Foucault Studies

ARTICLE

Foucault's Empire of the Free

Richard Alston, Royal Holloway University of London

ABSTRACT: This essay argues that the engagement with Greece and Rome after *The Will to Knowledge* allowed Foucault to bring clarity to his conception of limited freedom in complex societies. The Classical fulfilled this function paradoxically by being jarringly different from and integral to the discourses of modern sexuality. Foucault's engagement with the Classical in *The Use of Pleasure* and *The Care of the Self* continued his established method of uncovering the development of a discourse, or set of discourses, over time. He thereby demonstrated the historical specificity of understandings of sexuality and the self. It follows that if the ancient self was a historical construct, then the modern self must also be such. But Foucault's Classical engagement leads him to an innovative position in which the disciplinary dynamics of ancient self-knowledge offer a practical philosophy. Foucault's Greek philosophy could have effects through two related mechanisms: the care of the self through *askesis* (discipline) and the speaking of truth to power through *parresia* (free speech). Through the rigors of *askesis*, the self can be rendered an object of analysis and hence a critical position external to the self can be achieved. Externality allows the philosopher to exercise *parresia* since the constraints of society have been surpassed and consequently offers a prospect of agency and a measure of freedom. The second part of the essay questions the extent of that freedom by reading Foucault against Tacitus, particularly the *Agricola* and the mutinies episode in the *Annales*. These episodes show the limitations of *parresia* and how *parresia* is bound into the workings of imperial power (and not a position external to that power). In the Tacitean model, externality is a viable political stance (achieved by Agricola), but is problematic ethically. The essay concludes by contrasting Foucauldian and Tacitean models of historical change.

Keywords: *parresia; askesis*; self; freedom; imperialism; Tacitus; Percennius; mutinies; Agricola; agency; political change; externality.

Introduction

In this essay, I argue that the engagement with Greece and Rome after *The Will to Knowledge* allowed Foucault to bring clarity to his conception of limited freedom in complex societies. The Classical fulfilled this function paradoxically by being jarringly different from and integral to the discourses of modern sexuality. Difference was manifested in the separation of modern and antique discourses on sexuality, asserted at the close of *The Care of the Self*, which makes evident Foucault's anti-Freudianism.[1] But if Freud employed Classical myth to universalize modern sexuality, Classical sexual cultures were already recognizable, if only through their modern receptions: they could be and had been used to explore diverse modern sexual practices, the most obvious being "Greek love."[2] The long-established Classical contribution to modern knowledge systems added to the sexual polymorphism outlined in *The Will to Knowledge*.[3]

Foucault's engagement with the Classical in *The Use of Pleasure* and *The Care of the Self* continued his established method of uncovering the development of a discourse, or set of discourses, over time. He thereby demonstrated the historical specificity of understandings of sexuality and the self. It follows that if the ancient self was a historical construct, then the modern self must also be such. But Foucault's Classical engagement leads him to an innovative position in which the disciplinary dynamics of ancient self-knowledge offer a practical philosophy. Foucault's Greek philosophy could have effects through two related mechanisms: the care of the self through *askesis* (discipline) and the speaking of truth to power through *parresia* (free speech). Through the rigors of *askesis*, the self can be rendered an object of analysis and hence a critical position external to the self can be achieved.[4] Such externality is reinforced by an awareness of the historically constructed nature of the self. Externality allows the philosopher to exercise *parresia* since the constraints of society have been surpassed. In contrast to Foucault's earlier work on the social technologies of modernity within institutions, focus on the individual offered a prospect of agency and hence a measure of freedom.

Foucault had studied externality within the French literature of the extremes and continued to hold to the possibility of experiences which would transcend limits (see below), though he did

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[1] Michel Foucault, *The Care of the Self: The History of Sexuality 3*, translated by Robert Hurley (London, Penguin Books: 1990), 239-40.

[2] See recently Daniel Orrells, *Classical Culture and Modern Masculinity* (Oxford: Oxford University Press, 2011) and James Davidson, *The Greeks and Greek Love: A Radical Reappraisal of Homosexuality in Ancient Greece* (Weidenfield and Nicolson: London, 2007).

[3] Michel Foucault, *La Volonté de Savoir* (Paris, Gallimard: 1976); Michel Foucault, *History of Sexuality: An Introduction*, translated by Robert Hurley (London: Allen Lane, 1979).

[4] Michel Foucault, "The Concern for truth," in Michel Foucault, *Foucault Live: Collected Interviews, 1961-1984*, edited by Sylvère Lotringer and translated by John Johnston (New York: Semiotext(e), 1989), 455-64.

not stretch this interest into a consideration of the sublime or the Kristevan abject.[5] In his later work, he turned to the Classical as a source of externality. Although an often employed intellectual manoeuvre, finding externality in the Classical has its paradoxes. Repeatedly modernity has invested cultural capital in Classical knowledge, artefacts, and neo-Classical reformulations. These receptions layer meanings on the original texts and form recurrent enfoldings of the Classical into the modern.[6] The Classical has operated problematically as both a cultural resource of difference and a hegemonic discourse that reinforced status divisions. Even as it used to reinforce social hierarchy, the potential recuperation of its externality, its unnaturalness for modernity, and its difference are means of generating disjuncture within modernity. It is through such gaps *already present* in the discursive regime that agency and a limited freedom might emerge.

Greek philosophy comes to us via repeated receptions. The first iteration of that process was (arguably) Rome where the reception of Greek discourses involved transmission and translation, but also alienation and differentiation with undeniable ramifications in the mutations of Roman culture under the Empire. The process of ideological and behavioral change is one in which what was heterodox exercises influence in the process of debate, argument, and reception to the extent of transforming orthodoxy. Such interchanges cannot be understood as revolutionary moments, but are nonetheless significant, slow movements within discourses.[7] Foucault's understanding of the reception of Greek *parresia*, for instance, works through a negotiation of difference and engagement. This can only operate through an estrangement from previously hegemonic discourses. Foucault sees the Greek idea of *parresia* as having a close relationship to the Roman concept of

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[5] Michel Foucault and Maurice Blanchot, *Foucault/Blanchot* (New York: Zone Books, 1990); Michel Foucault, "The thought of the outside," in *Aesthetics, Methods and Epistemology*, edited by James D. Faubion and translated by Brian Massumi (Harmondsworth: Allen Lane, 1998), originally published in *Critique* 229 (1966), 523-46; Didier Eribon, *Michel Foucault*, translated by Betsy Wing (Cambridge, Mass.: Harvard University Press, 1991), 145-50; Julia Kristeva, *Powers of Horror: An Essay in Abjection* (New York: Columbia University Press, 1982); Edmund Burke, *A Philosophical Enquiry into the Origin of Our Ideas of the Sublime and Beautiful* (The World's Classics. Oxford: Oxford University Press, 1990).

[6] See the discussion in Charles Martindale, "Reception – a new humanism? Receptivity, pedagogy, the transhistorical," *Classical Reception Journal* 5 (2013), 169-83 (https://doi.org/10.1093/crj/cls003). Foucault says very little about the reception of Classical ideas and what he does say is not particularly clear. The return to the Greeks in modern philosophy is seen as an attempt to start again: see Michel Foucault, "The Return of Morality," in Michel Foucault, *Foucault Live: Collected Interviews, 1961-1984*, edited by Sylvère Lotringer and translated by John Johnston (New York: Semiotext(e), 1989), 465-73.

[7] See the discussion in James Tully, "To Think and Act Differently: Foucault's Four Reciprocal Objections to Habermas' Theory," in Samantha Ashenden and David Owen (eds.), *Foucault Contra Habermas: Recasting the Dialogue between Genealogy and Critical Theory* (London, Thousand Oaks, New Delhi: Sage Publications, 1999), 90-142 (https://doi.org/10.4135/9781446221822.n5).

libertas.[8] *Parresia* figures only marginally in Roman Republican political thought, but in an Imperial context in which the values of Republican *libertas* were questioned and transmuted, the external discourse offered both critical perspective and the possibility of new political practices of freedom.[9]

The challenge that Foucault sets is to perceive the heterodox in the orthodox and so acquire an externality from discourses enwrapped in modernity. In what follows, I suggest that Foucault's engagement with the Classical works against Habermasian critiques offer a limited but radical notion of freedom in which there is scope for productive political engagement. The extent of that freedom is, I think, questionable, and using the historical comparisons which Foucault opens up in his engagement with the literature of the early Roman Empire (Tacitus in particular) shows its limitations.

Foucault Against Habermas: Freedom from Without

Foucault's analyses of the institutionalized discursive truths of modernity brought him into collision with Jürgen Habermas. In *The Philosophical Discourse of Modernity*, Habermas grouped Foucault with those whom he perceived as anti-modernists; that is, deniers of the capacity of communicative practice to escape ideology.[10] According to Habermas, Foucault's individuals are trapped within the panopticon of institutionalized knowledge, but if Foucault were right, his own

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[8] See below for more detailed discussion and references. Michel Foucault, *The Government of the Self and Others: Lectures at the Collège de France, 1982 – 1983*, edited by Frédéric Gros, and translated by Graham Burchell (Palgrave Macmillan: Basingstoke, 2010), 46, on the translation of *parresia* as *libertas*. Valentina Arena, *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge: Cambridge University Press, 2012), makes no mention of free speech as a characteristic of Republican *libertas*. See the articles collected in Ineke Sluiter and Ralph M. Rosen (eds.), *Free Speech in Classical Antiquity* (Leiden, Boston: Brill: 2004), the majority of which are on Greek texts. Roman public meetings (*contiones*) may have had democratic elements, but appear to have been structured so as to limit the right to speak.

[9] Michel Foucault, *The Use of Pleasure: The History of Sexuality 2*, translated by Robert Hurley (London: Penguin Books, 1984), 9-11: "[Philosophy] is entitled to explore what might be changed, in its own thought, through the practice of a knowledge that is foreign to it... The object [of the study] was to learn to what extent the effort to think one's own history can free thought from what it silently thinks, and so enable it to think differently... There is irony in those efforts one makes to alter one's way of looking at things, to change the boundaries of what one knows and to venture out a ways from there. Did mine actually result in a different way of thinking? Perhaps at most they made it possible to go back through what I was already thinking, to think it differently, and to see what I had done from a new vantage point and in a clearer light."

[10] Jürgen Habermas, *The Philosophical Discourse of Modernity: Twelve Lectures*, translated by Frederick G. Lawrence (MIT Press: Cambridge, Mass, 1990), 1-22.

externalized perceptions of these institutionalized truths would be impossible. As he never quite puts it, there is no possibility for Foucault in Foucault. [11]

Habermas' alternative was to encounter the other through intersubjectivity within the lifeworld. In this encounter, the other is recognized as a participant and the self is seen through the perspective of the other. This recognition of differences between participants in the lifeworld allows a variety of perspectives on truth to be voiced and discussed:

> the paradigm of the knowledge of objects has to be replaced by the paradigm of mutual understanding between subjects capable of speech and action... [12] As soon as linguistically generated intersubjectivity gains primacy… [the] ego stands within an interpersonal relationship that allows him to relate to himself as a participant in an interaction from the perspective of *alter*. And indeed this reflection undertaken from the perspective of the participant escapes the kind of objectification inevitable from the reflexively applied perspective of the observer.[13]

Agency emerges through this discursive process in recognition and negotiation of difference.

However, in "What is Enlightenment?" Foucault offered a seemingly more positive position on agency in modernity.[14] In shifting from Kant's observation of the self-conscious newness of modernity to Baudelaire, Foucault points to the:

> asceticism of the dandy who makes of his body, his behaviour, his feelings and passions, his very existence, a work of art. Modern man… is not the man who goes off to discover himself, his secrets and his hidden truth; he is the man who tries to invent himself. This modernity does not "liberate man in his own being"; it compels him to face the task of producing himself.[15]

The ontological uncertainty of modernity would appear to generate a self-reflexivity in alienation which requires that individuals engage in self-formation. The remainder of his essay integrates this agency into his genealogies. Discourses operate as limits, reducing the "strategic games of liberties" through an establishment of certain rules (generalities; systematicities; homogeneities;

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[11] Ibid., 106-30; 238-93. Thomas Biebricher, "Habermas, Foucault and Nietzsche: A Double Misunderstanding," *Foucault Studies* 3 (2005), 1-26.

[12] Jürgen Habermas, *The Philosophical Discourse of Modernity*, 295-297.

[13] Ibid., 297.

[14] Jürgen Habermas, "Taking aim at the heart of the present: On Foucault's lecture on Kant's *What is Enlightenment?*" in Michael Kelly (ed.) *Critique and Power: Recasting the Foucault/Habermas Debate* (MIT Press, Cambridge, Mass., London, 1994), 149-54; Michel Foucault, "What is Enlightenment?" in Paul Rabinow (ed.), *The Foucault Reader* (London, Penguin Books: 1984), 32- 50.

[15] Michel Foucault, "What is Enlightenment?," 41-42.

stakes), though Foucault allows "an experiment with the possibility of going beyond [limits]."[16] It follows that the art of living must, like all other arts, be confined by the limits of the imaginary; aesthetic forms build on pre-existing cultural elements, requiring the reception of the old within any new aesthetics.[17]

Whereas Habermas' lifeworld includes alterities that are productive of self-reflexivity, for Foucault alterity is achieved through an act of will. All identities (orthodox and heterodox) must (normally) be embedded within the discursive regime; alterity is a play on difference emerging within that regime. But for Foucault, the adoption of alterior identities must also acknowledge the created or willed nature of that identity and hence be in tension with the tendency within biopolitical regimes to naturalize regulatory aspects and produce normalized (if sometimes diverse) citizens. In Habermas, the escape from ideological conformity rests in participation in debate through which difference can be explored and recognized. Such debate is a normative technology within liberal modernity through which differences are negotiated and delimited, and is opposed to the deliberate exclusionist strategies adopted by authoritarian regimes. Within a liberal regime, on the model of the *polis*, democracy would seem to demand an acknowledgement of difference. Nevertheless, civic republicanism also operates to locate individuals within a social and political order and that would, in itself, appear to limit the possibilities of free speech and difference in rational engagement.[18] In Foucault, alterity is acquired through *askesis*, which operates in rejection of the normative techniques of identity formation.

The radical potential of this alterity is central to the Classical writings. In *The Care of the Self*, Foucault shows that the original Greek discourses of sexuality were, in their Roman receptions, brought to focus on relational practices, thereby transforming the political and the personal.[19] This is exemplified in the discussion of marriage:

> the individual who is concerned about himself does not simply have to marry; he must give his married life a deliberate form and a particular style. This style… is not defined by self-mastery alone and by the principle that one must govern oneself in order to be able to rule others. It is also defined by the elaboration of a certain form of reciprocity [in which] the husband must recognize her [the spouse] as forming a unity with himself.[20]

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[16] Ibid., 50

[17] See Jacques Rancière, *The Politics of Aesthetics: the Distribution of the Sensible* (London: Continuum, 2004) and Fredric Jameson, *Archaeologies of the Future: The Desire Called Utopia and Other Science Fictions* (New York: Verso, 2005).

[18] See my discussion of the influence and limitations of the *polis* model, with many further references, in Richard Alston, "Post-Politics and the Ancient Greek City" in Richard Alston and Onno van Nijf (eds.) *Political Culture in the Greek City after the Classical Age* (Leuven, Paris, Walpole, MA: Peeters, 2010), 307-36.

[19] Michel Foucault, *The Care of the Self: The History of Sexuality 3*.

[20] Ibid., 164-65.

Alterity was achieved through *askesis* which set to work on the self, but subsequently reshaped the "entire sphere of social, political, and civic activities."[21] *Askesis* was both individual and social since in the possibility of transformation of the self there was a prospect, perhaps even a requirement for the transformation of the *habitus* through the relationship of self to others. As Foucault puts it, *askesis* is "an art of existence that revolves around the question of the self, of its dependence and independence, of its universal form and of the connection it can and should establish with others, of the procedures by which it exerts its control over itself, and of the way in which it can establish a complete supremacy over itself."[22] Elsewhere, Foucault argues that an "elaboration of the self by the self, a studious transformation, a slow and arduous transformation through a constant care for the truth" provides pathways by which a (partial) freedom can be achieved.[23] This freedom depends on repeated externality: the constitution of the self as an object of care fuses the I as subject and object; an engagement with a beloved establishes a reciprocity in which the self is made in relation to the other; and twin receptions of difference through engagement with Greek philosophical texts allow a subject position outside Roman Imperial culture and of the norms of modern ethics.[24] That externality generates a detachment constitutive of the intellectual as an agent of change since, in Foucault's view, "[w]hat can the ethics of an intellectual be…. If not that: to render oneself permanently capable of self-detachment… The work of modifying one's own thought and that of others seems to me to be the intellectual's reason for being" and this is, it seems, only possible through the rigorous, systematic, *askesis* of the self.[25]

This work of "modifying one's own thought and that of others" is realized through *parresia*. It is through *parresia* that the insights achieved through philosophical *askesis* may achieve political traction. Foucault offers us a model not just of individual agency, but of how philosophy can engage politically. There remains a question as to under what circumstances that engagement might achieve social and political transformation.

Speaking freely is a foundational condition of the democratic *polis*. But the emergence of rhetoric, which is contemporaneous with democracy and philosophy, fabulously confuses truth, as observed in the *agon* in Aristophanes' *Clouds*.[26] This twin emergence is non-coincidental since the

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[21] Ibid., 94-95.

[22] Ibid., 238-39.

[23] Michel Foucault, "The Concern for truth," 455-64.

[24] Raúl Fornet-Betancourt, Helmut Becker, Alfredo Gomez-Müller and J. D. Gauthier, "The ethic of care for the self as a practice of freedom: an interview with Michel Foucault on January 20, 1984," *Philosophy and Social Criticism* 12 (1987), 112-31 (https://doi.org/10.1177/019145378701200202).

[25] Michel Foucault, "The Concern for truth".

[26] See the discussion in Michel Foucault, *The Government of the Self and Others,* 71-184; Michel Foucault, *Fearless Speech*, edited by Joseph Pearson (Los Angeles: Semiotext(e), 2001).

recognition of truth is essential to democratic process, but recognition is a value judgement: what seems true is what is regarded as or is in practice true. Members of the democratic community can recognize truth when it is spoken only if it accords with shared experience; that is, it reproduces the values of the *habitus*. The shared values of the political community can only be truths in themselves if the *habitus* is practically rational by both external and internal measures. Such a situation is utopian.[27] Yet, the community must defend its delusion that its systems of rationality and the truth of political discourse are transparent since a democratic system relies on a transparent recognition of truth. Those who speak from outside the ideological framework may exercise *parresia*, but the truth value of their speech is immaterial since their very externality is a threat to the logics of the system. Consequently, democracies and likely all civic republics must insulate themselves against *parresia* since *parresia* threatens the regime of truth operating within the supposedly rational *polis.* Civic republics, then, must exclude the true philosopher.

In Foucault's reading, the philosopher's engagement with monarchic systems offered better opportunities. In monarchies, the political challenge is how republican virtue is to be maintained.[28] Hannah Arendt argued that the imperial would inevitably suppress virtues since the power of accumulated wealth would establish contingent interests sufficient to overwhelm those of the republic.[29] Foucault lectured more optimistically:

> When, with imperial government, the political form is one in which the Prince's wisdom, virtue, and moral qualities are much more important even than the legal organization of the state… then it is certain that the question of the moral guidance of the Prince will arise. Who will advise the Prince? Who will train the Prince and who will govern the soul of the Prince who has to govern the whole world? And here, of course, the question of frankness with regard to the Prince arises… The basic problem in the Roman Empire at this time was evidently not the question of freedom of opinion. It was the question of truth for the Prince.[30]

At the moment of Imperial foundation, Cassius Dio dramatizes the options available to the future Augustus in a private debate held between Octavian and his two closest advisors, Agrippa and Maecenas.[31] At the end of the debate, Octavian thanked the participants for their thoughts, words, and *parresia*.[32] The shift in the nature of power is represented not just through the substance of the

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[27] Michel Foucault, *The Government of the Self and Others,* 195-96 point this out and is surely thereby attacking Habermas.

[28] Ibid., 266-27; 290-91.

[29] Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace, and New World, 1966).

[30] Michel Foucault, *The Hermeneutics of the Subject* (Lectures at the Collège de France, 1981-82), edited by Frédéric Gros, and translated by Graham Burchell (New York: Palgrave Macmillan, 2005), 380-81.

[31] Cassius Dio, 52; Michel Foucault, *The Government of the Self and Others,* 290.

[32] Cassius Dio, 52.41.

debate, but the exercise of *parresia* within an Imperial court: the assembly cannot be the utopian arena of truth, but the court of the Prince may be.[33]

The qualification for imperial counsellor was philosophical *askesis* such as to allow the indexing of truth in the person of the philosopher.[34] *Askesis* reverses the flows of sovereignty by taking power into the self so that the self becomes external to the *habitus*. The philosopher thus becomes sovereign and stands apart from contrasting claims of sovereignty and accepts the consequences of such opposition: "philosophy is really lived as the free questioning of men's conduct by a truth telling which accepts the risk of danger to itself."[35] Such dangers operated to the point of death, making martyrs of Socrates, Cato, Seneca, Thrasea Paetus, Helvidius Priscus, and others.

The indexing of truth outside the community is profoundly undemocratic. In practical terms, the new-old disciplines of *askesis* were the preserve of the educated. Those in the Roman Empire who engaged seriously with Greek philosophy were an elite, and self-consciously so, as their successors in modernity have so often been. This elitism is not merely the unforeseen consequence of an uneven distribution of economic resources and educational opportunities, but is a necessary condition of the narrative of separation: in modernity, universal Classicism would establish the Classical as the *habitus*; in the Roman world, a universal adoption of Greek philosophical *askesis* would render this mode of life the norm. This is, I think, the implication of what Foucault describes as the "profound error" of antiquity in which the ethics of the care of the self were universalized within Christian teachings.[36]

In Foucault's thought, there is freedom in the care of the self. Externality to the *polis* allows an understanding of truth that is not indexed by the values of the community (or of God), but in the disciplined self. One consequence of the attainment of externality is the ability to exercise *parresia*. But the individual nature of that freedom means that there can be no utopia. Civic republicanism, with its emphasis on rational communication within the *polis*, seems utopian in ignoring the limitations on the recognition of truth.[37] *Parresia* is more possible in the imperial regime, since *askesis* allows an externality for the intellectual, which the Prince can recognize. This is not, however, a plea for authoritarianism. Within a modern liberal regime, the hierarchical organization of politics establishes a diffused form of political authority. The philosopher advises the modern, diffused Prince not as tutor, as Seneca to Nero, but through journalism and political engagement, activities to which Foucault devoted much of his energy. Foucault produces a manifesto for the ancient and

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[33] Michel Foucault, *Fearless Speech*, 83-87; Michel Foucault, *The Government of the Self and Others*, 195-96; 6; 219.

[34] Michel Foucault, *The Hermeneutics of the Subject*, 367; 389-90.

[35] Michel Foucault, *The Government of the Self and Others*, 346.

[36] Michel Foucault, "The Return of Morality," 465-73.

[37] Iseult Honohan, *Civic Republicanism. Problems of Philosophy* (London; New York: Routledge, 2002).

modern politically-engaged philosopher. This still requires that the Prince recognizes *parresia*, but that recognition must be located externally to the democratic process. Freedom may be limited and potentially fatal, but it is attainable and *parresia* can be exercised and recognized with real political effects. It is in this externalized subject position of the intellectual that Foucault's theory makes room for Foucault.

Tacitus against Foucault: The Delusions of Externality

In the remainder of the essay, I deploy Tacitus against Foucault. I focus on the treatment of political agency in Tacitus. Two main readings are used: The *Agricola* and the episode of the Danubian mutiny in *Annales* 1.

Tacitus is not an author with whom Foucault systematically engages, but he is both broadly contemporary with those writers on whom he does draw (Seneca, Pliny, Plutarch, Epictetus), and he engages closely with many of the themes at the heart of the Foucauldian analysis. Tacitus is concerned with issues of separation from and agency within an imperial regime. His assessment of the potential of externality undermines both of Foucault's key claims – the potential of philosophical *askesis* to generate a meaningful separation and the political value of *parresia*.

Tacitus writes the *Agricola* with the didactic aim "to transmit to the future acts and morals of outstanding men" (1; cf. 46). That future paradigm existed against the constraints of Imperial time and space: rooted in a Republican past, Agricolan *virtus* was acquired only through an exceptionally conservative mother (4) and was preserved against a contemporary "age savage and hostile towards virtues" (1). Agricola acquired *virtus* in provincial separation from Rome (4) and preserved that *virtus* in spite of the archetypical immorality of the provinces in which he served (5-6). In remote Britain, Agrippa maintained virtue against the values of the regime while serving the regime (18-21).[38] Even when in Nero's Rome, virtue was preserved through "quiet and leisure," (6) and under Domitian's tyranny, he maintained a life of "tranquillity and leisure," which only "the few" understood (39).

Nevertheless, Agricola's political agency is always limited and ultimately subordinated to Imperial corruption. The narrative is framed by Rome's corruption (1-3; 40-46) and key sections, such as a famous passage on cultural change (21) and the speech of the Caledonian general Calgacus (30-32), emphasize that traditional Republican values of *libertas* must succumb to the contemporary servitude of Imperial Rome. Agricola himself is repeatedly forced back to Rome and con-

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[38] Tacitus devotes considerable space to the ethnographic and geographic remoteness of Britain (10-13). See Katherine Clarke, "An island nation: Re-reading Tacitus' *Agricola*," *Journal of Roman Studies* 91 (2001), 93-112, reprinted in R. Ash (ed.), *Tacitus: Oxford Readings in Classical Studies* (Oxford: Oxford University Press, 2012), 35-71 (https://doi.org/10.1017/S0075435800015872).

strained to near silence, and Tacitus' suggestion that he was poisoned by the emperor reinforces the inescapable nature of Imperial power (43).

Agricola's ethical separation allows him to display a traditional *virtus* while working for a corrupt state, but such a separation is obviously fragile. There is every reason to believe that Tacitus was engaged in controversy: the literary *comparanda* cited in *Agricola* (2), and the lives of Thrasea Paetus and Helvidius Priscus, both martyrs to the tyranny of the Imperial state, point to the controversy of lauding a man who did nothing to oppose a despotic regime. Further, Agricola was more than quiescent: he worked to further the corrupt Imperial system. Similarly, his colleagues were participants in judicial murders of dissidents (45). Nevertheless, in Tacitus' polemical representation, externality shields the senators and Agricola specifically from ethical responsibility.

A further theme of the *Agricola* is *parresia*. Foucault would like to translate *parresia* as *libertas*, taking his lead from Tacitus' contemporary Quintillian, who in *Institutio Oratorio* 9.2.27 offers a definition of *parresia* as *libera verba* (free speech), but a translation as *licentia* (license). *Licentia* is used in Tacitus in parallel to *libertas*, but it carries with it associations of moral laxity.[39] In the opening of the *Agricola*, Tacitus discusses *parresia*: in "olden times" Romans explored the limits of liberty (*libertas*), whereas contemporary society experienced slavery, which ended "the exchange of speaking and listening" (2) and to which the politic response was silence (2-3).[40] Tacitus critiques those who practise *parresia*, gently in *Agricola* 4, but ferociously in 42 in which he laments those who engage in *contumacia* (obstinacy in the face of authority), "empty parades of freedom" and "seek fame in ambitious deaths of no use to the Republic." *Parresia* draws the philosopher into political engagement through a desire for fame, but fame lures the philosopher into seeking a democratic approbation that inevitably throws into question the philosopher's hard-won externality. The profoundly anti-democratic Tacitus doubts the capacity of the crowd to understand (21; 42), but also the utility of *parresia* in the Imperial situation. By contrast, Agricola's exemplary life benefits an inner circle of readers, friends and family (46). His silence served the Republic since it offered no threat to the political order of the state and hence manifested *virtus*. It is *parresia* that is immoral, challenging the sovereignty of the Prince so as to provoke reaction without benefit.

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[39] See the shift in Tacitus, *Annales* 14.49, between the *libertas* exercised by Thrasea Paetus and Nero's description of the *licentia* exercised by the senators in excusing one of their own. In *Histories* 1.35, Tacitus talks of *militarem licentiam* (military license) in the context of indiscipline.

[40] Silence is something of a theme in Tacitus. See Christopher B. Krebs, "*Annum quiete et otio transiit*: Tacitus (*Ag*.6.3) and Sallust on Liberty, Tyranny, and Human Dignity," in Victoria E. Pagán, *A Companion to Tacitus* (Malden, MA, Oxford, Chichester: Wiley-Blackwell, 2012), 333-44, who points out that silence is produced by tyranny. Roberta Strocchio, *I significati del silenzio nell' opera di Tacito* (Memorie dell' Accademia delle Scienze di Torino, V.16) (Accademia delle Scienze: Torino, 1992) shows the various uses of silence in Tacitus, one of which is dissimulation, a skill necessary for the Imperial world.

A different type of externality appears in mutiny episodes in *Annales* 1. 16-49.[41] I focus on the speech of an ordinary soldier in rebellion, the legionary Percennius, which is an episode of *parresia*. I argue that his speaking of truth fails, not because of the truth value of the words, but because of the social location of the speaker. Percennius' speech is made possible by a fundamental misconception on the part of the soldiers; they imagine that they exist or can exist outside of the Imperial system. The soldiers' attempts to escape Imperial disciplines lead them not into a utopian state of democratic truth, but a dystopic confusion, and instead of making a new society, they fall back on old, violent social forms. The speech is undermined by the speaker's location in a place of untruth.[42] Consequently, *parresia* is seen as dependent on the authority (the Prince) that allows speech and the speaker's location within Imperial structures of time and space.

The mutiny opens on the Danubian frontier in the aftermath of the death of Augustus. Tacitus introduces the episode by condemning the mutineers: "A mutiny began in the Pannonian legions, which had no fresh cause other that what the change of emperor offered in terms of the freedom (*licentia*) of the mob and the hope of prizes from civil war." The commander declared a *iustitium*, a suspension of duties to mark the passing of Augustus, but in the consequent relaxation of discipline, "the worst of them led discussions (*sermones*)" in which desire for rest and luxuries was voiced. These unauthorized speakers are represented in the text by Percennius, a former "theatrical worker" who learnt "to mix up the crowd from watching the actors" and who was possessed of an "insubordinate tongue." He gathered together men under the cover of darkness and then spoke for mutiny, not as a soldier, but as what Tacitus calls a *contionabundus*, which is a rare word referring to the sort of person who attended public meetings (a trouble-maker) (*Annales*, 1.16-17). He spoke about the terms and conditions of service, the poor pay, the forcible extension of length of service, hardships, the fierce discipline (including floggings), and the treatment of the citizen soldiers as if they were slaves. Nothing in Percennius' speech is untrue: it is supported by the rest

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[41] Classical historians have been confused by these chapters, seeing little interest in events so far from the centre of power. See Frank R.D. Goodyear, *The Annals of Tacitus* Vol. 1 (Cambridge: Cambridge University Press, 1972), 194-95. Mary Frances Williams, "Four mutinies: Tacitus *Annals* 1.16-30; 1.31-49 and Ammianus Marcellinus *Res Gestae* 20.4.9-20.5.7; 24.3.1-8," *Phoenix* 51 (1997), 44-74 (https://doi.org/10.2307/1192585), relates the events to the moral qualities and political skills of the generals, and cites precursors in that line of approach. Ellen O'Gorman, *Irony and Misreading in the* Annals *of Tacitus* (Cambridge: Cambridge University Press, 2000), 23-45 (https://doi.org/10.1017/CBO9780511482335), shows how this episode is marked by a loss of signs and distinctions, which, she argues, operates as a metaphor for the care required in reading history, and a test case for what is real. Victoria E. Pagán, "The Pannonian Revolt in the *Annals* of Tacitus," in Carl Deroux (ed.), *Studies in Latin Literature and Roman History XII* (Bruxelles: Éditions Latomus, 2005), 414-22, sees the mutiny as an opportunity for Tacitus to think about political leadership. The soldiers are seen as an anarchic force.

[42] A.J. Woodman, "Mutiny and Madness: Tacitus, *Annals* 1. 16-49" *Arethusa* 39 (2006), 303-29 (https://doi.org/10.1353/are.2006.0019), points to the pervasive references to madness within the episode. The madness, it seems to me, is likely related to a failure to understand the world as it is.

of the text. Percennius' "insubordinate tongue" voices truth, displaying the *contumacia* and *licentia* of *parresia* seen in the *Agricola.* The soldiers then broke ranks and mutinied. They brought the eagles, the symbols of the legions, into one place in the camp and constructed a high tribunal where they could hold meetings (*Annales*, 1.17).

The mutinies have become a crux in analyses of ancient voicings of the non-elite. For Auerbach, the revolutionary nature of Percennius' speech is contained by a Tacitean rhetoric that robs Percennius of his own voice, and a hostile framing of the episode that prejudices the reader. The speech is trapped within the limitations of social convention.[43] For Rancière, there is a secondary movement in which Tacitean language grants Percennius a place in history previously denied to the lower orders. Percennius' role functions as a "model of subversive eloquence" that allows a revolutionary appropriation of Tacitean rhetoric.[44] Rancière locates these events in a "nonplace" of political possibility, which seemingly arises through the suspension of time in the *iustitium*, and Agamben also locates the political disturbance in the *iustitium* – the moment of suspension of the law.[45]

Yet, this is a complex suspension. Agamben's *iustitium* is a moment not of the absence of power, but of the extremity of power. It is called into being by the sovereign to mark a transfer of sovereignty: it is an extreme act of law in suspending law. If the *iustitium* generated a nonplace external to the rules and regularities of Imperial space, the soldiers immediately fill that nonplace with older regularities of democratic citizenship. The Roman camp is a hyper-ordered space of Romanity which is transformed from a place of Imperial discipline to one of democracy. The legionaries construct a place of assembly and speak as if in a political meeting, thereby asserting their citizenship against Imperial slavery. The soldiers are not so much in a nontime or nonplace devoid of power and open to possibility, as caught in a nostalgic recreation that is a misinterpretation of their own time and place.

Unsurprisingly and consequently, the mutiny failed. The Percennius speech is paralleled by a later speech of another common legionary, Vibulenus (1.22-23), who complained at the murder of his brother. Where Percennius was calm, rational, and truthful, the latter oration is animated by rhetorical and dramatic gestures, is highly emotional, and completely false. But the democratic soldiers were deceived: they assessed the speech against the known brutality of the regime (their *habitus*) and the plausibility of the rhetorical performance. Violence followed and the camp

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[43] Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, translated by Willard Trask (Princeton, NJ: Princeton University Press, 1953), 36-38.

[44] Jacques Rancière, *The Names of History: On the Poetics of Knowledge*, translated by Hassan Melehy (Minneapolis: University of Minnesota Press, 2012), 24-38; especially p.29-30.

[45] Giorgio Agamben, *State of Exception* (Chicago: University of Chicago Press, 2005), 41-70 (https://doi.org/10.1215/9780822386735-013).

moved to the brink of civil war until order was restored by the timely intervention of the emperor's son (1.23-30). Within a few short days, Tacitus puts the Danubian legions through the narrative arc of Rome's Republic, from democratic formation to Imperial conclusion.

In the restoration of Imperial order, it becomes obvious that Percennius is not at fault because he speaks untruth, but because he speaks. The centurions ask their men:

> How long will you besiege the son of the emperor? How does this contest end? Will we take the oath to Percennius and Vibulenus? Are Percennius and Vibulenus to provide the military pay and the promised lands? Are they, then, instead of the Nerones and Drusi to lay hold of the Empire of the Romans?[46]

Faced with such political truths, Percennius and Vibulenus are murdered. The speaker of truth and the speaker of non-truth are paired in death; their commonality depends on their shared social status to which the truth of their words has no relevance. They do not escape the regime of Roman Imperial space and time. Sovereign power is never, in the last analysis, suspended. In this narrative, nonplace is an impossibility. The excess of words, the words of history which cannot, according to Rancière, be delimited by the social and political authorities, and which are the very essence of the political since they cannot be contained by the *habitus* (in his radical definition), are a delusion.[47] The truth value of Percennius' speech and the space of democracy is subsumed by Imperial power.

The Tacitean critique opens up a particular understanding of the networking of knowledge and power. The author of *parresia* is crucial. It is not that unsuitable people cannot recognize or speak truth, but that the act of speaking is potentially more important than the truth value of what is spoken. The result of Percennius speaking is a democratic resurgence, a breakdown of societal order, and the re-emergence of civil strife. Tacitus understood that the speech act is performative and that performance lays claim to social power. Consequently, Percennius' speaking was a revolutionary threat. For Foucault the philosopher, what matters is speaking truth; for Tacitus the historian, speaking truth matters because of its consequences.

Foucault famously drew a distinction between the author and the author-function in "What is an Author?" and in *The Archaeology of Knowledge* claimed to write so as to be without a face.[48] He dis-

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[46] Tacitus, *Annales*, 1.28.

[47] Jacques Rancière, "Ten Theses on Politics," in Jacques Rancière, *Dissensus: On Politics and* Aesthetics, edited and translated by Steven Corcoran (London, New Delhi, New York, Sydney: Bloomsbury, 2015), 35-52, notably theses 7 and 8.

[48] Michel Foucault, "What is an Author?," in Michel Foucault, *Aesthetics, Method and Epistemology: Essential Works of Foucault, 1954-1984*, edited by James Faubion (New York: The New Press, 1998), II: 205-222; Michel Foucault,

avowed the biographical approach and his tracing of discourses concentrated on what was said rather than who spoke. By denying the author a face, we risk blindness to the power relations that determine the author's right to speak. The distortion this produces is enhanced in his Classical work since the speakers come from such a restricted social group. The focus on the desiring subject and the disciplines thereof leave the desired object in silence. The boys, the girls, the women, and the slaves have no voice in Foucault.[49] Pliny's wife Cornelia may be celebrated by her uxorious husband, but her desires are not heard other than through Pliny's representation of them.[50] It is not that Calpurnia would necessarily have spoken differently, but her silence is in itself a sign of her social disability. Similarly, the focus of Pliny's homoerotic poetry, his freedman Tiro, is also silent.[51] The desired objects' silence performs a hierarchy in a structurally identical fashion to that of soldiers.

The act of speaking is a political and social performance. In antiquity, civic republicanism depended on silencing many inhabitants of the *polis*: women, slaves, foreigners, barbarians, and the lower classes are normatively excluded from political and literary discourses. Any attempt to speak requires the concession to the speaker of the right to speak. In granting the right to speak, the Prince acknowledges and affirms the status of the speaker. The speech act performs that concessionary right and thus affirms the political structures that grant that right to speak. Consequently, Prince and speaker are implicated since the concession to speak renders the speaker dependent on the Prince even as truth is spoken to power. *Parresia* is thus subordinate to social location. The speaker "from the outside" will not be heard; the speaker who is heard is the one to whom the Prince has conceded the right to speak and who is by that concession brought to the inside, even if the rhetoric is oppositional.

There is no obvious escape from this bind. Seneca's discussions of withdrawal suggest that the levels of engagement with the Prince should make no difference to the practices of the philosopher: removal from politics allows the practice of *parresia* through literature.[52] Tacitus' *Dialogus* centres on the dangers of literary activity even when withdrawn from political office and the conventional arenas of *parresia*. The key issue animating the dialogue is when and if it is possible to speak truth to power and the dramatic circumstance is a furore caused by Curiatus Maternus'

The Archaeology of Knowledge, translated by A.M. Sheridan Smith (Abingdon: Routledge, 1972), 18-19. See also the discussion in James Miller, *The Passion of Michel Foucault* (Harper Collins: London, 1993), 161-63.

[49] See Amy Richlin, "Zeus and Metis: Foucault, Feminism, Classics," *Helios* 18:2 (1991), 160-80, and "Foucault's History of Sexuality: A Useful Theory for Women?" in David H. J. Larmour, Paul Allen Miller, and Charles Platter (eds.) *Rethinking Sexuality: Foucault and Classical Antiquity* (Princeton: Princeton University Press, 1997), 138-70.

[50] Pliny, *Epistles*, 7.5; Michel Foucault, *The Care of the Self: The History of Sexuality 3*, 78-79.

[51] Pliny, *Epistles*, 7.4.

[52] For example, Seneca, *Epistles*, 8; 9; 55; 68; *de Tranquillitate Animi.*

reading of his *Cato*, which was taken as political commentary. But it is obvious in both instances that the externality generated by withdrawal from the political centre is an illusion. Imperial power threatened to silence Seneca as it threatened Maternus. Indeed, it was that threat that encouraged Maternus' friends to visit him and warn him of the danger he faced. It is true that the withdrawal of the concessionary right to speak came at a political cost to the Prince, but it was also a demonstration of Imperial power. One could understand Seneca's death as a performance of the claim that in the last instance the true philosopher was free, but it was also a silencing of opposition that showed that *parresia* and perhaps liberty itself was dependent on the Prince.

There was thus a double dependence in elite exteriority: their position of privilege within the social hierarchy rendered them politically and socially dependent on the very order from which they sought distance intellectually and philosophically. Secondly, the right to speak was concessionary. This concession also operates in two ways. Most obviously, the Prince could silence those whom he would not have speak. Equally, consciousness of the concessionary nature of the right to speak and its dependence on the privilege guaranteed by the Prince inflected the discourses of power.

This last point can be illustrated in Tacitus' account of the so-called accession debate in which the senators supposedly discussed with Tiberius whether he should assume the position of Augustus.[53] Tacitus depicts this debate as a confusion of dissimulations in which Tiberius refused to acknowledge his desires while the senators' "single fear was to be seen to understand (the truth)."[54] But it is clear that the debate is a performance in which the emperor seeks the performed acquiescence of the senators. What was said in the debate did not matter. Indeed, what could be said in the debate was limited. What mattered was the performance of debate. The senators' fear was *parresia*, a truth that dare not speak its name but which all understood.[55] The consequence of speaking truth was likely to be dire, certainly for the speaker, but possibly also for the political system that was in performance at the moment. In the Imperial regime, truth may be realized, but required the Prince to allow it to be spoken and to guarantee the political conditions that enabled speaking truth. It is this *arcanum imperii* (secret of empire) that Percennius failed to understand.

One might argue that the care of the self prevents such dependencies affecting thought and its expression, but that is naïve. Communication always exists within structures of domination (which is what we learn from Foucault's panopticon) and is necessarily inflected by that context,

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[53] *Annales*, 1.11-13.

[54] *Annales*, 1.11.

[55] See Shadi Bartsch, *Actors in the Audience: Theatricality and Doublespeak from Nero to Hadrian* (Cambridge, Mass., London: Harvard University Press, 1994), especially p. 101-15 for the application of doublespeak to Tacitean rhetoric.

unless we imagine an ideal society which is not shaped by the structuring of power. In the real world, the act of speaking requires an acknowledgement of the power of the Prince and a realization of the privileged position of speaker. Externality was always vulnerable to imperial power and dependent on that power. It was always fragile to the point of being illusory. Externality has always to be negotiated. In Tacitus' world, if *parresia* were truly exercised, the results were destructive: the located nature of the speech act was inescapable. Embedded within a social system and dependent upon it, the freedoms of the very narrow elite were at best limited to their thoughts Those who attempted to traverse those limits through an excess of words faced the reality that the words remained words without effect on the realities of political power other than potentially provoking that power into suppression, and were thus a model not of subversive eloquence, but fatal prolixity.

Foucault against Tacitus: The Reformation of Discourses

In conclusion, I ought to complete the Foucauldian move. Foucault's antiquity honored historical difference, but offered analogies in philosophical and social processes with modernity. The Tacitean critique undermines Foucault's reading of Roman antiquity. Foucault's failure to consider the concessionary nature of the right to speak and the social location of the author has consequences for his reception of the Classical. The Classical has repeatedly operated as a means of separation from modernity, as with revolutionary republicanism, Goethean Classicism, the heightened aestheticisms of Pater and Wilde, and Foucault's own recapturing of Greek sexuality. But as with the *askesis* of the Roman philosophers, this is usually an elite tactic and dependent upon the status of elite individuals within the socio-cultural system. Classicism was repeatedly enfolded into the political order of modernity, and was used to resist change more often than to challenge order. Any externality generated by the Classical is often merely tactical. It is used to establish seemingly transcendent social authority. Rarely has the Classical been employed by those most excluded from the benefits of modernity. Classicism risks (at the very least) producing an ethical separation not so as to critique the regime through the exercise of *parresia*, but to maintain a privileged individual virtue in separation from the injustices of the political system: art for art's sake rather than art for the social good.

Writing a history of sexuality in the late 1970s and early 1980s, it was possible to imagine that this dynamic of separation through the Classical and subsequent reintegration of the Classical into social and intellectual norms might not repeat: externality might be possible and might lead to radical renewal. The break-up of the old left and the progressive disintegration of ideologies opened new foci of political activity and the possibility of identities external to established forms. The shift in US gay identity from sub-group to counter culture must have been particularly striking, and the further development of civil rights movements, ethnic politics, and feminism can be

seen as shattering the class identities and social values that had emerged with modernity.[56] In retrospect, this can be seen as concomitant with the dissolution of heavy industries, the fragmentation of class experience, and the developments of late capitalism. The story of gay political consciousness has moved from queer theory's disruptive potential to gay marriage and the gay community has been enfolded within the societal norms of much of Western society; a transformation which for anyone of a certain age is as remarkable as it is welcome. With the benefit of hindsight, however, the new rules of late capitalism can look very like the old rules of modernity, and sociologists such as Manuel Castell can offer an unconventional Marxist analysis of the history of gay San Francisco in which it is not shifts in discourse, but the growing economic power of the gay community that mattered.[57] The dissolution of old imperialisms and racial, class, and sexual identities have been followed by the emergence of new forms of ethnicity, imperialism, and class identity, as well as new structures of domination. The knowledge and power systems of modernity were far too pervasive to break apart; they shimmered and came into being in a modified form. The dynamic of externality generating *parresia* and the intellectuals (broadly defined) speaking truth so as to generate political change seems more unrealistic than in the 1980s. The dependence of the speaker on Princely power (acting through institutionalised politics or media) to provide the material conditions, status and concessionary right to speak seems more obvious. The structures of power seem more Tacitean in their completeness and dominance, and anchored to a sovereign power of late capitalism, which might be very diffuse, but would seem to have demolished all viable alternatives

Nevertheless, the shimmering forms of modernity offer a fundamentally different political dynamic. The processes of discourse formation, separation and enfolding, and of repeated multiple receptions, complicate historical development. Tacitus disregarded the disruptive potential of the repeated receptions of Republicanism (such as that of Percennius), or of Greek philosophical and political thought in the face of overwhelming Imperial power. Consequently, the reformulations of Roman social values that took place in the transformation into late antiquity and over centuries of Imperial history were unimaginable for Tacitus. Tacitus has no model for historical change, but Foucault does. Deleuze argued that Foucault's method creates broad divergences of history in which epistemological links arise and break down. The epistemological genealogies that are traced (some of which are short) establish a multiplicity of histories of strands of ideas that are constantly in flux.[58] Deleuze and Guattari emphasized this fluidity in their rhizomes in *A Thou-*

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[56] See David M. Halperin, *Saint Foucault: Towards a Gay Hagiography* (New York, Oxford: Oxford University Press, 1995) capturing the historical moment.

[57] Manuel Castells, *The City and the Grassroots: A Cross-cultural Theory of Urban Social Movements* (London: Arnold, 1983); Manuel Castells, "City and Culture: The San Francisco Experience," in Manuel Castells, *The Castells Reader on Cities and Social Theory*, edited by Ida Susser (Malden, MA: Wiley-Blackwell, 2001), 130-231.

[58] Gilles Deleuze, *Foucault*, translated and edited by Seán Hand (London, New York, Delhi, Sydney: Bloomsbury 2006), 19.

sand Plateaus.[59] These fluid forms are beyond the control of sovereign power, and depend more on economic transformations than the Prince's judgements. The advances made by gay rights movements in many Western countries, for instance, have depended less on sovereign power than on localized community formation and economic power. A similar argument can be made for Civil Rights movements with the political authorities running behind sociological shifts that saw the entry of Black and Asian communities into bourgeois society and the acquisition of social and economic power by such groups. Modernity's ontological uncertainty, its diffusion of Prince-ly power, and the multiplicity of the modern crowd entail the fragmentation and lability of the discursive regime. Consequently, the modern *habitus* is far less determined than anything experienced in antiquity.[60] Tacitus the ancient historian may have a better model of power in an imperial regime, but Foucault the modern philosopher explains better the processes of historical change.

Richard Alston
Professor of Roman History
Royal Halloway, University of London
Egham
TW20 0EX
R.Alston@rhul.ac.uk

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[59] Gilles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* (London: Athlone, 1988).
[60] Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (London: Hamish Hamilton, 2005), suggest that the mass movement of knowledge and people are the truly revolutionary force.