power.¹⁸³ When one considers the example of Oliverotto of Fermo, which Machiavelli provides, his intent in making such a claim becomes clearer. Oliverotto was a person of rather humble origins who found serving under others to be demeaning. He plotted to take power in the city of Fermo. In order to accomplish this, he had to act in a very duplicitous manner towards his uncle. In effect, he tricked his uncle in to providing him arms and men, then (after arriving in Fermo) had his uncle summarily executed. He then "besieged the chief magistrates in their palace"¹⁸⁴

¹⁸⁰Machiavelli, 23.

¹⁸¹Quentin Skinner, *Machiavelli*, (Oxford, UK: Oxford University Press, 1981), 53.

¹⁸²Machiavelli, 31.

¹⁸³ Machiavelli, 55.

¹⁸⁴ Machiavelli, 32.

and they felt constrained to obey him out of fear. We could reflect on the nature of this fear, but it seems that the earlier ruminations apply here as well. Of more interest is how the example of Oliverotto connects to the issue of power.

Certainly Oliverotto did behave in a cruel manner. The key is that he performed his cruelty well, insofar as he committed his actions all at once in order to establish his power.¹⁸⁵ The implication here is clear: Power is a matter of this world and this world alone. For committing wicked acts, even those that are committed “well”, violates a clear principle of the time. In particular, it transgresses against the Christian idea of a final judgment.¹⁸⁶ Machiavelli has nothing to say about this. Coming to power, controlling this world--these are the things that are key to him.

Again the question may be raised as to the connection of power attained through wicked means to love. It is this: If one commits all the cruel acts at once, he can then reassure his subjects that there are no more in the offing (whether there actually *are* more in the offing is another matter, of course). In other words, if the ruler is able to get the punishment out of the way early on it will cause less overall resentment. If many cruel things are done at one time, the people become inured to them. They are, as he puts it “tasted less”.¹⁸⁷ Kindnesses, on the other hand, are doled out one by one so that they might be savored. One could think of this in terms of the following analogy: If one must take some medicine that tastes awful, it is best to gulp it down all at once. However, if one is eating chocolate, it seems ill-advised to consume it quickly. Rather, it should be eaten slowly and enjoyed. To return to Machiavelli, he seems to be intimating here that

¹⁸⁵ Ibid.,33.

¹⁸⁶ Quentin Skinner, *Machiavelli*, 38.

¹⁸⁷ Machiavelli, *The Prince*, 33-34.

dispensing of kindnesses or favors one by one will ensure the proper attitude of love/respect/submission on the part of the people even if one had to act wickedly in order to come to power.

Chapters XIX through XXI

In chapter XIX, Machiavelli turns his attention to how, having already made clear to a great extent why, hatred and contempt should be avoided. He makes use of several historical examples in this chapter. Most important for terms of the present discussion is this quote from the end of the chapter that refers to two Roman emperors: “Rather, he (*the new ruler*) should imitate Severus in the courses of action that are necessary for establishing himself in power, and imitate Marcus in those that are necessary for maintaining power that is already established and secure”.¹⁸⁸ It is therefore prudent to examine what he has to say about each of these men in order to bring his discourse of power into clearer relief.

Machiavelli points out that Severus was quite cruel, inasmuch as he would injure the people to no end in order to keep the soldiers content. Insofar as the soldiers are concerned, the idea here is twofold—on the one hand the soldiers would not begin to feel as though others were being treated better while on the other such treatment served a cautionary function for the soldiers themselves. As far as the people themselves were concerned, such harsh treatment was seen as justified due not only to a desire to be ruled and to obey, but also an additional desire for safety. In other words, such harsh treatment of individuals was seen as necessary in order to provide safety for all. We are back on

¹⁸⁸Machiavelli, 72.

ground that should seem somewhat familiar at this point, that of the ruler who is cruel, who arrives at obedience through oppression. Severus' personal qualities were such that the people, though mistreated, were nonetheless "astonished and awestruck" by the man.¹⁸⁹ Thus, Severus provides the example of the ruler, who can imitate the fox and the lion; who can be both crafty and strong. Put another way, he was able to attain power through trickery and maintain it through force. This, then, is the example to follow at least in order to attain power in the first place. It would not necessarily do to follow this example if one wishes to maintain power, though, as the example of Severus' son Antoninus shows. Antoninus was everything his father was, but even more so.¹⁹⁰ This led to his downfall, as the love of the people and of the soldiers turned to hate. Machiavelli holds the reason for this is that the people as well as their soldiers had nothing with which to temper their fear. Untempered fear leads to hate, and indeed Antoninus was assassinated by one of his own bodyguards.

Marcus Aurelius is the figure one should emulate in order to maintain power that is already established. Machiavelli says little about what Marcus actually did, only that he was able to keep the soldiers and people under control, and was thus not hated or despised.¹⁹¹ However, we can infer certain things about Marcus' rule based on certain characteristics Machiavelli brings up earlier in the chapter. He talks about what will make a ruler be hated and despised. If a ruler is hated, it is because he has seized the

¹⁸⁹Machiavelli. *The Prince*, 68.

¹⁹⁰*Ibid.*, 69.

¹⁹¹ Machiavelli, 67-68.

property and womenfolk of his subjects. If a ruler is despised, it is because he is seen as weak and irresolute.¹⁹² Thus, Marcus must have exhibited none of these qualities.

The upshot is that one must act boldly in order to attain power, then temperately in order to maintain it. The reflection of these words on what has come before is fairly clear. Power is explicated in terms of control, which connects back with the ideas of love/respect/submission. It seems that these terms may be taken as equivalent, though certainly the full vocabulary of love is not at the forefront of his thought and the vocabulary of submission was developed at a much later time. This last assertion is certainly not uncontroversial, but I wish to postpone supporting it directly, at least beyond whatever support has accrued thus far, until the discussion of chapters XXV and XXVI.

Chapter XX deals with maintaining one's power in relation to one's subjects. Some rulers disarm their subjects, some keep factionalism at a fever pitch in the towns they control, some build fortresses and some destroy fortresses.¹⁹³ Despite these differences, the ruler must deal with his subjects in a certain way in order to keep his power secure. It depends on the sort of ruler one is and the sort of territory one has acquired. If one is a new ruler of a new principality, then one should not disarm his subjects and he also should arm those who are unarmed. This means that those people who are now armed will become his. As Machiavelli puts it, "...subjects are converted into adherents".¹⁹⁴ Disarming one's subjects is a bad thing, as it puts the idea in their mind that the ruler does not trust them. If the ruler does not trust them, it will be either because he is

¹⁹² Ibid, 64.

¹⁹³ Ibid., 72.

¹⁹⁴ Machiavelli, 72.

cowardly or because he is overly suspicious. It matters not whether the ruler is actually weak or paranoid; he will be perceived that way by the people. The end result of either case is that the ruler becomes hated. And as Machiavelli points out, “...not being hated by the people would [make the ruler] more secure than any fortress.”¹⁹⁵

The key here is that Machiavelli is willing to praise anyone who builds a fortress or anyone who does not, whereas he criticizes someone who relies on a fortress and pays no attention to the hatred of the people. Once again, we see that keeping power is a matter of making the people adhere to the ruler while not incurring their hatred. It is not untoward to think of “adhere” in terms of “love”. This is not to say that they are synonymous, but when one is presented with the pair “adherence/hatred” and one takes into account Machiavelli’s penchant for expressing himself in mutually exclusive terms, it becomes clear that “adhere” *as used* falls into the category “love”.¹⁹⁶

Thus, in this second division of *The Prince*, we still see an emphasis on the interconnection between power and love. It is expressed negatively, to be sure; that is to say in terms of avoiding hate. It is, however, still there.

Chapters XXV and XXVI

Much of what has come before is preparatory to the final two chapters of the book. Chapter XXV deals with the power fortune has over human affairs, while chapter XXVI contains an exhortation to liberate Italy. One of the basic assumptions of the book is that the world is intelligible, and thus can be controlled (not to say that it always will be

¹⁹⁵Ibid., 76.

¹⁹⁶Michael McCannes, *The Discourse of Il Principe* (Malibu, CA: Undena, 1983), 16. McCannes has much to say about this notion of “pairing”, a good bit of which will be mentioned in due course.

controlled, but is at least possible). The unintelligibility of time and change, things that seemingly are at the mercy of fortune or chance, presents a real obstacle to such a view.¹⁹⁷ Machiavelli is aware of this, but the way out of the difficulty is not clear. Ultimately, the relation between power and intelligibility will have to be seen in terms of love in order to resolve this problem. I have held that Machiavelli has been leading up to this, at least implicitly. In chapter XXV, we begin to see the lengths to which he will go to avoid making the notion of love explicit as a way out of this problem. We will also see, however, that his entire project will be in jeopardy if he does not make recourse to love.

Machiavelli begins chapter XXV thusly: “I am not unaware that many have thought, and many still think, that the affairs of the world are ruled by fortune and that the ability of man cannot control them. Rather, they think that we have no remedy at all; and therefore it could be concluded that it is useless to sweat much over things, but let them be governed by fate.”¹⁹⁸ So fortune, which Najemy defines in terms of unpredictable (and thus unintelligible) change, comes to the fore of Machiavelli’s attention.¹⁹⁹ His claim appears to be the following: Some people believe that since fortune is beyond the ability of humans to control, human action has no bearing on events.²⁰⁰ This, of course, runs counter to everything Machiavelli has asserted thus far. Even worse, it renders Machiavelli’s various claims impotent. That is to say this: If the people who believe as above are correct, then the ruler could follow all of Machiavelli’s advice and still wind up

¹⁹⁷Najemy, *Between Friends*, 201-2.

¹⁹⁸Machiavelli, *The Prince*, 84.

¹⁹⁹Najemy, *Between Friends*, 202.

²⁰⁰Najemy, *Between Friends*, 203.

undone. And this represents a very real threat to the ultimate intelligibility of the world; to say nothing of the relation of a meaningful discourse of power to such a world.

Machiavelli tries several approaches to this problem. He first points out that abandoning oneself to fate is tantamount to ceding the notion of free will.²⁰¹ In order to keep the notion of freedom, he is willing to admit that fortune controls half our actions, but that we control “roughly” the other half. The notion of “roughly” here is troubling. For “roughly” seems to imply “more or less than” half. If more than half, then there is no trouble. If less than half, however, then the implication is that he will find himself endorsing a position that defeats everything else he has said.²⁰²

Machiavelli is doubtless aware of such a difficulty, because he changes to another example rather quickly. He next compares fortune to a dangerous river that, when flooding, destroys and uproots everything in its path. Men see this and give way before it. His suggestion, though, is that the river is not always in flood. While it is not, it is prudent to take actions (i.e., building dikes and dams) that will control the river when the next flood comes to be. The flood will either be controlled or not be quite so damaging.

This is an interesting analogy to be sure. However, there is room to wonder about its aptness. A flood is something that can be predicted, either seasonally or given a certain confluence of meteorological phenomena. The problem with fortune is that it is unpredictable. Simply comparing it to something predictable does not make it thus. Further, even if we grant that fortune is like a ruinous river, the analogy does nothing to let us know what fortune actually is.²⁰³ In other words, we can grant Machiavelli’s point

²⁰¹Machiavelli, *The Prince*, 85.

²⁰²Najemy, *Between Friends*, 203.

²⁰³Najemy, *Between Friends*, 205.

that fortune is like a river and that following his thought to this point is like preparing for a flood and still not touch the central problem of the unpredictability (and consequent unintelligibility) of fortune.

Machiavelli tries another approach to the problem, this time by stressing individual action over collective action.²⁰⁴ He wonders how we can explain the fact that a ruler can prosper one day and fail the next without having changed character or quality.²⁰⁵ It is clear that this puzzles him, but his remarks as to why this is the case are equally troubling. He claims that we are successful when our ways (of acting) are suited to the times and circumstances in which we find ourselves, unsuccessful when they are not so suited. This is of little help in getting at the root of the problem of fortune. As Najemy points out, Machiavelli's task in this chapter was to explain the role of fortune in human affairs and to speak of how it might be resisted. His prior attempts at crafting a resistance strategy have been less than stellar in either regard and this latest notion fares little better. He seems to be claiming that fortune and circumstances vary, that men's ways vary, and that consequently what counts as a success will vary as well.²⁰⁶ But this does not serve as a solution to the problem of fortune, nor does it serve as effective counsel as to how fortune might be resisted.

Machiavelli further admits in chapter XXV that no one can change their ways (*modo di procedere*--mode of proceeding, literally put).²⁰⁷ Each individual has his own way of acting and it is impossible to turn from that way in which nature inclines us to act. Put another way, if a person has been successful at a certain time by following a certain

²⁰⁴Ibid., 204.

²⁰⁵Machiavelli, *The Prince*, 85.

²⁰⁶Najemy, *Between Friends*, 205.

²⁰⁷Machiavelli, *The Prince*, 86.

course, he will not be able to deviate from that course. When times change, his way will no longer lead to success, and thus he will fall to ruin. In short, the only way to overcome fortune is to anticipate it. However, fortune is such that it cannot be anticipated. He is, therefore, no closer to accomplishing his stated goal.

Again, I do not think that he is unaware of his plight. This is why he chooses to make another attempt to solve the problem of fortune in chapter XXVI. He brings back a powerful notion from earlier in the work: *virtù*, or strength of purpose.²⁰⁸ As Najemy points out, Machiavelli had first explored the possibility of casting *virtù* in such a role in a letter to Vettori. In that context, Machiavelli had noted that the ruler must have an extremely strong sense of purpose to the end of pointing out what that *virtù* could accomplish provided that an opportunity for exercising it presented itself. Even so, there is no clear application of this strong sense of *virtù* to the problem of fortune that has bedeviled Machiavelli thus far. However, Machiavelli wants to think of *virtù* in a redemptive sense.²⁰⁹

Machiavelli holds that the prince can accomplish this redemptive mission through interceding at a particular point in the historical process--the point at which society is about to collapse into chaos. As he puts it, “[*Just as*]...the Persians had to be oppressed by the Medes before Cyrus’ greatness of spirit could be revealed,...Likewise, in order for the valor and worth of the Italian spirit to be recognized, Italy had to be reduced to the

²⁰⁸See also Thomas M. Greene, “The End of Discourse in Machiavelli’s Prince,” in Patricia Parker and David Quint, eds., *Literary Theory/Renaissance Texts* (Baltimore: Johns Hopkins University Press, 1986), 63-77.

²⁰⁹Najemy, *Between Friends*, 207. This reading is given further plausibility by the title of Chapter XXVI, “Exhortation to Liberate Italy from the Barbarian Yoke”. That is to say, the purpose of the prince is to intercede and restore--to redeem.

desperate straits in which it now finds itself.”²¹⁰ In other words, ruin provides an opportunity for redemption, provided that a prince with sufficient *virtù* is present. And having this *virtù* consists in being able to recognize the opportunity that has presented itself and in being able to act accordingly. One wonders if there is not some element of circularity here--*virtù* is the solution to the problem of fortune provided that a prince that has sufficient *virtù* is present and can act in a redemptive manner. This is indeed a serious question, but one that goes beyond the scope of this inquiry. Suffice it to say that Machiavelli believes that he has provided a solution to the problem of fortune. It may seem, though, that we have drifted somewhat far afield of the purpose here--explicating Machiavelli's discourse of power in terms of love. Let us return to that issue now by drawing some of these disparate threads together.

In brief, the point of the preceding sections has been twofold: First, to make clear the presence of an underlying assumption of *The Prince*; to wit, controlling the world requires understanding the world. Second, to try and point to some examples of the suppressed utilization of love in various sections of the book that seem to be strictly concerned with power. In order to bring these two purposes together, some account must be given of the relation between power and intelligibility/understanding of the world (the first point above) so that the second point may be made still clearer.

Understanding, Power and Love

As has been mentioned earlier, there is a strong connection between power and the intelligibility of the world. Put plainly, the only world that can be controlled is one that

²¹⁰Machiavelli, *The Prince*, 88.

can be understood. It appears, then, that power depends on intelligibility. But this connection can be taken in another sense than the one just mentioned--indeed in a converse sense. That is to say, in a very real sense intelligibility, for Machiavelli, has to come from power, at least when power is understood as that wielded by the Prince. In other words, intelligibility has to be more than, or cannot consist solely in, the discovery and utilization of "effectual truth", as Najemy puts it.²¹¹ I take "effectual truth" to refer to a truth that works, as opposed to some objective notion of truth (which is not to say that an objective truth couldn't "work", in the appropriate sense). Put another way, a truth that works is one that proves useful in apprehending the world--a "truism" or, perhaps more clearly, a "generalization", if you will. These could be, but are not limited to, "truths" about human nature, for example.

Let me restate what has been said above. We have been talking to this point, by and large, about the way the power of the Prince depends on his understanding of the world, or, more properly, on his ability to make the world understandable. This is troubling, though, because as we have seen the world seems fundamentally opposed to our attempts to understand it. We now encounter a different current in Machiavelli's thought--the notion that somehow intelligibility depends on power. Put another way, his thought moves from the discovery of 'effectual truth' to imposing this 'truth' on the world (bearing in mind the earlier discussion of the sense of 'truth' at play here).²¹² In other words, Machiavelli is seemingly forced by both the goal of his project and the work that he has done thus far to do more than merely reflect on the world as it is or was. He must now become more speculative and think about the way the world should be. It is here that

²¹¹Najemy, *Between Friends*, 208-209.

²¹²Najemy, 209.

his analysis loses its descriptive character and begins to adopt one that seems unalterably normative. The idea, then, is that it is not enough to simply describe what has been done. The act of endorsing some conduct as superior to others appears to necessitate a normative system or, at the very least, a normative method by which such distinctions can be accomplished.

Why make this move? It seems clear enough that Machiavelli is faced with a problem of fortune or chance that causes great difficulty for his account of power. One way around this problem (which is not really a way around it *per se*, but rather an attempt to retain at least *something* in the face of an insuperable problem) is to take the following tack: The key to achieving and maintaining power is not so much in truly understanding the world. Indeed, there is something fundamentally mysterious about the way the world works. However, one may give the *impression* that one understands the world. One may give the impression that he understands the lessons of history and time. Power then becomes a matter of bending the will of others so that they share a particular interpretation of events. In other words, the job of the Prince is twofold: to establish a framework for understanding the world and to compel others to accept this framework.

The question now arises, though, as to the source of this converse idea of power. Before, power came from the prince's grasp of the objective character of the world and the subsequent use of that grasp in order to regiment the relationship between the people and himself. Now, however, Machiavelli seems to wish to say that power comes from the *appearance* of such a grasp, which is hardly the same thing--though it must be said that the latter part is as above: the relationship between the ruler and his subjects. Najemy understands the source of this latter sense of power to be love, based on his

reading of chapter XXVI. However, such an interpretation seems to fly in the face of the traditional understanding of Machiavelli. After all, Machiavelli has been widely quoted as holding that it is better to be feared than loved.²¹³ Yet, as in many cases where an epigram is removed from its context, the issue is not as clear as all that. This well may be a false dichotomy—if it ever arises that one has a choice of being either feared or loved, ‘feared’ would be preferable. However, it doesn’t seem that a situation offering such a clear-cut choice would present itself with any real frequency as part of a practical state of affairs. Given this, it seems appropriate to set forth and examine a more traditional account of Machiavelli’s thought, then return to the notion of love.

Louis Althusser’s work *Machiavelli and Us* consists of lecture notes from his course on Machiavelli given at the Ecole Normale Supérieure over several years. It is a striking work that contains many insights into Machiavelli’s thought and its relation to the contemporary political state of affairs. For all that, as mentioned earlier, there are some rather more traditional aspects to the work as well. In the latter part of Chapter Four, “The Political Practice of the Prince”, Althusser turns his attention to the relationship between the Prince and his subjects. On his understanding Machiavelli holds that there are two extremes that are instructive: hatred/contempt and love. The first should be avoided at all cost, for if the ruler is hated he is always at risk of being overthrown through popular rebellion. Contempt is no better, as this leaves the Prince open to rebellion from the nobility.²¹⁴

At this point, it seems that Althusser might well agree with Najemy. If hate/contempt is ruled out, then love must be the defining factor in the relationship between ruler and

²¹³Machiavelli, *The Prince*, 59.

²¹⁴Louis Althusser, *Machiavelli and Us* (New York: Verso, 1999), 99.

subject. However, Machiavelli at least appears to reject this alternative as well: “For love is sustained by a bond of gratitude which, because men are excessively self-interested, is broken whenever they see a chance to benefit themselves”.²¹⁵ Also: “For this may be said of men generally: they are ungrateful, fickle, feigners and dissemblers, avoiders of danger, eager for gain. While you benefit them, they are all devoted to you: they would shed their blood for you; they offer their possessions, their lives, and their sons, as I said before, when the need is far off. But when you are hard pressed, they will turn away”.²¹⁶ In other words, men may love you in some way, but their baser natures will always win out. They will love you when it is convenient for them to do so; when love becomes inconvenient (when it conflicts with what they want) they will turn on you. Thus, the love of the people is not a constant enough foundation on which to base power.

On what may the ruler base his power? According to Althusser, Machiavelli holds that *fear* is the key. “A controversy has arisen about this: whether it is better to be loved than feared, or vice versa. My view is that it is desirable to be both loved and feared; but it is difficult to achieve both and, if one of them has to be lacking, it is much safer to be feared than loved.”²¹⁷ Fear persists, and is thus advantageous to the ruler. A further benefit of fear is that it is caused, and hence controlled, by the Prince.²¹⁸ Love is something that is freely given by the people, and thus may be freely taken away by them. At the same time, fear cannot be accompanied by hatred, for reasons we have already seen. It is, then, on Machiavelli’s account “perfectly possible” to be feared without being

²¹⁵Machiavelli, *The Prince*, 59.

²¹⁶*Ibid.*, 59.

²¹⁷Machiavelli, *The Prince*, 59.

²¹⁸Althusser, *Machiavelli and Us*, 100.

hated.²¹⁹ Here Althusser appears to be implying that such categories as ‘fear’ and ‘love’ transcend chronological or social constructions of meaning. I shall do no more than make reference to this implication at this time. However, the potential concerns that could be motivated by such an implication will be addressed in the latter part of the current chapter.

However, as Althusser points out, the idea of “fear without hatred” needs some development. Althusser, in a Marxist fashion, elaborates Machiavelli’s point in terms of class: hatred refers to the feelings of the people for the nobility (where nobility refers to the class of rulers separate from the Prince). Put another way, “fear without hatred” entails that the Prince separates himself from the nobility; that he takes the people’s side against them (or, as Althusser curiously fails to point out, that the Prince *appears* to take the people’s side against them, which is not at all the same thing).²²⁰ Thus, the Prince does not seek the people’s uncoerced love, but rather their coerced friendship in the guise of uncoerced love.

Althusser’s final analysis runs something like this, then: The basis of the Prince’s absolute power is popular. This does not mean that the Prince is some sort of proto-democrat. Rather, it is that the people see (first out of fear, then friendship) themselves in the Prince.²²¹ That is to say, they identify their own interests with the Prince’s interests. Put the other way around, the Prince’s interest in maintaining power becomes (or is transformed into) the people’s interest in seeing that the Prince is maintained.

²¹⁹Machiavelli, *The Prince*, 59.

²²⁰Althusser, *Machiavelli and Us*, 101.

²²¹*Ibid.*, 103.

It seems as though Althusser realizes that for all his emphasis on “fear without hatred”, it alone is not enough. Unrestrained, untempered fear cannot help but be accompanied by hatred. So fear without hatred must be a gateway, not to love, but to a coerced friendship. That is to say, the apparatus of the state, embodied in the Prince, is organized in such a way to compel the people’s friendship. Althusser, though, gives no account of how fear is metamorphosed into friendship. Rather, he simply asserts only that it does, or at least can, occur (which, again, is not at all the same thing). It seems that he may be following in Machiavelli’s footsteps to an extent. As Althusser says, Machiavelli is “not the least utopian, he simply thinks the conjunctural case of the thing.....”²²² Machiavelli thinks about things as they appear and seeks to explain why this is the case. It appears that this is what Althusser is doing as well--Machiavelli says X about power, so let us explain why he says X. This is not a necessarily unprofitable way of thinking, but I hold that Althusser’s explanation of Machiavelli’s account of power runs into the same sort of problem that the original account runs into; namely, it does not adequately explain what needs to be explained: How one’s understanding of the world enables one to effectively exercise power in a world that seems to be ruled by fortune.

For Machiavelli, this manifests itself in the following way: Power either comes from mastering (or understanding) the world or appearing to master it. It cannot come from mastering the world, as the element of fortune can never be fully accounted for. So power must come from appearing to understand the world. However, if one does not really understand the world, then one does not truly have power (again, due to caprice).

²²²Ibid., 103.

So appearing to understand the world is not enough to ensure power, either. This is the dilemma he faces at the end of chapter XXV.

Althusser is in a similar state with his explanation: Power comes not only from establishing the attitude of fear without hatred in one's subjects but also from that attitude being transformed into one of friendship. However, the latter depends on the former (If there is no fear without hatred, then there can be no friendship—or, in other words, for friendship to exist there must first be fear without hatred). If the one depends on the other as pointed out above, then it seems peculiar then to assert that power can come from both. So if power depends on fear without hatred, then friendship becomes ancillary rather than necessary. On the other hand, if power comes from friendship, then there needs to be some account as to how fear without hatred becomes friendship or at least some understanding of how fear without hatred avoids becoming ancillary. Perhaps Althusser is referring here to two different senses of power: A personal sense that would include friendship, perhaps, along with a public sense that would involve fear without hatred. However, there seems to be scant textual evidence to support such a view. Even if this is his view, such a clarification does not escape the previously mentioned dichotomy. At best, it simply moves it back a level in that the question then becomes one of the natures of the relationships *between* the senses of power rather than the conditions *for* power.

As stated earlier, it is apparent that Machiavelli recognized the problem he faced at the end of Chapter XXV—the problem of fortune. Althusser does not appear to be particularly cognizant of Machiavelli's particular problem in this instance, thus, for all of its other merits, his account fails to provide a solution for this vexation. Machiavelli

acknowledges the problematic of fortune and attempts to change the direction of his thought on power. Althusser does not see the issue, or at the very least does not treat it as though it has any special import, and continues down what will become a blind alley as far as power is concerned. Machiavelli says something quite instructive in this regard towards the end of Chapter XVII: “A wise ruler should rely on what is under his own control, not on what is under the control of others.”²²³ The quandary is that, in Machiavelli’s final analysis, no one really controls much of anything. Althusser proceeds as though one does possess such control, or at least that if one appears to possess such control then the concern that one does not is unimportant.

All of this is not intended to show that Althusser is absolutely wrong. Indeed, there is much of merit in his talk of friendship. I believe that he has ended up in the near neighborhood of a profitable understanding of power, albeit by taking the wrong path. It is much like the person who reaches a point in a journey where the goal is in sight, yet the continuation of the present path is barred by insuperable obstacles. Najemy has an interesting, and I think profitable, take on this issue of the relation between love and power. He concentrates on Chapters XVII, XXI and XXVI, charting a seeming evolution of a view about love and its relation to power.

We have already seen much of what Machiavelli has to say in Chapter XVII. In it, Machiavelli seems clearly determined to limit the influence of love on the Prince. To buttress this point, he references Queen Dido from the *Aeneid*. The significance of such a choice is clear. According to mythology, Dido founded Carthage. When Aeneas is shipwrecked on the coast of Libya, she receives him and listens to the story of the fall of

²²³Machiavelli, *The Prince*, 61.

Troy. She then falls in love with Aeneas. When Jupiter commands Aeneas to leave, she commits suicide rather than be without him.²²⁴ Dido thus represents the danger of love to the ruler.

However, complications with this view begin to arise in chapter XXI. Here Machiavelli is concerned with showing why the Prince should avoid neutrality and that he should take one side or the other in a conflict. He says, “If the side you favor wins, even though he is powerful and you remain at his discretion, he has an obligation to you and love is thus contracted. *And men are never so dishonorable that they would attack you in such circumstances, and display such ingratitude* (italics added).”²²⁵ Here Machiavelli makes an assertion that appears to run contrary to what he claimed in Chapter XVII. There he stated that self-interest would override any obligation a man felt to the Prince. The point I am attempting to demonstrate here is that Machiavelli is not nearly as straightforward about the relation between love and power as he is traditionally taken to be.²²⁶ A more modest point is in the offing: There are some good reasons to think about what Machiavelli says about love and power in a different manner than before.

This claim is buttressed in Chapter XXVI. Even the title of that chapter (“Exhortation to liberate Italy from the barbarian yoke”) speaks of a nature that is out of character with, or at the least *very* different in tone than, the rest of the work.²²⁷ Where the majority of

²²⁴“Translation of Virgil’s ‘Dido to Aeneas’” as found at <http://courses.washington.edu/hum523/dido/aeneid.html>

²²⁵Machiavelli, *The Prince*, 78.

²²⁶Najemy, *Between Friends*, 212.

²²⁷An interesting take on the relationship between Machiavelli and liberation (and, indeed, a take which posits Machiavelli as a liberator, after a fashion) can be found in Antonio Gramsci, *The Modern Prince and Other Writings* (New York: International Publishers, 1970), 135-188. Indeed, Gramsci was one of the first thinkers to point out that Chapter XXVI was more than something “extrinsic” or an “appendage” to the rest of the book, but rather a source of passion that draws together what was primarily a cold and logical work.

the work consists of practical principles of governance, this last chapter is a call to action, a call to work. There is more than just a call; there is an exhortation, an *incitement* to liberate Italy. Towards the end of the chapter, Machiavelli speaks of the connection between the ruler who is able to liberate Italy and those liberated:

I have no doubt at all that he would be received with great affection... with resolute fidelity, with devotion and tears of gratitude. What gate would be closed to him? What people would fail to obey him? What envious hostility would work against him? What Italian would deny him homage?²²⁸

Notice that the language here has moved beyond talk of obligation, as love was described in earlier chapters. There is something markedly different here. There is no forced obedience at this juncture. Obedience is freely given and complete in return for the alleviation of suffering which the ruler brings. The submission of the people to the ruler is absolute. In such a case, the ruler's power is absolute, free from contingency, free from contract or obligation. This is certainly something more than "friendship" or mere "goodwill".

It seems that Machiavelli would find this absolute power, inasmuch as it is seemingly free from the curses of fortune that afflict the practical account, preferable. Nonetheless, this account is not entirely free from fortune either. As Najemy points out, the absolute nature of the power of the Prince and the totality of the submission of the people both depend on the performance of a redemptive act. The act leads to the love of the people and their love brings about the absolute power of the Prince.²²⁹ Still, though, an act is just that--a particular "doing", if you will, that occupies a particular moment in time. We

²²⁸Machiavelli, *The Prince*, 90-91.

²²⁹Najemy, *Between Friends*, 213.

can be generous and extend the idea of an act to be something ongoing, though not perpetual. However, on either account, the redemptive act is such that it causes the end of suffering. One wonders what happens to this love created as a result of the redemptive act. It is unreasonable to expect that people would remain in a state of “resolute fidelity”²³⁰ for too long; certainly not in perpetuity. This is problematic, for it now seems that this absolute power is no freer from the vagaries of fortune than the practical account. That is to say, since it is the suffering of the people that makes the redemptive act possible and since the love of the people is occasioned by the redemptive act, and then the alleviation of the suffering is going to remove the impetus for love.²³¹ Thus, absolute power is on no firmer foundation than practical power. By making the source of absolute power something to be won from the people, Machiavelli has made the prince even more dependent on those people than in the practical account. The relation between power and love in Machiavelli has now become very unclear. Perhaps Gramsci’s point about the passionate nature of the final chapter of *The Prince* comes into play here—by identifying himself with the Italian people, Machiavelli’s own desire to love and be ruled has become manifest.

Perhaps, then, some of the difficulty could be cleared away by positing a quasi-humanistic account of power, one that perhaps serves as a precursor to the Enlightenment. As Joseph Bien points out in his essay, “Politics of the Present: Machiavellian Humanism” both Gramsci and Maurice Merleau-Ponty broached the

²³⁰Machiavelli, *The Prince*, 90.

²³¹Najemy, *Between Friends*, 214.

notion of treating Machiavelli as some sort of early humanist.²³² Merleau-Ponty and Gramsci both commented upon Machiavelli's concern with fortune, which has been a recurring theme in this discussion as well.²³³ They both point to the distinction between political theory and ethics that Machiavelli establishes, along with his promotion of individual interests.²³⁴ Bien is deeply skeptical of both claims because Machiavelli continually subjugates the good of the individual to the good of the state—in other words, the only individual interest that that Machiavelli really promotes is that of the ruler. Everyone else's interests, and presumably well-being are of secondary (or tertiary) concern.²³⁵ It is a strange humanism that is unconcerned with the welfare of particular humans.

It is relatively clear, then, that Machiavelli is primarily concerned with power as the capacity to act and as something to be possessed. He is at least somewhat concerned with consent, but only in terms of how the ruler manufactures such consent. Yet this is somehow disquieting. Merleau-Ponty seemed to grasp the troubling nature of this when he said, "The reason why Machiavelli is not understood is that he combines the most acute feeling for the contingency or irrationality in the world with a taste for the consciousness or freedom in man."²³⁶

Machiavelli seems to be saying the following: The practical account of power (act as though you have control, all the while operating in the full knowledge that everything

²³² Joseph Bien, "Politics of the Present: Machiavellian Humanism," *Philosophy and Phenomenological Research* 42, no. 2 (December 1981), 197.

²³³ Also note how Machiavelli's chief vexation, fortune, echoes in Foucault's discussion of contingency, though to be sure, Foucault is much more comfortable with the idea of contingency than Machiavelli..

²³⁴ Bien, 199.

²³⁵ Bien, 201.

²³⁶ Maurice Merleau-Ponty, "Note on Machiavelli" in *Signs* (Chicago: Northwestern University Press, 1982), 218.

you have worked for can be taken away in the blink of an eye) is good as far as it goes, but there is *some other state of affairs* (the state of absolute power) that would be better. The problem is that bringing about this other state of affairs entails a far different conception of the relation between power and love than is operative in the majority of *The Prince*.²³⁷

It should also be noted that while both of Machiavelli's discourses of power are purely political in nature, they are compromised on the one hand by metaphysical issues (the practical account by the nature of fortune) and on the other by issues of psychology (the absolute account by human nature). I believe these compromises point to the difficulty in establishing a conception of political power that is purely descriptive—though perhaps not impossible, as this would seemingly be the sort of account Foucault would prefer.

This is one of the significant points in Foucault's commentary on Machiavelli. As a historian of ideas, Foucault was familiar not only with Machiavelli and *The Prince* but also a substantial amount of the other philosophical literature occasioned by Machiavelli's writings. One of his more extensive discussions of Machiavelli can be found in his lecture published as an essay entitled "Governmentality".²³⁸ In this lecture, Foucault does not concentrate so much on what Machiavelli accomplished in *The Prince* but rather on what he made possible: the development of the art of government.

Foucault begins by situating the extant discourse in Machiavelli's time. During the Middle Ages, many tracts appeared that were couched in terms of "advice to a ruler". So

²³⁷ While Machiavelli discusses some of these issues in the *Discourses*, there is little there that would ameliorate the concerns pointed out here, as Bien points out in the latter part of his aforementioned essay. Since Foucault concentrates on *The Prince* in terms of his discussion of governmentality I shall follow suit and leave the *Discourses* outside the scope of this current project.

²³⁸ Michel Foucault, "Governmentality" in *Michel Foucault: Power, The Essential Works of Foucault 1954-1984, Vol. 3*, Paul Rabinow and James D. Faubion, eds., (New York: The New Press, 2000), 201-222.

in one sense, Machiavelli's *The Prince* is a continuation, albeit somewhat more developed, of what had gone before. Yet in another sense, his work moves beyond what had gone before, not least in terms of the focus on the practical side of governance. In other words, *The Prince* occasions a new discursive universe in that it makes possible a discourse that was not previously conceivable. Put another way, Machiavelli represented a foundation for the development of a way of speaking, writing and conceptualizing power.²³⁹ This is a point that is not without importance, especially in light of Foucault's thoughts on authorship. Oftentimes, there is a tendency, especially among anti-Machiavellian authors, to posit Machiavelli as someone who is extra-historical. That is to say, Machiavelli's work is explained as a historical aberration that occasions a corrective literature.²⁴⁰ Yet it is not at all clear that the anti-Machiavellian tomes, even those whose authors avow a corrective function, actually serve to appropriately mark the putatively aberrant nature of The Prince. Rather, their tone and structure can be seen as serving a legitimizing role of the discourses created in the space opened by Machiavelli.

Around the middle of the sixteenth century, works began to appear that moved from being mere princely advice to dealing with the "general problem of government".²⁴¹ For Foucault, two of the threads that could be pursued in an examination for the change in focus of these works are that the sixteenth century lay at a historical crossroad between the decline of feudalism and the consequent rise of mercantilism and colonialism and the

²³⁹ Michel Foucault, "A Swimmer Between Two Words" in *Aesthetics, Method and Epistemology: Essential Works of Foucault 1954-1984, Vol. 2* ed. P. Rabinow and J. Faubion, (New York: The New Press, 1998), 171.

²⁴⁰ Foucault, *Power*, 201. There is no shortage of anti-Machiavellian work. In contemporary philosophy, Leo Strauss' aforementioned *Thoughts on Machiavelli* is a good example of the tendency mentioned above. Also, Foucault provides a list of sixteenth century sources relevant to the above issue on page 203.

²⁴¹ Foucault, *Security, Territory, and Population*, 88.

influence of the Reformation and Counter-reformation. Put in Foucault's terms, the sixteenth century embodies a tension between state centralization and spiritual dissidence. For Foucault, this embodies the problematic of government: "...how to be ruled, how strictly, to what ends, by what methods and so on."²⁴² Foucault seeks to compare all the political literature that comes out of the period between the sixteenth and eighteenth centuries with *The Prince*—as every work of consequence that came from this period concerned with the “art of government” was written either for or against this work.

Foucault's analysis of the context of *The Prince* and its subsequent influence is fascinating. However, it might appear that, given the focus on governmentality, my efforts here might be better served by a close focus on his discussion of what Foucault actually said in regard to *The Prince* itself. Yet, as in many cases with Foucault, it is not as easy as all that. Foucault contains his understanding of Machiavelli within a discussion of the nature of the reaction to Machiavelli. So we must examine that area.

On Foucault's view, the key to *The Prince* lies in the nature of Machiavelli's examination of the relationship between the prince and his subjects. Contrary to the general advice given to the ruler by previous authors, who asserted some sort of natural connection between the prince and his subjects, Machiavelli held that the aforementioned connection was synthetic *no matter how it came about*. If we cast our thoughts back on *The Prince*, we remember that the prince can come to power many ways—through some sort of hereditary passage, or treaty, or through military might. Machiavelli's insight was that the prince was always external to the principality. Since Machiavelli recognizes this, he is rightly concerned with the coterminous question of how the prince may maintain his

²⁴² Foucault, *Power*, 202.

power in light of threats both external and internal to his rule (to say nothing of the role fortune plays in enhancing such threats). Thus, on the view of these authors, the objective of the exercise of power is to reinforce and strengthen the link between prince and principality. However, the reason for this is not because of a concern with the subjects *qua* subjects, but so that the prince can maintain control.

Foucault is concerned that understanding the connection between prince and principality in this way is far too exclusionary. That is to say, traditional understanding of *The Prince* is such that it represents an obstinate tendency to see the practices of government in terms of control, in terms only of the prince and the state. However, Foucault wants to go beyond that. He recognizes that the prince/principality relationship is only one of many sorts of governmental forms and relations.²⁴³ Thus, it comes to be the case that even if Machiavelli was speaking in the way he was held to speak, the value of what he spoke lies in exciting within us the reflection that there is more than one form of government or one type of relation. While this in itself does not suggest that Machiavelli was utilizing “governmentality” as a concept, it does buttress the point made earlier where he was spoken of as initiating a new discourse. Other types of relationships include the relation between the head of the family and the other members, of the superior to members of the convent, of teacher to pupil. These relations are internal to the state, in that the people who constitute these relations are within the framework of the state—a framework that can be physical/territorial or understood in terms of a sphere of influence. But we become aware that there are a large number of such relations. A question may well be asked, however, as to why exactly this matters.

243 Foucault, *Power*, 204-5.

For Foucault, at least, the importance is that when we recognize such a multiplicity of forms, we then can ask ourselves anew what particular form of government can be applied to the state as a whole but also whether we have applied a state model of government to other power relationships. That is to say, we can ask ourselves why Machiavelli's interlocutors, or we, for that matter, thought in such a way that the prince/principality relationship of synthetic externality became the practically exclusive (or, to use the vernacular, "default") way of understanding not only the relations of power active between the state and its citizens but also relations of power amongst people, be their relationships intimate or otherwise. In other words, one may wonder why an essentially artificial, external relationship based in dominance and submission (again, prince/principality) came to be the standard way of viewing power relations that were natural and internal (for example, familial relations). This can be seen as being exemplified by the discourse surrounding the case of Pierre Rivière, a Norman peasant boy who, in 1835, murdered his mother, his sister and one of his brothers with a pruning hook. Foucault, along with some of his students at the Collège de France, compiled a collection of documents relating to the case. What the documents revealed to Foucault was not any overarching thesis that illuminated the cause and meaning of Rivière's act. To the contrary, Foucault found a plethora of conflicting interpretations put forth by competing, equally self-interested parties, including doctors, lawyers, judges, Rivière's remaining family members and fellow villagers, and Rivière (who wrote a memoir) himself.²⁴⁴ Over time, the process of synthesizing these interpretations, of fitting them

244 Win McCormack, "Deconstructing the Election: Foucault, Derrida, and GOP Strategy". <http://www.thenation.com/doc.mhtml?i=20010326&s=mccormack>

into a model of behavior and thus explaining the event in question based on said model, came to overshadow the interpretations themselves. By this I mean to say that the explanation of the killing became sacrosanct such that the explanations which were delivered were granted a certain power both in virtue of and to the personages who delivered them.

On Ideology

It might be pointed out that this sort of understanding suggested by Foucault raises some real concerns about objectivity, historical explanation and what we might call ‘ideological contamination’. Addressing this point will be part of the discussion related to Hobbes and Locke in a subsequent chapter, but it does not seem imprudent to at least broach the issue especially as it reflects on Machiavelli's thought. In terms of the issue itself one may look to Paul Ricoeur who, in his essay “Can There Be a Scientific Concept of Ideology?”, attempts to provide a phenomenology of “ideology”, in order to liberate the term from its traditional connotations (particularly its Marxist undertones) and make clear the fact that there exists a generally more positive (or at least less restrictive) conception of the term as a “doctrine of ideas”. While Ricoeur does not apply this understanding of “ideology” to the notion of “governmentality”, the potential for some sort of discourse based on an examination of both seems clear enough. He makes this point in order to address a larger issue; namely, the relation between science as a practice and ideology. Thus “governmentality” would, on Ricoeur's analysis, serve as a science of government, or as a shorthand way of referring to the practice of governing. I believe that, understood in this way, Ricoeur would hold that governmentality serves an

ideological role, a claim that Foucault would reject. Thus, it seems appropriate to perform a critical exegesis over this attempt at phenomenological rehabilitation. First, I will briefly summarizing several salient points Ricoeur makes concerning differing conceptions of ideology. Following that, I will discuss his thoughts on science and ideology. I shall then turn to Foucault's reasons for the rejection of ideology as a useful concept.

According to Ricoeur, there are three traditional concepts of ideology, all of which appear to be best understood in terms of societal function. The first, which might be termed integration, is best exemplified by its conciliatory properties. The second conception is that of distortion, while the third, which he identifies with Marxism, is of domination. Let us look at these in a bit more detail. Broadly speaking, the first conception of ideology can be understood, in the vernacular, as the “glue” that binds society together. That is to say, it provides the basis and the continuing conditions needed for a sense of community among persons that might otherwise be disparate. Ricoeur uses the example of the American Bill of Rights—the purpose of ideology is to perpetuate the spirit of the event, to keep it such that the group finds it to be consistently meaningful. That is to say, the ideology mediates between the original event and persons in the present day, inasmuch as it helps the event, however indirectly, transcend time.

Even this most primitive notion of ideology carries with it some negative connotations. One arises from the aforementioned indirect relation to the original event. In particular, ideology becomes, or at least can become; a justification for the group's holding of whatever position it is that they hold. Indeed, ideology seems to assume this function in proportion to the distance from the original event. So, for example, it might

be the case that some group could rationalize holding some racist viewpoint on an ideological basis, that is a basis that refers to some founding event of the group, when that founding event has no real relation to the current view. It must be said, though, that it is not clear whether Ricoeur believes this degeneration is inevitable, or whether there are some ideologies of this integrative/mediative sort that could remain unsullied. At any rate, this rationalization leads to further difficulties; particularly that it oversimplifies a very complex world. In other words, there is a shift from independent thought to common opinion. This seems to me to be an important point, and one that bears a bit more mention.

Ideology comes to be such an integrated part of our worldview that we forget that it is there. Indeed, it serves almost as a prism through which we must interpret the world. We cannot escape this state of affairs; in point of fact we do well merely to be aware of it. And since we cannot think otherwise, we also cannot remove ourselves from the ideological morass, as it were; we are consequently forced to accept that our point of view will be necessarily altered. Not only can we not think independently of ideological influence, apparently we cannot conceive of what such independent thought would be like. Ricoeur does not seem to say this as such, but he does say that the ideological standpoint is the "where", not the "what" of our thoughts. In other words, while ideology may not rule the content of our thought as such, it provides a background for that content which is ineffable.

Given what has been said already, the nature of the second, distortive, feature of ideology should be fairly clear. Since most primary events are political, ideologies become tools of those groups in authority in their quest to justify (and consequently

retain) their authority. So while this second function has some features of the first, it has additional functions as well. In turn, this distortion is related to the domination of the third, or Marxist, conception of ideology. On Marx's view, ideology is a function of the domination by the ruling class in a situation of conflict.²⁴⁵ This view of ideology introduces three more claims: 1) that ideology presents an inverted view of reality, yet it is generated by reality. 2) The first point is comprehensible due to the fact that ideas, when taken in themselves, appear to have an autonomous existence. In other words, ideology is the replacement of reality by our imagination, our conceptions. 3) Since ideology is generated by reality, there must be a revolution in reality (that is the foundation of ideology) to eliminate the ideology. This third claim raises the possibility that there could be some situation that is non-ideological.²⁴⁶ This is problematic, as it would seem to contradict the earlier interpretation of Ricoeur which claimed that such an instance would be not only practically impossible but inconceivable as well. He puts the question thus, "Is a non-ideological science of ideology possible?" In other words, I take the question he takes from Marx to be whether we can attain some sort of third person, non-objective view of reality or whether the elimination of one ideology is done on the basis of and hence merely occasions the enshrinement of another.²⁴⁷

It seems to be the case that science and ideology are to be found in opposition to one another, at least on the traditional conceptions of ideology. However, it is important to remember that the manner in which one defines science will have some bearing on this

²⁴⁵ Jorge Larrain, "Ideology" in *A Dictionary of Marxist Thought*, 2nd ed. ed. Tom Bottomore (Oxford, UK: Blackwell Publishers, 1991), 248.

²⁴⁶ Lewis S. Feuer, *Ideology and the Ideologists* (New York: Harper & Row, 1975), 130.

²⁴⁷ Göran Therborn, *The Ideology of Power and the Power of Ideology* (New York: Verso, 1982; reprint 1999), 85.

opposition as well. The plausibility of the claim that there can be some viewpoint that is non-ideological, and that this viewpoint is, in some sense of the word, a science rests in large part on this definition. One may either understand science as positivistic or non-positivistic. Ricoeur believes that the positivistic view provides adequate grounds for making a distinction between science and ideology. Examples of positivistic sciences are physics and astronomy, which are sometimes called the “hard sciences”. However, the problem of greater concern is that ideologies are often concerned with, or related to, social sciences, whose methodologies do not seem to meet the same evaluative criteria (particularly intelligibility and falsification) as the hard sciences. He claims that social sciences generally meet one or the other of these criteria, but not both. To wit, “This first stage of discussion (*of the positivistic conception of science*) tends to prove that social theory has not reached the level of scientificity which would allow it to denounce so-called ideological positions with an authority equal to that with which astronomy could supercede astrology.....”²⁴⁸

Ricoeur holds that a non-positivistic conception of science would be best seen as a critique. We must now again take up the point broached earlier and ask if a critique can be non-ideological when it sets the terms itself for what is ideological. If it sets the terms for what is to be considered an ideology, then it itself is ideological as well. Let me put it another way: For a critique to be purely radical it must be total...that is to say, it requires that one have a standpoint outside of ideology. But this is precisely what we cannot have.

²⁴⁸ Paul Ricoeur, "Can There Be A Scientific Concept of Ideology?" in Joseph Bien, ed., *Phenomenology and the Social Sciences, A Dialogue* (The Hague: Martinus Nijhoff, 1978), 44-52.

Is there a way out of this problem? Ricoeur is not as precise here as would be liked. He seems to say that the tension between science and ideology is better “dealt with” than not, though what “dealing with the tension” exactly entails is unclear. What is clear is that the project of total reflection has failed and was indeed doomed to fail from the very start. This makes necessary another type of discourse, which is more limited in scope, it seems, which he terms the hermeneutics of historical understanding. The general idea is that an examination of texts in terms of the relevant, in terms of the goals of our examination, conditions of their authorship can help enlighten us as to the role ideology played in their origins.

Ricoeur does not so much rebut the negative connotations of ideology as make us aware of them. Indeed, rebutting those connotations would presuppose a perspective that cannot, as we have seen, be attained. It might be the case that the hard scientist would object to Ricoeur’s view; that she would assert that the scientific worldview is non-ideological. This seems to ignore a point raised by the Frankfurt school, among others: that the scientist, the researcher, is part of society so the themes of his or her study will be impacted by society.²⁴⁹ Now while this point was raised in relation to social researchers, it does not seem untoward to assert that it would apply to the hard scientist as well. On this way of thinking, the worldview of physics is just that, one worldview replete with its own ideological baggage—the baggage that necessarily comes with saying that one has a way of understanding the world. Why is the baggage necessary? One could claim that any way of looking at the world presupposes some subject that must do the looking (or

²⁴⁹ Erich Fromm, *The Anatomy of Human Destructiveness* (New York: Holt, Rinehart & Winston, 1972), 92.

whichever type of experiencing you prefer). Physics is not entirely subject-free, for whatever objectivity can be attributed to the results of its methodology is mitigated by the subjective purposes for which those calculations are performed. So, then, it can be as subject-dependent in practice as the social sciences. If this is the case, then it seems that the hard sciences are not totally immune from ideology either. Indeed, it is not at all uncommon that the sciences are themselves used as a hegemonizing influence. In other words, it appears that either type of science can be a tool of ideology while, at the same time, claiming to be free from ideological contamination. Thus, Ricoeur seems to face a difficulty with his position insofar as he claims there is a tension between ideology and science. However, it seems that a tension will be possible only if there is some sense in which one can differentiate between the two areas. But if all explanation is at root ideological, then there are not two things, ideology and science, but rather one, ideology, which has the sobriquet 'science' applied to one of its subsets as readily as 'biography', 'fiction' and so forth. So either there should be no tension to posit or, alternatively, Ricoeur should offer some account of how there can be an internal tension within ideology. Foucault offers a different approach to this issue with his thought on critique and ideology; one which serves to dissolve Ricoeur's difficulty.

Foucault and Argument by Critique

It seems as though one can see the purposes of at least part of Foucault's project at this point, especially in light of the focus on governmentality both earlier in this Chapter and in Chapter 1. While I think Foucault would be sympathetic to the notion of a hermeneutics of historical understanding he would at the same time be interested in a

different, but equally meaningful in his view, exegetical question: What can this text tell us now?²⁵⁰ In other words, Foucault would be interested in the sort of understanding referenced by Ricoeur insofar as that could be used to help us further understand what meanings are currently attributed to the text today. So, then, Foucault stands in relation to the points made thus far about ideology by Ricoeur in at least two ways: The first relationship can be understood by making reference to the type and end of what Foucault terms “argument by critique”; the second can be made clearer by pointing to the difficulties he believed were involved in utilizing ideology as a useful analytic, or even classificatory, notion. In reference to the first point, John Rajchman speaks of Foucault’s use of four types of argument: argument by dispersal, argument by reversal, argument by critique, and argument by singular enlightenment.²⁵¹ While the other forms of argument have some potential application to the issues at hand, it is the idea of argument by critique that seems most relevant.

Generally speaking, critique is thought of as historical when the standards used for said critique are placed in the past (or the future, for that matter).²⁵² That is to say, the past is judged and understood by (or the future is postulated and predicated on) the standards of the present. Foucault realized, particularly in *Discipline and Punish* but also in *The History of Sexuality, Vol. 1*, that writing about the past could easily serve as a criticism of the present. How so? Well, by recognizing that certain influences from the past may yet continue into the present, surreptitiously informing our present attitudes.

²⁵⁰ P. Caruso, “Who are you, Professor Foucault?” in *Religion and Culture: Michel Foucault* ed. by Jeremy R. Carrette (New York: Routledge, 1999), 91-92.

²⁵¹ John Rajchman, *Michel Foucault: The Freedom of Philosophy* (New York: Columbia University Press, 1985), 57.

²⁵² *Ibid.*, 58.

The “present”, or the “event”, then, consists in those events made up of the things we do that are influenced by things, or events, in the past that are either ignored or taken for granted. Thus, writing a history (and bear in mind that Foucault termed *Discipline and Punish* “a history of the present”), seeks to identify those influences and the consequences they have for present discourse. The end effect of this is to make our present seem less a matter of historical necessity and more a matter of happenstance upon which some order is posited. However, as Rajchman points out, Foucault’s point is not to show that some alternative or the other is the “true” interpretation of some historical event or that the present is influenced by the past in some particular way but rather in terms of the multiplicity of ways the past was and is still seen.²⁵³

Put another way, Foucault is not in the business of establishing a different sort of regularity than the orthodox way of looking at things, but of “de-regularizing” events. Speaking in terms of Machiavelli, for example, political power can be seen as serving an important role in establishing and maintaining an interpretive regularity that oftentimes counts as orthodoxy in terms of an approach to understanding a text. However, Foucault’s notion of critique does not seek to repudiate a particular understanding of a text (or event or discourse) or to replace said understanding with a point of view that attempts to universalize historical conditions, but rather with one which singularizes it. In other words, he seeks to examine the preconditions of the historical event with one eye towards understanding how those events themselves are understood to serve as preconditions and the other towards recognizing how such a singular set of preconditions

²⁵³ Ibid., 58-59.

might resemble a set of present conditions.²⁵⁴ As he puts it, “I wanted to see how these problems of constitution could be resolved within a historical framework, instead of referring them back to a constituent object (madness, criminality of whatever).”²⁵⁵ It is also important to note here that “whatever” could refer to making the subject, or “humanity”, a constituent object as well. Thus, Foucault’s project is one of looking at power as more than political power—something Machiavelli does not do (and, given the discourse of his day it should come as no surprise that this is so). Therefore, argument by critique does not presuppose, as Ricoeur might say, an ideology through which one understands recurrences of conduct as representative of larger historical truths. Rather, argument by critique enables one to recognize recurrences and posit similarities in events. Pattern then becomes reduced little more than recognizing the occurrence of the coincidental. Foucault calls this approach a *genealogical* form of history, “....that can account for the constitutions of knowledges, discourses.....without having to make reference to a subject that is either transcendental in relation to the field of events or runs in its empty sameness throughout the course of history”²⁵⁶

On Foucault and Derrida

There are multiplicities of possible objections to such a view as Foucault has just set forth. However, it is the case that at least sometimes certain objections, or sets of objections, are posited due to a lack of clarity on the part of the one presenting the view in question or, admittedly, on the part of his or her expositor. Thus, examining a

²⁵⁴ Michel Foucault, “Truth and Power” in *Power: Essential Works of Michel Foucault 1954-1984*, Vol. 3, ed. Paul Rabinow and James Faubion (New York: The New Press, 2000), 116.

²⁵⁵ *Ibid.*, 118.

²⁵⁶ Foucault, “Truth and Power”, 118.

particular objection to what has been said in the preceding paragraphs serves a dual purpose insofar as it illuminates the misconceptions of the objector while serving to make Foucault's view more understandable.

In an early chapter of *History of Madness* Foucault addresses the well-known section of Descartes' *First Meditation* where Descartes dismisses the possibility that he is mad as a reason for doubting the veracity of his sense experiences.²⁵⁷ Descartes is sitting by the fire, wondering how it could be possible to doubt that he is sitting by the fire, observing his hand, his body, the paper he is writing on and so forth. One way of doubting this is to compare himself to those who are mad, to those who, "...are so damaged by the persistent vapors of melancholia that they firmly maintain.....that their heads are made of earthenware or that they are pumpkins."²⁵⁸ However, Descartes refuses to entertain this possibility, for "...such people are insane and I would be thought equally mad if I took anything from them as a model for myself."²⁵⁹ In other words, Descartes is unwilling or unable to consider the possibility of his own madness because, by implication, he is certain of his own sanity and, more explicitly, because the mad have nothing constructive to add to his ratiocinative process.

This passage was interesting to Foucault not only in terms of the overall philosophical project of the *Meditations* but also, and perhaps more so, as a reflection or description of attitudes towards the mad at the time Descartes was cogitating. Indeed. Foucault points

²⁵⁷ Jean Khalifa, introduction to *History of Madness* by Michel Foucault (Abingdon, UK: Routledge, 2006) xxi-xxv. The following section of this chapter is inspired by Professor Khalifa's insightful discussion of this matter.

²⁵⁸ Rene Descartes, *Meditations on First Philosophy* in *The Philosophical Writings of Descartes*, Vol. II, trans. by J. Cottingham, R. Stoothoff and D. Murdoch (Cambridge, UK: Cambridge University Press, 1984), 13.

²⁵⁹ *Ibid.*, 13.

out that Descartes treats madness differently than the other sources of error that he considered. After all, even if his senses are deceiving him, they still are deceiving him about sensible objects. This holds even if his most clear and distinct sensations are in error.²⁶⁰ Thus, there is some thread of truth still evident even in the darkest error. With madness, however, such is not the case. The mad have nothing to offer the process of doubt because there is no way that Descartes, the thinking subject, can be mad. This is because, "...madness is precisely a condition for impossibility of thought."²⁶¹ According to Foucault, this attitude was "...symptomatic of the parallel formation of modern rationalism and institutions of confinement, both forming the two sides of what he called 'the classical event'."²⁶²

The connection drawn between Descartes' philosophical argumentation and the foundations of the institutions of confinement was harshly criticized by Jacques Derrida. Before addressing the substance of his objections, it is important to point out that Foucault was not declaring an explicitly causal relationship between the events he was discussing. Nor was he trying to argue that deeper insight into Descartes' thought would help broaden the understanding of the historical concept of "madness". Rather his point was that Descartes' own analysis was both informed by and a reflective articulation of a particular set of conditions that served to delineate reason from madness. There is no sense of "reason" or "madness" to be understood if by the use of those terms one thinks of transcendent historical notions unfolding across time. However, one can understand what was meant by "reason" and "madness" at a particular time and place as well as

²⁶⁰ Michel Foucault, *History of Madness*, (Abingdon, UK: Routledge, 2006), 44-45.

²⁶¹ *Ibid.*, 45.

²⁶² Jean Khalifa, Introduction to *History of Madness*, xxii.

understand the underlying methodology for distinguishing between the two at that time and place. If there are parallels to the present, it is not because “madness” and “reason” have some sort of unfolding essence that is being discovered but rather that there can be similarities between the conditions that occasioned “madness” and “reason” to be used in a certain way at a certain time and the manner in which they are used now.

Derrida's objections were twofold on this matter. First, he held that Foucault's reading of Descartes was quite simply mistaken. Foucault held that Descartes was excluding madness from consideration as a possible source of information about his skeptical project. Derrida argues that the move from rejecting the possibility of madness as a source of doubt to embracing the possibility of the dream hypothesis was due to the fact that dreams were more common than madness and that a layman, that is an interlocutor who was not a philosopher, would be convinced much more readily that he might be dreaming than that he might be mad.²⁶³ So madness is not excluded from the philosophical process so much as it represents the end of the philosophical process. In other words, philosophy ends where madness begins. Madness is not excluded from the philosophical process of doubt because it could not be part of that process in the first place. It is exterior to a process that is, for Descartes (and Derrida, for that matter) at least, purely interior.²⁶⁴

Next, Derrida holds that the Cartesian *cogito* represents an audacious, ahistorical move, a move that makes Foucault's concerns about reason and unreason possible in the first place. So, in other words, while the *cogito* is a Cartesian construct, in formulating it

²⁶³ Jacques Derrida, “Cogito and the History of Madness” in *Writing and Difference* (Chicago: University of Chicago Press, 1978), 50. Indeed, it is important for this objection that the meditation be a dialogue between philosopher and non-philosopher as opposed to an internal monologue.

²⁶⁴ *Ibid.*, 53.

Descartes essentially found a privileged discourse. As Derrida put it, “Whether I am mad or not, *Cogito sum*.”²⁶⁵ The philosophical move is audacious insofar as humans we are positing a totality that we ourselves are in no position to comprehend in full. Yet the process of raising these questions is what opens up a space for thinking of reason and unreason. Foucault then has unwittingly tried to make historical the thought that made history possible.²⁶⁶ In so doing, Foucault runs the risk of what Derrida terms a “historicist totalitarianism”, whereby he tries to reduce all knowledge to the manner in which it is produced.²⁶⁷ This is a violence that endangers the Foucauldian project itself, for if there is nothing foundational on which to base a claim of truth, then that claim, or work that is based on such a claim, is rendered deeply implausible. Derrida closes his critique by questioning whether the passage about madness Foucault utilizes as a springboard for his work is really a particularly crucial passage in the First Meditation. After all, it seems that Foucault is the first of all of those who have thought about Descartes who attributed equal importance to both the madness and dream discussions.

Foucault responded to Derrida in two different essays, both published some ten years after Derrida's original critique. The thrust of the first essay is that (1) he is not mistaken in his reading of Descartes and (2) even if he were mistaken, a short discussion of Descartes does not invalidate or negate the rest of an entire 650-page work.²⁶⁸ A more developed reply comes in the second essay, where Foucault develops the idea that

²⁶⁵ Ibid, 56.

²⁶⁶ Jean Khalifa, Introduction to History of Madness, xxiii.

²⁶⁷ Ibid., xxiii.

²⁶⁸ Michel Foucault, “Reply to Derrida” in *History of Madness* (Abingdon, UK: Routledge, 2006), 576-578.

Derrida has misread Descartes when he posits the non-philosopher as participant in the first meditation.²⁶⁹

The importance of the reply to argument by critique comes towards the very end of the response. Foucault wonders why Derrida, who has essentially criticized Foucault for not paying close enough attention to Descartes' text, felt it necessary to go so far beyond what Descartes said to buttress his complaints. The answer has to do with a pedagogical predilection of which Derrida is a prime example: that of the reduction of discourse to text, of being concerned with understanding, in this particular case, Descartes in a way such that the import of the Cartesian discourse corresponds with the conceptual framework that Derrida brought to the project, particularly rules for establishing sovereignty over a text.²⁷⁰ Indeed on the view of Derrida and his deconstructionist followers, the whole notion of "text" comes to be something that depends on the divining, or inventing, the author's "true" purpose so that what the text *actually* meant could be unearthed from within the text itself. But it is certainly peculiar, as Foucault points out, that the final arbiter of what constitutes the discourse is someone who stands in external relationship to it while treating it solely as a text and putatively focusing on its internalities.

Foucault and Ideology

²⁶⁹ Michel Foucault, "My Body, This Paper, This Fire" in *Aesthetics, Method and Epistemology: Essential Works of Michel Foucault 1954-1984*, Volume 2, ed. P. Rabinow and J. Faubion (New York: The New Press, 1998), 412. While the details of Foucault's response are fascinating, they go beyond the scope of this chapter.

²⁷⁰ Foucault, "My Body, This Paper, This Fire," 416.

Even though Foucault ultimately makes some telling points in relation to Derrida, one might remark that they are still ideological points. The ‘singularizing’ approach to historical understanding is nothing more than a different ideology, one that prizes the event above all else. Foucault responds to this most directly in an interview given in the latter years of his career. For Foucault, the interview represented an opportunity to author a text just as surely as writing did, insofar as the interview is simultaneously a matter of individualizing the speaker and constituting that speaker as an author of a discourse.²⁷¹ This idea of authorship will be addressed in more detail at the end of the current chapter.

At any rate, during the period of time between the publication of Volume I and Volume II of the *History of Sexuality* (roughly 1976 through 1984), Foucault tended to eschew writing longer works in favor of shorter essays on a variety of social and political topics as well as granting extensive interviews, thus working out a clarification of his positions in response to a variety of queries from interviewers, some respectful, some not. One of his clearest statements regarding his concerns about ideology as well as a response to the claim that his view over-values the event comes from a 1976 interview with Alessandro Fontana and Pasquale Pasquino. In it, Foucault claims that the notion of ideology is difficult to use for three reasons: (1) Ideology presupposes a relationship of conflict with something else that is understood as truth; (2) Ideology implicitly refers to an ordering of the subject; and (3) Ideology stands as ultimately secondary to the infrastructure that produced it.²⁷²

²⁷¹ Niall Lucy, “Now I’m a Brilliant Mistake: The De-naming of Elvis Costello,” *Australian Journal of Cultural Studies* 4, no. 2 (1987), 67.

²⁷² Michel Foucault, “Truth and Power”, 119.

Obviously, these points need to be developed in a bit more detail. Additionally, one might also wonder what, exactly, Foucault means by “use” when it comes to the notion of ideology. Finally, one might wonder how Foucault can effectively respond to the charge of over-valuing the event. The intermediate concern about “use” can, perhaps, be answered more briefly and thus provide an avenue for exploring answers to each of the other questions. This, in turn, will constitute a development of Foucault’s points regarding the difficulty in making productive use of ideology.

Foucault was concerned about ideology because it served to disguise the fundamental problem of discourse, namely, “Who does the discourse serve?” This is a problem which Foucault elected to analyze in terms of power. Power was not an unused concept in the intellectual arena of Foucault’s time (he speaks here of his intellectually formative years in the 1940’s and 50’s), yet it was a relatively impoverished conception of power that tended to focus on political power as the be all and end all of power, a focus that can, at least in part, be traced back to Machiavelli. Be that as it may, Foucault points out that the political right tended to focus their attention on the power of the constitution, of legitimacy and sovereignty. On the other hand, the left expressed its concern about power in purely economic terms, focusing on the apparatus or structure of the state.²⁷³ The notion of understanding power in terms of how it was actually exercised in concrete situations was simply not done. Yet Foucault himself states, “When I think back about it now, I ask myself what else it was I was talking about in *Madness and Civilization*...but power?”²⁷⁴ In other words, the examination of the asylum was an examination of the exercise of psychiatric power over individuals. Put yet another way, his focus was on

²⁷³ Foucault, “Truth and Power,” 117.

²⁷⁴ *Ibid.*, 117.

how a discourse, in this case that of psychiatry, could be developed and used to govern a particular group, in this case those who were diagnosed as mad. However, the left would have had little use for such an analysis because it would have not fit into their framework of relationships as being essentially economic and exploitative.

Foucault, then, would view science as a type of discourse and his interest therein would be understood in terms of how that discourse changed over time. Those changes, on his view, reflect not so much advances in knowledge, paradigm shifts or refutations of erroneous beliefs as a new formulation of statements that are acceptable as truths.²⁷⁵ In other words, what he finds interesting is the relationship between statements and, more precisely, what governs both those statements and their relationships with one another. Thus, to continue with the previous illustration, understanding change in science is not a matter of discovering external influences on science, but rather examining the effects of power on statements within that particular discursive universe. Ideology is of little use in this process because it approaches discursive universes through externalities such as economics, social structure and so on.

Foucault does focus on the event, granting it a central place in his schema. Could this not be yet another form of ideology? On Foucault's view, ideology is essentially reductive, in that it takes discourse as necessarily being of a certain sort, if not explicitly then implicitly. For example, when one considers the classification of discourse, one encounters an idea that a work must be of a certain genre—perhaps philosophy, perhaps history, perhaps fiction. Yet this classificatory apparatus has the effect of reducing a discourse to a particular type or category according to a contemporary understanding of

²⁷⁵ Ibid., 114.

that type or category as opposed to through an identification of a timeless, intrinsic quality that they possess which serves to mark them as what they are.²⁷⁶ Foucault is quick to point out that the notion of the event need not be treated as a category to be used as an explanatory tool. Rather, his point is to call attention to the fact that singularized events are connected to other singularized events of different types and sorts through an indefinite number of connections. Thus, part of Foucault's project is to call awareness to events and their connections with one another. The problem of discourse then moves beyond the way it was phrased earlier to a problem of identifying relations between events and, moreover, tracing out those relations in terms of "...relations of force, strategic developments and tactics," through "...relations of power, not relations of meaning".²⁷⁷ So the concept of the event would not be ideological, in Foucault's view because it is constitutive as opposed to reductive. The point, again, is not to reduce every occurrence to an 'event' and then analyze it according to some underlying architectonic of the event. Rather, it is to see that an event is a useful notion insofar as it points to events, to pluralities; as a way of singularizing a space so that connections may be seen; tactics and strategies may be identified; all for the purpose of making history intelligible.

An illustration used by Foucault in regard to this may be helpful. Consider the notion, or to use Foucault's language the "unity", or classification, "book".²⁷⁸ On the one hand, the unity that "book" represents appears easy to apprehend. Perhaps it refers to a number of pages bound together in some fashion. Further, it could refer to the content of those pages, or even to the object that contains said pages and content that occupies a certain

²⁷⁶ Michel Foucault, "On the Archaeology of the Sciences" in *Aesthetics, Method and Epistemology: Essential Works of Michel Foucault 1954-1984*, Vol. 2 (New York: The New Press, 1998), 303.

²⁷⁷ Michel Foucault, "Truth and Power", 116.

²⁷⁸ Michel Foucault, "On the Archaeology of the Sciences", 304.

space and time, has a certain number of pages, and has a certain economic value. Even more broadly, a “book” might be understood as a production of an author. Yet, as Foucault points out, none of these conceptions are without their difficulties. They all assume a book is a homogeneous entity. However, this ignores the distinctions between the relations between books based on their contents—science texts, for example have different relationships with one another than philosophy texts simply due to the fact that they are the produce of different universes of discourse. Thus, the unity of the “book” is more apparent than real. There are a variety of strategies and tactics one can use in order to make “book” or some particular book intelligible. As Foucault says, “No book exists by itself, it is always in a relation of support and dependence vis-à-vis other books; it is a point in a network...to other books, other texts, other sentences.”²⁷⁹

Ideology thus becomes little more than focusing solely on the external pressures brought to bear on a discourse and, as seen in the earlier discussion of Derrida, bringing those external pressures into a discursive space and then acting surprised when one finds them there. Ideology will be of little use in examining the problem of discursivity because it is incapable of addressing discourse internally *qua* discourse since it is reductive rather than constitutive. So Foucault’s three concerns detailed earlier are seen as manifestations of this underlying problematic of ideology. Ideology is concerned with classifying discourses as science or non-science, truth or fiction and so forth. Foucault considered that he had freed himself of the concept of ideology because ideology promised a demystification that was ultimately false.²⁸⁰ Put another way, ideology

²⁷⁹ Ibid., 304.

²⁸⁰ Michel Foucault, “Clarifications on the Question of Power” in *Foucault Live: Collected Interviews 1961-1984*, ed. Sylvère Lotringer (New York: Semiotext(e), 1996), 260-261.

essentially held that things were not as they appeared, that what was real was something that required interpretation. Foucault's interest is in "...seeing historically how effects of truth are produced within discourses that, within themselves, are neither true nor false."²⁸¹ This should not be taken to indicate that Foucault did not believe in truth or falsity as such. Rather, he held that what is considered truth is oftentimes a function of who says it rather than what is said.²⁸²

Foucault and Authorship

Since a purely political discourse is difficult, if not impossible, to attain, it seems prudent at this juncture to reflect upon the role the author plays in discourse, be it ostensibly political or otherwise. In his essay "What is an Author?" Michel Foucault details the notion of an "author function". In brief, his claim is that the author function serves to initiate a mode of discourse that possesses a particular status distinct from other forms of communication. The relevance to the discussion heretofore has to do with providing some insight into the claim made earlier that Machiavelli's thought served to initiate a new discourse. By understanding what Foucault means by "author" and identifying the particular status entailed by the author function, the discursive originality of Machiavelli's thought can be made manifest.

Foucault on "Author Function"

²⁸¹ Michel Foucault, "Truth and Power", 119.

²⁸² Michel Foucault, "The Order of Things" in *Foucault Live: Collected Interviews 1961-1984*, ed. Sylvère Lotringer (New York: Semiotext(e), 1996), 17-18.

Foucault begins his discussion of author function with a brief discussion of the author's name and its function as a classificatory device.²⁸³ Briefly put, an author's name is not just a word capable of fulfilling a grammatical role in a sentence, such as serving as a noun with all of the functions of a noun reserved for it, but is rather a way of grouping a set of texts so that they can be distinguished, understood and analyzed separately from other texts. In effect, the author's name serves as a discursive stereotype, informing us as to how we are to interpret a particular work, or how that work relates to another. In other words, Foucault is claiming that the author's name has a function, that is to say is used in such a way which is not only descriptive, but is also understood in a very real sense as normative. So when one says that, to use one of Foucault's examples, that Rimbaud is not the author of *La Chasse Spirituelle* or that Roussel is the author of *Locus Solus*, we are thereby saying that if one is to understand either work one must place herself or himself in a different relation to either work than if some other state of affairs were the case.²⁸⁴ It might be said that the author's name places an obligation of sorts upon those wishing to enter into discourse with the work. We might consider, for example, the state of contemporary literary discourse. Speaking very generally and without intentionally addressing any particular extant discourse, it seems that at least part of the prevailing opinion is that one could not speak profitably about *Du côté de chez Swann* without accounting for its place in relation to, say, *Le Temps retrouvé* and, especially, without accounting for the meaning of the fact that they were both authored by Proust. So the name of the author, on this construal, reaches out from the text to inform the text. The

²⁸³Michel Foucault, "What is an Author?" in *The Foucault Reader*, ed. P. Rabinow (New York: Pantheon, 1984), 107.

²⁸⁴Foucault, "What is an Author?", 106

significance of the text lies in the indefinite meanings provided to the text by the author. In essence, the author's name provides a portal by which the reader can enter into discourse with the text while simultaneously determining the parameters of that discourse. I do not believe Foucault is endorsing this normativity--indeed, I think there are some good reasons to think that he does not--but I think it is important for his overall conclusion that he initially allows for the assumption of its existence.

Let us consider another example in order to make the same point in a slightly different fashion. Imagine a society in which people are identified solely on the basis of a series of numbers, i.e., in which there are no proper names as such. The affection that I have towards my wife would be of a much different sort if I only knew her as a number of some sort. Now it may be objected at this point that I fell in love with my wife due to her personal and physical characteristics, rather than on the basis of her name. She would still be who she is whether she was known by her proper name or by a series of numbers or symbols serving as signifiers. But the situation does not seem as straightforward as that. A proper name is one of one's personal characteristics (indeed, it is in some sense one's defining personal characteristic) and there exists a certain felt attractiveness that could not exist for a set of numbers. Let us not lose sight of the point here. I am not claiming that there would not be relationships among people known only by numbers, but rather that those relationships would be of a far different sort. This difference is only expressible in terms of our conceptions of names and numbers that underlie it. The introduction of proper names as a method of nomenclature would doubtless change such a society in a radical manner, and would count as a "new idea", to reach back to the Ricoeur discussion.

The implication here is that when one way of looking at things is subsumed by another, public relations among persons are irrevocably changed. But even if we have certain new concepts that guide our actions, are they not expressed with the same vocabulary, at least initially? Even the neologism has some referent in established discourse. When a new idea enters public discourse, language and vocabulary hardly undergo immediate wholesale changes even if relations among persons are altered. It seems odd to assert that the difference in the meaning of a word could affect the social relations between persons.²⁸⁵ Language is a complex system but it is at least an expressive device through which our internalized understanding of concepts may be publicly understood (though it may be more than this as well). This process would seem to hold for the actions of historical figures as well. The meaning of a word is given by a description of its use, which is in turn only possible through an examination of the social relations of which it is a part. If one wishes to grasp the meaning of the word 'rabbit' or its cognates, for example, one must formulate a description of that which it identifies.²⁸⁶ Through that description, one may begin to understand the internalized concepts expressed therein.

Social relations are thus understood as essentially internal in nature insofar as they have existence through the ideas or concepts held by people and are understood only through language. Thus the name of the author, as it is both a part of language and *not just* a part of language, serves to establish a relation between text and speaker that is

²⁸⁵Note, however, this is not the same thing as saying that differences of opinion *over* the meaning of a word won't affect social relations between persons. For example, a new meaning of the word 'marriage' should not cause any differences in the social relations between people but the reactions of people *to* that new meaning may well do so. The problem is not the word or its definition so much as the internalized conceptions that may accompany the word.

²⁸⁶Ludwig Wittgenstein, *On Certainty* (New York: Harper and Row, 1972) 21-22.

internal to the discourse surrounding the text. For, as Foucault points out, "... the name (*of the author*) seems always to be present, marking off the edges of the text, revealing, or at least characterizing its modes of being."²⁸⁷ Foucault is claiming here that the text is delimited by the author's name and, at the same time, the name bestows a certain classificatory force upon the text from within the text. The point here seems to be that the name of the author is something that is most properly understood as being internal to the text, not reaching outside the text and connecting with the person the name represents. Thus, considerations about the author's name provide an entryway into Foucault's discussion of the author function and simultaneously serve as a condition for a discourse actually having an author function. What is it, though, to have such a function?

Foucault claims, rather obliquely, that the author function is a matter of discourses themselves, not of authors as such.²⁸⁸ By this he means the discourse of the text is properly seated within the text itself rather than in the author. This is because not all discourses have an author, according to Foucault.²⁸⁹ An anonymous manifesto stapled to a bulletin board has a writer, to be sure, but not an author. Why? We could be justified in saying this, at least partially, because there is no name attached to the manifesto. But there must be more to it than this, we might say, or else Foucault would be risking inconsistency with the point just made--that the author function is a property of discourses themselves. Foucault then elaborates four characteristics of discourses containing an author function. It is primarily the fourth of these that is most relevant to

²⁸⁷ Foucault, "What is an Author?", 107.

²⁸⁸ Foucault, "What is an Author?", 107.

²⁸⁹ He limits himself in this essay to a discussion of author function in terms of text. There are other author functions possible in other media, such as the interview.

the overarching discussion of Machiavelli but, as the characteristics tend to build upon one another, a few words should be said about all four characterizations.

First, Foucault says, discourses are "objects of appropriation".²⁹⁰ By this he refers to what he terms the transgressive nature of writing. For Foucault, transgression serves as a necessary corollary to the idea of limits, yet, as in the example of "book" referenced earlier, there is more to transgression than simply crossing a limit.²⁹¹ Indeed, the limit and the transgression seem inextricably linked. In order for something to serve as a limit, it must be capable of being transgressed. In order for something to count as a transgression, it must exceed a limit that is real and definite as opposed to transitory and illusive. Thus, the limit and the transgression are bound together in a mutual relationship much like a spiral as opposed to an oppositional relationship.²⁹²

Texts could be spoken of as having authors only at the point in which people could be punished for writing them, for without punishment the notion of transgression becomes meaningless. Discourse, seen as distinct from text, originates as an act in a particular space--perhaps the space between author and reader; perhaps in the space, to use Foucault's example, between the sacred and profane; filling that space and thus transgressing against that which served to establish the limits of that space. Or perhaps "perhaps" is the wrong word here. Rather than picking out a space between two particulars, it may be best to think of discourse as an act, or set of acts, that fill(s), and thereby transgresses upon, a multiplicity of spaces. A discourse is more than just a set of statements that cohere to some degree or other. It exists due to a set of rules that are

²⁹⁰ Ibid., 108.

²⁹¹ Michel Foucault, "A Preface to Transgression" in *Religion and Culture: Michel Foucault* ed. Jeremy R. Carrette (New York: Routledge, 1999), 60.

²⁹² Foucault, "A Preface to Transgression", 61.

accepted at a time and intended to keep some sets of statements circulating and to exclude others from circulating.²⁹³

At any rate, in its origins discourse was active, a "gesture".²⁹⁴ Making such a gesture in the past in the form of a book or text could well carry with it some sense of risk. This has changed however, since the beginning of copyright law and the concomitant codification of the ownership of discourse. So while discourse was originally an act, it is now, when understood at least as a book or text, a good, a commodity to be owned, published, bought and sold.²⁹⁵ The author, then, is caught between Scylla and Charybdis since she or he must be transgressive due to the nature of discourse and, simultaneously, must locate that discourse as a commodity; as part of a system of property.

The second characteristic of author function is that it does not have a consistent and overall effect on all discourses. As we have seen from what Foucault has said in relation to his first characterization, not all discourses possess author function. Oddly enough, some discourses that do exemplify author function have not always been required to have an individual identifiable as author. Historical-literary texts such as comedies or tragedies could be accepted as literary works even if their origins were anonymous. The fact that they were ancient served to justify their valorization as part of discourse.²⁹⁶ Works of early science required authorship before being considered acceptable, as the name of the author was understood to grant veracity to a text. This state of affairs was reversed in the 17th and eighteenth centuries, according to Foucault, as the name of the

²⁹³ Sara Mills, *Michel Foucault*, 54.

²⁹⁴ Foucault, "What is an Author?", 108.

²⁹⁵ Other discourses can be commodities as well and the discourse as book or text does not have to be a commodity. It simply tends to be at this point in time in the West.

²⁹⁶ Foucault, "What is an Author?" 109.

scientist was utilized to identify the work he had completed. For example, when we speak of Boyle's law, we do not apprehend Boyle as the author of the law so much as the person responsible for discovering it.

The third characteristic of author function is that it does not necessarily develop at the precise moment when one identifies a discourse with a particular person. Instead, it slowly develops along with the personage we call the author.²⁹⁷ This is significant, because authorship becomes more than simply scribing a work. It involves a designation of a person who produces a certain type of work, who fits within a certain milieu and who addresses a certain set of concerns in a way that is particular to a time and place and is understood as doing such within that time and place. The key point Foucault is making here is that the author is a construction, extrapolated from the texts according to various continuities and discontinuities.²⁹⁸ The crucial notion here is that by constructing the author in a certain way, we set the conditions for the work itself to be explained in terms of the author as we have constructed him or her. The person who we have identified as the author has a biography, a certain social and political perspective, a certain style or method of expression. In these accidents we find the essential tools for grasping the unity we have found to be present in the work. At the same time, the author as thus constructed can be seen as a way by which perceived contradictions in a work can be resolved. In other words, the author is as much principle as person, a principle that may well be constructed one way in a particular discipline or at a certain time and in a thoroughly different way if the set of circumstances in which he or she has been constructed are different. Where contemporary literary theory tries to draw as much biographical

²⁹⁷ Ibid., 110.

²⁹⁸ Foucault, "What is an Author?", 110.

information about the author as possible to bear on the text, Foucault would consider these sorts of details to be of minimal importance.²⁹⁹ Biography can become hagiography quite easily and the biographer can structure information about the person deemed the author in such a way that it reflects the interest, good or ill, the biographer has in that person's life.³⁰⁰ Indeed, the goal of the biographer may well be to perform some of the constructive functions outlined above. From Foucault's perspective it is the process of selecting and constructing the author that is of greater moment than whatever might result from that process—a result that, in Foucault's mind would be contingent and largely irrelevant.³⁰¹ Put another way, the author function is far more interesting and telling than the author himself or herself. What is told? The role the character of the author plays in the construction of discourse. This in turn sets the parameters for discourse and makes possible the transgressive movement referenced earlier.

The final characteristic of author function is also the most nebulous of the four. Foucault points out that there are elements of the text that play a particular role when a discourse has been imbued with author function.³⁰² These elements are quite common, being grammatical in nature; things such as pronouns and verb tense or conjugation. Consider the following selection from a twentieth-century American novel, "I looked down at the chessboard. The move with the knight was wrong. I put it back where I

²⁹⁹ Mills, 118.

³⁰⁰ David Halperin, *Saint Foucault*, (Oxford, UK: Oxford University Press, 1995), 143-144. A good example of this selective biography is James Miller's execrable *The Passion of Michel Foucault*, which Halperin carefully dissects and demolishes in the closing portion of his work. Miller's work almost borders on parody as he describes his exhaustive research into Foucault yet seemingly misses the point of his work entirely.

³⁰¹ Mills, 119.

³⁰² Foucault, "What is an Author?", 112.

moved it from. Knights had no meaning in this game. It wasn't a game for knights."³⁰³

Foucault would hold that the first person indicative used in the passage refers neither to the author nor the time he writes, for obvious reasons. But, "It would be just as wrong to equate the author with the real writer as to equate him with the fictitious speaker; the author function is carried out and operates in the scission itself..."³⁰⁴

At this point, Foucault extends his analysis beyond the book or text. One could have an author function in relation to a discipline or theory. In other words, the discursive universe might be thought of in terms of a set of interconnected spheres. Some author functions will be located on the smaller spheres while others will be found on a much larger sphere. Foucault calls such larger author functions "transdiscursive".³⁰⁵ Last, Foucault notes that in the nineteenth century there arose certain personages such as Freud and Marx, whom he termed "founders of discursivity".³⁰⁶ By this he means that the individual who occupies this spot has occasioned an area in which other author functions can be located; an area that did not heretofore exist. The distinction between the "transdiscursive" author and the "founders of discourse" is not as carefully drawn by Foucault as one might like, at least beyond the obvious restriction of time rather arbitrarily placed on "founders of discourse". The "transdiscursive" author can appear at any moment historically and has done so in the personage of Aristotle, for example. The "founders of discourse" seem limited to the nineteenth century and beyond, presumably. Yet what they do, on Foucault's view, is rather similar. The "transdiscursive" author

³⁰³ Raymond Chandler, *The Big Sleep* in *The Raymond Chandler Omnibus*, (New York: The Modern Library, 1980), 95.

³⁰⁴ Foucault, "What is an Author?", 112.

³⁰⁵ Foucault, "What is an Author?", 113.

³⁰⁶ *Ibid.*, 114.

opens up a space for other authors, a partially new discursive universe, if you will. The “founders of discourse” establish a set of rules by which the possibility of totally new discursive universes is created. The distinction, then, may be that the “transdiscursive” author opens a space for author functions within the current discursive universe. So the “transdiscursive” author has an expansionary function in relation to discourse whereas the “founder of discourse” has an originating function.

Where, then, are we to situate Machiavelli? Time frame alone would seem to dictate that he could not be a “founder of discourse”. As noted earlier, though, the establishment of the nineteenth century as a cutoff for this way of understanding the author function seemed rather arbitrary. The question to ask is whether Machiavelli, in *The Prince*, expanded a contemporaneous discourse or created a space for a new discourse.

As mentioned earlier, there was no shortage of texts phrased in terms of advice to the prince found in either the Middle Ages or in more ancient times. Also, as mentioned previously, Foucault was interested more generally in the appearance of works that dealt with the problematic of government in its multiple forms—an appearance he situates in the sixteenth century. Since his interest is in these works, he begins by electing to try and pick out of the body of literature some points concerning the “government of the state” or the “political form of government.”³⁰⁷ The easiest way to isolate the points from the literature, on his view, is to look upon a work that the bulk of this literature is a reaction against—in this case, *The Prince*. This point is not without interest, for on the one hand Foucault’s assertion that the body of work on the problematic of government is a reaction to *The Prince* suggests that the discourse would not have been possible without that the

³⁰⁷ Foucault, *Security, Territory and Population*, 89.

existence of that work as an oppositional force. However, the anti-Machiavellian discourse on the problematic of government is not in itself purely oppositional, or negative, but rather a “...positive genre, with its specific object, concepts and strategies.”³⁰⁸ In other words, the literature was in reaction to a conception of the discourse occasioned by Machiavelli’s work, a work that was itself continuous with other books of advice to the prince. So *The Prince*, understood in terms of Machiavelli’s author function, is transdiscursive rather than foundational. We can thus see that the texts dealing with the art of government, or ‘governmentality’, are occasioned by both a re-creation of the Prince and a re-creation of Machiavelli as an author.

I now turn in my next chapter to an examination of some particulars of the thought of Thomas Hobbes and John Locke, who bypass at least some of the sorts of problems that face Machiavelli’s account of power in order to concern themselves with the question of the sovereignty of authority. To wit, their concerns are not so much either where power comes from or how to maintain it, but rather (given that power is a fact of nature) how to legitimize its expression in the form of the state.

³⁰⁸ Ibid., 91.

Chapter 3: Hobbes, Locke and the Government of Nature

My contention at the end of the preceding chapter was that the focus on the issue of power found in Hobbes and Locke was of a different sort than found in Machiavelli. This is not to say that there are no continuities of thought between the discourses surrounding the three philosophers. Indeed, much of the discursive universe occupied by Machiavelli, Hobbes and Locke concerns the legitimacy power as conceptualized in terms of the state. Where Machiavelli seemed concerned about how to maintain power (and, to a lesser extent, about how to achieve power in the first place), Hobbes and Locke both concentrate on how power is legitimized; on questions of sovereignty. Put in more discursive terms, Machiavelli saw power primarily as a capacity to rule whereas Hobbes, for the most part, viewed it as something more than that; seemingly more as a right granted by the mass consent of the ruled.³⁰⁹ In order to demonstrate this, I will focus on certain passages from the *Leviathan* and the *Second Treatise on Government* as well as avail myself of some recent commentary on those august works. Speaking in terms of Hobbes, I hope to address his understanding of power and sovereignty. After that, I will also look at an important argument set forth by Locke that provides insight into his thought on the same topic: The legitimacy of power. I will also give an account of what exactly Foucault believed to be of importance in regard to the questions of sovereignty and power. However before we get to the rather thorny issues that arise in the discussion

³⁰⁹ Barry Hindess, *Discourses of Power* (Oxford: Blackwell Publishers Ltd., 1996), 47.

of the relationship between power and sovereignty, we must first make sure we are clear as to what Hobbes means when he speaks of power. It appears that Hobbes' project was to fix a historical reality that could account for the concrete institutions that he saw to exist, to find "general principles of public law."³¹⁰

Hobbes and Power: Some Generalities

Hobbes first defines and discusses power in detail in Chapter X of the *Leviathan*. Therein he says the following: "The power of a man (to take it Universally) is his present means to obtain some future apparent good. And it is either Originall or Instrumentall."³¹¹ He then goes on to elaborate 'Originall' (or 'Naturall') and 'Instrumentall' power. 'Naturall' power refers to some aspect of the body, such as strength, or mind, such as eloquence. 'Instrumentall' powers are those achieved through natural power that enables more power to be accumulated. So, for example, the person who has achieved riches through his 'naturall' power then can use those riches to attain more power still. Thus, riches have become an instrument through which power may be increased. Hobbes seems to take this as analogous to the laws of the universe. Just as something heavy increases in speed as it falls, so too does power beget power.

Yet, As Hindess points out, if we look at power simply as a capacity, simply as a fortunate condition of human agency, then the consequence is that there will be very little that is interesting to say about it.³¹² Power would simply be a collection of characteristics that enabled a man to pursue some end. Any investigation would have to be into each

³¹⁰ Michel Foucault, *Security, Territory and Population*, 103.

³¹¹ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1992), 62.

³¹² Hindess, 24.

characteristic (prudence or nobility, for example) and the ends that might be pursued with each one.

However, Hobbes certainly speaks as though power is something more than a set of characteristics that constitute a capacity to act to obtain a future good. Indeed, “The greatest of humane powers, is that which is compounded of the powers of most men, united by consent, in one person,....that has the use of all their Powers depending on his will.”³¹³ This suggests two things: first, that there is something about power itself that is essential. In other words, power is more than a collection of characteristics, but rather is a thing that instantiates itself in various characterizations. As Hindess puts it, “...it (power) is to be understood as some common stuff, some shared....essence of effectiveness, which each of those attributes possesses in some quantity.”³¹⁴ Second, power may be combined (or at least brought into combination) and utilized by a single person.

This second point is of greater interest in terms of this project. Certainly, an investigation into the quantitative nature of power as an essence is of great interest. Yet, the idea of power as a right seems of greater interest, if only for the reason that the question of power has been transformed from one of the individual’s (or the self’s) relation to other selves into one of the self’s relation to the government or sovereign. One might say that Hobbes transforms the question of power from one of the relations between individuals (a problem that he has difficulty solving and, to boot, a problem that leaves the nature of power undetermined—more on this in the next section) into one of justifying power relations that he already sees existing. That is to say, since Hobbes finds

³¹³Hobbes, 62.

³¹⁴Hindess, 25.

himself unable to account for power itself, he invents a format through which power questions can be filtered and answered.³¹⁵

Power and the State

It is interesting to note that the relation between power and the state is both beneficial and adversarial. That is to say while it is the ceding of power to the sovereign that makes the state possible, it is also the case that the quest to utilize one's power presents the greatest of difficulties to maintaining the state.³¹⁶ Be that as it may, it would be prudent at this point to explicate Hobbes' idea of power as a right.

On Hobbes' view power as a right is exercised by one person, one "commanding will", and one sovereign.³¹⁷ This is the result of a number of other persons agreeing to make the sovereign the author of their actions. That is to say, they cede their power, or at least a portion of their power, voluntarily. Why do this? The answer lies in the character of the state of nature, the famous state wherein there is a war of all against all. Therefore, understanding and explicating the notion of power as right requires some understanding of the preconditions which allow such a notion to come to fruition.

According to Hobbes, the natural condition of man is most unpleasant. This is because nature has played a cruel trick on us all. We have been made more or less equal in both mind and body. While it is true that there are those who are stronger than others and that there are those who are smarter than others, no one person is so strong or so

³¹⁵ Michel Foucault, "Two Lectures", in *Power/Knowledge: Selected Interviews and Other Writings* (New York: Pantheon Books, 1980), 102.

³¹⁶ Jeremy Waldron, "Theoretical Foundations of Liberalism" in *Philosophical Quarterly*, 37, no. 147 (1987), 127-150.

³¹⁷Hindess, 36.

smart that he can exhibit control over others for very long. The strongest man can be overthrown by a confederation of weaker people who may be more intelligent. By the same token, a smarter person may well be overthrown by an alliance of the brawny.³¹⁸ The key is that we are all equal enough that no one person can force his will on others for very long.

If that were not bad enough, this equality of ability is coupled with an equality of hope that we can achieve our ends. Our main end, of course, is self-preservation. If we are to preserve ourselves, then we need certain things--food, clothing and shelter. However, it is also the case that most people want more than the bare minimum required for self-preservation. As Hobbes says, "...men have no pleasure in keeping company, where there is no power to over-awe them all."³¹⁹ Thus, we have several different streams of thought, if you will, at a confluence here. First, there is the notion that men all require the same things to survive at some sort of bare minimum, but that they are of relatively equal ability when it comes to acquiring said things. Next, there is the claim that men will generally want more than a bare minimum. Last, there is the implication that without some over-arching power to bind them together, men are less than sociable. This last point should come as little surprise given the first two.

The table has been set, as it were, for the discussion of the state of nature. Hobbes has gone a long way towards identifying its preconditions. Yet there is a bit more to say in that regard. It is the nature, the essence, of man to quarrel. The reason for this is that there appears to be an inherent selfishness to man, "For every man looketh that his

³¹⁸Hobbes, 86-7.

³¹⁹Ibid., 88.

companion should value him, at the same rate that he sets upon himself...”³²⁰ Note also that the traditional way of thinking about relations between people has been set on its head. If we remember the way of looking at the others commended by Christianity, certainly the dominant tradition in Hobbes’ time, the idea is that we are to love others as we love ourselves. Hobbes cleverly switches the focus to accord with his view of human nature--we expect others to love us in the way we love ourselves. When they do not, as they will not, it is of little surprise that we quarrel. Leo Strauss accounts for this turn from tradition by pointing to Hobbes’ move from an Aristotelian position on politics to one based in science and mathematics.³²¹ He is rejecting the Aristotelian idea that differences, in terms of predominance and subordinate status, between men are set by nature. In other words, the move is from a simple politics to a political science.

We have, then, a relatively clear picture of the state of nature. It seems that there is a state where men are constantly at war with one another. This does not mean, of course, that people are constantly fighting. War does not strictly refer to battle itself, but also to the times that people are constantly willing to fight. Hobbes' own illustration is of benefit here. We might remark at a certain time, “The weather has been bad lately”. Now by this we would not mean (or would not likely mean) that there had been a passing shower of rain. Rather, we would likely be referring to several days of rain, wind and gloom. Just as “bad weather” covers more than just an instance of rain, so too does “war” cover more than actual fighting.³²²

³²⁰Hobbes, 88.

³²¹Leo Strauss, *The Political Philosophy of Hobbes: Its Basis and Its Genesis* (Chicago: University of Chicago Press, reprint 1984), 136

³²²Hobbes, 88.

We now begin to arrive at the crux of the issue for a variety of philosophers interested in such questions, such as Rousseau, and particularly for Hobbes and Locke--the relation of the state of nature to power. In some sense, of course, the equality of power is precisely what is responsible for the state of nature, where life is “solitary, poor, nasty, brutish and short”.³²³ Hobbes speaks of this time as one where there is no art or industry. It is a time where the function of man is to try and establish their own selves and see to their own needs. In short, Hobbes is reflecting on a time where fear and insecurity rule man. The goal of man, put another way, is to alleviate fear and provide security. There is no obvious way to do this, though, given the particulars of the state of nature. The implication, then is that there is a corresponding equality of vulnerability (by the use of “vulnerability” here, I refer to the fear of death by the hands of others) to the aforementioned equality of power.³²⁴

This equality of vulnerability leads men in the state of nature to one conclusion, at least insofar as they are rational. Namely, that they will be better off if they give up the right to judgment they possess in the state of nature and submit their selves to sovereign judgments made on their behalf and with their consent. As Hobbes put it in Chapter XVII of *Leviathan*: “The only way to erect such a Common Power....; is to conferre all their power and strength upon one man, or one assembly of men, that may reduce all their Wills, by a plurality of voices (*emphasis mine*) to one Will.”³²⁵ The Common Power is the power that will bring peace, which will protect men from invasion by foreign powers while also protecting them from one another. The Common Power is the multitude of

³²³Ibid., 89.

³²⁴Piotr Hoffman, *The Quest for Power* (New Jersey: Humanities Press, 1996), 16.

³²⁵Hobbes., 120.

Wills united as one Will; the multitude of people united as one Person; it is the Common-Wealth; it is the precondition of the Leviathan; the Mortal God. The Leviathan has, by the authority vested in him through the unity of Wills, an awesome power; a power which can dominate men into Peace at home and secure them against what may come from abroad. This power is termed sovereign power by Hobbes.³²⁶

Let me try and express what I have claimed thus far in slightly different terms in order that the idea of power is as clear as possible. The state of nature is a state of mutual vulnerability that is manifested as a war of all against all. The reason for such a manifestation is that persons have the same basic wants and the same basic powers by which they may fulfill those wants. Further, people judge differently about what constitutes a danger to them in such a state.³²⁷ Since there is no fact of the matter in such cases, people have no reason to prefer their judgments to the judgments of others. However, there is a good reason to want judgments about danger aligned (for in such a case danger can be eliminated and vulnerability alleviated). Thus, this alleviation of vulnerability is what leads persons to unite their wills, as mentioned above, and submit their judgments, or more properly their right to judge, to the sovereign.

“Submission” may be thought of as something of a misnomer here. After all, when Hobbes speaks of the Leviathan/sovereign he makes it clear that the acts of the sovereign are such that the multitude is their author. In other words, by ceding their decision-making power, or at least parts of their decision-making power, to the sovereign, they make themselves responsible for what he does. So, on the one hand, the sovereign has power that is awe-inspiring and terrifying; power that compels the multitude to avoid

³²⁶ Ibid., 121.

³²⁷ Richard Tuck, *Hobbes* (Oxford, UK: Oxford University Press, 1989), 65.

transgression. Yet at the same time that power, and the right to utilize it, is conferred to the sovereign by the multitude (by the union of their wills) and is therefore in a very real sense dependent on them. I think this indicates a definite tension within Hobbes' thought, a tension reflected by his original decision to transpose the issue of power from a question of personal relations to a question of the relation between the self and the sovereign.

There is an interesting clarification that should be made at this point in regard to the origin of sovereignty. While it is true that a union of wills make up the unity represented by the sovereign, Hobbes is at great pains to show that it is indeed *only* when there is a sovereign that the unity is present.³²⁸ That is to say, unity is imposed upon individuals, or upon the collection of individuals comprising the multitude, by the power of the sovereign operating from the outside.³²⁹ Therefore, it seems the use of "submission" is not a misnomer, but is appropriate in this case.

Obligation and Morality

Once subsuming their will to the sovereign has unified the multitude, a certain authorization has occurred. That is to say, the multitude has conferred an absolute authority onto the sovereign, the authority that they enjoyed in the state of nature.³³⁰ In the state of nature everyone has a right to everything, a situation that, in turn, practically

³²⁸ Bearing in mind, of course, that a sovereign can be understood as one person or an assembly of people. I speak of the sovereign in the singular for the sake of convenience, as well as because one could make the case that Hobbes preferred monarchy.

³²⁹ Hoffman, 50-51.

³³⁰ Hoffman, 53.

guarantees strife. That is, persons in the state of nature will seek to extend mastery over everyone and everything that stands in their way until no one is left that can be a threat.³³¹

Now these individuals have centered this authority in the person of the sovereign. The sovereign now has a right to rule that is as absolute as the right the individual previously held over himself in the state of nature. Given the absolute nature of the sovereign's power, it then follows that the sovereign's commands are to be obeyed without fail. As Hoffman points out, this sort of concern invests the sovereign's commands with a moral authority.³³² This idea is supported by Hobbes' reference to the state/sovereign as a "Mortall God". In a way, we may see Hobbes as pointing out a way that men may be saved from the chaos of earthly violence, real and implied, that characterizes the state of nature. The state/sovereign becomes a savior, a figure that offers emancipation from the chaos of violence at the cost of submission to the power granted to him in virtue of his being a unifying force.

These moral obligations are new sorts of obligations. Clearly, there is no appreciable sense of morality in the state of nature, taking for granted that of the "might makes right" variety does not count. Allow me to state this last point in a slightly different manner: any sort of obligation found in the state of nature is natural or physical—to use Hoffman's example, the idea that one is "obliged" to stay inside when the door is locked from the outside.³³³

Thomas Hobbes was not strictly a moral philosopher, indeed it may even be asserted that his moral philosophy simply fell out of his political concerns, existing only to

³³¹ Ibid., 54.

³³² Ibid., 52-53.

³³³ Hoffman, 54-55.

explain social realities as he comprehended them. I think that it will prove useful to give a summation of Hobbes' main ideas and his underlying rationale involved in formulating such concepts. Next, certain implications of Hobbes' ideas require examination, as well as do the repercussions these concepts might contain. In order to provide further clarity to Hobbes' position, I will also briefly examine the views of those who responded to his work either directly or indirectly in a positive or negative manner.

In order to understand the thought of Hobbes one must first realize that he held all human motivation for any action may be reduced to self-interest. Thus, any ethical or political theory must take this notion into account. Indeed, Hobbes' earlier political writings are structured in order to take into account larger ethical concerns rather than to explain political behavior, in and of itself, in value-free terms.³³⁴

Be that as it may, one must first examine the ratiocination involved in the conception of self-interest as the ultimate justification of human behavior. The concept of charity proves to be a useful example. In the main, charity is defined as acts of helping others who are less fortunate. Hobbes would agree with this as far as it goes, extrinsically. However, the intrinsic implication that he would attach is that we help others not out of altruism, but to demonstrate our superiority as an individual. This is to say that charity is an expression before society that we can take care of our own needs and still have enough left to give to additional individuals.

The notions of laughter and weeping provide a still further explication of Hobbes' ideas. Hobbes considers laughter to be caused by the pleasure one feels when he or she compares another's misfortune with his or her own good fortune. At the same time,

³³⁴ Tuck, 51.

weeping is grounded in things that take away some hope or, more to the point, remove some prop from one's power.³³⁵ That is to say, one weeps not because of the thing that is affecting the individual at that particular time, but rather at how that thing will serve to diminish one's power.

It may be seen from this that Hobbes' ethics are based on egoistic principles (as opposed to altruistic principles). Brief explanations of these terms may prove instructive. According to egoism, morality is nothing more than following and fulfilling one's long-term self-interest. There is an apparent contradiction between morality, which is generally taken to be concerned with how our conduct affects others, and personal fulfillment. However, in terms of this project, this contradiction is reducible to an examination of long-term interests as opposed to short-term interests. Put another way, Hobbes settles the issue by making the assumption that the long-term interests of individuals are best served when society exists in a stable state. People are best able to preserve themselves in circumstances such as these. The observance of certain rules is a necessity if a stable condition is to be maintained, so then keeping some form of moral order is consequently contingent. The main thrust of altruism is the negation of the egoist conception, namely, that morality is not reducible to self-interest.

Hobbes held that by nature humans are not social beings, and therefore life in a state of nature would be an essentially bad thing. The state, then, is an artificial construct as opposed to a naturally occurring entity.³³⁶ This, then, is the thought that lies beneath the idea of Hobbes' political philosophy, as expressed in the *Leviathan*. He seeks to give

³³⁵ Hobbes, 43.

³³⁶ Hobbes, 9.

some considerations as to the nature of political authority--why, for example, it is rational to submit to kings and parliaments.

Having established the state of nature as something bad, Hobbes seeks to explain how it may be escaped. To return to a point made earlier, it is necessary to agree on certain rules, make them binding on all people, and install some central governing body to administrate whatever happens to be established. This may be referred to as a social contract and is, in this formulation, hypothetical. Social, moral, and political standards are established by how people behave in, or attempt to avoid, particular situations. There will, of course, be rules regarding self-protection (prohibitions against murder, for example).

Equally as vital as the laws of self-protection are the provisions for enforceable contracts. The prime function of government, once it comes into existence, is the performance of this function, indeed government must have the power to enforce rules on people that do not want to obey them. It is not too bold an assertion to claim that contractual enforcement ensures the survival of a society, preventing it from returning to a state of nature. It is only through this function that businesses can operate and, consequently, the political and social machinery may function. However, the conception of practically unlimited governmental authority seems to entail some negative consequences, at least to modern thought.

Why is a social contract necessary? To answer this question is to grasp what appears to be the key to the overall aim of Hobbes' thought. He lived in times that saw great changes in the way man viewed the surrounding world. The scientific theories of such luminaries as Copernicus, Galileo, and Bacon were beginning to remove mankind from

his long-held, and self-appointed, position at and as the center of the universe. The Aristotelian worldview, that the earth was arranged in a way contingent to the continued existence of human life, was starting a decline that would rapidly become precipitous. Hobbes saw this, and given his seeming inclination towards atheism, or at least deism, sought to give a basis to morality in the absence of divine moral command. Even if we exist in a moral vacuum, in a cold, empty universe, we are still concerned with self-preservation. Hobbes merely removes the notion of the intrinsic worth of life and replaces it with an external conception of worth, grounded in society. Thus, notions of good and evil lose their moral force and are replaced as events to which we either tend to feel inclined or adverse.³³⁷

As mentioned earlier, the idea that government must have the power to enforce whatever rules are arrived at seems to have excessively negative connotations, as far as this concept is elaborated on by Hobbes. Specifically, he appears to be suggesting that ideally one should submit to a tyrannical form of government and simply hope for the best. Thus, a concentration of power in the hands of one individual as a monarch, but also possibly as a tyrant, is to be preferred to any other form of social/political organization. Interestingly enough, Hobbes' arguments for a monarchy, as opposed to other types of government, are surprisingly weak. In point of fact, his reasoning involves stating the negatives of the other forms more than supporting his monarchical contentions.³³⁸ The problem with democracy lies in the fact that leaders are more concerned with their reputations than with actual governance. An aristocracy is little better as contention for supreme power overrules the capacity to lead effectively. So

³³⁷ Hobbes, 110-111.

³³⁸ Leo Strauss, *The Political Philosophy of Hobbes*, 110-111.

then, the argument for monarchy boils down to being simply one of convenience. Monarchs are able to make decisions quickly and easily, something congresses or parliaments are generally unable to do. To the objection that a sole decision maker will be capable of, and perhaps tend to make, singularly bad decisions Hobbes would no doubt reply that the efficacy of a monarch operating in his own self-interest-- to stay in power--more than offsets, and in fact practically negates, the potential for poor judgment. Besides that, the two flaws implicit in democracy and aristocracy, desire for publicity and power, are not contained in the monarchical conception of government.³³⁹ Yet, the sentiment that one should assent to monarchy, or tyranny, seems to belie some larger ethical concerns, especially if there is a certain segment of society, or perhaps a whole other society, that the monarch or tyrant sees fit to eliminate. Hobbes did respond to this contingency by identifying three tenets regarding the punishment of innocents, the term "innocent" here referring to those who have not transgressed against the law. First, no good can come to society if innocents are punished. Second, if people are obedient to the sovereign, then they should be protected. Third, the law commands an equitable distribution of justice, which precludes suffering of the innocent.³⁴⁰

The idea of an equal distribution of justice seems to indicate that Hobbes possessed some inclination towards egalitarianism, a relatively modern liberal concern. Was Hobbes a liberal? Classical liberalism is characterized by a conception of humanity and society that contains four basic components. There exists an image of individuality, i.e., the individual has primacy over the state. There is also an egalitarian sentiment, an idea that all people are fundamentally equal in some sense. Also implicit in the notion of

³³⁹Ibid., 112.

³⁴⁰Hobbes, 219.

liberalism is a universalistic conception of society, the idea being that everyone should strive to emulate a particular kind of society, that kind being generally the one occupied by whoever is promulgating the idea. Last, and probably most important, is the conception of meliorism, which entails the principle that the human condition can be indefinitely improved by change of social and political conditions.³⁴¹

Given these criteria, it is apparent that Hobbes is at best a quasi-liberal. He is an individualist, but he does not recognize the freedom implicit in individuality. Rather, he seems to suggest that individualism, in the form of purely self-interested behavior, is acceptable *until* it affects the primacy of the state³⁴². Further, Hobbes' individualism was far more negative than the liberal conception would allow. Hobbes was certainly no meliorist. He did hold that the human condition could be improved, by escaping from the state of nature, but would most likely not agree that this process was an ongoing and infinite one. The inevitable conclusion is, then, that while Hobbes shares a certain kinship with liberal ideals it is more as a distantly removed cousin than as a brother.

There may well be a further implication for Hobbes to contend with, that of relativism. Pure ethical, or moral, relativism involves holding that there are no universal, objective standards of good, bad, right, or wrong. This is a view Hobbes appeared to hold, as touched on earlier. There is a curious distinction that does, however, call for some further scrutiny. If one is to say that there are no universal standards, that morality is a matter of following whatever is dictated wherever one is, then that is in itself some sort of universal standard. Hobbes does not appear to be making this claim, however. He is

³⁴¹ John Gray, *Liberalism*, (Minneapolis: University of Minnesota Press, 1986), 10.

³⁴²Hobbes, 123.

claiming something objective—namely that people's actions are based purely on self-interest, and by implication self-preservation, as that is the highest form of self-interest. Thus, one may rationally show why a particular ethical worldview, in this case that of the social contract, should be accepted.

It still seems, however, that this idea of objectivism does not sit well in the overall conception of Hobbes' thought. The only possible tidy conclusion is that Hobbes is a relativist in the same sense that he is a liberal, namely in that while his thought contains some of the trappings of relativism, he is up to something else entirely at a deeper level. This is not to insinuate that to conceive of Hobbes as a relativist is entirely out of order, only that there is certainly more to his position than that which may appear at first glance.

Bishop Butler made an important objection to Hobbes' ideas, one that struck at the very heart of Hobbes' theory by criticizing the notion that humans are fundamentally egoistic. Also to be mentioned are two differing conceptions of the social contract theory as stated by Rawls and Nozick. The fashion in which these two radically different modern philosophers interpret the theory of social contract should prove an illuminating contrast to Hobbes.

Butler held that egoism was not the best explanation of human behavior. He did not deny that it is a possible explanation, rather he asserted that the mere ability to interpret an event in a particular fashion did not prove one correct. Butler claimed that human behavior is complex, and cannot be satisfactorily accounted for by adherence to one principle, be it either self-interest or benevolence. Indeed, Butler appears to be stating that these two conceptions are not mutually exclusive, but rather work in concert in most

forms of human conduct. There must be some agent at work in reconciling these views that are usually thought of as competing. In Butler's system of nomenclature this is known as the conscience. A brief synopsis as to how he arrives at this conclusion is in order.

People have particular passions, which is to say that, as individuals, there are certain things that are liked and certain things that are disliked. The concept of self-interest requires these particular passions be existent, as the term "interest" implies passion towards an object.³⁴³ Given that this is the case, we, as people, have the ability to judge what things are in our interest, or in the interest of others, and act in whatever manner we deem appropriate. So for Butler conscience is the capacity to review facts concerning particular situations and then act accordingly. As conscience is a God-given device for determining "right" conduct, its demands are absolute, yet there are no corresponding arbitrary standards.³⁴⁴ One must simply avoid self-deception by thinking clearly about the issue in question. In the final analysis, then, Butler is describing a rationale for decision making. His moral imperative lies in making decisions according to this way. The fundamental difference between Hobbes and Butler's conceptions of morality lies in what may be termed an argument to the best explanation.

John Rawls' views, as presented in *A Theory of Justice*, are not formulated in direct response to Hobbes. Rawls' aim was to revive the notion of the social contract, though in a far more different form than Hobbes would have been comfortable acknowledging, primarily in order to provide an alternative to utilitarian constructions of justice and,

³⁴³ Joseph Butler, "Sermons," in *Ethics- Selections from Classical and Contemporary Authors, 7th ed.*, ed. Oliver Johnson, (1726; reprint, Fort Worth: Harcourt, 1994), 152-153.

³⁴⁴ Butler, 163-164.

implicitly, morality. Rawls' conclusion is that no one has an inherent right to be better off than anyone else. If someone should happen to be in a more advantageous position than another, then that state of being must, in order to be acceptable, work in favor of the least advantaged.

Rawls does express certain ideas that are at least echoes of Hobbesian principles, yet the overall theme of his work is the antithesis of autocracy. Two examples should provide ample illustration of the above assertion. Rawls agrees that government power is necessary to ensure the stability of society but rather than posit the existence of a monarch or tyrant, he holds that "the existence of effective penal machinery serves as men's security to one another."³⁴⁵ Apparently, then, the social contract theory can be made to fit within the parameters of democracy. In another instance, this time regarding contractual enforcement, Rawls states that the idea of the contract, or "promise", has inherent in itself the power to steady "private venture"³⁴⁶ and the idea of a sovereign becomes redundant. He was, of course, speaking in idealized terms and was not contradicting his earlier declaration as to the function of government.

Another philosopher who aligns himself with the social contract tradition, though in a radically different way than expressed in Rawls' modern liberalism, is Robert Nozick. His book *Anarchy, State, and Utopia* was written in response to Rawls and intends to be interpreted as an intellectual defense of libertarianism. There are, as with Rawls, reverberations of Hobbesian thought, but these are mostly of an oppositional type. The epitome of this opposition lies in what Nozick terms the social compact. In order to demonstrate this conception fully the meaning of the term "libertarian" must be defined.

³⁴⁵ John Rawls, *A Theory of Justice* (Cambridge, Massachusetts: Harvard University Press, 1971), 240.

³⁴⁶ Rawls, 346-347.

Libertarians favor minimal government interference in the lives of citizens--ideally serving only as a protector of life, limb and property of people living within its borders. Nozick comes from within this tradition, which is clearly reflected in his aforementioned social compact, or contract. In this, people that live within a certain geographical area will purchase protective services from various agencies without any intention of creating, expanding or legitimizing a state. Cooperation between the individuals living within this area may be possible, and may happen, yet this is not sufficient to necessitate the use of the term "state".³⁴⁷ This line of thought clearly reflects Locke more so than Hobbes, yet the implications are clear enough. Nozick's views fall within the fringes of the idea of a social contract but his aggressively minimalist state has little in common with Hobbes.

Hobbes and the Discourse of Absolutism

The question may well arise at this point as to whether Hobbes is a pure absolutist in terms of the power of the state/sovereign. As stated earlier, the commands of the sovereign were to be followed without fail, lest the social compact fail and man be plunged back into a state of nature. Tuck believes that this question is of some importance, and one that needs much in the way of qualification. While Hobbes does speak of the Leviathan as a "Mortall God", it is nevertheless the case that the sovereign performs a representative function. That is to say, he represents the decisions the people would make within the state of nature. Put another way, his judgments represent the evaluation of danger. In short, the sovereign comes to possess the ability to judge what

³⁴⁷ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 131-133.

man must give up in order to fall under the auspices of the social contract.³⁴⁸ In terms of the *Leviathan*, then, it seems that Hobbes sees the sovereign's power as something exercised on behalf of the masses, a power exercised in a way that will preserve both the sovereign and the masses.

Still, it does not follow from this that the sovereign can do just anything. For example, Hobbes' sovereign could not establish just any policy because he happened to think it would be positive. This is a clear enough implication of what was said before: that the sovereign possesses the ability to evaluate dangers as threats to survival of the state, and by extension himself, while the people agree to abide by said judgments. It is impossible that the sovereign act in an unjust manner to the citizens for, in accepting the sovereign as such, they thereby grant him the power to determine what is just.

Essentially, then accusing the sovereign of injustice is the same as accusing oneself of injustice. In essence, the people cede the power of life and death to the sovereign, as Foucault points out in the first volume of his *History of Sexuality*.³⁴⁹ At the same time it is worth noting that even though the power of the sovereign was absolute it might be argued that it was also narrowly focused inasmuch as the job of the sovereign was to provide security. Presumably so long as a citizen was not harming another or breaching security, the sovereign would be in no position to be concerned with said citizen's conduct. Yet it must also be kept in mind that the conduct of individual citizens would invariably be poor on Hobbes' view, so that if the sovereign was not controlling life and death, the state would likely not survive.

³⁴⁸ Tuck, *Hobbes*, 71.

³⁴⁹ Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction*, (New York: Vintage Books, 1990) 135-159.

Of course, all the talk of the state of nature as well as the social contract is fictive for Hobbes, even if there are some parallels with the manner in which states co-exist with one another. Hobbes' goal in entertaining such fictions was to effectively respond to one of the great crises of his day: The political role of the Protestant church with its emphasis on what might not be unfairly termed "personal liberty", or at least "government by consent".³⁵⁰ The newly established church was clearly a man-made institution and as such represented a threat to the notion of the divine right of the sovereign insofar as that rule was not entered into consensually. Hobbes' reasoning ensured that the sovereign had an absolute right to rule and that right was one that was consensually granted when one agreed to the social contract. Additionally, Hobbes provided a strong prudential reason for acceding to the contract—the alternative was anarchy in its worst iteration.

It is unlikely, then, that Hobbes would be one of those who Foucault would have termed a "founder of discourse", not least because he lived three centuries prior to Freud or Marx. As seen in the first chapter, the received opinion among the Greeks, as exemplified by Plato and Aristotle, was that human beings were naturally sociable creatures who could not live, in any profitable sense of the word, independently of the *polis*.³⁵¹ Thus the political community simply existed and that existence did not need to be justified in the minds of the Greek philosophers or other political theorists from succeeding generations.³⁵²

Hobbes, as we have seen, broke sharply from this received tradition with his focus on what we might properly call radical individualism. However, in breaking with the

³⁵⁰ William Ophuls, *Requiem for Modern Politics*, (Boulder, CO: Westview Press, 1997), 32.

³⁵¹ Aristotle, *The Politics*, trans. William Ellis (Amherst, NY: Prometheus Books, 1986), 3, 1252b.

³⁵² Ophuls, *Requiem for Modern Politics*, 30.

received tradition in terms of human nature he simultaneously reinforced received tradition when it came to the nature of the most appropriate type of rule.

Locke and the Objectivization of the Subject

Locke can be seen as a successor to Hobbes in terms of the structure of his political thought. That said, Locke was keenly aware of the sorts of issues that were entailed by Hobbes reasoning. First, Hobbes constructs a state that is intended to provide security but takes as its fundamental assumption that the minute that such security begins to falter, the natural passion for power among persons will reassert itself. In other words, by proposing such a radical individualism, Hobbes is saying that civil society is such only in appearance and, so, the security that the state provides is consequently more apparent than real. Beyond that, Hobbes understands people as having no innate compassion or moral sense beyond care for oneself at the expense of others, if necessary.³⁵³ On Hobbes' view, then, human relationships are basically accomplished only through the crucible of conflict. Cooperation is a guise, a necessarily grudging consent that is given solely for the prudential reason that such consent is the best way to satisfy one's self-interest. At the very least, on Hobbes' view it is a more promising avenue for satisfying one's self-interest than is possible in the state of nature/absence of the sovereign.

Locke modifies Hobbes' thought while drawing deeply upon it. Like Hobbes, he is at base a political thinker who makes use of the twin fiction of the state of nature and the social contract. However, he does so in pursuit of something that we would understand in today's terms as "personal political liberty", not in the least because Locke is

³⁵³ Ophuls, 33

responsible in large part for the way such concepts are understood today. Hobbes' fundamental assumptions were tripartite, in that: a) the necessities of life are of such scarcity in the state of nature that a war of all against all will continually be fought in order to acquire them; b) human beings are able to reason but are ruled by passion, in particular a passion for maximizing self-interest; and c) the only possible form of government is the commonwealth, the alternative is the non-governmental state of nature.³⁵⁴ It comes as no surprise, then, that citizens would assent to the social contract for the purpose of avoiding the state of nature.

Locke did not so much challenge these assumptions, or do away with them, as much as modify them based upon his rather more generous view of human nature. As Ophuls points out, "First, he took the New World as his model for the state of nature..."³⁵⁵ In other words, the state of nature went from being an essentially inhospitable place where people competed for scarce resources to the point of death to an essentially unoccupied commons that, while wild and undoubtedly harsh, could be subsumed and profitably acquired as it was practically inexhaustible. Let us not go too far here, as Locke is quite clearly not asserting some sort of idyllic realm where everyone got along at all times. So long as people are passionate and imperfectly rational, conflict will exist. Locke would therefore hold that while government is still required, it would not have to be the sort of government that was absolute in the Hobbesian sense. Rather, its function would be more minimal in that it would be charged with ensuring fair treatment of one citizen by another, at least in terms of honoring contracts, and providing a space where citizens

³⁵⁴ Ibid., 35.

³⁵⁵ Ophuls, 35.

could have an opportunity to maximize their personal pursuits.³⁵⁶ This governmental function would also be minimized because people are basically reasonable and will tend to treat one another well most of the time.

Let us return for a moment to the idea that the New World represented the state of nature from Locke's perspective. If the state of nature is a commons, one can claim part of that state, on Locke's view, by 'mixing' his labor with that which is unowned. One can discern a good bit that is Hobbesian within Locke's "mixing" argument, especially in light of the modifications outlined above. That said, the mixing argument provides deeper insight into the nature of power and the governmental in Locke, an insight that is worthy of some further examination. In order to accomplish this I will do three things in the following portion of this chapter: First, I intend to set forth and briefly explicate the mixing argument as found in Locke. Next, I will report two traditional objections to that argument. I believe that an adequate response to these objections can be constructed from Locke's writings. Last, I will attack the underpinnings of the mixing argument by arguing against his notion of value.³⁵⁷ The "anti-value" argument runs as follows:

- P1. The notion of inherent value is purely anthropocentric.³⁵⁸
- P2. A purely anthropocentric notion is not a proper measure of living, non-human entities.
- P3. It is a mistake to measure entities by unsuitable methods.
- C1. Therefore, a mistake is being made when Locke's notion of value is used in relation to living, non-human entities.

³⁵⁶ James Rachels, *The Elements of Moral Philosophy*, 3rd ed.(Boston: McGraw-Hill, 1999), 197.

³⁵⁷ My point is that the mixing argument itself is not at issue in the final section. Rather it is the framework which underlies it that is open to an objection to which a Lockean response may not be easily constructed.

³⁵⁸By "purely anthropocentric", I mean that the notion of value cannot be construed in a non-anthropocentric way. In other words, "value" is a wholly human-centered notion. Paul Taylor, *Respect for Nature* (Princeton, NJ: Princeton University Press, 1985), 9, uses the term "anthropocentric" to refer to human-centered ethical theories.

I would also like to suggest the following premise and additional conclusion, though I shall not give much in the way of argument for them in this paper in its present form:

P4. Worth is a measure that is not purely anthropocentric, nor is it purely non-anthropocentric.

C2. Worth is a proper measure for human and non-human entities.

If Locke, and his followers, were to adopt “worth” in place of “value”, it would mark a fundamental shift in his views on property. No longer would an animal or plant’s usefulness to man serve as its measure. This notion of worth seems, to me at least, to indicate an attitude of recognition rather than assignment. That is to say, the ideas of instrumental and inherent value are dependent on a “valuer”, or one who assigns value to a thing. Worth is not dependent on a “worther”, instead it is a quality or property of a living, non-human entity that may be recognized based in its ability to flourish.

The Mixing Argument

My analysis begins with Locke’s assertion that “...every man has Property in his own person”.³⁵⁹ This is best taken as the claim that, on a minimal level, an individual’s body constitutes property for that individual. As this property is the sole possession of the individual, no one else has any right to it (or claim against it).³⁶⁰ Analogously, if one has property in one’s body, then she also has property in whatever her body produces by (or acquires as a result of) its labor. His overall point here is to argue for a right to private property through original acquisition in a state of nature. He does not here seem to be referring to a Hobbesian state of pre-governmental existence, but rather the “natural” state of a thing’s being unowned.³⁶¹ His point is that since one has property in one’s own

³⁵⁹John Locke, *Two Treatises of Government* (1690; Cambridge: Cambridge University Press, 1988), 287.

³⁶⁰ That is to say that no one has a claim against that individual’s body, or the fruits of that body (i.e., its labor) unless the individual allows it (by voluntarily entering into servitude, for example).

³⁶¹ Locke speaks of appropriating things from the state in which nature leaves them. It is clear that he is here speaking of unimproved commons when he mentions “state in which nature leaves”. Since he talks of

body, one has property in one's labor. If that labor is mixed with some unowned thing, then that thing is considered to be appropriated. This is subject to one qualification, namely that "...there is enough and as good left in common for others".³⁶² Thus, rights to property in external objects are derived from prior property rights in one's body.³⁶³

The "mixing argument" appears to be a shorthand expression for two different arguments that are usually taken together. The first is presented in paragraph 27 of the *Second Treatise*, and goes as follows:

- P1. Man has property in his own person.
- P2. A man's labor is part of his person.
- C1. Therefore, man has property in his own labor
- P3. If a man has property in his labor, then he has property in the results of that labor.
- C2. Therefore, man has property in the results of his labor.³⁶⁴

I will refer to this first argument henceforth as the "Labor argument". The "Labor argument" is followed in paragraph 28 by a separate justification of the acquisition of property resulting from the mixing of labor with that which is unowned. In paragraph 27, Locke is operating from the assumption that labor is part of the property of a person. The argument in paragraph 28 approaches the problem from the other end. as it were. Once one has eaten a thing it has become one's own, as it has been mixed with his person. Now that it is part of his person, he can properly assert that he "owns" it. This is because of the continuity between the initial act of gathering and the later act of consumption. That is to say, at the time of gathering (labor) the thing went from being commonly held to being the sole property of the one who gathered it. So the argument in paragraph 28 can be thought of as the "Incorporation argument" and can be stated as follows:

the commons being established as a result of a social compact, it is obvious that he is not speaking of a pre-governmental state. There is nothing in his analysis that precludes it from pertaining to a Hobbesian state of nature, however.

³⁶² Ibid., 288.

³⁶³ Lawrence Becker, *Property Rights* (London: Routledge & Kegan Paul, 1977), 33.

³⁶⁴ Thanks to Dr. Peter Markie for his help with this formalization.

P1. The addition of a person's labor to an object adds some distinctive characteristic to that object.

P2. This distinguishing characteristic separates the private from the public.

C1. Therefore, labor results in man having private property.

This argument deals not with the inherent rights of a person to own things, but with the way in which things become owned. The overriding idea behind the two arguments is that man has property in the results *of* his labor and *in* those things on which he labors.

Property, for Locke, carries within it an implicit assumption of non-interference from others concerning the things one comes to own, which is why labor is asserted to remove property from the commons. An unowned thing is changed, in some fashion, when one mixes one's labor with it. This change should not be construed as creating a new physical object, for oftentimes adding labor to a thing leads to only barely perceptible physical changes, but rather as the creation of a new moral object.³⁶⁵ As this creation is moral in nature, the notion of non-interference can be understood as a negative right.

More exactly, the assertion made here is that one has a right to expect those things produced by (or acquired as a result of) one's labor to not be subject to a claim by another as a matter of course. This line of reasoning is not expressed as such by Locke.

Nevertheless, it appears consistent with his thought, especially when he asserts that unappropriated things are useless; that they become useful only when joined with labor.

Indeed, in paragraph 40 he states labor is responsible for 9/10ths (and, upon reflection, 99/100ths) of the value of the products of the earth.³⁶⁶ Of course, this sort of

argumentation might lead to the conclusion that one is entitled only to the added value that labor instills in a thing, and not necessarily to the thing itself. Locke would likely assert that in nearly every case the labor value and the value of the thing labored upon are

³⁶⁵ Richard E. Flathman, "On the Alleged Impossibility of an Unqualified Disjunctory Theory of Property Rights," *Nomos* 22 (1980), 223. This seems to fit nicely with the notions that areas such as environmental ethics are not so much specialized areas of ethics as problems arising from social and political philosophy.

³⁶⁶ Locke, 296. The implicit assumption involved here is that unimproved lands are practically valueless. I claim that this assumption provides the underlying rationale for the mixing argument.

inseparable.³⁶⁷ For example, suppose I (or any person) am (is) walking in the woods within a national park. While walking, I become hungry. I see some blackberries nearby, pick a few, and eat them. In this instance, my labor is intimately involved with that upon which I have acted. It makes little sense in this context to speak of value as something separate from that upon which I have acted. In other words, the value of a thing depends on its being labored upon (in effect, on its being *useful to someone*). Suppose someone raises an objection of the following sort: Suppose the berries that I pick and eat are some sort of super-berry heretofore unknown to man. These super-berries are such that eating them cures disease. Is it not the case that the berries have some value independent of that which my (or someone's) labor bestows on them? In a case such as this we need to be clear about what sort of value is being claimed. Clearly, the super-berries as presented here are instrumentally valuable; they are not valuable in themselves but as a means to some end. That is to say, their value arises from their expected usefulness for people. And the thesis that instrumental value is necessarily anthropocentric seems uncontroversial, unless we wish to take the rather large and contentious step of ascribing moral agency to living non-human entities. So this objection merely serves to buttress my larger point that value is an anthropocentric notion, even in those cases in which Locke's analysis of value fails to capture every sense of the term.³⁶⁸

Two Criticisms

There have been numerous criticisms of Locke's mixing argument, but curiously, very few aimed at one of its implicit main assumptions. My goal here is to sketch two objections to the mixing argument itself. The first, proposed by Jeremy Waldron,

³⁶⁷ Becker, 34.

³⁶⁸ This example was suggested by Dr. Peter Markie.

concerns the nature of labor--specifically whether or not it can carry the metaphysical weight which Locke places upon it. Thus, it is set forth against the "Incorporation argument". The second, from Robert Nozick, deals with a possible consequence of accepting that one is entitled to that with which one mixes his labor and, consequently, concerns the "Labor argument". I will also try to construct a Lockean response to these objections.³⁶⁹

In his tome *The Right to Private Property* Waldron raises an objection to the mixing of labor, which he understands as essentially non-corporal, with any unowned external thing. His objection is raised against P1 in the "Incorporation argument" (the notion that mixing labor with a thing adds some distinctive characteristic to that thing) and can best be understood in the following example: Consider some person P who mixes his labor with some external thing T. From this we form an exemplar sentence "P mixes his labor with T". According to Waldron, it is not at all clear what this person has done.³⁷⁰ When one speaks of mixing (or annexing or joining) two things the sense of the locution seems to depend on two physical things undergoing the action of combination. So, to use an obvious example, one makes cement by combining, among other things, sand and water. If I assert that cement is a combination of sand, water, and labor, then it seems as though I am making a mistake. To see why, suppose that we take the cement and chemically separate it in a laboratory. We will find evidence of the elements that compose the sand and water, but no labor. Now actions may result in observable physical changes (and actions themselves are physical processes), but actions are not things. In this sense, labor may be a type of action, but it is not at all clear that it is a thing. Since that is the case, it

³⁶⁹ This is not, I stress, an all-inclusive list, but rather one that serves to lead to the point I wish to make concerning the notion of value. Additional criticisms of Locke, particularly on his presupposition of abundance can be found in William Ophuls' *Ecology and The Politics of Scarcity*.

³⁷⁰ Jeremy Waldron, *The Right to Private Property* (Oxford: Clarendon Press, 1988), 185-86.

seems peculiar, an unwarranted, to use it in the sense Locke has in mind as the subject of an action verb.³⁷¹

To make this point clearer still, consider the following sentence, which parallels our earlier exemplar sentence: The bartender mixes the vermouth with the gin. There are at least three physical entities referred to in this sentence; namely the bartender, the gin, and the vermouth. However, if we are to make sense of the Incorporation argument as Waldron would have us understand it, we must be willing to add a fourth, the mixing itself. This addition is important, as it appears that the action is separate from the other three entities. Let us examine this case in relation to the example of the person P. There is P, who is analogous to the bartender. There is the labor of that person, which is the commodity to be mixed (like the vermouth). There is also the thing T (in this case represented by the gin) with which the labor will be combined. The fourth distinct element, which comes from viewing mixing as a discrete entity, has no analogue. Both examples share the same sentence structure: subject, verb, direct object, indirect object. However, in the gin-mixing case the analogue of action is missing. There is a mixer, a thing being mixed, and a good into which the thing is to be mixed, but the distinct substantive action of mixing is missing.³⁷² This appears to mean that speaking of “mixing” labor is misleading, since labor apparently cannot be quantified as an object that can be mixed.

The best response to this objection is that Waldron has interpreted the notion of mixing too literally. It seems reasonable to construe Locke as speaking of mixing in a metaphorical sense in P1 of the “Incorporation argument”, which robs the preceding objection of a good deal of force. In other words, the distinctive characteristic is metaphysical rather than physical. One does not have to face the difficulty of explaining

³⁷¹ Of course it is common enough to speak of “labor” as shorthand for a unionized workforce, but this is a clearly different usage.

³⁷² Waldron, 187.

how something essentially non-physical may be mixed (or incorporated), in the sense of causally interact, with something physical. In Locke, labor may be understood as purposeful action, becoming thus (1) a process and (2) distinguishable from improvement than one merely intends or accidental improvement. For ownership to occur it is not enough to say that one intends to labor on a thing; the labor must actually be done. Also, if one clears an area of land by accident, perhaps by causing a landslide while walking and thereby creating some arable land, then that individual has no claim to the land. Though the land was cleared as a result of action, the action was not for the purpose of clearing the land. So in a very strict sense, labor is purposeful action. So the thing which has labor mixed with it is limited by the purpose of that labor. If one encloses an area of land and tills the soil within for the purpose of growing crops, then the criterion of purposeful action has been met. However, it does not entitle one to any adjacent, unimproved on which no labor has been performed. Locke may then be construed as claiming that labor is a process rather than a thing, which meets Waldron's objection quite nicely.

The next objection has been set forth by Robert Nozick.³⁷³ He raises the question as to why mixing one's labor with a thing leads to ownership of that thing rather than simply loss of one's labor. Thus, his claim is raised against P4 in the "Labor argument", which is the idea that man has property in the produce of his person. Nozick's example involves a can of radioactive tomato juice that he owns. Now this juice is so radioactive that it may be traced if it is mixed with another liquid. Suppose further that he takes this juice and pours it into the ocean. It seems arguable that he then has a claim of ownership to the ocean (especially in light of the fact that much of the ocean is held in common) because he has mixed that which he owns with that which is primarily unowned.

³⁷³ Nozick, 174-5.

Now Nozick has a point if he holds that Locke is only asserting that mixing what one owns (i.e., the production of a person's labor) with that which is unowned gives property rights in the unowned thing.³⁷⁴ Locke does assert this, of course, but there is more to what he claims. There is the idea of labor being purposeful, to be sure. However, there is the more important idea that labor adds value to a thing. This idea is not explicitly present in either of the arguments that I have presented to this point, so now let us consider a formulation of the "Mixing argument". If one takes this notion of labor value as crucial, then the "Incorporation" and "Labor" arguments can be recombined to yield the following argument:³⁷⁵ As stated earlier, one has property in one's body and, consequently, in one's labor. Locke takes labor as creating a new moral object rather than a new physical one. So the thing labored upon is different than it was before. If that is the case, then labor is the device which allows us to distinguish between that which is private and that which is public. The essence of this distinction, as hinted at earlier, is labor adds something to an object that the object does not possess, at least in any appreciable amount, intrinsically--value. As things are practically useless until appropriated and since appropriation requires work that would go undone without the promise of some benefit, it is morally wrong to let someone partake of the benefits of another's work (unless the other person consents without coercion). Of course, one must also leave as much and as good for others when he is in the process of appropriation. If all this is the case, it then follows that one is entitled to the thing to which one adds his labor as well as the results of that labor. So, for Locke, there are two main reasons that one's labor entitles him to property in whatever has been worked on. First, there is the matter of prior rights in one's body and the resulting rights to the produce of one's labor.

³⁷⁴ Jon Wolff, *Robert Nozick* (Stanford: Stanford University Press, 1991), 103-4.

³⁷⁵ Becker, 35.

Second, these rights to the produce of one's labor are a moral consequence of the work expended.³⁷⁶

Simply mixing radioactive tomato juice with the ocean, while purposeful, would not add any appreciable value to the ocean, and in point of fact would likely serve to devalue it through increasing its toxicity. The general idea here is that some "mixings" of labor with an object seem to decrease its value to others. This point seems not to have occurred to Locke, though he hardly can be blamed for not anticipating environmental abuse. This sort of complaint could well serve as a further objection to the mixing argument, but I wish to set it aside for my present purposes.³⁷⁷

Nozick dismisses this idea with the assertion that no workable value-added scheme has been devised, or could stand if so devised.³⁷⁸ This dismissal is delivered out of hand and is not elucidated, but the idea seems to be that there is no satisfactory methodology for calculating the amount of value that is added to a thing. Now, this might not cause concern to those who wish to assert that *some* value is added to a thing, but perhaps it should. For if one cannot determine how much value has been added to a thing, it is not at all clear how to calculate the new value. Now the free market might well serve to determine what people are willing to pay for a thing, but a bit of reflection, which I will leave to the reader, will make clear that what people are willing to pay for a thing seems oftentimes to be something less than the best measure of a thing's value.³⁷⁹ And, at any rate, the notion of added-value is hardly made any clearer by the above.

³⁷⁶ Becker, 36.

³⁷⁷ Other than to say that maltreating some piece of property would probably violate Locke's proviso that as much and as good be left in common for others. So if I bury toxic waste in my land, it will likely affect the water table that I share with my neighbors and others. It would be wrong to do this for that reason (its effect on others).

³⁷⁸ Nozick, 175.

³⁷⁹ Especially in the case of things such as land, because it does not take into account ability to pay. For example, a valley containing a river and stream might be asserted to have value as a place in which to pursue outdoor recreation, but there is, at that point, little or no clear indication of what precisely that value is in a monetary sense. If gold is discovered in the valley, then a much more precise indication of its

I believe that Locke would attack Nozick on two fronts. First, since he makes the assertion that non-appropriated land is practically useless, it follows that whenever man does claim property in land he is giving back more than he takes. If one may support oneself (and perhaps have enough left over for others, though that is not necessary) on one acre of privately held land rather than ten acres of land held in common, then it would seem to work to the benefit of society to claim that acre of land and work it (thereby reducing pressure on others). However, this sort of response could only justify holdings in small areas of land. This raises another point which I will briefly address, namely the proviso Locke attaches to this whole discussion of appropriation that “as much and as good be left for others”. Locke could hardly have foreseen either the incredible growth of population that has come about over the years or the ensuing lack of land that resulted from this. It seems that these people of later generations are being treated unfairly, as there is neither as much nor as good left for them. And if this is the case, it does not seem that any acquisition of property can be allowed for, as there will always be someone left out.³⁸⁰ Locke should have been aware of the latter problem, and indeed he may have been. When he speaks of as much and as good, he can be construed in such a way as to avoid this problem, without violating the spirit of the work.³⁸¹ Suppose Smith and Jones are able to acquire land, but Brown is not (he is a latecomer). It is not the case that Smith and Jones must give up bits of their land so that Brown might have an equal amount, but rather that they must make the fruits of their land available to

asserted value can be set forth. Notice, however, that those who value the valley as a recreation spot are trumped by those who value it as a gold reserve unless the former group is willing and *able* to pay more for it. So it is not at all clear that the free market provides the best measure of a thing’s significance. As Mark Sagoff puts it in his excellent book *The Economy of the Earth*, (Cambridge: Cambridge University Press, 1988), this sort of preference analysis seems to capture our wants as consumers but not as citizens; the idea being the old truism that there are some things money cannot buy (or even be used to measure).

³⁸⁰ Nozick and others have made this point.

³⁸¹ The idea is that one can take another’s words and construe them in a way opposite to that way in which they were intended. This response avoids that mistake.

Brown inasmuch as they are able. In a very real sense being able to acquire some of the fruits of a land is “as good as” having the land itself. And, of course, Brown will doubtless have property in something (an automobile, perhaps) so it is not the case that Brown will necessarily be reduced to sharecropping or servitude simply because he has no property in land. And, if Brown is wealthy enough, he can always buy Smith or Jones’ land. So this problem is not as intractable as it might appear at first glance.

A Lockean could also be formulated to address Nozick’s declarations about value. If one looks back to Locke’s earlier comments concerning value of land, they will find his claim that improvement brings about 999/1000ths of the value of land.³⁸² In other words, the vast majority of the value of land (and, by extension, other non-human entities, both living and not) is determined by the addition of labor and the resulting productivity of the land for humans. Now this sort of response leads into a larger issue concerning value, and consequently to a third criticism of Locke.

The problem with assertions of value

The problem may be gotten at by trying to provide an answer to a simple question: Is value strictly agent- relative or is there some manner in which it can be understood as agent-independent? Agency is best understood in this context in terms of purposeful action. So, in other words, some entity P exhibits agency when it acts for some purpose. A question might arise at this point as to what sort of agency is involved here, e.g., moral or political. It would seem peculiar to state, for example, that simply because a fox tears apart a chicken for the purpose of eating it is deserving of moral or political agency. It would be bordering on the foolish to claim that a tree is fulfilling its purpose simply by growing and is thereby an agent. Could a tree be held responsible if one of its branches

³⁸² Locke, *Second Treatise*, 298. He does allow that the intrinsic value of a piece of land in the wild and a piece of land worked by man are the same, but this amount seems negligible. The extrinsic value of the worked land is greater, and is thus of greater importance.

fell onto a person walking beneath, killing him? I think not. A fox does not plan to kill a chicken in the same manner a person plans to clear a field. And a tree certainly cannot be said to plan to drop a branch. So the realm of entities capable of moral or political agency, on this construal, seems necessarily restricted to humans, and humans of a certain sort at that. But this sort of analysis seems to miss something. Perhaps we do not believe that plants and other animals should have rights, as such, but rather that they should fit somewhere into our calculations, especially when those calculations involve some sort of effect on their habitat. There has been a lot of work done in this area in an attempt trying to discern the manner in which the value of “living, non-human entities”³⁸³ can be fit into our decision-making framework--particularly as those decisions involve moral questions (for example, the question of whether to use animals for medical testing) or public policy (such as the question of what we do should we find oil reserves under wetlands which contain endangered plant species). Much of this work has involved attempts to distinguish between the instrumental value and the inherent value of the entities in question (this is a sweeping generalization which ignores some important work; but I am trying to give a broad presentation for the reader who has not followed the debate). The only agreement to be found about the work that has been done to date is that it is almost totally unsatisfying. That is to say, no value-based analysis has found much in the way of widespread acceptance. Some philosophers have asserted that these sorts of analyses will not work because the values of land (the ‘land ethic’) and the values of animals (animal-rights, in other words) are incommensurable.

Let us relate this back to Locke. It is obvious that Locke holds a value-based analysis of land. I would also take it as given that his analysis regarding other living, non-human

³⁸³ I have not come across this phrase in any of my research thus far, but it seems highly unlikely to me that no one else has ever used it. I take it to refer to plants, animals, and land--everything in the environment that is not human.

entities is quite similar. If you will recall the “anti-value” argument from page 1, premise 3 seems obvious. One would not measure temperature with a yardstick, nor depth with a sphygmomanometer. Premise 4 is in need of support, obviously, but that is a task for another day given the focus of this paper (to show problems with the notion of value as applied to living, non-human entities and suggest a way out of those problems). So premises 1 and 2 seem to be the ones most in need of support.

As I stated earlier, Locke does allow that land may have an extremely small amount of intrinsic value. However the vast majority of land is seen as gaining its value from its use by and for humans. Thus, I take his claim to be that the majority of value of land is instrumental or extrinsic. So, again, the challenge here is not to show that instrumental value is purely anthropocentric but that inherent value is as well. Before I discuss this subject, let me address the notion of intrinsic value. Some philosophers use “inherent” and “intrinsic” interchangeably, which strikes me as a mistake. Two questions, then, need to be addressed: First, what is the nature of the mistake? Second, just what is it for something to be intrinsically valuable?

Intrinsic and inherent value

The distinction between inherent and intrinsic value is as follows: An experience (or object of experience) is intrinsically valuable when it is valued for itself, and not for anything that comes from it. An experience (or object of experience) is inherently valuable when contemplation of it leads to intrinsically valuable experiences. So the mistake would seem to be a matter of conflating the value of a thing in itself with the value of its qualities or properties.

But if intrinsic value is as I have defined it above, then it is unclear how it can be classified as purely anthropocentric. This would seem to be especially problematic for the thesis being advanced here (that value is a purely anthropocentric notion). However,

if a plausible argument can be advanced for the idea that the notion of intrinsic value is conceptually barren, then much of the pressure on my thesis will be relieved.

One way to proceed is to identify what exactly the idea of intrinsic value is supposed to do; what role it plays according to its proponents. G.E. Moore claims that we must have the notion of intrinsic value to make sense of instrumental value.³⁸⁴ So if we can think of instrumental value as a the value of means, then we should also be able to think of intrinsic value as the value of ends, as it were. To put it another way, since we are able to conceive of instrumental value we must also be able to conceive of intrinsic value, as the concept of an end is logically entailed by the concept of a means. This strikes me, to borrow some epistemological terminology, as a “foundational” view of value. That is to say, there is some sort of value that is ultimately self-explanatory (i.e., is an end in itself) towards which all other values are but instruments. And one critique of this view is the same as the critique of foundationalism in epistemology; namely, a coherence view of value. There is no need to set this view forth in great detail at this point, the general idea is that instrumental values can be understood in relation to one another in this context without having to refer back to some ultimate value. So some person might enjoy vacationing in the desert because the dry air makes them feel better, other times the value of feeling better might provide a reason to seek out the desert.³⁸⁵ So in this sense, instrumental values are understood in terms of related instrumental values with no need to posit some foundational intrinsic value. Thus, there is some doubt as to the veracity of Moore’s original assertion, particularly his claim of logical entailment between instrumental and intrinsic value.

³⁸⁴ Anthony Weston, “Beyond Intrinsic Value: Pragmatism in Environmental Ethics” in *The Journal of Environmental Ethics*, vol. 7, (Winter 1985), 328.

³⁸⁵ Weston, 329.

This has led some to propose the notion of inherent value. If the notion of intrinsic value is as barren as it appears to be, then the definition given earlier of inherent value becomes barren as well (since it refers to intrinsically valuable experiences). Let inherent value be the value a thing has when it is valued for itself, in addition to as a means to some end. It is analogous to the Platonic “highest good”. This is the sort of value that people might place on an object regarded as a “natural wonder”. Suppose I am looking out over the Grand Canyon. This experience is enjoyable to me, that is, I prefer having this experience to not having it. But I am not at all sure why I enjoy it. If asked, I would probably say that the experience is valuable simply in itself, even if I cannot fully express what I mean. I, or someone, might believe that it should be preserved simply because it is beautiful; or perhaps significant in ways that I cannot fully articulate.³⁸⁶ Even though the Grand Canyon, or some other natural wonder, might be of little value in the market certain people might consider it such that it is worth protecting. But therein lays the problem. Particularly, regardless of the reason the majority of people have for asserting that some *x* is inherently valuable, that value is still dependent on those persons and their reasons. So if the consensus opinion came to be that the Grand Canyon was nothing more than a big hole in the ground, it would cease to have inherent value. The reason for this is clear--if the consensus came to be that it was a big hole, then that means people *would* have ceased contemplating it in such a way that it could lead to an intrinsic valuable experience.

On a smaller scale, consider the value that a family pet has. It is often a quite beloved animal. And, most likely, we would want to say that it has some sort of value. Now does it have value because it is beloved, or is it beloved because it has value? Either its value depends on someone loving it or it is loved for some valuable quality it possesses.

³⁸⁶ Paul Taylor, *Respect for Nature*, 73-74. A fuller discussion of the ideas of inherent value and its relation to intrinsic value are found in C.I. Lewis' *An Analysis of Knowledge and Valuation*.

However, this situation is not as dichotomous as it seems. If its value depends on someone loving it, then there is no problem for my view. If it is loved for some valuable quality it possesses, then it turns out that the particular quality is loved (and consequently valued) by someone. On either construal, then, the inherent value of the pet turns out not to be a measure of the value of the pet *qua* pet, but rather a measure of the value we place on that pet or on one of its qualities.³⁸⁷ Inherent value, then, is not what it would seem to be at first blush. The idea of inherent value would seem to entail that the family dog would have value independently of someone valuing it. But since the notion of inherent value is a combination of intrinsic and instrumental values (like the Platonic highest good is a combination of instrumental and intrinsic goods) and the notion of intrinsic value seems problematic to the point of barrenness, it then seems that the notion of inherent value, for all the good intentions of those who propose it, is as purely anthropocentric as instrumental value itself.

So “value” appears to be purely anthropocentric. Now this may not be viewed as much of a problem by some for the same reason that the debate over the particular environmental policy to follow seems to be irrelevant--that is cost-benefit analysis seems to work as well for environmental commodities as any other. But as I stated earlier this sort of thinking seems to miss something important. Still, even if “value” is purely anthropocentric it still does not automatically follow that it is an inappropriate measuring device for living, non-human entities. But I think there is some suggestion that it might be. For if it is not, then we are committed to the idea that living, non-human entities have no purpose outside of usage by humanity. I hold this to be the case for, as I have attempted to show, the notion of value is purely anthropocentric, and any attempt to speak of living, non-human entities in that manner is likewise purely anthropocentric. This leads to separate, but related, questions concerning what it is for a thing to have a

³⁸⁷ Taylor, 74.

good and so forth. But there appears to be some more concrete example of the problem here. For if the notion of value is purely anthropocentric, it then follows that there are some hidden assumptions within it concerning collective preferences and choices. To wit, it seems to be that this analysis indicates economic concerns take prevalence over moral concerns. Mark Sagoff points out an example from the realm of sports which is illustrative at this point.³⁸⁸ Suppose we are trying to establish a ranking of baseball teams in order to see which are better than others. One way of establishing such a ranking would be to survey a representative sample of the population and find out how much they would be willing to pay for each team to win the World Series. We could establish a ranking based on how much each person values a team's winning the World Series and declare a champion in that manner, thus not needing to play any games. Now, as Sagoff points out, this sort of enterprise has some methodological concerns, but those concerns are trumped by the fact that the whole idea is "crazy". What people want is to see baseball games and have the championship decided on the field, rather than exclusively by some market process that reflects which team we prefer to win or, in other words, which team we value. This seems to me to be analogous to the case of using value as a measure for non-human entities. Non-human entities are not the sorts of things that can be appraised on the basis of a purely anthropocentric notion such as value. Now this is not to say that human concerns can, or should, be entirely removed from our assessments of non-human entities, but rather that some notion that is not *purely* value-centered (and thus purely anthropocentric) could be employed in those assessments. And if it could be thus employed, then it should if only for the purpose of opening a new discursive space.

Foucault and Locke

³⁸⁸ Mark Sagoff, *The Economy of the Earth* (Cambridge: Cambridge University Press, 1988), 112-113.

There is a great deal more to be said about these matters. I have given little justification for my claim that a worth-based analysis is not purely anthropocentric, other than pointing out problems with value-based analysis. One objection that occurs immediately is that I have merely switched terms; that I have simply exchanged “value” for “worth” without adequately distinguishing between them beyond implying that “value” requires an agent to do the ‘valuing’ whereas “worth” can be intrinsic to nature. This is a reasonable concern, however my purpose herein was to point out some problems with utilizing the notion of value as a standard for making decisions concerning non-human entities by situating the discussion within the larger problematic of power. I believe that Locke’s “mixing argument” is based on this sort of analysis, and is largely responsible for this sort of analysis continuing to the present day. In Locke’s defense, he was, by most accounts, a devout man who wrote at a time when the term “wilderness” had a negative religious connotation. It was a place to which God banished those with whom he was displeased (Adam and Eve, the Israelites returning from slavery in Egypt). The wilderness was also popularly viewed in those times as a land where demons and savages, who often had societal development on a par with Europeans, dwelled. Thus, in Locke’s day, the wilderness was seen in two ways: (1) as a place that had little value outside of its use to man and (2) something that must be tamed and ruled by man, meaning, of course, European man. The fact that humans lived in these areas that were being colonized was of little import. It might not be overly untoward to suggest that part of the evaluative framework that Locke reflected could lead to the placing of value on the lives of those ‘savage’ peoples. At any rate, Locke can be seen as advancing a conception of power whereby economic valuation serves as a dividing practice. By this I mean to follow in Foucault’s footsteps where he speaks of such practices as being part of the process of objectivizing the subject.³⁸⁹ In other words, the separation of humans from

³⁸⁹ Michel Foucault, “The Subject and Power”, afterword in Hubert L. Dreyfus and Paul Rabinow, *Michel*

nature, and the consequent elevation of humans above nature, tends to make humans a subject apart from the world. It is this process that Foucault is criticizing (though, to be fair, not from any sort of environmentalist perspective) when he says, “Taking a relatively short chronological sample within a restricted geographical area—European culture since the sixteenth century—one can be certain that man is a recent invention within it.”³⁹⁰ In other words, the concept of ‘man’, as understood as shorthand for ‘the human subject’ is an invention of a particular set of understandings at a particular time in history as opposed to a timeless concept echoing through history. If that set of arrangements that brought about those understandings were to change, then, “...man would be erased, like a face drawn in sand on the edge of the sea.”³⁹¹

Value and Worth

That said, it is not unreasonable to expect a bit more discussion on the value/worth distinction such as it is. While this is a distinction not directly addressed by Foucault, one can see that William Ophuls offers a stinging attack on what he takes to be the legacy of Locke’s thought, particularly in its focus on placing values on nature, in his book *Requiem for Modern Politics*. The roots of his denunciation lie in prehistory, with the societal change from hunter-gatherers to farmers. However, the balance of his book focuses on more recent times: Hobbes and Locke’s role in the Enlightenment, and the subsequent liberal policies which led to the Industrial Revolution and, consequently, contemporary capitalism. He holds that the Enlightenment ideal of eliminating scarcity through affluence (and the concomitant notion of abundance) is self-defeating and fallacious. Since modern consumer capitalism depends on these notions, it is viciously

Foucault: Beyond Structuralism and Hermeneutics, 2nd ed. (Chicago: University of Chicago Press, 1983), 208.

³⁹⁰ Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences*, (New York: Vintage Books, 1994), 386.

³⁹¹ *Ibid.*, 387.

misguided and will inevitably lead to a bad end, socially speaking. This sort of talk may seem *prima facie* implausible and perhaps little more than a retread of some quasi-Marxist complaints. However, through an examination of some particulars he advances in support of his assertions, I hope to make clear the nature of his vehement disagreement with modern consumer capitalism as well as shed some light on what he thinks can replace this system. Ophuls offers a somewhat different perspective on power which harkens back to a more communitarian system that would not seem out of place in Aristotelian thought, as mentioned in the last chapter.

One of the goals of the Enlightenment was to abolish scarcity, which was commonly understood as the root of all the ills of society. Indeed, scarcity of resources is one of the reasons Hobbes gives for the existence of the state of nature. We join in the social contract (or, in other words, create the state) to obviate this scarcity. So the function of the contemporary state is economic--that is to provide conditions for continuous, and boundless, development of abundance. The idea is that this economic growth provides a panacea for the ills of civilization. This is expressed by Keynes when he speaks of absolute needs (things such as food, clothing and shelter) and relative needs (the desire to feel superior to other humans, i.e., to have a bigger house or better clothes than one neighbor).³⁹² Once these absolute needs were satisfied, then we could focus our attention on non-economic matters. That is to say, we could live fuller, more intrinsically satisfying lives. Since we would not want for money, we could move beyond the single-minded pursuit of it. As Ophuls points out, current consumer capitalism by its very name does not stress capital accumulation but, to use Veblen's words, "conspicuous consumption".³⁹³ For example, material goods are designed to wear out so that more will be bought. The larger lesson Ophuls draws from observations such as this is the thesis

³⁹²John Maynard Keynes, "Economic Possibilities for Our Grandchildren" in *Essays in Persuasion*, (New York: W.W.Norton & Co., 1963), 358-373.

³⁹³Thorstein Veblen, *The Theory of the Leisure Class*, (New York: Mentor Books, 1953), 65.

that holds that capitalism eventually becomes mature, and so less vicious, is wrong. Once development starts, and it was a process that started those eons ago when man first began to grow crops, it becomes predatory. Capital accumulation is not self-limiting. Indeed, consumer capitalism can be understood as the process of a very few accumulating capital by separating it from the masses through propagation of myths (such as the Protestant Work Ethic) and the inculcation of the desire to always have more (through advertising, to use a blatant example).

Still, even if one grants these points, it does not follow from what has been said thus far that modern consumer capitalism is fallacious or self-defeating. However, if we take the focus of current capitalism to be consumption, then we are entitled to ask whether or not our needs are satiable. Ophuls appears to feel that they are not. If we fall into the trap of consumptive thinking, then we will never be satisfied.³⁹⁴ Rather, the best we can hope for is to escape dissatisfaction momentarily. Insatiability is inherent in the idea of consumption, for there must be some need (real or manufactured) that must be filled if goods are to be consumed. And since consumption is the engine that drives capitalism, the system must manufacture need to support itself, indeed to keep itself alive. That is to say the production of goods becomes almost secondary to the production of demand for those goods. Consider, for example, the purpose of the once-popular series of dolls known as “Beanie Babies”. People were willing to pay exorbitant sums (up to a thousand dollars) for these items which they were convinced they need, either as an investment or to be considered a good parent. People were dissatisfied with only one “Beanie Baby”, though, and many felt the need to collect them all (a need which is encouraged by the incredible marketing machinery of this toy’s manufacturer) even though there was nothing particular about them as toys which sets them apart. Now, several years after the

³⁹⁴Ophuls, *Requiem for Modern Politics*, 152.

craze has waned, these dolls are worth little or nothing above whatever value they have as a plaything.

One may set aside particular examples, though, and the point remains clear enough: Ignoring the realities of scarcity and natural limitation and replacing them with consumption-based standards of affluence and abundance has very grave ecological consequences. This is the case because the affluence and abundance must come from somewhere--that is to say they must be produced from something. The situation is this: There is a desire for an ever increasing standard of living which comes along with the notions of unfettered growth. Maintaining this increase claims ever larger amounts of resources to be utilized in ways that are inefficient, in that they produce little yield for the energy invested. Consider his example of the Rice farmer in Bali who has about a 15-1 positive return on his energy investment. In other words, he gains 15 units of rice for each unit of energy invested. Contrast this with the grain farmer in Iowa. Due to his dependence on fossil fuels, pesticides and the tools of "factory farming", his return is about 1-10 negative.³⁹⁵ That is, every unit of grain requires 10 units of energy to produce. The net result, then, is that it requires a fantastic amount of resources to make even small gains in the standard of living. Further, Ophuls maintains that it is beginning to take more and more resources just to keep the standard of living static. But this, he says, should come as no surprise in a culture dedicated to artificially producing abundance to satisfy needs that do not really exist.

So it seems we are in a dire situation indeed. The state exists to facilitate limitless economic development; but limitless economic development is not physically possible given the laws of our universe. We have sought to eliminate scarcity through promotion of affluence and abundance, but these conditions carry within themselves their own

³⁹⁵Ophuls, 100.

negation. Unrestrained pursuit of abundance leads to scarcity; unrestrained pursuit of affluence leads to dissatisfaction which leads to further pursuit, which necessitates creation of new abundance--and so it goes. To put it as Rousseau might, the will of all has superseded the general will; a condition which is the exact opposite of what Rousseau prescribes. That is to say, our personal wills (the desires we have for ourselves) have taken precedence over the common good.

Ophuls appears to believe that there is some alternative to this destructive cycle, though it does not lie within the confines of modern civilization itself (which makes talk of an “alternative” highly speculative. He makes a point of noting that one cannot look from the perspective of the present into the perspective of the future). Since this cycle has its roots in the Enlightenment and subsequent liberal tradition, we must cast aside a large part of that which has been bequeathed to us. Specifically, we must give up the notion of negative freedom. Negative freedoms are sometimes identified as “freedoms from” interference in one’s personal life. This tradition holds personal liberty sacrosanct. Now Ophuls is no totalitarian out to formulate some collectivist state. Rather, he believes we need a morality (where “morality” is defined as self-limitation of desire) that has its focus on the effects of our actions on the community as a whole and in the long run.³⁹⁶ This “ecological” communitarianism lends itself quite readily to the idea of positive freedom, which entails the sentiments of “freedom to” or “freedom for”. It is ecological in the sense that it calls for a radical reevaluation of our relationship with nature. That is to say, the relation will be one of respect and love rather than utilitarian cost/benefit calculation. Put another way, the relationship will be symbiotic rather than parasitic (that is, we will manage ourselves rather than manage nature). He frames this in terms of the distinction between a pioneer ecosystem and a climax ecosystem. In a pioneer

³⁹⁶Ophuls, 271-275.

ecosystem, there is a large quantity of low-grade growth (think of a field full of weeds) while a climax ecosystem supports a high quality of growth in a stable manner (think of virgin rain forest). The climax ecosystem does not attempt to continually expand, but rather merely sustains itself--which is what is to be expected given the natural laws against unfettered growth. Clearly, Ophuls considers the proper model of society to be more organic than mechanistic.

This organic, ecological model seems radically at odds with our current system, and it is legitimate to question how it could ever be brought about. If this system is to be instituted, it will have to be on a political level. That is, the people themselves will have to recognize the futility of conspicuous, continuous consumption and engage in what Ophuls calls a “politics of consciousness”. This is a difficult notion, but he seems to be decrying the fact that technology has led to relativism. In other words, there is little or no sense of any “higher nature” to which humans can aspire. If we can recapture this, we can then rebuild some sense of positive freedom. All of this depends on the political being understood as a reflection of the social desires of the people, as opposed to the materialist desires of the corporation. He seems to be speaking of a return to the general will; the will of the people stripped of their particular interests. Once we realize the emptiness and ennui that lie down the path we have been taking, we will realize the futility of attempting to satisfy the insatiable. Instead, we will take a transcendent path, one where there is a chance for fulfillment through the search for wisdom and truth as part of an integrated whole-earth community.³⁹⁷

Power and Historical Explanation

³⁹⁷ Ophuls, *Requiem for Modern Politics*, 277-278.

I believe that Foucault's concern regarding constructions of sovereignty, in particular the absolutist construction set forth by Hobbes, can be illustrated by reference to a debate about the nature of historical explanation.³⁹⁸ In particular, I believe that this bears directly on Foucault's concerns about the tension between the "universalizing" and "particularizing" or "individualizing" methodologies of historical explanation.³⁹⁹ There is an assumption made by the universalizing group that historical explanation can be of the sort that said explanations would fit under a theoretical "covering-law" model. Put another way, each particular event can be explained as a token of some general type. I will briefly present the deductive-type covering law model of explanation and discuss a putative limitation of that model. Next, I will discuss Carl Hempel's reformulation of the model in an inductive/probabilistic form. Further, I hope to demonstrate that an objection rooted in the work of Peter Winch and informed by, if not Foucault as such, certainly "Foucauldian" concerns holds against either formulation of the covering law model simply in virtue of the limitations of the model. I will then attempt to illustrate how such a debate is illustrative of Foucault's concerns in regard to sovereignty. It would seem prudent at this juncture, though, to give a brief exposition of the history of the debate between the proponents of the covering-law method and its detractors.

The Debate

In the early part of the twentieth century the focus of philosophers of history began to change. In times past, their goal had been the creation some sort of overarching system

³⁹⁸ Though it must be said that this debate seems to flow from Hobbes rather than be found within his work. I believe that there is a connection, though, as I hope subsequent discussion will show.

³⁹⁹ Michel Foucault, "Questions on Geography", 64.

of history. One example of this tendency may be found in Karl Marx, whose vision of history can be characterized as that of a unilateral process moving towards some greater goal. Others saw history as cyclical, and still others saw it as deterministic. These comprehensive efforts were understood to fail for a variety of reasons, not the least of which is that they were not falsifiable and thus out of step with prevailing methodology of the academy. Gradually, philosophical opinion came to regard the philosophy of history as a “second-order pursuit.”⁴⁰⁰ In other words, the idea was not that the whole of human history be assessed systematically but rather that the methodology of reporting that history came to be scrutinized. That is, instead of looking at history itself, the focus came to be on the presuppositions and peccadilloes that philosophers brought to the table, so to speak, in their examination of historical issues.

One question that has occupied much attention in this debate concerns whether or not explanation in history (as a discipline) comes to the same thing as explanation in science. In other words, can we explain Hitler’s decision to attempt to exterminate the Jewish race in the same manner in which we explain how gas behaves in a vacuum?⁴⁰¹ Several philosophers, such as R.G. Collingwood and William Dray, believe that history is not best explained in this way, though they seem to allow that it is at least possible that some historical occurrences can be explained in this way. Others, most notably Carl Hempel, believe that nothing precludes historical explanation from being of this character. The importance of this question is clear; because if Collingwood and his followers are correct, then one particularly fruitful way of explaining interactions between physical phenomena

⁴⁰⁰Patrick Gardiner, “Introduction to the Philosophy of History” in *The Philosophy of History* (1963; reprint, Oxford: Oxford University Press, 1974), 3.

⁴⁰¹I mean here that since scientific explanations follow a certain form, the question is whether the form of the explanations offered by science is amenable to the methodology of history.

appears to be unusable in an area that is generally considered quite important; namely, history.⁴⁰² The discussion, then, will begin with the first type of covering-law model.

The Deductive Covering-Law Model

This model of explanation is fairly straightforward. Simply put, in all cases in which a particular set of conditions *A* is satisfied, an event of type *B* will invariably occur. In other words, $(x) (Ax \supset Bx)$. To use a simple example, if water is heated to 100° C, then it will boil. In historical explanation, the idea is to show that statements describing historical events are deducible from both statements about antecedent or concurrent events and empirically testable universal laws or generalizations.⁴⁰³ Those statements so deduced are known as the *explanandum*, while the set of assertions about antecedent or concurrent events or empirical laws are known as the *explanans*. To put it another way, a set of descriptive statements of a certain character about a given event can be said to logically imply an explanation for that event. According to this model, then, an explanation is complete when the various factors constituting the event are subsumed under a general law. As this condition of deducibility is generally applicable, the argument goes, it is the case that its use is not restricted to the events solely within the realm of the “hard” sciences, but the “social” sciences as well.⁴⁰⁴ However, the use of such general laws to formulate historical explanations that are more than trivial seems problematic. To return to my earlier example, if one wished to illustrate why Hitler pursued the particular policies towards the Jews that he did, one would have an incredibly

⁴⁰²And there are a host of metaphysical implications that are beyond the scope of this chapter.

⁴⁰³William Dray, “The Historical Explanation of Actions Reconsidered,” in *The Philosophy of History*, ed. by Patrick Gardiner (1963; reprint, Oxford, UK: Oxford University Press, 1974), 66.

⁴⁰⁴This assumes that history is in fact a science, but that is a question for another day.

difficult time of narrowing down the list of pertinent concurrent and antecedent facts. As an indication of this, consider the number of books that concern themselves with why Hitler did what he did. Some indicate that he was a manifestation of the overwhelming anti-Semitic sentiment in Germany at the time. Others claim that he stirred up the aforementioned sentiment in order to further his own political ends. Still others hypothesize that he had some sort of traumatic experience with a Jew at some point in his life. These are just a few of the plethora of explanations advanced in this specific case. They are brought up merely to indicate the difficulty of drawing a generalization from a proliferation of relevant factors involved in an event.

Moreover, even if one were to account in some manner for the multitude of particular events that constituted this particular event, any law that could be deduced would necessarily be either too strong or too weak. It is too weak in the sense that it is too broad. So, for example, one might explain Hitler's actions by referencing the creation of the world. Now while this is correct in some sense, it is far too general to be useful as an explanation. The law could be too strong in the sense that it could easily be interpreted so specifically to the case at hand it would not really be any type of explanation at all. Suppose a scientist desires to explain the occurrence of some particular phenomenon, perhaps the discovery of an ore deposit within a certain strata of rock. In order for the explanation to be considered adequate, the scientist would have to frame the explanation so that it dealt not only with the particular ore deposit at hand, but with ore deposits of that type in general. An explanation for that particular ore deposit being where it was would be no explanation at all. The same sort of situation could doubtless occur in historical explanation as well; yet it is hard to see how some general law can be posited to

cover the variety of conditions involved in only one case, such as Hitler's. In the case of the ore deposit, there is not the same magnitude of conditions and facts to consider.

An objection might be raised at this point to the effect that I have unfairly described the deductive covering law model. After all, this model works perfectly well in other areas of inquiry; that is, it does not appear to face the "too strong/too weak" dilemma in physics. But, given the form of covering-law explanations of this type⁴⁰⁵, this does not appear to be a feasible objection. The sorts of data dealt with in physics and the sorts of data dealt with in history are different in extension, if not in essence. In other words, we may well be nothing more than chunks of physical matter made up of chemicals, exactly like objects in physics experiments. It could also be that, again similar to those objects in the physics lab, we are totally causally determined both physically and mentally. But the source of that mental causal determination, if it exists, is not as easily identified as the source of physical causal determination. Suppose I leap from the top of a tall building to my death. The question of why I died can in one sense be easily answered, inasmuch as I fell at a certain rate of speed and impact a substance that has a higher breaking point than human bone and so forth. But the question of why I leapt in the first place is not so easily causally explained. Perhaps some relevant factors could be isolated (dependency over my academic situation, domestic trouble and so forth) but *why* those factors caused my leap, which is what is trying to be explained, cannot be deduced without running into the difficulty mentioned above. And this difficulty is more evident in events more historically significant than the suicide of an obscure philosopher.

⁴⁰⁵a. The explanans must logically imply the explanandum, b. the explanans must contain one or more general laws of nature, c. the explanans must have empirical content, d. the sentences constituting the explanans must all be true.

It may also be the case that the form of the covering-law model does not always constitute an adequate explanation. Consider the following example that apparently conforms well to the deductive schema⁴⁰⁶: I hold an eraser in my hand and release it. It then falls to the ground. The reason this eraser fell to the ground is because fairies pulled it to the ground and all erasers that have fairies pulling them fall to the ground. These fairies are not detectable by instrumentation, but they are manifestly there—otherwise the eraser would not fall. This explanation appears to be formally correct, but few would likely find it an adequate explanation of the event in question as erasers, along with everything else, tend to fall *ceteris paribus*. The issue of whether fairies exist or not seems to have little bearing on what happens to the eraser. Let us turn our attention to a covering-law type of explanation that seems immune to the above sort of criticism (that an explanation can be formally correct without really explaining anything).

The Inductive-Probabilistic Model

Carl Hempel recognizes the limitations of the deductive covering-law model especially regarding history. He points out though, that the deductive covering law is not the only model of that type used in science. Another important type is the inductive-probabilistic model. He holds that this model is much more amenable to historical explanation.⁴⁰⁷ Again, the significance of this model lies in its form. Laws constructed according to this terminology have the following schema: Given that a particular set of

⁴⁰⁶W.C. Salmon, *Statistical Explanation and Statistical Relevance* (Pittsburgh: University of Pittsburgh Press, 1971), 33. See also Gordon Graham, *Historical Explanation Reconsidered*, (Aberdeen: Aberdeen University Press, 1983), 18-20.

⁴⁰⁷Carl G. Hempel, "Reasons and Covering Laws in Historical Explanations," in *The Philosophy of History*, ed. Patrick Gardiner (1963; reprint, Oxford: Oxford University Press, 1974), 90-91.

conditions *A* obtain then a particular circumstance or set of circumstances *B* will arise with a statistically measurable probability. On the newer interpretation the higher the probability, the better *A* is an explanation of *B*. Consider the following example, from Hempel, concerning dice: Suppose you roll a set of four dice and the subsequent examination of the total of the numbers on the faces of the dice is greater than four. The explanation of that event could be expressed in the following manner: First, there is an appeal to some empirically verifiable principle. In this case, it would be that, *ceteris paribus*, the objective probability that a particular face of a particular die would be upturned is no greater than for any other face of that die. In addition, each die roll is statistically independent despite their being tossed together. Given this, we can come up with a probability for the likelihood that the total on the faces of the dice would be greater than four. Note that there is no universal generalization present; there is no claim that some event had to happen given certain conditions. We simply have a description of an event and a probabilistic explanation of what sort of expectations are warranted concerning the particular character of the event.⁴⁰⁸ The distinction between the two models is clear. The covering which takes place in the latter model relates to an appeal of inductive assistance from the explanans statement (in this example the probabilities) to the explanandum (in this case the results of the dice roll).

Hempel claims that the inductive model has some interesting ramifications for the area of historical explanation. In order to make clear what those are, he posits the following necessary condition for an explanation to be considered adequate: Any such explanation must provide good evidence for the belief that some individual event *x* occurred. On his

⁴⁰⁸Hempel, 91.

account, both views satisfy this condition due to their form. To recap briefly, in a covering-law type explanation the event at issue is identified by the explanandum statement. In other words, individual events (or particular occurrences of x) can be explained by statements about what happened in the event. For example, if we wished to know why a certain liquid increased in viscosity over a certain time, we could formulate an explanandum statement like the following : Liquid X increased in viscosity by amount Y in the space of sixty seconds. The deductive model seems to work fine here.

However, there is another sense in which the phrase “individual event” may be understood. In this sense, the covering law model in either of its forms is not useful.

Consider Hitler’s decision not to launch a ground offensive against Great Britain after the Allied retreat at Dunkirk. The factors involved in such a decision are indefinite in number. One must take into account Hitler’s desire to conquer Russia, as well as his overestimation of the efficacy of his air force against Britain. There are other factors not so readily identified. Hitler could well have been in a particular sort of mood on the day in which the decision to invade Russia was made, which could have in turn been influenced by something as capricious as the weather.

Hempel’s point is that if we understand an individual event as “concrete” or as a definite description of an event (e.g., “Hitler’s decision not to invade Britain”) rather than a statement about an event, then there can be no possibility of explanation. So the interesting ramification is that the sorts of things that can be explained are limited by the form that an adequate explanation must take. But just as there is some suggestion that the deductive covering-law model might not be adequate, so too is there a problem for the inductive model. Examine the following explanation: Smith was almost certain to

recover from his headache within six hours because he prayed to be healed, and almost all headaches get better within six hours of a prayer for relief. This explanation agrees with the Hempelian paradigm, yet it fails to be an adequate explanation because almost all headaches tend to clear up within six hours whether one prays or not. The roots of a further, and potentially more serious, objection to Hempel's view lie in this consequence.

Brief Summation of Hempel's Position

One point that has resurfaced several times deals with being able to delineate the factors that constitute an event. While it is true that we are not, and for practical purposes could rarely ever be, aware of all of the factors making up an event, we are nevertheless able to form some sort of conjunction encompassing the factors involved in the event and assigning a name to it, e.g., "The Crusades", "World War II", and so on. These named conjunctions are termed "concrete events" by Hempel and, as definite descriptions, are not amenable to explanation. So though we may not be able to completely explain why Hitler did not mount a ground offensive against Great Britain, we can nevertheless formulate covering-law type explanations of the various factors involved in the event.⁴⁰⁹ So his overall position seems to be that the inductive conception of the covering-law model, while unable to clarify concrete events in their generality, can serve an explanatory function for those factors that make up such an event. He also points out that one aspect of a concrete event may be thought of as more completely explained if its

⁴⁰⁹Though Hempel has very little to say about the criteria used to decide what makes a particular event a part of a concrete event.

explanandum can be seen to generate further statements which may serve as subsequent explanandii.⁴¹⁰

Objection

There is at least the suggestion of something amiss in Hempel's construction. The notion that the covering law model, even in its inductive form, is suitable for expressing the nature of historical events has been the subject of much debate. One particular voice in the debate is that of Peter Winch. The impetus of his essay "Concepts and Actions" is to argue that the function of history as a discipline is the understanding of social relations among persons, a function with which Foucault might quarrel little.⁴¹¹ His claim is that social relations are essentially internal, and as such do not properly lend themselves to deductive *or* inductive type formulations needed for covering-law type explanations. The idea that social relations are essentially internal is going to need quite a bit of clarification and support. I hope to follow Winch's lead in establishing the existence of some essentially internal component that can be identified through examination of social relations among people.

Winch begins by making an assertion that social relations between persons and the ideas (or presuppositions) that a person's actions represent are two sides of the same coin. Consider what happens when societal ideas change; when new ideas come to replace those that were previously held. The term "new ideas" could be construed in one of two

⁴¹⁰Hempel, 96.

⁴¹¹Peter Winch, "Concepts and Actions," in *The Philosophy of History*, ed. Patrick Gardiner (1963: reprint, Oxford, UK: Oxford University Press, 1974), 41-50.

ways. First, a new idea could be a discovery within the existing framework of ideas. Suppose that someone is able to isolate a heretofore-unknown germ as the cause of a disease. While this particular germ can be considered new (as it was unknown, not that it sprung into existence) there is a pre-existing framework, the germ theory of disease, that can account for its existence. However, this is not what Winch has in mind. In order to qualify as “new” an idea must represent an entirely different way of looking at things. Consider the aforementioned germ theory of disease. When it was first composed, it represented a totally unique method of looking at the problem of disease and disease transmission. Consequently, there was a rather large shift in relations among members of the medical community, and eventually in society in general, due to this new way of understanding sickness. In order to give a meaningful account of that shift (or action), one must refer to the concept responsible for its existence.

Let us return to an example from a previous chapter in order to make the point clearer still. Imagine a society in which people are identified solely on the basis of a series of numbers, i.e., in which there are no proper names as such. The affection that I have towards my wife would be of a much different sort if I only knew her by a number. Now it may be objected at this point that I fell in love with my wife due to her personal and physical characteristics, rather than on the basis of her name. She would still be who she is whether she was known as “Crystal” or by a series of numbers. But the situation does not seem as straightforward as that. A proper name is one of one’s personal characteristics, (indeed, it is in some sense one’s defining personal characteristic) and there exists a certain felt attractiveness that could not exist for a set of numbers. Let us not lose sight of the point here. I am not claiming that there would not be relationships

among people known only by numbers, but rather that those relationships would be of a far different sort. This difference is only expressible in terms of our conceptions of names and numbers that underlie it. The introduction of proper names as a method of nomenclature would doubtless change such a society in a radical manner, and would count as a “new idea”.

The implication here is that when one way of looking at things is subsumed by another, public relations among persons are irrevocably changed. But even if we have certain new concepts that guide our actions, are they not expressed with the same vocabulary? When a new idea enters public discourse, the language and vocabulary hardly undergo wholesale changes. It seems odd to assert that the difference in the meaning of a word could affect the social relations between persons. This would seem to hold for the actions of historical figures as well. The meaning of a word is given by a description of its use, which is in turn only possible through an examination of the social relations of which it is a part. If one wishes to grasp the meaning of the word ‘rabbit’, for example, one need only formulate a description of that which it identifies.⁴¹² Through that description, one may begin to understand the internalized concepts expressed therein. Of course, there can be a vast difference in the internalized concepts one attaches to a word. This sort of difference could affect social relations between people, but note it is not the meaning of the word that causes this affect, but rather the concepts brought to bear by others in relation to that word. One could think of the current debate over the nature of the word “marriage” for example in relation to homosexual couples.

⁴¹²Ludwig Wittgenstein, *On Certainty*, 21-22.

Social relations are understood as essentially internal in nature insofar as they have existence through the ideas or concepts held by people and are understood only through language. Now this sort of claim runs afoul of David Hume's dictum concerning objects. Hume claims that there is no object that implies the existence of any other if each object is considered in itself; that is to say if we never look beyond the idea we form about an object. This sort of claim would apply to events such as social relations as well as natural phenomena. It is important to remember at this point that covering-law models have a definite relation to natural phenomena, inasmuch as there has to be some empirically verifiable component referred to in their formation. Consider a natural event such as thunder. Suppose I am indoors when I hear a low rumbling sound that I find familiar. I immediately identify the event as "thunder". It is difficult to see how I could consider this event in and of itself, for in using the term "thunder", I have committed myself to several related concepts such as "lightening", "rain" and "storm". It is hard to conceive of an object or event that could be considered strictly in and of itself. When we identify an object or event as being of a certain sort, we do so through language; which is an expressive framework of internalized concepts. Understood in this way, objects and events are necessarily interconnected with other objects and events, insofar as they share the same framework of expression. So I cannot think of "thunder" apart from some other concept. The covering-law model seems to ignore this sort of connection. Factors that make up a concrete event have a certain interconnectedness (else they would not be considered part of the event) that cannot be captured in purely descriptive sentences of the sort that are needed for explanans statements.

This holds for relations among humans as well. Consider the act of giving a command and the act of acquiescing to a command. If I say, “Look up!”, given that I am in some type of authoritative position (or at least am trustworthy), and you do indeed look up, then I may justifiably describe your action in relation to its cause, i.e., my action. But I can only understand your action by referring to something essentially internal; the process involved in acceding to commands in general. Your act of acquiescence carries with it the implicit recognition that what immediately precedes it was a command. This is the element that distinguishes between human activity and natural phenomena. The roll of thunder does not recognize that it was preceded by some electrical discharge. Obviously thunder existed before humans were around to form conceptions of it. Humans were not issuing commands prior to the conceptual formation of the notion “command”. Recognition as understood through analysis of language is the essential element involved in the connection between concepts and actions.

In order to make the objection to the covering-law model a bit clearer, let us examine the distinction between discursive and non-discursive ideas. Now we understand social relations as internal since they manifest ideas or concepts. It may appear that this is an over-intellectualization of social life. Indeed, so far all of the ideas or concepts we have dealt with so far are discursive, or expressible in language. It does seem possible that there are some ideas that are non-discursive. But how could this be? Consider the opening scene in the movie *Bad Day at Black Rock*. Spencer Tracy is walking down the main street of a small western town while people stare menacingly at him. No words are spoken, but there is a palpable sense of hostility in the air. So the message sent to Tracy’s character is non-verbal in this case, but it is the sort of message that *could* be

expressed in linguistic terms. Even in cases where words are not used, they still *could* be, and, if this is the case, there are no non-discursive ideas. Given that language use is intimately bound to action, we can therefore express any action given the right vocabulary. We will not be able to accurately gauge the intent and meaning of non-linguistic actions if we are able only to formulate explanations in terms of empirical phenomena and descriptive statements. In situations where this idea, as it pertains to social relations, is not a comfortable fit, it nonetheless seems more plausible (given what we have posited thus far) to interpret actions in this way rather than by an appeal to scientific generalizations and probabilities.

Consider the case of a war. Even though the conflict itself is material in nature, the combatants are more properly seen as societies which are more properly defined by the social relations among their members. Interactions of members of that group can be explained in terms of concepts held by members of that group extrapolated into societal policy. On this construal “war” is nothing more than a conceptual extension of internal rules governing conventions for hostile engagement. So in the Revolutionary War, for example, the internalized rules common to the colonists were not such that they prohibited sniping against British troops marching in formation. Conversely, the rules internalized among the British contained a different set of conventions. And if one is speaking of conventions, then one is speaking of ideas that cause actions. Now given the internality of ideas, it also seems that they are normative insofar as the ideas are responsible for what you do. Put another way, there is some reason that you do certain things rather than others, and this reason is therefore normative in nature. So it does not

seem that we will be able to formulate the sorts of generalizations necessary to satisfy the covering-law model of explanation.

Foucault, Hobbes, and Power—Some Conclusions

While the temptation might well be to assume that Foucault would no doubt have cast a pox on both sides of the covering-law debate, he was well-versed enough in science, having had experience in psychology, to grant that the covering-law model of explanation in either of its forms is effective as a discursive strategy in the universe of the hard sciences. That aside, the reason it seems to fail when used as a model for historical explanation, even in its probabilistic form, is because the basic character of human interaction is not suitable for interpretation in the form which is required by the covering-law model. It could be claimed that while the covering-law model is not perfectly appropriate for historical explanation it works as well as, and more likely (given its success in the hard sciences) better than, any other type of explanation. A brief example is warranted indicating a form of historical explanation that is, perhaps, more successful than the covering law model. The following illustration is adapted from Graham's *Historical Explanation Reconsidered*, cited earlier. The English historian J.A. Williamson began his explanation of the Scandinavian invasion of the British Isles in the early ninth century by claiming that the Norse who invaded were plunderers first and settlers after. As such, once they had stolen all they could, they then decided to stay. So in response to the question "Why did the Norse invade Britain in the early ninth century?" Williamson has crafted a response that appears adequate without claiming to be complete. That is, if some exception were to be found to this particular scenario,

Williamson would likely not object. For his point is not to explain all invasions, or even to make a broad claim about the sorts of things common to invasions, but to provide a satisfactory answer to a particular question. And, if we are to be commonsensical, it is hard to see how this explanation is inadequate. It may not be complete, but given what has been said thus far there seems to be little reason to assert it must. Indeed, we may begin to wonder what it is exactly that “complete” can possibly mean. The key point, though, is that there is a real tension in seeing explanation between, or perhaps in terms of, the particular and the general; between the event and the type; between the species and the genus. This is also reflected in the previous discussion of Hempel and Winch.

In his later life, Foucault spoke of an attempt at what he called “eventalization” in his historical analysis. This appears to me to be quite relevant to the above, and also as a bridge to the concerns he had about Hobbes. By “eventalization” Foucault means two things, different yet complementary. First, eventalization refers to a breach of self-evidence.⁴¹³ As he puts it, “It means making visible a *singularity* at places where there is a temptation to involve a historical constant...or an obviousness which imposes itself uniformly on all.”⁴¹⁴ To put it in terms of his discussion in *Madness and Civilization*, it is not accepting that it was simply a matter of course that the mad became thought of as mentally ill (given advances in medicine, for example). Rather, eventalization lies in examining the preconditions of our knowledge that allow us to posit and accept that there is such a category such as “mentally ill” and that the mad belong in such a category. Eventalization is beneficial as an examination of our practices and, moreover, the

⁴¹³Michel Foucault, “Questions of Method” in *The Foucault Effect: Studies in Governmentality*, ed. G. Burchell, C. Gordon, and P. Miller (Chicago: University of Chicago Press, 1991), 76.

⁴¹⁴Foucault, “Questions of Method”, 76.

assumptions we bring to bear in cultivating and manifesting those practices so long as the event itself does not become a category or something objectified as a historical constant, as discussed last chapter.

Given this, as well as the discussion in the preceding chapter, the second meaning of eventalization should come as no surprise. It is the idea that we can rediscover the connections, encounters, strategies and so on that at a given moment establish what will later become self-evident. As Foucault said, “In this sense, one is indeed effecting a sort of multiplication or pluralization of causes”⁴¹⁵. That is to say, an event is analyzed in terms of the multiple processes which are held to constitute it. For example, an analysis of the practice of incarceration as an event, as in his *Discipline and Punish*, could involve some of the following: examining how existing processes of internment are inserted into the process of legal punishment, how imprisonment became an accepted form of punishment and correction, how imprisonment plays a role in a larger system of rewards and punishments, and so on.⁴¹⁶

However, eventalization also serves to lighten the weight of causality. That is, the process of eventalization constructs a polyhedron of intelligibility around the event under analysis. That is to say, we become progressively more aware of the multiplicity of factors that constitute an event. In doing so, we may also become aware of how that event is connected with other events in sometimes unexpected ways. To use Foucault’s example, as we examine the carceral nature of the penal process in its details, the more we find them, or at least their possibility, reflected in areas where they were not seen

⁴¹⁵ Ibid., 76.

⁴¹⁶ Ibid., 77.

before, such as in the military, or the school.⁴¹⁷ Indeed, we become aware of an increasing polymorphism as we examine the event in question—a “polymorphism of the elements brought into relation, of relations described, of domains of reference”⁴¹⁸.

Foucault believes that historians have become entranced with an idea of “de-eventalization”. This is instantiated by the process of consigning the event to some unitary, extra-historical force (be it the system building of the past *a la* Marx or the attempts to understand events as instantiations of some covering-law). Foucault admits that eventalization might well contain both too much and too little—too many lines of analysis and too little necessity.⁴¹⁹ It is important to keep in mind, though, that the “too much” and “too little” are likely going to be from the standpoint of one who seeks unity. Foucault’s point is precisely that we need not submit ourselves to such a demand either in historical analysis or political theory. Indeed, for Foucault the demand for explanation is replaced by a quest for understanding. The implication for Hobbes’s thought becomes clear at this point. Hobbes’ thought has been construed as fulfilling precisely this function for, as we have seen, his work is understood as an attempt to explain power as something unified in terms of the sovereign or state.

I hope that the preceding discussion of eventalization has assuaged fears that we might have gone a bit afield in the preceding covering-law discussion. Now if we briefly turn to Foucault’s talk of sovereignty, things will become a bit clearer. As I brought up in Chapter 1, Foucault could be a bit idiosyncratic in his approach to questions that had captured his interest. Despite this manner of proceeding, he did on several occasions

⁴¹⁷ Foucault, “Questions of Method”, 77.

⁴¹⁸ *Ibid.*, 77.

⁴¹⁹ *Ibid.*, 78.

address certain philosophers and philosophical notions directly. In his lecture published as “Governmentality”, and discussed in some detail in the first chapter, Foucault points to the fact that sixteenth and seventeenth century discussions of sovereignty “attempted to derive an art of government from a theory of sovereignty.”⁴²⁰ Again referring to the preceding chapter, by “art of government” Foucault was speaking, at least initially, of government as practice, of a rationality of government, of a way of thinking “about the nature and practice of government, capable of making some form of that activity thinkable and practicable both to its practitioner and to those upon whom it was practiced.”⁴²¹ In short, the tendency in discussion of sovereignty, such as found in Hobbes’ work, was to posit a theory of sovereignty and then derive a practice of government from that. Put yet another way, Hobbes and his ilk organized the art of government around the reason of the state (not the reason that the state existed, but around the state’s own justification for its actions). The Leviathan, for Hobbes, governed, and hence found its power, according to rational principles that represented a proper form of rationality. Foucault was to stand such a practice on its head, or perhaps lay it on its side, at least. As he said, “...the art of government, instead of seeking to found itself in transcendental rules, a cosmological model, or a philisophico-moral ideal, must find the principles of its rationality in that which constitutes the specific reality of the state.”⁴²² Hobbes, on Foucault’s view, searched for an ideal that would correspond to the reality of the current situation and then sought to base that reality on the ideal. This

⁴²⁰ Michel Foucault, “Governmentality” in *Power: The Essential Works of Michel Foucault, 1954-1984*, Vol. 3 ed. by J. Faubion (New York: The New Press, 2000), 218.

⁴²¹ Colin Gordon, “Governmental Rationality: An Introduction” in *The Foucault Effect: Studies in Governmentality*, ed. G. Burchell, C. Gordon, and P. Miller (Chicago: University of Chicago Press, 1991), 3.

⁴²² Foucault, “Governmentality”, 213.

situates Foucault squarely within the received tradition in relation to Hobbes.

Machiavelli also seemed to favor the same strategy, though in a much cruder form. Thus one of the chief difficulties in thinking about power as part of an “empirical” tradition, which I have taken Machiavelli, Hobbes and, to a somewhat lesser extent, Locke to represent, appears related in large part to the aforementioned problem of objectivity and subjectivity. That is to say, the empirical tradition tends to universalize history in order to make sense of both it and any way forward that can be derived from it. This way of thinking is problematic insofar as it ensures the classifications in which phenomena can be understood will remain relatively unchanged over time and thus gradually become objectified. Yet it simultaneously represents a shift in the conceptualization of the relation between the ruled and the ruler that occasions the entrance of governmentality into discourse, thereby providing the opportunity for a different discursive universe, one where power is seen as, in the words of Foucault, “...a function of governmentality.”⁴²³ By this Foucault is referring to the idea that political power can be situated in a larger frame of reference, that of governmentality. We could conceivably see how the strategies and tactics of the governmental are reflected in the conceptualization of the subject as the focus of power shifts from the relationship between state and citizen or parent and child to the relation between care of the self and the self.

⁴²³ Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981-1982* (New York: Palgrave MacMillan, 2005), 252.

Conclusion

There are a variety of questions that could be posed at this point. As a way of concluding what has been said, I will concentrate on two of the most general: Does Foucault solve something? Is there something to be solved? Of course, these questions could be directed more locally: Does this dissertation solve something? Is there a problem of governmentality to be solved? Beyond that, I also want to suggest a possible direction for some further research that could be well worth pursuing at some future date.

In order to approach the first pair of questions, I will consider an interview of Foucault conducted by Michael Bess, current Professor of History at Vanderbilt University, from 1980 when Foucault was at the University of California-Berkeley to deliver the Howison lectures. Bess was a graduate student in history at the time and was querying Foucault as to some of the basics of his positions at that point in time. Foucault begins by responding to the claim that he is a nihilist, one who rejects morality, goodness and value in favor of an amorality or, given his personal practices, a highly transgressive immorality. He holds that he is actually a moralist, albeit not in the traditional sense. However, he does not seem to be proposing a reevaluation of values in some Nietzschean sense. Instead, he points out that human existence is a task, a task that is ours, presumably, because we are capable of taking it up. That task involves a search for meaning, though not in the traditional sense of discovering a pre-existing meaning. Rather, he seems to be pointing to the source of meaning being found within the search. As he puts it, "...I believe that

one of the tasks, one of the meanings of human existence...is never to accept anything as definitive, untouchable, obvious or immobile.”⁴²⁴ In other words, within power relations themselves there is also the possibility of resistance to power. Put another way, power can be repressive or productive in that it can be used to oppress and stagnate or it can be used to resist and rebel. Certainly Foucault’s personal commitment to a wide variety of justice movements would be seen as a localized resistance that is a productive result of power as he himself utilized it.

Yet there is a tension between the productive and repressive aspects of power, so one must “...consider all the points of fixity, of immobilization, as elements in a tactic, in a strategy.”⁴²⁵ So resistance is not good in and of itself nor is repression bad in and of itself. Part of the task of the moralist is to discern what is meant by ‘repression’ and ‘production’. These meanings can vary, of course, given the situation in which one finds oneself or in terms of the situation being examined. Foucault claims that his morals are based upon the following three elements: refusal, curiosity, and innovation.⁴²⁶ By this he is speaking of, respectively, the refusal to accept proposals as self-evident, the need to analyze and know, even if that knowledge is local and transient, and the attempt to reflect upon things in ever new and different ways. But there is no *a priori* formula, or moral calculus, by which one can accomplish these things. All of these will depend on how forces relate to one another and the society that results from those relations. As Foucault puts it, “The relations of power, as they exist in a given society are never anything but the

⁴²⁴ Michael Bess, “Power, Moral Values and the Intellectual: An Interview with Michel Foucault” *History of the Present* 4 (Spring 1988), 1.

⁴²⁵ *Ibid.*, 1.

⁴²⁶ *Ibid.*, 2.

crystallization of a relation of force. And there is no reason why these crystallizations of relations of force should be formulated as an ideal theory for relations of power.”⁴²⁷

To try and do this would be analogous to a situation where a grammarian might state that a language should be spoken in a certain way. For Foucault, the best one can do in such a situation is to describe the way a language is used at a particular moment. Nothing about the description precludes the possibility of change, nor does the description take a position on the appropriateness of change. One can describe what can be said and thus establish the boundaries for what cannot be said and no more—the use of ‘should’ is precluded if that ‘should’ carries with it a value judgment that extends beyond the individual.⁴²⁸ Presumably Foucault would not object here to a prudential sense of should, understood in terms of a means-end formulation.⁴²⁹

At this point, Bess places a specific example before Foucault in order to elicit his response. He asks Foucault to consider the case of a small child who is drawing on a heretofore unmarked wall with a crayon. Is there a point at which the parent could say to the child, “Enough!” or would that constitute repression? Foucault’s response here is instructive, at least in understanding how he uses ‘power’. He says, “...power is a relation. A relation in which one guides the behavior of others. And there is no reason why this manner of guiding the behavior of others should not ultimately have results

⁴²⁷ Bess, 11.

⁴²⁸ Interestingly enough, Foucault seems to be advancing a more Socratic conception of philosophy here, which I take to be an investigation into the good life, as opposed to a Platonic exploration of the ‘good’. This could be part of a larger project showing connections between Socrates in, say, the *Apology* and Stoicism, a view that influenced Foucault quite profoundly, even though that issue is beyond the scope of the current project.

⁴²⁹ For example, ‘should’ as used in the sentence “If you want to learn to play chess effectively, you should study past matches between chess masters.” This could be an area for future discussion and development.

which are positive, valuable, interesting and so on.”⁴³⁰ Here we see shades of governmentality—the governmental relationship is a power relation in all of its forms, including the form that concerns the individual’s relation to himself or herself. The discussion to this point leads to the following comment from Bess, “It’s problematic...something that one has to question continually.”⁴³¹ This seems to be the point that Foucault would wish to get across. The exercise of power should not be seen as self-evident. Or, to go back to the example of the child coloring on the wall, there is no obvious right solution to the situation, for in acting or not acting the parent can be seen as guiding behavior. Thus there are a myriad of solutions that demand a certain critical reflection.

The point here is that Foucault is not offering a theory of power or of governmentality. His claim is that power is exercised in a complex set of connections that have been under-analyzed. His goal, then, is to approach power relations in what he terms a reflective and “prudent” manner. As he puts it, “...to question the relations of power in the most scrupulous and attentive manner possible, looking into all the domains of its exercise, that’s not the same thing as constructing a mythology of power as a beast of the apocalypse”.⁴³² Foucault is, in effect offering a very open worldview, where he is not setting himself up as prophet or guru (irrespective of the fact that some have appointed him to such a role) telling people what they should or should not do. It is enough that he governs himself and he expects that others will do the same for themselves: “...it will be up to people themselves, basing their judgments on the various analyses of reality that are

⁴³⁰ Bess, 12.

⁴³¹ Ibid., 12.

⁴³² Ibid, 13.

offered to them, to work or behave spontaneously, so that they can define for themselves what is good for them.”⁴³³

Thus, I do not think that Foucault solves anything directly but, at the same time, I do not think his intention lies in offering solutions. I believe that his focus is on problems themselves, speaking in terms of why they are considered problems now, whether they were considered so, or considered at all, in the past and, if not, how they came to be seen as problems. Any moral values, such as freedom, curiosity, etc., are his and his alone. Others are free to adopt these values upon reflection; neither because they are Foucault’s nor because they are universally true, but because the individual deems them useful. Put in his own words, “What is good is something that comes through innovation. The good does not exist, like that, in an atemporal sky, with people who would be like the Astrologers of the Good, whose job it is to determine what is the favorable nature of the stars. The good is defined by us, it is practiced, it is invented.”⁴³⁴ His point, then, seems to be that even if there is an atemporal Good, we will never be in an epistemic state to know it. Thus, we must muddle through on our own, constantly examining ourselves and others, becoming aware of both the radically contingent nature of our being and the responsibilities we take on in that regard.

“Governmentality” then, is a historically conditioned concept that was, for Foucault, of use in increasing his awareness of the nature of administrative practice, insofar as it

⁴³³ Bess, 13.

⁴³⁴ Ibid., 13. Foucault has in mind here the intellectual who tells others what the good is, thereby turning himself into an oracular figure.

serves to indicate the extension of said practice from an institutional level through to an individual. It is useful as a tool for structuring problems but does not seem to be problematized itself. I believe that this dissertation sheds some light into its historical conditioning and in its present usefulness as an analytic tool. I do not believe that there is a problem of governmentality to be solved but there is additional information about governmentality and power to be amassed. I envision this dissertation as a very small part of that larger project.

That said, and taking into account the suggestions in earlier footnotes about possible avenues for further reflection, I hold that an interesting area of reflection could be the connections between Foucault, as I have understood him here, and Camus. At first glance, the two would seem to be very dissimilar, as Foucault is often labeled an anti-humanist and skeptic, if not foe, of the Enlightenment and its values where Camus is often seen as a humanist who does hold at least some hope for human progress. Foucault himself was rather, and perhaps unduly, dismissive of Camus, lumping him together with Sartre and dismissing them both as ‘soft humanists’ which, as he notes, is a “purely redundant expression” as humanism implies softness.⁴³⁵ His particular complaint seems to be that humanism has been used as a justification for various regimes from Stalinism to Christian democracy. Ultimately he terms this humanism, and those who advocate it, as “...in a certain sense the little whore of all the thought, culture, morality and politics of the last twenty years”.⁴³⁶ So the idea of pursuing a connection between the two does not seem particularly promising in light of these comments.

⁴³⁵ Caruso, “Who are you, Professor Foucault?” in *Michel Foucault: Religion and Culture*, 99.

⁴³⁶ *Ibid.*, 99. The interview was conducted in 1967.

It is unclear whether Foucault and Camus ever spoke in anything other than a formal setting. Foucault was an administrator at the Maison de France and instructor of French at the Romance Language Institute at the University of Uppsala from 1955 through 1958. As such, he received Camus when Camus delivered a lecture at Uppsala after winning the Nobel Prize in 1957. Foucault was at least familiar with Camus' work and accorded at least an academic significance to his fiction, as he included it in a course on French Literature he taught at the University of Hamburg in 1959-60 as part of his work with the French Cultural Institute.⁴³⁷ There is little direct reference to Camus in Foucault's body of work outside the reference in the interview mentioned above.

However, there is a fairly noticeable difference in perspective between the 1967 Foucault interviewed by Caruso and the 1980 Foucault interviewed by Bess, not least in terms of the shift of emphasis from archeology to genealogy and the concomitant move from an examination of anonymous discursive structures to the examination of relations of power that involve discursive use. Foucault's stress on the responsibility of the individual for deciding the good for themselves and on a universe with no intrinsic value or meaning is at least *prima facie* similar to a continuum of thought found between Camus' *The Myth of Sisyphus* and *The Rebel*. In *The Myth of Sisyphus* Camus is trying to stress the concrete realities of existence and the lack of any metaphysical solutions to those realities.⁴³⁸ The story of Sisyphus is well-known at this point, as the image of the lonely figure pushing a rock up a hill has become somewhat iconic over time. Sisyphus himself, according to Camus, was seen as a wise and prudent person in some versions of

⁴³⁷ Eribon, *Michel Foucault*, 90.

⁴³⁸ Avi Sagi, *Albert Camus and the Philosophy of the Absurd* (Amsterdam: Rodopi, 2002), 107.

the myth and a highwayman in others.⁴³⁹ The particulars of how Sisyphus finds himself in this position are of little import for Camus. What is more significant is the manner in which he reacts to his punishment for whatever transgression he has performed. He embraces it, carrying it out with a twin sense of joy and scorn, knowing that he will not succeed and making the effort nonetheless. For Camus, this is a clear representation of the absurdity of the human condition. Foucault might well object to this notion of a specific “human condition”, but I do not see Camus positing that there is something fundamentally human that reacts to absurdity or that humans are fundamentally absurd. Rather, I take his point to be that there is a condition that we as existing beings encounter—we are alive and we will die. As another modern author put it, albeit far more darkly, “It is as if we are adrift in a glowing asylum hurtling through the darkness of space and there is absolutely no escape.”⁴⁴⁰ For Camus it is not so much our response to this that gives our lives value, it is that we are willing to respond. After all, Sisyphus is foreordained to fail, repeatedly and in a spectacularly painful fashion, in his task of getting the rock to the top of the hill. He continues nonetheless and, in Camus words, is heroic for doing so.⁴⁴¹

While the appellation “heroic” would likely be hyperbolic for Foucault, I think that he would appreciate the basic point that Camus is making here, that we are essentially trapped in a world where our actions are destined to be pointless and yet by the mere fact that we are here we are compelled to act.⁴⁴² What is shared between the two, then, is a

⁴³⁹ Albert Camus, *The Myth of Sisyphus* (New York: Vintage Books, 1991), 119-121.

⁴⁴⁰ Joe Meno, *The Boy Detective Fails* (Chicago: Punk Planet Books, 2006), 68.

⁴⁴¹ Camus, 120.

⁴⁴² After all, while it may be heroic to act voluntarily in the face of death it seems inappropriate to think of heroism when one has no choice in the matter.

search for meaning and understanding in concert with a belief not that the answers we find will be unpleasant but rather that whatever answers we find will be contingent, localized and ultimately empty because, on the one hand, we are located within a particular discursive space at a particular time and place and, on the other, we will die.

It is also worth noting that both Foucault and Camus share an interest in the possibility of rebellion or resistance, though for Foucault such resistance is situated within power while for Camus it rests in a more traditional sense of revolt against power.⁴⁴³ Also, for Foucault it is the individual who can resist (or not) while for Camus, in *The Rebel* at least has some larger significance in relation to mankind, a term with which Foucault is notoriously uncomfortable.⁴⁴⁴ The project I have in mind would therefore be an examination of whether reconciliation between these visions of revolt can be effected or whether the similarities that exist are confined to a concern with the problematization of existence and the search for the good life.

⁴⁴³ Albert Camus, *The Rebel*, (New York: Vintage Books, 1991), 177-187.

⁴⁴⁴ Michel Foucault, *The Order of Things* (New York: Vintage Books, 1994), 386-7.

BIBLIOGRAPHY

- Althusser, Louis. *Machiavelli and Us*. Trans. François Matheron. New York: Verso, 1999.
- Althusser, Louis. *The Future Lasts Forever: a Memoir*. New York: The New Press, 1992.
- Aristotle. *The Politics*. Trans. William Ellis. Amherst, N.Y.: Prometheus Books, 1986.
- Atwell, John E. *Schopenhauer on the Character of the World: the Metaphysics of Will*. Berkeley: University of California Press, 1995.
- Becker, Lawrence C. *Property Rights*. London: Routledge & Kegan Paul, 1977.
- Bergmann, Frithjof. *On Being Free*. Notre Dame: University of Notre Dame Press, 1977.
- Bess, Michael. "Power, Moral Values and the Intellectual: an Interview with Michel Foucault." *History of the Present* 4 (1988): 1+.
- Bien, Joseph. "Politics of the Present: Machiavellian Humanism." *Philosophy and Phenomenological Research* 42.2 (1981): 197-204.
- Butler, Joseph. "Sermons." *Ethics: Selections From Classical and Contemporary Authors, 7th Ed.* Ed. Oliver Johnson. Fort Worth, TX: Harcourt, 1994.
- Camus, Albert. *The Myth of Sisyphus and Other Essays*. New York: Vintage Books, 1991.

- Camus, Albert. *The Rebel*. New York: Vintage Books, 1994.
- Caruso, P. "Who are You, Professor Foucault?" *Religion and Culture: Michel Foucault*.
Ed. Jeremy R. Carrette. New York: Routledge, 1999.
- Chandler, Raymond. "The Big Sleep." *The Raymond Chandler Omnibus*. New York:
The Modern Library, 1980.
- Chomsky, Noam, and Michel Foucault. *The Chomsky-Foucault Debate on Human
Nature*. New York: Distributed by W.W. Norton, 2006.
- Cohen, Ed. "Foucauldian Necrologies: Gay Politics? Politically Gay?" *Textual Practice*
2.1 (1988).
- Cooper, John. "Justice and Rights in Aristotle's Politics." *The Review of Metaphysics* 49
(1996): 859-873.
- Dean, Mitchell. *Governmentality: Power and Rule in Modern Society*. Thousand Oaks,
Calif: Sage Publications, 1999.
- Derrida, Jacques. "Cogito and the History of Madness." *Writing and Difference*.
Chicago: University of Chicago Press, 1978.
- Descartes, Rene. "Meditations on First Philosophy." *The Philosophical Writings of
Descartes, Vol. II*. Trans. John Cottingham. Cambridge: Cambridge University
Press, 1984.
- Deutsch, Eliot. *Advaita Vedanta: a Philosophical Reconstruction*. Honolulu: University
of Hawaii Press, 1973.

- Dostoyevsky, Fyodor. *The Brothers Karamazov*. London: Penguin Books, 1993.
- Dray, William. "The Historical Explanation of Actions Reconsidered." *The Philosophy of History*. Ed. Patrick Gardiner. Oxford, U.K.: Oxford University Press, 1974.
- Dreyfus, Hubert L., Paul Rabinow, and Michel Foucault. *Michel Foucault, Beyond Structuralism and Hermeneutics*. 2nd Ed. Chicago: University of Chicago Press, 1983.
- Eribon, Didier. *Michel Foucault*. Cambridge, Mass: Harvard University Press, 1991.
- Feuer, Lewis Samuel. *Ideology and the Ideologists*. New York: Harper & Row, 1975.
- Flathman, Richard E. "On the Alleged Impossibility of an Unqualified Disjunctory Theory of Property Rights." *Nomos* 22 (1980): 215-230.
- Flynn, Thomas R. *Sartre, Foucault, and Historical Reason*. Chicago: University of Chicago Press, 1997.
- Foucault, Michel. "A Preface to Transgression." *Religion and Culture: Michel Foucault*. Ed. Jeremy R. Carrette. New York: Routledge, 1999.
- Foucault, Michel. "A Swimmer Between Two Words." *Aesthetics, Method and Epistemology: Essential Works of Michel Foucault 1954-1984, Vol. 2*. Ed. Paul Rabinow. New York: The New Press, 1998.
- Foucault, Michel. "Clarifications on the Question of Power." *Foucault Live: Collected Interviews 1961-1984*. Ed. Sylvère Lotringer. New York: Semiotext(e), 1996.

- Foucault, Michel. "Governmentality." *Power: the Essential Works of Michel Foucault 1954-1984, Vol. 3*. Ed. Paul Rabinow. New York: The New Press, 2000.
- Foucault, Michel. *History of Madness*. Abingdon, U.K.: Routledge, 2006
- Foucault, Michel. *I, Pierre Riviere, Having Slaughtered My Mother, My Sister, and My Brother.. a Case of Parricide in the 19th Century*. Trans. Blandine Kriegel. New York: Pantheon Books, 1975.
- Foucault, Michel. *Madness and Civilization*. New York: Vintage Books, 1988.
- Foucault, Michel. "My Body, This Paper, This Fire." *Aesthetics, Method and Epistemology: Essential Works of Michel Foucault 1954-1984, Vol. 2*. Ed. Paul Rabinow. New York: The New Press, 1998.
- Foucault, Michel. "Nietzsche, Genealogy, History." *Michel Foucault: Language, Counter-Memory, Practice: Selected Essays and Interviews*. Ed. D F. Borchard. New York: Cornell University Press, 1977.
- Foucault, Michel. "On Power." *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*. New York: Routledge, 1990.
- Foucault, Michel. "On the Archaeology of the Sciences." *Aesthetics, Method and Epistemology: Essential Works of Michel Foucault 1954-1984*. Ed. Paul Rabinow. New York: The New Press, 1998.
- Foucault, Michel. "Politics and Ethics: an Interview." *The Foucault Reader*. Ed. Paul Rabinow. New York: Pantheon, 1984.

Foucault, Michel. "Power and Sex." *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*. New York: Routledge, 1990.

Foucault, Michel. "Preface to Anti-Oedipus." *Power: Essential Works of Michel Foucault 1954-1984, Vol. 3*. New York: The New Press, 2000.

Foucault, Michel. "Questions of Method." *The Foucault Effect: Studies in Governmentality*. Ed. G. Burchell, C. Gordon, and P. Miller. Chicago: University of Chicago Press, 1991.

Foucault, Michel. "Questions on Geography." *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. Ed. Colin Gordon. New York: Pantheon Books, 1980.

Foucault, Michel. *Security, Territory, Population Lectures At the College De France, 1977-1978*. Trans. Michel Senellart. Ed. Arnold Ira Davidson. New York: Palgrave Macmillan, 2007.

Foucault, Michel. *The Archaeology of Knowledge*. New York: Pantheon Books, 1982.

Foucault, Michel. *The Hermeneutics of the Subject: Lectures At the College De France 1981-1982*. New York: Palgrave MacMillan, 2005.

Foucault, Michel. *The History of Sexuality, Vol. 1*. New York: Vintage Books, 1990.

Foucault, Michel. "The Order of Things." *Foucault Live: Collected Interviews 1961-1984*. Ed. Sylvère Lotringer. New York: Semiotext(e), 1996.

Foucault, Michel. *The Order of Things*. New York: Vintage Books, 1994.

- Foucault, Michel. "The Political Technology of Individuals." *Power: the Essential Works of Michel Foucault 1954-1984, Vol. 3*. Ed. Paul Rabinow. New York: The New Press, 2000.
- Foucault, Michel. "The Subject and Power." Afterward. *Michel Foucault: Beyond Structuralism and Hermeneutics*. By Hubert L. Dreyfus. Chicago: University of Chicago Press, 1983.
- Foucault, Michel. "Truth and Power." *Power: Essential Works of Foucault 1954-1984, Vol. 3*. New York: The New Press, 2000.
- Foucault, Michel. "Two Lectures." *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. Ed. Colin Gordon. New York: Pantheon Books, 1980.
- Foucault, Michel. "What is an Author?" *The Foucault Reader*. Ed. Paul Rabinow. New York: Pantheon Books, 1984.
- Fraser, Nancy. *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory*. Minneapolis: University of Minnesota Press, 1989.
- Fromm, Erich. *The Anatomy of Human Destructiveness*. New York: Holt, Rinehart & Winston, 1972.
- Gardiner, Patrick. "Introduction to the Philosophy of History." *The Philosophy of History*. Oxford, U.K.: Oxford University Press, 1974.
- Goldstein, Jan. "Foucault and the Post-Revolutionary Self." *Foucault and the Writing of History*. Ed. Jan Goldstein. Cambridge, MA: Basil Blackwell, 1995.

- Gordon, Colin. "Governmental Rationality." *The Foucault Effect: Studies in Governmentality*. Ed. G. Burchell, C. Gordon, and P. Miller. Chicago: University of Chicago Press, 1991.
- Graham, Gordon. *Historical Explanation Reconsidered*. Aberdeen: Aberdeen University Press, 1983.
- Gramsci, Antonio. "The Modern Prince." *The Modern Prince and Other Writings*. New York: International Publishers, 1970.
- Gray, John. *Liberalism*. Minneapolis: University of Minnesota Press, 1986.
- Greene, Thomas M. "The End of Discourse in Machiavelli's Prince." *Literary Theory/Renaissance Texts*. Ed. Patricia Parker and David Quint. Baltimore: Johns Hopkins University Press, 1986.
- Halperin, David M. *Saint Foucault: Towards a Gay Hagiography*. New York: Oxford University Press, 1995.
- Hempel, Carl G. "Reasons and Covering Laws in Historical Explanation." *The Philosophy of History*. Ed. Patrick Gardiner. Oxford, U.K.: Oxford University Press, 1974.
- Hindess, Barry. *Discourses of Power From Hobbes to Foucault*. Cambridge, Mass., USA: Blackwell, 1996.
- Hobbes, Thomas. *Leviathan*. Ed. Richard Tuck. Cambridge, U.K.: Cambridge University Press, 1992.

- Hoffman, Piotr. *The Quest for Power: Hobbes, Descartes, and the Emergence of Modernity*. Atlantic Highlands, N.J: Humanities Press, 1996.
- Holden, Adam, and Stewart Elden. "It Cannot Be a Real Person, a Concrete Individual: Althusser and Foucault on Machiavelli's Political Technique." *Borderlands E-Journal* 4 (2005).
<www.borderlandsejournal.adelaide.edu.au/vol4no2_2005/eldenhold_foucault.htm>.
- Kendall, Gavin, and Gary Wickham. *Using Foucault's Methods*. London: Sage Publications, 1999.
- Keynes, John M. "Economic Possibilities for Our Grandchildren." *Essays in Persuasion*. New York: W.W. Norton & Co., 1963. 358-373.
- Khalifa, Jean. Introduction. *History of Madness*. By Michel Foucault. Abingdon, U.K.: Routledge, 2006.
- Kraut, Richard. "Are There Natural Rights in Aristotle?" *The Review of Metaphysics* 49 (1996): 755-775.
- Larrain, Jorge. "Ideology." *A Dictionary of Marxist Thought*. Ed. Tom Bottomore. 2nd ed. Oxford, U.K.: Blackwell, 1991.
- Locke, John. *Two Treatises of Government*. Ed. Peter Laslett. New York: Cambridge University Press, 1988.

- Lucy, Niall. "Now I'm a Brilliant Mistake: the De-Naming of Elvis Costello." *Australian Journal of Cultural Studies* 4.2 (1987): 60-70.
- Machiavelli, Niccolo. *The Prince*. Ed. Quentin Skinner and Russell Price. Cambridge, U.K.: Cambridge University Press, 1998.
- Machiavelli, Niccolo. "The Prince." *Machiavelli: Selected Political Writings*. Ed. David Wootten. Indianapolis: Hackett, 1994.
- Magee, Bryan. *The Philosophy of Schopenhauer*. New York: Oxford University Press, 1997.
- McCanles, Michael. *The Discourse of Il Principe*. Malibu, CA: Undena Publications, 1983.
- McCormack, Win. "Deconstructing the Election: Foucault, Derrida and the GOP Strategy." The Nation. 8 Mar. 2001
<<http://www.thenation.com/doc.mhtml?i+20010326&s=mccormack>>.
- McHoul, A. W., and Wendy Grace. *A Foucault Primer: Discourse, Power, and the Subject*. New York: New York University Press, 1993.
- Meno, Joe. *The Boy Detective Fails*. Chicago: Punk Planet Books, 2006.
- Merleau-Ponty, Maurice. "Note on Machiavelli." *Signs*. Chicago: Northwestern University Press, 1982.
- Miller, Fred D. "Aristotle and the Origins of Natural Rights." *The Review of Metaphysics* 49 (1996): 873-908.

- Miller, Fred Dycus. *Nature, Justice, and Rights in Aristotle's Politics*. New York: Oxford University Press, 1995.
- Mills, Sara. *Michel Foucault*. New York: Routledge, 2003.
- Najemy, John M. *Between Friends: Discourses of Power and Desire in the Machiavelli-Vettori Letters*. Princeton, N.J.: Princeton University Press, 1993.
- Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974.
- Ophuls, William. *Ecology and the Politics of Scarcity Revisited: the Unraveling of the American Dream*. New York: W.H. Freeman, 1992.
- Ophuls, William. *Requiem for Modern Politics: the Tragedy of the Enlightenment and the Challenge of the New Millennium*. Boulder, Colo: Westview Press, 1997.
- Pappas, Nickolas. *Plato and the Republic*. London: Routledge, 1995.
- Plato. *The Republic*. Trans. G.M.A. Grube and C.D.C. Reeve. Indianapolis, IN: Hackett, 1992.
- Popper, Karl Raimund. *The Open Society and Its Enemies*. Princeton, N.J.: Princeton University Press, 1966.
- Rachels, James. *The Elements of Moral Philosophy*. 3rd Ed. ed. New York: McGraw-Hill, 1999.
- Rajchman, John. *Michel Foucault: the Freedom of Philosophy*. New York: Columbia University Press, 1985.

- Rawls, John. *A Theory of Justice*. Cambridge, Mass.: Belknap Press of Harvard University Press, 1971.
- Ricoeur, Paul. "Can There Be a Scientific Concept of Ideology?" *Phenomenology and the Social Sciences: a Dialogue*. Ed. Joseph Bien. The Hague: Martinus Nijhoff, 1978.
- Sagi, Avi. *Albert Camus and the Philosophy of the Absurd*. Amsterdam: Rodopi, 2002.
- Sagoff, Mark. *The Economy of the Earth: Philosophy, Law, and the Environment*. Cambridge: Cambridge University Press, 1988.
- Salmon, William C. *Statistical Explanation and Statistical Relevance*. Pittsburgh, PA: University of Pittsburgh Press, 1971.
- Schopenhauer, Arthur. *Essays and Aphorisms*. Ed. R. J. Hollingdale. London: Penguin Books, 1970.
- Schopenhauer, Arthur. *On the Basis of Morality*. Trans. E. F. J Payne. Indianapolis, IN: Bobbs-Merrill, 1965.
- Schopenhauer, Arthur. *Parerga and Paralipomena*. Trans. E. F. J Payne. Vol. 2. Oxford, U.K.: Clarendon Press, 1974.
- Schopenhauer, Arthur. *The World as Will and Representation*. Vol. 1. New York: Dover Publications, 1966.
- Schopenhauer, Arthur. *The World as Will and Representation*. Vol. 2. New York: Dover Publications, 1966.

- Skinner, Quentin. *Machiavelli*. Oxford, U.K.: Oxford University Press, 1981.
- Smart, Barry. *Michel Foucault*. London: Tavistock Publications, 1985.
- Stock, Brian. *Augustine the Reader: Meditation, Self-Knowledge, and the Ethics of Interpretation*. Cambridge, Mass: Harvard University Press, 1996.
- Strauss, Leo. *The Political Philosophy of Hobbes, Its Basis and Its Genesis*. Chicago: University of Chicago Press, 1984.
- Taylor, Paul W. *Respect for Nature: a Theory of Environmental Ethics*. Princeton, N.J: Princeton University Press, 1986.
- Therborn, Góran. *The Ideology of Power and the Power of Ideology*. New York: Verso, 1999.
- Tuck, Richard. *Hobbes*. New York: Oxford University Press, 1989.
- Veblen, Thorstein. *The Theory of the Leisure Class*. New York: Mentor Books, 1953.
- Waldron, Jeremy. "Theoretical Foundations of Liberalism." *Philosophical Quarterly* 37.147 (1987): 127-150.
- Waldron, Jeremy. *The Right to Private Property*. Oxford, U.K.: Clarendon Press, 1988.
- Weston, Anthony. "Beyond Intrinsic Value: Pragmatism in Environmental Ethics." *Journal of Environmental Ethics* 7 (1985).
- Winch, Peter. "Concepts and Actions." *The Philosophy of History*. Ed. Patrick Gardiner. Oxford, U.K.: Oxford University Press, 1974.

Wittgenstein, Ludwig. *On Certainty*. Ed. G. E. M Anscombe and G. H. Von Wright.

New York: Harper and Row, 1972.

Wolff, Jon. *Robert Nozick*. Stanford: Stanford University Press, 1991.

VITA

Alan Nichols is a native of Alabama. He matriculated after the usual fashion through high school, whereupon he attended Samford University. He then pursued professional opportunities for several years. He returned to school, graduating from the University of Alabama at Birmingham in 1996 with a B.A. in Philosophy with a minor in History. He entered the University of Missouri at Columbia in the Fall of 1996, serving as a Teaching Assistant to Dr. Joseph Bien. He completed his M.A. at UMC in 1998, then moved on into the PhD. program there. He passed his comprehensive examinations in the Spring of 2001.

His first professional position was as Visiting Instructor of Philosophy at Georgia State University beginning in Fall 2001. After two years there, he accepted a position as an Instructor of Philosophy at Georgia Perimeter College, where he had been an adjunct faculty member (while serving as full-time faculty at Georgia State University). In Fall 2004, he accepted a position as an Instructor of Philosophy at what was then Floyd College, now Georgia Highlands College. His position became tenure-track in Fall 2005. He was promoted to Assistant Professor of Philosophy in Fall 2007. He serves on various committees of the faculty and the college and is active in the campus community.

Professionally, he is a member of the American Philosophical Association, the Southern Society for Philosophy and Psychology, the Society for Social and Political Philosophy and the Foucault Society. He serves on the State of Georgia Board of Regents Advisory Committee for Philosophy. Personally, he is married and has two children. He is an achiever who abides.