

Foucault Studies

© Magnus Paulsen Hansen 2015

ISSN: 1832-5203

Foucault Studies, No. 20, pp. 291-306, December 2015

REVIEW ESSAY

Foucault's Flirt? Neoliberalism, the Left and the Welfare State; a Commentary on *La dernière leçon de Michel Foucault* and *Critiquer Foucault**

Magnus Paulsen Hansen, Copenhagen Business School

You have been read as an idealist, as a nihilist, as a "new philosopher," an anti-Marxist, a new conservative, and so on... Where do you stand?

I think I have in fact been situated in most of the squares on the political checkerboard, one after another and sometimes simultaneously: as anarchist, leftist, ostentatious or disguised Marxist, nihilist, explicit or secret anti-Marxist, technocrat in the service of Gaullism, *neoliberal*, and so on. [...] None of these descriptions is important by itself; taken together, on the other hand, they mean something. And I must admit that I rather like what they mean.¹

[I]f all the writers are claimed to have meant to articulate the doctrine with which they are being credited, why is it that they so signally failed to do so, so that the historian is left reconstructing their implied intentions from guesses and vague hints? The only plausible answer is of course fatal to the claim itself: that the author did not (or even could not) have meant after all to enunciate such a doctrine.²

As the first quote above indicates, it is not a new task to try to politically position Foucault. However, recently, the wish to make tactical use of this position to promote or denounce a particular political programme seems to have intensified. The debate especially concerns Foucault's lectures

* Geoffroy de Lagasnerie, *La dernière leçon de Michel Foucault : Sur le néolibéralisme, la théorie et la politique* (Paris: Fayard, 2012), ISBN : 9782213671413; Daniel Zamora (ed.), *Critiquer Foucault : Les années 1980 et la tentation néolibérale* (Bruxelles: Les éditions Aden, 2014), ISBN: 978-2805920677.

¹ Michel Foucault, "Polemics, Politics, and Problematizations: An Interview with Michel Foucault," in P. Rabinow (eds), *The Foucault Reader* (New York: Pantheon, 1984), 383-84, emphasis added. In accordance with the original response in French "new liberal" is replaced by "neoliberal" (*néolibéral*).

² Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory*, vol. 8, no. 1 (1969), 10.

on neoliberalism.³ Two recent books interpret the lectures as tokens of Foucault becoming “seduced” by neoliberalism.⁴ Both books draw upon this ‘insight’ in order to renew the left. However, the conclusions with regards to the role of the left we get from each book are almost diametrically opposite. Whereas Geoffroy de Lagasnerie’s *La dernière leçon de Michel Foucault: Sur le néolibéralisme, la théorie et la politique* proposes that the left should embrace Foucault’s endorsement of neoliberalism as a necessary step towards reinventing the left; Daniel Zamora’s edited volume *Critiquer Foucault : Les années 1980 et la tentation néolibérale* sees it as Foucault’s betrayal of the left and defection to the dark side, resulting in a contribution to the left’s current state of decay.⁵ We are thus located in the midst of *Star Wars*: Did Foucault remain the innocent Jedi knight capable of using the force of the enemy to rebel against him *or* was he finally, as Anakin Skywalker, in that same act, seduced by the almightiness of the empire and the persuasive skills of Emperor Palpatine (who else but Hayek?), finally turning into the incarnation of evil as Darth Vader?

There is something very modern about this quest for knowing who Foucault *really* was which, ironically, resembles the same practices of avowal—of the obligation to tell the truth about yourself—that Foucault was problematizing throughout his work.⁶ This was probably why he saw contemporary resistance and critique as a matter of “refusing who we are”⁷ and why he himself refused to be fixed to a particular political/normative position (cf. opening quote).

Foucault’s refusal to tie himself to a particular normative principle or political programme means that the authors are compelled to search for hidden (conscious or unconscious) intentions and agendas to connect his writings to the neoliberal position. The word “seduction,” that appears several times in both books, together with “fascination,” “temptation,” “flirting,” and “charm,” insinuates that Foucault was engaged in something like a love affair that he himself was not completely conscious of, or in control of. We are thus, as I argue, confronted with what Quentin Skinner would term the “mythology of doctrines,” since their statements about Foucault disregard the “logical consideration [...] that no agent can eventually be said to have meant or

³ Michel Foucault, *The Birth of Biopolitics - Lectures at the Collège de France 1978-79* (Houndmills: Palgrave Macmillan, 2008)

⁴ Of other recent contributions to this ‘seduction thesis’ see e.g. José Luis Pesteña, *Foucault, la gauche et la politique* (Paris: Textuel, 2011); Mitchell Dean, “Michel Foucault’s ‘apology’ for neoliberalism,” *Journal of Political Power*, vol. 7, no. 3 (2014), 433-42; Michael C. Behrent, “Liberalism Without Humanism: Michel Foucault and the Free Market Creed 1976-1979,” *Modern Intellectual History*, vol. 6, no. 3 (2009), 539-68; Gary Becker, François Ewald, and Bernard Harcourt, “Becker on Ewald on Foucault on Becker,” *The Carceral Notebooks*, vol. 7 (2011); see also Behrent and Dean’s contributions in *History and Theory’s* “Forum: Foucault and Neoliberalism,” vol. 54, Iss. 3 (October 2015).

⁵ Since an interview with Zamora was translated and published in the leftist magazine *Jacobin* in December 2014, Zamora’s viewpoints have been widely debated. For an overview of contributions to the debate see Clare O’Farrell’s blog <http://foucaultnews.com/category/debates/>. Apparently, an English edition of the volume is in the making.

⁶ See Michel Foucault, *Mal faire, dire vrai: Fonction de l’aveu en justice, Cours de Louvain, 1981* (Louvain-la-neuve: Presses Universitaires de Louvain, 2012).

⁷ Michel Foucault, “The Subject and Power,” *Critical inquiry*, vol. 8 (Summer 1982), 785.

done something which he could never be brought to accept as a correct description of what he had meant or done.”⁸

Neoliberal temptations

Critiquer Foucault is presented as a “collective work” but is in fact a scattered selection of six texts. The volume begins with a short seven pages introduction presenting the overall aim of the book. It is Zamora’s claim that all texts serve as building blocks, or rather ‘circumstantial evidence’ pointing towards Foucault’s (and the rest of the “libertarian left’s”) pro neoliberal stance and endorsement of the future dismantling of the welfare state (9-10). However, it remains an open question to the authors whether they all agree with this thesis. Since they agreed to be part of the volume one could expect so, but on the other hand many of the texts make much more modest claims, not necessarily implying seduction such as pointing to Foucault’s failure to predict the transformations of the state (such as the non-disappearance of the prison) to how Foucault shared adversaries (Marxists) and critical objects (the state) with neoliberalism, and to how his criticisms *unintentionally* paved the way for the neoliberal reconfiguration of the welfare state.

The first text in the volume is at the modest end of the spectrum. Michael Scott Christoffersen’s edited excerpt from his book on Foucault and the left⁹ looks into Foucault’s support of the *nouveaux philosophes*, especially André Glucksmann, and their alignment in criticizing the communist left and Marxist intellectuals and in an “anti-statist” attitude; an attitude that, according to Christoffersen, also explains Foucault’s later support of the so-called *deuxième gauche* led by Pierre Rosanvallon.¹⁰

The second text is a translation of Michael C. Behrent’s article *Liberalism Without Humanism*,¹¹ which, to my knowledge, was the first to claim the ‘seduction thesis’ after the publication of the lectures on neoliberalism. Behrent wants to “contextualize” the reading of Foucault in order to show that his “attraction to neoliberalism was real” (40). The root causes are a deep “antihumanism” that was “the leitmotif of Foucault’s entire intellectual enterprise” (42) as well as a “latent anti-statism” (46) which “led him to succumb to economic liberalism’s charms” (49). What supposedly “impressed” Foucault is how neoliberalism accomplished his philosophical ambition and “managed to cut off the king’s head very ably” (73-74). While Behrent uses the context (earlier works and engagements with other like-minded intellectuals) to document Foucault’s distaste for humanism and the state to show “he *could* be a liberal,” it is the lectures on neoliberalism that shows “what made him *want* to be one” (75). The lectures illustrate Foucault’s “aversion to the

⁸ Skinner, “Meaning and Understanding in the History of Ideas,” 28.

⁹ Michael Scott Christoffersen, *French Intellectuals Against the Left: The Antitotalitarian Moment of the 1970s* (New York: Berghahn Books, 2004).

¹⁰ It also gets highly speculative, for instance, when Foucault’s public support of André Glucksmann was supposedly a payback from Glucksmann’s earlier praising of Foucault in his books (21-22).

¹¹ Behrent, “Liberalism Without Humanism: Michel Foucault and the Free Market Creed 1976-1979.” Quotations are from the original text.

stubborn archaism of the French left" by "judging [it] from the standpoint of economic liberalism" (ibid).¹²

The third text, by Zamora himself, leans on Behrent's seduction thesis but concentrates on Foucault's engagement in the French debates on social policy. Zamora intensifies the criticism by saying that not only was Foucault seduced by neoliberalism, but he also "disoriented" the left and, as result, contributed to the neoliberal turn towards workfare.¹³ While Foucault's analyses provided tools for excluded groups outside the traditional class struggle (93) they also led to a radical critique of the institutions of the welfare state. A criticism that not only legitimized neoliberal critique, it also abandoned the issues of exploitation and of material inequality. In a follow-up interview, Zamora makes clear that his criticism is also a normative defence of "systems of social protection" that "were invented by the workers' movement itself" against the post '68 'artistic' criticisms (besides Foucault, Zamora mentions Glucksmann, Gorz, Ewald, Preciado, and Rosanvallon) that saw it as nothing more than a tool of social control.¹⁴

Zamora's main case is to show Foucault's "barely masked enthusiasm" for the negative tax scheme promoted by the economist Lionel Stoléru in the 1970s.¹⁵ Foucault became seduced because it broke with the normalizing mechanism of social security and addressed the problem of exclusion (95, 102).¹⁶ Consolidating the seduction, the reader is told that Foucault met "several times" with Stoléru (107).¹⁷ Foucault, Zamora concludes, thus finally chose capitalism over socialism (111).

¹² I will return to Behrent's text analysis later in the essay.

¹³ Daniel Zamora, "Foucault's Responsibility," *Jacobin* (2014). Available online at : <https://www.jacobinmag.com/2014/12/michel-foucault-responsibility-socialist/>

¹⁴ Daniel Zamora, "Can we Criticize Foucault?" *Jacobin* (2014).

¹⁵ Ibid.

¹⁶ The negative tax is the idea, also proposed by Milton Friedman, of a benefit that gradually decreases until a certain income has been reached. The system, hence, ensures that there is always incentive to work, and since the 'tax' ensures a certain minimum income, it is argued, there is no longer need for minimum wages and other social protection. It thus "makes explicit the cost borne by society. It operates outside the market. Like any other measure to alleviate poverty, it reduces the incentives of those helped to help themselves, but it does not eliminate incentive entirely, as a system of supplementing incomes up to some fixed minimum would. An extra dollar earned always means more money available for expenditure" (Milton Friedman, *Capitalism and Freedom* (Chicago: The University of Chicago Press, 1962), 192). As Foucault notes, the negative tax focuses on the effects rather than the causes of poverty and replaces the goal of equality to that of inclusion (in the "game" of the labour market) (Foucault, *The Birth of Biopolitics*, 204).

¹⁷ As a 'witness' in his case Zamora refers to a text by Colin Gordon supposedly presenting Foucault as the precursor to *third way* Blairism (106). However, the claim has now been sternly refuted by Gordon himself. See Colin Gordon, "Foucault, neoliberalism etc.," *Foucault News* (January 2015). Available online at: <http://www.foucaultnews.com>

The last three texts are not really about neoliberalism. Loïc Wacquant has an excerpt of the *Theoretical coda* from his important book *Punishing the Poor*¹⁸ in which he compares his findings to Foucault's *Discipline and Punish*. Wacquant's reflections on neoliberalism from the same chapter are strangely left out. Since Wacquant makes no claims to the seduction thesis, it does not fit the programme of the book apart from "criticizing Foucault." Perhaps this is why his criticism, that I will come back to in the last section, is the most relevant and pertinent. The fifth essay by Jan Rehman is a critique of governmentality studies from a standard *ideologiekritik* perspective applied to the field of management, while completely neglecting the existing debate on ideology vs. governmentality.¹⁹ Governmentality studies, represented by only two texts (in German), Rehman claims, neglect domination, alienation, and asymmetric power relations and are thus "little more than the translation of the theoretical discourse of the general rhetoric of management literature" (148). What we need instead, it seems, is a "materialist theory of ideology" (153).

The final text by Jean-Loup Amselle is without doubt the most obscure, taking the mythology to its near-sublime. Amselle claims that in his rejection of a dialectic and materialist history, Foucault is in fact "exceedingly conservative" (163). This "new age" philosophy "harmoniously combining libertarian liberalism and personal development" is "convenient to take away actor's fondness for the state and for society as a confrontation between classes." So "[w]hat better give-away to the market and those who profit from it?" (175). Amselle also recalls (he was there) the "delight" with which Foucault spoke of the "tormented bodies during a public execution," concluding that he was a power-enjoying "SM philosopher" (167). On the other hand, Foucault was ready to appropriate "any theory, even the most reactionary such as neoliberalism" in order to withhold the mad, prisoners, and homosexuals from any kind of confinement or univocal categorization (168-69).

Apart from Foucault's acclaimed anti-statism, the unspoken alliance with neoliberal thought is also found in his lack of "critical distance." Zamora for instance writes (as proof of Foucault's endorsement) that "he cites without in actual fact distancing himself from it" (103), and Rehmann writes that "the definitions of Foucault coincides entirely with the ideological image that liberalism has self-fabricated" and thus remains at a level of "emphatic and intuitive repetition" (146). This echoes past critiques from critical theorists such as Jürgen Habermas labelling Foucault's method a "presentistic, relativistic, cryptonormative illusory science"²⁰ and Nancy Fraser deeming him empirically insightful but "normatively confused."²¹

¹⁸ Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham: Duke University Press, 2009).

¹⁹ See e.g. Wendy Larner, "Neoliberalism: Policy, Ideology, Governmentality," *Studies in Political Economy*, vol. 63 (Autumn 2000), 5-25.

²⁰ Jürgen Habermas, *The Philosophical Discourse of Modernity* (Cambridge: Polity Press, 1987), 276.

²¹ Nancy Fraser, *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989), 31.

However, Foucault's project entails a kind of nominalist "surface reading,"²² precluding the suspicious or judgmental ("is it false or true?") attitude (that especially Rehmann induces). It rather takes statements "at their word,"²³ thereby pointing to the productive, non-distorting, and immanent role of neoliberalism as a "regime of veridiction."²⁴ Foucault is, thus, deliberately without normative distance and judgments in his method and presentations. The approach is connected to the empirical observation that any emancipatory criticism and programme has the potential to be turned into affirmative modes of governing. Hence, a non-judgmental analysis is best suited to maintain an "openness for studying the manifold and often unexpected ways in which power is exercised."²⁵ The *non-normative critique* that Foucault can be said to aim towards works on another, more modest, level than the *ideologiekritik's* unmasking of actors false consciousness.²⁶ Rather we could see the Foucauldian critique as one of *re-politicizing*, by making regimes of veridiction and governmentalities contestable allowing for doubt and critique.²⁷ The contestability is not rooted in normative ideas of certain forms of power being illegitimate or intrinsically evil, which makes critique the means to a higher end: a certain state of emancipation or just society. Rather, critique is emancipatory *sui generis* since it installs difference and points to sacrifices.²⁸ Critique, as Foucault discusses in his latest lectures on *parrhesia*, becomes a matter of pointing to "otherness" (*altérité*) as another world or life.²⁹ Foucauldian analyses operationalize non-normative critiques by using history to point to the "non-necessity of any form of power"³⁰ through meticulously exposing their infrastructure and rationalities, as well as their contingent and accidental origins.³¹ This explicit agenda makes it problematic to assume, as does for instance Behrent, that Foucault's lectures on neoliberalism should be seen as a logical continuation of a constant search for a political programme that was "compatible" with his (presumably stable) "core philosophical beliefs" of anti-humanism and anti-statism.

Immanent criticisms

La dernière leçon also takes the lack of critical distance as a tacit endorsement. However, according to Lagasnerie the endorsement should be harnessed by the left. The left should use neoliberal

²² Peter Triantafillou, *New Forms of Governing: A Foucauldian inspired analysis* (Hampshire: Palgrave Macmillan, 2012), 27.

²³ William Walters, *Unemployment and Government: Genealogies of the Social* (Cambridge University Press, 2000), 3.

²⁴ Foucault, *The Birth of Biopolitics*, 36-37.

²⁵ Triantafillou, *New Forms of Governing*, 26.

²⁶ Magnus Paulsen Hansen, "Non-normative Critique: Foucault and Pragmatic Sociology as Tactical Re-politicization," *European Journal of Social Theory* (2014).

²⁷ *Ibid.*, 13-15.

²⁸ *Ibid.*, 5.

²⁹ Michel Foucault, *Le Courage de la vérité : Le gouvernement de soi et des autres II. Cours au Collège de France (1983-84)* (Paris: Gallimard, Seuil, 2009), 311.

³⁰ Michel Foucault, *Du gouvernement des vivants: Cours au Collège de France (1979-80)* (Paris: Gallimard, 2012), 76.

³¹ Hansen, "Non-normative critique," 7, 13-15.

thought in the same way that Marx proposed to embrace elements of the Bourgeois ideology to move beyond it. So like communism fulfils and radicalizes the emancipatory ideals of the bourgeois revolution, the job of today is to identify the freedoms and emancipations within neoliberalism to subsequently liberate them (38). The purpose of the book is to circumvent a certain “nostalgia” and “reactive” attitude present in current leftist criticisms of neoliberalism that simply praise everything that neoliberalism denounces and sees neoliberalism as nothing but an instrument of exploitation and the ideology of the dominant class. Lagasnerie’s criticism thus certainly applies to the programmes of Zamora and Rehmann.

According to Lagasnerie, Foucault’s “fascination” with liberalism thus lies in its appreciation of disorder, plurality, and heterogeneity. Neoliberalism’s (here relying on Isaiah Berlin³²) primary enemy is not the state or socialism but the Enlightenment as such and the idea of “harmonious totality” or a “monist world” (69). To neoliberalism there is something inherently authoritarian and conservative in this idea of “unified society” (traceable from Rousseau and Kant, to Durkheim and Rawls) that represses diversity and the particular (77). The market is the necessary counterforce that, in Hayek’s words, is a “spontaneous order” that lets individuals utilize their own knowledge for their own goals (96). The biggest intellectual contribution of neoliberalism, Lagasnerie thus writes, was to dismantle one of the implicit founding principles in social sciences and political philosophy: the idea that plurality and heterogeneity are negative poles that should be avoided (99). Neoliberalism, Lagasnerie claims, seduced Foucault because it “imposes an image of a world that is essentially disorganized, of a world without centre, unity, coherence, or sense” (99-100).

Further, Lagasnerie notes that Foucault sees liberalism as a critique of sovereignty and transcendence terming it an “atheist discipline” that “begins to demonstrate the impossibility of a sovereign point of view over the totality of the state that he has to govern.”³³ This “state-phobia” is what “seduces” Foucault and proves his “tacit adherence” to neoliberalism since it fits perfectly with Foucault’s own criticism of political philosophy, as well as of the “totalizing” theories of Marxism (including psychoanalysis) (100-2). Likewise, Foucault, according to Lagasnerie, endorses Gary Becker for introducing an anti-psychology that “opens a way towards the deconstruction of the psychiatric discourse and the disciplinary paradigm” (166). Neoliberalism is the affirmation of the independence of the governed and *homo oeconomicus* is the “ungovernable” (155). All the neoliberal governor can do is intervene on the rules of the game—on the “environment” (171). “The target of the neoliberal society is not set to normalize the individuals, to control them. It is a society of plurality” (173) which makes neoliberalism a “critical instrument to test reality” (174).

However, Lagasnerie remains unclear on how much of the neoliberal package that the left should embrace through the kind of immanent critique that he proposes. Is it just the ideas of disorder and plurality or is it, as he seems to suggest, the idea of *homo oeconomicus* and an “environmental” governing of the “rules of the game” too? In other words, what is it that is not “tempt-

³² Ramin Jahanbegloo, *Conversations with Isaiah Berlin* (London: Halban, 1992).

³³ Foucault, *The Birth of Biopolitics*, 282.

ing" about neoliberalism? Rehmann runs into the same ambiguity in his programme of an "immanent critique" of the *ideology* of neoliberalism, comparing it to what "it really is" (145). Rehmann thus highlights the difference between the "good-looking promises of the individualization of neoliberalism and its practical reduction" (162). Whereas this project is completely legitimate it also relies on a strange assumption of attractiveness of the neoliberal promises.

Personally, when reading Foucault's nominalist descriptions of the various neoliberal programmes, I have never felt "tempted." When Foucault for instance speaks of a "do-not-*laissez-faire* government" installing a "permanent economic tribunal [...] which will enable each of its activities to be measured and assessed," of the labour market as a game "where it is up to society and to the rules of the game to ensure that no one is excluded from this game in which he is caught up without ever having explicitly wished to take part" or, finally, of the "generalization of the 'enterprise' form [...] so as to make it a model of social relations and of existence itself," it has always sounded more dystopian than utopian to me, despite the lack of explicit denunciations. Of course this is a matter of political observance, but to me this is why the left should stop fantasizing about immanent critiques, and instead, as Foucault seems to hint at, try to *invent* governmentalities that depart from neoliberal thinking.³⁴

Anti-statism

Leaving aside the lack of critical distance, the main argument of both books for why Foucault endorsed neoliberalism is his inherent "anti-statism." The reasoning seems pertinent since there is no doubt that his earlier Maoist and anti-communist sympathies, Nietzschean inspiration, as well as his analyses of discipline and psychiatric power predisposed an anti-statist, and often anti-welfare, gesture. For instance, the Maoist and feminist critiques of the specialization and expertise of the institutions of the welfare state could find support in Foucault's analyses of truth, knowledge, and power.³⁵ And one could point to the careers of some of Foucault's students, such as François Ewald, ending as neoliberal reformers of the French social security system.³⁶ However, as Skinner emphasises, it can be yet another mythologizing practice that insist on the existence of an overarching coherence within an author's work, especially when the author has denied having one.³⁷

In this case, insisting on an anti-statist coherence, one simply fails to see that, in the lectures on neoliberalism, it is exactly this gesture of the state as a "cold monster" that he problematizes. When Behrent and Zamora find evidence in the "context" of earlier works and actions, they fail to see that Foucault is a moving target. I will focus on the 7th of March 1979 lecture on French

³⁴ cf. *Ibid.*, 94.

³⁵ Nikolas Rose, "Governing 'Advanced' Liberal Democracies," in A. Barry, T. Osborne, and N. Rose (eds.) *Foucault and Political Reason* (London: UCL Press, 1996), 52.

³⁶ Michael C. Behrent, "Accidents Happen: François Ewald, the 'Antirevolutionary' Foucault, and the Intellectual Politics of the French Welfare State," *The Journal of Modern History*, vol. 82 (September 2010), 585-625.

³⁷ Skinner, "Meaning and Understanding in the History of Ideas."

neoliberalism since it is where Zamora and Behrent claim to find textual (and not only contextual) evidence for Foucault's endorsement. Moreover, the lecture provides some highly interesting (and somewhat overlooked) reflections on the neoliberal programme in connection to the ongoing transformations of Western welfare states. Following Skinner again, the modest but complex aim of what follows in this section is to "understand both the intention to be understood, and the intention that this intention should be understood, which the text itself as an intended act of communication must at least have embodied."³⁸

The lecture begins with Foucault explaining why he has "dwelt for so long on this problem of German neo-liberalism" in the past lectures.³⁹ "[W]hat is currently challenged," Foucault writes, "is almost always the state" whether it is its "intrinsic capacity to expand" or its "genetic continuity" from one state form to the other.⁴⁰ However, today, these "general themes of state phobia" have an "inflationary critical value, an inflationary critical currency."⁴¹ First, they are inflationary because once the state is established as continuously ever expanding the specificity is lost so that for instance "an analysis of social security and the administrative apparatus on which it rests ends up, via some slippages and thanks to some plays on words, referring us to the analysis of concentration camps."⁴² Secondly, due to the state's intrinsic nature it can always be disqualified in terms of the (e.g. fascist) form it is *to become*, and since this eschatological "great fantasy of the paranoiac and devouring state" is already inherent there is no longer a need to analyse the current reality or "actuality."⁴³ The paradoxical and ironic fact that Foucault points to in *Birth of Biopolitics* is that the programme that currently transforms the state *from within* is based on state-phobia. The programme that is neoliberalism:

It is in this context, in this German neo-liberal school, [...] that we find both this analysis of the necessary and as it were inevitable kinship between different forms of state, and also this idea that the state has a specific, intrinsic dynamism which means that it can never halt its expansion and complete takeover of the whole of civil society.⁴⁴

As an example Foucault mentions Hayek's remark in *Road to Serfdom* warning against the *New Deal* that "the rise of Fascism and Nazism was not a reaction against the socialist trends of the preceding periods, but a necessary outcome of those tendencies."⁴⁵ This is one of only two incidents where Foucault engages with Hayek's writings.⁴⁶ Hence, Lagasnerie's suggestion that it is

³⁸ Ibid., 48.

³⁹ Foucault, *The Birth of Biopolitics*, 186.

⁴⁰ Ibid., 186-87.

⁴¹ Ibid., 187.

⁴² Ibid., 188.

⁴³ Ibid.

⁴⁴ Ibid., 189.

⁴⁵ Ibid., 190.

⁴⁶ The other incident is when Foucault discusses Hayek's conception of the Rule of law as opposed to economic planning (ibid., 171-74).

Hayek's thoughts on disorder, plurality, etc. that motivates Foucault is questionable. Quite the contrary Foucault takes Hayek as integral to the "inflationary" trend.

This idea of an inflationary critique that took the shape of statephobia could also apply to the extraparliamentarian ultra-left⁴⁷ as well as the *nouveaux philosophes* in the 1970s. And perhaps Foucault is addressing and criticizing his own earlier writing and beliefs. One of Christoffersen's main criticisms is exactly pointing to Foucault's own use of anti-statist critique. In *Society Must be Defended*, Foucault states that "racism justifies the death function in the economy of biopower" and later that "socialism was a racism from the outset."⁴⁸ As Christoffersen notes (34), the problem is that Foucault never explains why some states decide to kill and others don't. All states, since they rest on biopower, are susceptible to becoming horrible killing machines, and socialist versions are no exception.⁴⁹

Zamora and Behrent point to how Foucault's earlier analyses of discipline, together with a number of other intellectual criticisms at the time, contributed to establishing a space for anti-statist and anti-classbased programmes, including neoliberalism and the policy discourse of social ex/inclusion. However, when lecturing in 1979, Foucault seems disillusioned with the prospects of the anti-statist critique:

[W]hat is presently at issue in our reality, what we see emerging in our twentieth century societies, is not so much the growth of the state and of *raison d'État*, but much more its reduction, and in two forms. One of these is precisely the reduction of state governmentality through the growth of party governmentality, and the other form of reduction is the kind we can observe in regimes like our own in which there is an attempt to find a liberal governmentality. [...] All those who share in the great state phobia should know that they are following the direction of the wind and that in fact, for years and years, an effective reduction of the state has been on the way, a reduction of both the growth of state control and of a 'statifying' and 'statified' (*étatisante et étatisée*) governmentality. I am not saying at all that we delude ourselves on the faults or merits of the state when we say "this is very bad" or "this is very good"; that is not my problem. I am saying that we should not delude ourselves by attributing to the state itself a process of becoming fascist which is actually exogenous and due much more to the state's reduction and dislocation. I also mean that we should not delude ourselves about the nature of the historical process which currently renders the state both so intolerable and so problematic. It is for this reason that I would like to study more closely the organization and diffusion of what could be called this German model. [...] The German model which is being diffused, debated, and forms part of our actuality, structuring it and carving out its real shape, is the model of a possible neoliberal governmentality.⁵⁰

⁴⁷ Kaspar Villadsen and Mitchell Dean, "State-Phobia, Civil Society, and a Certain Vitalism," *Constellations*, vol. 19, no. 3 (2012), 404.

⁴⁸ Michel Foucault, *Society Must be Defended: Lectures at the Collège de France 1975-76* (London: Penguin, 2003), 258, 61.

⁴⁹ An idea that is further developed and reinforced in Giorgio Agamben's work on the omnipresent figure of the camp (Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998)).

⁵⁰ Foucault, *The Birth of Biopolitics*, 191-92.

So while Lagasnerie is right in pointing to the emancipatory potential of neoliberalism as a *critique* that temporarily opens towards “otherness,” as in the case of Eastern dissidents,⁵¹ it is obviously no longer the case when it becomes a pervasive and self-evident *governmentality* that is spread throughout borders and societal spheres. In this way neoliberalism has, as Nikolas Rose notes, managed to render the numerous welfare state criticisms, from the left to the right, during the 1970s, “governmental.”⁵²

This relates to a more general thematic in the governmentality lectures which is how criticism can become “phagocyted,” how ideas from the anti-Machiavellian literature to neoliberalism began their life as anti-authoritarian criticisms but ended up as prominent governmental rationalities for the state, i.e. part of “government’s consciousness of itself.”⁵³ The phagozytation of the “great state phobia” into affirmative modes of governing, hence, necessitates a displacement of analysis of the state, in order to understand the institutionalization of this criticism. Instead of *a priori* denouncing the state Foucault thus addresses it as “nothing but the mobile effect of a regime of multiple governmentalities.”⁵⁴ So if Foucault is anti-statist in the lectures on neoliberalism, it is only by showing how neoliberalism does not lead to less state intervention, but a different version of it. So, for instance, when Foucault states that the negative tax is “much less bureaucratic and disciplinary”⁵⁵ one cannot, self-evidently, take it as “no mean compliment” (Behrent, 81). Hence, if the seduction thesis is to become more than a myth, it should at least explain how Foucault’s explicit distancing from an “inflationary” critique of the state was compatible with an endorsement of neoliberalism.

Workfare beyond immanent governing through freedom

Despite the mythologies that Zamora *et al.* enact, they also raise an issue that *is* a relative weak spot for Foucault, but it is first and foremost a weakness of most, but not all, governmentality studies. Both Wacquant and Zamora point to a particular problem of bias with Foucault’s theses by comparing them to the transformations of welfare states towards workfare since the 1980s. Zamora questions Foucault’s bold statement that the neoliberal governing of unemployment, in the shape of the negative tax, breaks with the “famous distinction that Western governmentality has tried for so long to establish between the good and the bad poor, between the voluntary and the involuntary unemployed” and all the “inquisitorial investigations” it implied.⁵⁶ In neoliberal governmentality, according to Foucault, the problem is merely how to ensure a mechanism that encourages the unemployed to “rise again to the level of the threshold and be sufficiently moti-

⁵¹ *Ibid.*, 22.

⁵² Rose, “Governing ‘Advanced’ Liberal Democracies,” 53.

⁵³ Hansen, “Non-normative Critique”; Foucault, *The Birth of Biopolitics*, 2.

⁵⁴ *Ibid.*, 77.

⁵⁵ *Ibid.*, 207.

⁵⁶ *Ibid.*, 205.

vated."⁵⁷ It is especially Foucault's concluding remarks stating that the mechanism is a "very liberal and much less bureaucratic and disciplinary way [compared to] a system focused on full employment which employs mechanisms like those of social security" and that it leaves "possibility of not forcing [the unemployed] to work if they have no interest in doing so"⁵⁸ that disturb Zamora. The interpretation does not correspond well with the coming of workfare and "the great homogenization of conducts and life styles generated by the neoliberal rationality" (109-10).

Wacquant points to something similar in the rise of what he terms "the neoliberal penal state." For Wacquant, punishment is integral to neoliberalism.⁵⁹ The workfare measures that are introduced throughout the 1990s are thus certainly not merely environmental but relies on a revitalization of the sovereign "Leviathan" with all its punitive measures in "ritualized form" which "suggests that the news of the death of the 'spectacle of the scaffold' has been greatly exaggerated" (125). Wacquant is making visible two issues that challenge the Foucauldian theses on governmentality and neoliberalism when confronted with the *actuality* of the welfare/workfare displacements.

The first thesis of Foucault concerns a change in governmental *instruments*: a government through freedom, or "at a distance," that gradually replaces coercive, punishing, and prohibiting forms. Power, thus, becomes increasingly positive, it creates possibilities rather than disclosing them—it incites, induces, seduces.⁶⁰ This tendency is evident from the "security dispositives" that emerges in the 18th century that "that would think first of all and fundamentally of the nature of things and no longer of man's evil nature, the idea of an administration of things that would think before all else of men's freedom, of what they want to do, of what they have an interest in doing,"⁶¹ to, as illustrated above, neoliberalism as a merely environmental and anti-inquisitorial technique. The thesis inspired a vast array of critical studies of post 1970s welfare state transformations addressing them as "advanced liberal" techniques of calculation, evaluation, responsabilization, auditing, and risk management, "shaping the powers and wills of autonomous entities."⁶² Wacquant's main point is that governmentality studies, by addressing neoliberalism as "governing through calculation,"⁶³ have failed to address the rapid rise of incarceration as a social policy tool.⁶⁴ According to Wacquant, the tension between punitive and liberal governing is managed by

⁵⁷ Ibid.

⁵⁸ Ibid., 207.

⁵⁹ Wacquant, *Punishing the Poor*, 308.

⁶⁰ Foucault, "The Subject and Power."

⁶¹ Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977-78* (New York: Palgrave Macmillan, 2007), 71.

⁶² Rose, "Governing 'Advanced' liberal democracies," 54-55.

⁶³ Loïc Wacquant, "Three Steps to a Historical Anthropology of Actually Existing Neoliberalism," *Social Anthropology*, vol. 20, no. 1 (2012), 70.

⁶⁴ Wacquant, however, in his characterization of governmentality studies, completely ignores important works on social policy by Mitchell Dean, and even Rose, who explicitly address this presence of freedom and coercion *within* (neo)liberal thought and policy programmes (see e.g. Mitchell Dean, *Governing Societies* (Maidenhead:

stratifying society (largely along racial lines) so that the two sides of the “centaur state” are dealing with a separate segment of the population, “liberal at the top and paternalistic at the bottom [...] a comely caring face toward the middle and upper classes, and a fearsome and frowning mug towards the lower class.”⁶⁵

However, while this stratification is typical of US development, it is insufficient to explain transformations across the Atlantic, and especially in countries with welfare states that have targeted the majority of the population and not just the most needy. Here, the relation between liberal and punitive or paternal measures seems to be increasingly intimate. For instance, in Denmark, the supposedly social democratic Eden, have enacted a number of reforms in the former decade, introducing a reduction of benefits and fines in cases of lack of compliance by the unemployed, which was justified as “caring pushes” (*kærlige skub*) leaving no distinction between emancipating care and coercion. But the intimacy also finds its way into the neoclassical economists that construct the policy evaluations that politicians act upon. Take, for instance, the following influential governmental evaluation of the effect of active labour market policies. Akin to a Machiavellian counsellor, the report bluntly concludes on ‘what works’:

Looking at the estimated impacts from this and other papers from the Nordic countries, it would seem that a very active labour market policy regime relies mostly on the threat effect. [...] [I]f policy makers wanted explicitly to achieve a maximal *threat effect*, there would be several ways of doing that, including the introduction of strict search requirements and severe sanctions for non-compliance, lowering the UI benefits, introducing programmes that are truly cold, wet, hard, and have no skill-enhancing components (e.g. cleaning the beaches) and so on.⁶⁶

Coercive measures, far beyond economic incentives and governing through freedom, smoothly enters the economists’ toolkit as yet another variable to consider.⁶⁷

Now, the second Foucauldian thesis is related to (and often confused with) this change in instruments, but concerns the issue of the legitimation of governance. The thesis consists of a movement from transcendental underpinnings of power to what Mitchell Dean terms “immanence.”⁶⁸ From *Discipline and Punish*, Foucault’s emblematic figure of ‘what was’ is again and again sovereignty. The Foucauldian diagnosis is so often how sovereignty, with its references to

Open University Press, 2007), chapter 5, in particular table 5.1; Nikolas Rose, “Government and Control,” *British Journal of Criminology*, vol. 40 (2000).

⁶⁵ Wacquant, *Punishing the Poor*, 312.

⁶⁶ Michael Rosholm and Michael Svarer, “Estimating the Threat Effect of Active Labour Market Programmes” in *IZA Discussion Paper* (Bonn: Institute for the Study of Labor I, 2004), 35, my emphasis.

⁶⁷ The thesis has also recently been contested from a historical point of view. Marc Steinberg, for instance, shows how sovereign “interdiction and containment” expanded in the Modern Age through Master and Servant law. Marc W. Steinberg, “Reconfiguring Sovereignty in Foucauldian Genealogies of Power: The Case of English Master and Servant Law and the Dispersion and the Exercise of Sovereignty in the Modern Age,” *Journal of Historical Sociology*, vol. 28, no. 2 (2015).

⁶⁸ Mitchell Dean, *The Signature of Power: Sovereignty, Governmentality and Biopolitics* (London: Sage, 2013), 234.

divinity and law and all its ritual and spectacular manifestations, is gradually replaced by more economic forms of governing that work through calculation and the identification of facts aimed at utility, efficiency, optimality, normality, etc. Neoliberalism is in Foucault's reading in line with this trend. It is an "atheist" rationality without morals.⁶⁹ The same thesis has been a key element in governmentality literature, for instance, when Rose notes how "individuals are to fulfil their national obligations not through their relations of dependency and obligation to one another, but through seeking to *fulfil themselves*."⁷⁰

However, as pointed out by Jamie Peck and others, workfare measures operate with some of the same symbolic and spectacular logics that workhouses did.⁷¹ As much as workhouses corrected the inmates 'immanently,' they served as signals to the wider population. In Denmark recent reforms of the cash benefit system, led by a social democratic government, was justified as a battle with a rising "give-me-what-I-want mentality" (*krævermentalitet*) challenging national solidarity. The same reform generalized mandatory work schemes in order to receive benefits; schemes that often make use of a distinct spectacular element making the unemployed visible in the public by wearing particular and recognisable uniforms.⁷²

Obviously, it is yet another mythologizing act to accuse Foucault, a scholar emphasizing the contingent nature of events, of not being able to predict the way things turned out in his after-life. Further, it is important to note that his theses, especially from his *Security, Territory, Population* lectures onwards, are more nuanced than most governmentality scholars take them to be. Foucault certainly did not diagnose, forecast, or even call for a world without spectacles or sovereignty.⁷³ Therefore, the theses belong more to governmentality studies than to Foucault.

However, the question of how to revise the theses of governmentality remains. Two approaches have been suggested. One way is to go back to the neoliberal archive and track the elements that Foucault and governmentality studies have mistakenly neglected. Scholars have pointed to how Foucault neglected the role of property, debt, and money in *ordo-liberalism*,⁷⁴ for example, or how divinity, sovereignty, and order remained central elements in political economy

⁶⁹ However, Foucault himself is perhaps not as convinced as his critics want him to be. For instance, in his governmentality lecture he notes, without further explanation, that "sovereignty is absolutely not eliminated by the emergence of a new art of government that has crossed the threshold of political science. The problem of sovereignty is not eliminated; on the contrary, it is made more acute than ever" (Foucault, *Security, Territory, Population*, 143). Later, in the subsequent lecture series, Foucault even describes his programme as "the study of the rationalization of governmental practice in the exercise of political sovereignty" (Foucault, *The Birth of Biopolitics*, 2).

⁷⁰ Rose, "Governing "Advanced" Liberal Democracies," 57.

⁷¹ Jamie Peck, *Workfare States* (New York: Guilford Press, 2001), 23.

⁷² See Mathias Herup Nielsen, "Nytteaktiviseringens retfærdiggørelse : Et pragmatisk sociologisk perspektiv på aktivisering af arbejdsløse," *Dansk Sociologi*, vol. 25, no. 1 (2014).

⁷³ On the theatrical dimension of modern forms of power and the "rites of sovereignty," see Foucault, *Mal faire, dire vrai*, in particular 206-14.

⁷⁴ Maurizio Lazzarato, *Gouverner par la dette* (Paris: Les praïres ordinaires, 2014).

and neoliberalism.⁷⁵ Another way is to redefine neoliberalism according to the observed reality where the programme is applied. This is what Wacquant does when he speaks of an “actually existing neoliberalism” that combines economic deregulation, workfare, individual responsibility, and penal apparatuses.⁷⁶ Both approaches have been crucial to the necessary revision of the Foucauldian theses.

However, they also share the problematic assumption of treating neoliberalism as *the* explanatory mechanism. Each in their own way, they enact the idea that whatever is happening in whatever disciplinary field or social sphere, from self-development and incarceration to governing through numbers and debt, can be traced back to neoliberal thought as a whole, or be explained as its malfunctioning when applied in reality. The risk, which is already very real, is to treat neoliberalism as yet another cold monster; the responsible entity or independent variable which is then subsequently endlessly qualified in order to fit the actuality and in order to nourish academic conceptual struggles (as well as personal branding in the market place of academia).

First, there is a risk of losing *specificity*. This is a paradox, since what the approaches aim for is precisely to provide more nuanced definitions. But as readers, what are we to do with these manifold definitions (governing through debt, incarceration, markets, incentives, competition, privatisation, free trade, individualization, etc.) if not to lose some specificity in their breadth? As a consequence, although every ‘leftist’ from social democrats to communists and radical social movements are united in denouncing neoliberalism they rarely speak of the same thing. The apparent unification thus constantly collapses when it comes to formulate a political alternative.

Second, there is also the risk of taking for granted the coherence, within neoliberal thought or within our reality, that is perhaps non-existent. Hence, maybe the question of “what is neoliberalism?” that every critical scholar today needs to have an answer to (in order to be legitimately critical) and which all spectres of the left are obsessed with denouncing, should be set aside in order not to bypass the proper question which should always be “what is our actuality?” The multiple and unpredictable ways in which technologies of the self are tied to technologies of domination⁷⁷ and in which disciplinary, sovereign, and economic forms of governing are assembled can be criticized for what they are—without normative principles of justice or the imagery of an ultimate ‘dark side.’ Thus, the question of whether the assemblages and rationalities can be traced back to the Mont Pelerin society or not should be no more than secondary.

Magnus Paulsen Hansen
Department of Business and Politics
Copenhagen Business School

⁷⁵ Dean, *The Signature of Power*; Giorgio Agamben, *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government* (Stanford: Stanford University Press, 2011).

⁷⁶ Wacquant, *Punishing the Poor*, 307; see also Wacquant, “Three Steps.”

⁷⁷ Michel Foucault, “Subjectivity and Truth,” in S. Lotringer (ed.), *Michel Foucault: The Politics of Truth* (Semiotext(e), 1997), 171-98.

Hansen: *Foucault's Flirt?*

2000 Frederiksberg
Denmark
mph.dbp@cbs.dk