From Power to Biopower

Paul-Antoine Miquel

From Power to Biopower

Paul-Antoine Miquel
Maître de Conférences HDR à l'Université de Nice.
Laboratoire CEPERC, UMR CNRS, 6059, Université de Provence.

Abstract :

The concept of « power » plays an important role in Michel Foucault's critic of the classical model of sovereignty. This paper shows how "power" is related to "normalisation" in *Surveiller et punir* and in *La volonté de savoir.* Power is not only the way by which somebody acts on the action of somebody, but also a systemic property emerging in a social network. It emerges as a collective strategy, without any strategist, and without any subject. One could call this a "constructive" property.
However, "biopower" is not simply "power". It is an "extension" of it. In *La volonté de Savoir*, Foucault tries to understand how biopower will organise a human social network, in which biological constraints are "reflected" by political ones. Human species is not simply the expression of a natural kind, but also the result of a social and of a political construction. This paper analyses this important change in Foucault's philosophy of power.

Keywords :

Power ; Biopower ; Normalisation ; Relation ; Ecology.

Introduction

The question of power in Foucault's work will be asked by us between 1975 and 1976. In this period, Foucault examines general punishment and sexuality "systems" as social and technological devices: the so called "Dispositif" (Foucault, 1976, Ch. IV). "Dispositifs" are not "Disciplines". Disciplines are fitted to individuals. They are tactical tools. A "Dispositif" is a strategic social and technical device. It concerns the organisation of a human society at a certain period of its history.

It expresses a big evolution in Foucault's vocabulary, since a "Dispositif" is also not a simple "Episteme" (Foucault, 1966). An "Episteme" is a truth regulation system ("Un régime de vérité"), like the one in which the human being becomes to be analysed and studied through various and differentiated human and social sciences. In such a system, what is true and false is constructed by it. It doesn't mean that truth is only a name; it better reveals that truth is nothing but an event constructed by the system of truth. That is the first level of nominalism: truth is nothing but a constructive discursive property present in a discursive system. Yet there is now a second one: the truth regulation system is also an event in a more complex social, historical and political system of norms, a "Dispositif" characterized as such through the so-called "relation of power".

We will insist on two points in this essay. Firstly, we will show that "Power" is nothing for Foucault but a "relational" and systemic "strategic situation" (1976, p 123). And we will show that such a description of the relation of power is in continuity with a certain French tradition, coming from Gilbert Simondon, Georges Canguilhem, and in dialog with the French Marxist philosopher Louis Althusser that published "Lire le capital" in 1965. Like Canguilhem insists on "normativity" and Simondon on "individuation", Foucault will insist on "normalisation".

Yet "normalisation" is not a simple repressive regulation, like in the judiciary system. A norm is not a law, and prison is not simply a punishment. Normalisation deals with "information" and "control": "Notre société n'est pas celle du spectacle, mais de la surveillance » (Foucault, 1975, p 219).

In a « Dispositif » there is a specific systemic tool: "a transformation matrix" (1976, p 131) through which Power switches into Knowledge and Knowledge also switches into Power. Such a device doesn't exist in physics and in biology. It expresses a specificity of human societies. It explains why the relation of power cannot be reduced to economic exchanges, or to communication.

Secondly, normalisation is the result of a first strategy. It is an answer to this first question: how to build a complex structure with living human machines, or how to put human souls and autonomy in a complex structure? It can also be considered in a way as an economic question: how to produce a new human capital that will work better in the future. Yet, a new transformation matrix operates in *La Volonté de Savoir*. It switches Power into Biopower. What is controlled here, is not only our individual body ("l'âme prison du corps"), or the human society understood as a "population"[1]. It is nothing but "natural life" or "biological traits". Through, demography, insurances, but also medicine, the strategy is now to make a better human species, and not only a better society. In this new normalisation process, "biology is reflected in politics" (1976, p 187). In Foucault's perspective, the sexual technological and social device is at the centre of this new strategy, which is a strategy without any strategist, like in every normalisation process. This strategy involves what he calls "le droit de faire vivre". It means that this new form of sovereignty acts as a control device on the birth of future generations, on the existence of humanity as a natural kind, and not only as a social entity.

It is of no doubt that the "microphysical" analysis of the contemporary human society, as a society of information and control, is permitted by a big historical change coming form the Modern period in Occident. The political sovereignty is a democratic one, with a state of law and democratic institutions. It is not an absolute Monarchy anymore. Foucault never argues that the relation of power vanishes at this macrolevel. He just tries to understand, why we are not only equals in front of the law, but also unequal in front of various "microrelations" of power, like the relation between parent's and children, or between the physician and the patient. Microphysics of social forces doesn't erase macrophysics of Power. And the political sovereignty understood as a relation of representation works in the occidental society. Yet the efficiency of the power is not at this level, for Foucault. It is at the level of a strategy without any strategist. Finally, we will ask a simple question: would it be also the case with biopower. Can we accept the idea that the relation with future generations can only be a relation of information and control? We will show finally that it is not the case today. And we will take two examples: the qualification of reproductive cloning as a crime against human species in the last revisions of the French laws of Bioethics (2004), and the version of the Precautionary Principle now integrated in the French Constitution.

---

[1] The population itself is not a fact or an object. Is is a subject/object: " ce sujet/objet nouveau qu'est la population" (Foucault, 2004b, p78).

1- A genealogy of power

One possible description of the relation of power is the Sovereignty's pattern. Through it, the relation between sovereign and subjects is understood as a "representative" one. And, as a juridical system of laws, the State is also constructed on the relation "interdiction-punishment". Foucault will not deny this point. Let's take briefly in consideration three different models of sovereignty: the Leviathan (Hobbes), the "*Contrat Social*" (Rousseau), and Democracy based on Popular Sovereignty (Tocqueville).

The first one emphasizes *the reciprocity between rights and obligations*, as a result of a contract through which humanity overcomes the so-called state of war. "Natural rights" lead to the activation of a "will of power", just in order to secure our own liberty. And this will of power leads to a perpetual war between human beings. It is opposed to a fundamental "law of Nature" (Hobbes, 2009, Ch 14), which requires for men "to seek peace and follow it". Thus, the state of Nature is unstable, and we have to face our own obligations, through an artificial convention, by which we abandon our natural rights, to our Sovereign or "Leviathan", by means of mutual conventions between each of us.

The second one insists on the concept of "General Will" ("*Volonté générale*"). It is based on the idea that *the Sovereign must also be its own Subject*: "chacun de nous met en commun sa personne et toute sa puissance sous la suprême direction de la volonté générale ; et *nous recevons en corps chaque membre comme partie indivisible du tout*" (Rousseau, *Contrat Social*, L1, Ch 6, 1992). « General Will" is nothing but the concept of "Republic"; it means that legislative power **must** only belong to people. However, even in a direct democracy, people are human beings with various and opposed intentions and interests. They are not a single will. General Will is an abstract concept that **cannot work.**

Considering the third one, Democracy is "the popular sovereignty" governed by "representatives", and not by itself. Such a concept can be applied and it erects citizens as juridical and political "subjects", *since the representatives are elected by "universal suffrage"*. Democracy is not simply defined by a certain norm of justice; it is better characterised by the relation between this norm of justice and a procedural condition: the universal suffrage. Yet, for Foucault, such a relation creates a gap between the representatives and the people that is expressed by the separation between the State and the Society. It defines what Foucault would call a "macropower". It works, but just at a certain level and with a certain meaning.

Through this equality between rights and obligations, and between citizens and representatives, what is going on concerning the judiciary system? The judiciary system attests that we are all subjects of law, and with the same rights, and it is based on an external and repressive relation between interdiction and punishment, that excludes a part of the society. Thus it can hardly be an immanent one. What we must understand is not the "sovereignty", but the so-called "*assujettissement*":

"Le corps ne devient force utile que s'il est à la fois corps productif et corps assujetti. Cet **assujettissement** n'est pas obtenu par les seuls instruments soit de la violence soit de l'idéologie ; il peut très bien être direct, physique, jouer de la force contre la force, porter sur des éléments matériels, et pourtant ne pas être violent ; il peut être calculé, organisé, techniquement réfléchi, il peut être subtil, ne faire usage ni des armes ni de la terreur, et pourtant rester de l'ordre physique » (Foucault, 1975, p 31).

Power is not "ideology". Foucault is not Marxist, even if partially inspired by some Althusser's ideas and developments. He refuses that "our social being" could determine "our consciousness", and that economic conditions (infrastructures; *"Basis"*) could finally only explain how the society is changing. He doesn't admit like Marx, that Moral, Religion and Metaphysics don't have any "historical development" [2].

Politics is not economy, and the relation of power, is not a simple relation of exchange. It can also not be reduced to the so called contradiction between "productive power (*Produktivkräfte)*" and "production relations" (*Produktionverhältnisse*). But the relation of power is also not a "structural" one, since Foucault refuses, like Althusser, to base it simply on the division between "synchrony" and "diachrony", coming from Saussure and developed in France by Levi-strauss, during the sixties. Such a separation would lead to the idea that there is something *like an atemporal theory of power* which can be isolated in the eternal present of an objective structure [3].

A relation of power is immanent to a social and technological device which is not a structure, but *"a system", or "a network".* A *"dispositif"* is not only a "network" it is also a social and historical "process" in which time is acting, and in which it is just impossible to define the present, as a complete simultaneity of events. There is a plurality of presents in each present that are paradoxically not contemporaneous, since the first one could be passed when the other occurs. A society is a space in which history has also geography, so that various presents exist at the same location, and are not homogeneous. Nobody can make the theory of such a device at one moment. The philosopher itself is thinking from inside what the "dispositif" could be, and not from outside. That is why philosophy is more "genealogy", than "theory":

"Dans cette activité qu'on peut dire généalogique, vous voyez qu'en fait il ne s'agit aucunement d'opposer à l'unité abstraite de la théorie la multiplicité des faits ; il ne s'agit aucunement de disqualifier le spéculatif pour lui opposer, dans la forme d'un scientisme quelconque, la rigueur de connaissances bien établies. Foucault, DE, p165»

We will examine now several aspects of this genealogy of power, as an immanent relation in a technical and social complex network of elements.

A- Extended Power

First of all, power is an *"extension"* of the external relation between the State and the society. In *Surveiller et punir*, "punishment" and "discipline" are "extensions" of justice, since the power of the Norm_ established and institutionalised by disciplinary devices_ is an "extension" of the power of the Law. It must be specified that when Foucault speaks of norm, it has nothing to do with an objective statistical regularity. It is nothing but an individual rule produced, discussed and accepted by any human agent.

This new power is also "coextensive" to the whole society (Foucault, 1975, p 84). Extension is not suppression, and this word doesn't have any dialectical meaning. In a way power is repression coming from the top, in another way discipline and punishment are

---

[2] « Die Moral, Religion, Metaphysik und sonstige Ideologie und die ihnen entsprechenden Bewusstseinsformen behalten hiermit nicht länger den Schein der Selbständigkeit. Sie haben keine Geschichte, sie haben keine Entwicklung, sondern die ihr materielle Produktion und ihrer materiellen Verkehr entwickelnden Menschen ändern mit dieser ihrer Wirklichkeit auch ihr Denken und die Produkte ihres Denkens. Nicht das Bewusstsein bestimmt das Leben, sondern das Leben bestimmt das Bewusstsein" (Karl Marx, 1972).

[3] See Hubert Dreyfus and Paul Rabinow, 1983.

"assujettissement" coming from the down, since they are accepted, discussed and modified by any human agents.

It should be noted first, that the concept of "generalised punishment" (1975, pp 87-122) is genealogically attested, in contrast with the monarchist expression of sovereignty symbolised as "the right to kill", through the execution of Damiens mentioned at the beginning of the book. Power is initially organised like a theatre in which Damiens performs negative role; it is just a symbolic and non effective form of power in which the King stays outside the society. With "generalised punishment", a new "semiotic" of power replaces the old one. What is maximised is not punishment; it is the adequate relation between punishment and damage and the individualisation of punishment that cannot be directly codified (Foucault emphasizes the concept of "recidivist"). It is also punishment's publicity and more generally "the representation" of punishment not only for the guilty, but also for all other people in the society. Effects are also signs understood by individuals that actively participate to the punishment process (Foucault, 1975, p 107).

Yet the real extension of the macropower into a network of social and physical micropowers is expressed by "disciplines" and symbolised by Foucault's interpretation of the Panopticon device invented by Jeremy Bentham (1785). It is symbolized, since this genealogy of power is also an interpretation and an evaluation, like in Nietzsche's perspective. In a way, the Panopticon is something like an ideal machine invented before the real existence of a prison system in occident (around 1840):

"Le dispositif panoptique n'est pas simplement une charnière, un échangeur entre un mécanisme de pouvoir et une fonction; c'est une manière de faire fonctionner des relations de pouvoir dans une fonction, et une fonction par ces relations de pouvoir » (1975, 208).

The Panopticon is not merely a punishment function; it works as a disciplinary device: what does matter is not the punishment, but the fact that the prisoner knows that he can be sawn and controlled without to know how and why. In a certain way, it is not necessary, that somebody could really be here. The centre of the power is anonymous. It is not the power of somebody. Thus, the prisoner is not simply punished; he knows that he is. He knows that he is known and sawn.

Yet in another way, an inspector can come here, visit the prison, making assessment work and considering that the physician, or the prison director must be replaced. It is the power itself, then, that can be assessed and judged by the society. Thus, in *a way the Panopticon is closed, but in another way it is simultaneously open, and it can also be judged by the whole society.* The dispositif producing values and assessments has also to be evaluated. It works as a will in which and for which all values have to be evaluated_ like the so-called Nietzsche's will of power_ but it works also as a simple machine.

At this level and by analogy, Foucault builds a new assumption: the structure of the Panopticon doesn't specify only a pattern of Prison, Panopticon can also be "extended" as a pattern for the whole society:

"Il s'agit aussi de montrer comment on peut "désenfermer" les disciplines et les faire fonctionner de façon diffuse, multiple, polyvalente dans le corps social tout entier" (Foucault, 1975, 210).

On one hand the punishment power is closed. It comes from the top. But on the other one, it is open, and it comes from the disciplinary micropowers. Universities, Schools, Hospitals,

Prisons, Caserns, are technical and institutional disciplinary devices disseminated into the society. But such micropowers are everywhere. Police is a very good example. Police is regulated by the State, but also by the people (Foucault, 1975, p 250). Discipline works as an immanent power present in architectural devices: not only prisons, but also asylums, caserns or schools. It works as various techniques of control and management that will "compare" "ordinate" and "make differentiations" in the people, and sometimes also "exclude" or "punish". At school, in the army, activities are codified, exercises are required. Individual and social bodies are shaped in various specific and complex chrono-topological structures that we will try to better understand.

B- The strategy is constructed by the machinery of power.

From where, comes such an impersonal strategy? First of all, the relation of power is not a property; it is a "game" that can just be described as an articulation between various "tactics" and a strategic plane of immanence:

"L'étude de cette microphysique suppose que le pouvoir qui s'y exerce ne soit pas conçu comme une propriété, mais comme une stratégie" (Foucault, 1975, p 31).

The relation of power cannot be reduced to any propositional function $f(x)$ or $f(x,y)$, since the relation is immanent to the *relata*. Like Gilbert Simondon said, "the relation doesn't have any being". "It get's a value of being" when it works[4]. "Power" is nothing as an essence, or a substance. It starts to be, when it acts, and more precisely when "someone is acting on the action of another one":

"Une relation de violence agit sur un corps, sur des choses: elle force, elle plie, elle brise, elle détruit: elle referme toutes les possibilités; elle n'a donc auprès d'elle d'autre pôle que celui de la passivité ; et si elle rencontre une résistance, elle n'a d'autre choix que d'entreprendre de la réduire.
Une relation de pouvoir, en revanche, s'articule sur deux éléments qui lui sont indispensables pour être justement une relation de pouvoir : « que « l'autre » (celui sur lequel elle s'exerce) soit bien reconnu comme sujet d'action ; et que s'ouvre devant la relation de pouvoir, tout un champ de réponses, réactions, effets, inventions possibles »[5].

Power is not force or violence. It means "assujettissement", since it triggers also a "subjectivation" process. Through such a relation, power is not an abstract law, but a norm lived and accepted by people, since it is made and performed by people. As a first effect of power, the norm is singularised, individualised, by any human being.

It means of course, that coming up from the inter-individual level to the level of the dispositif itself, we must admit that men are not only determined by the relation of power. They are conditioned by it because they condition it[6]. Micropowers are coming from down and not from the top. It means that they are coming from men. They are constructed by individuals. Finally, *there is not a single basis and a single top:*

---

[4] Simondon, 1964.
[5] Michel Foucault, *Dits et Ecrits,* II, Paris, Gallimard (2001) : 1055.
[6] « Que les relations de pouvoir sont intriquées dans d'autres types de relations (de production, d'alliance, de famille, de sexualité) où elles jouent à la fois un rôle de conditionnant et de conditionné » (Foucault, 2001, 425).

"D'accord, mais ce que j'ai voulu dire, c'est que pour qu'il y ait mouvement du haut en bas, il faut qu'il y ait eu en même temps une capillarité de bas en haut » (Foucault, 2001, 304).

In a way individuals are the basis, and the "dispositif" the top. It is well expressed by the Panopticon design.

Thus, on one hand, individuals are controlled by the device. Yet on the other one, the device itself is controlled by the society, and the relation of power is open! The structure of power itself is represented, analysed and evaluated by the society, like a will that exist without any subject. ***This will evaluates all value, just because it is evaluated by people at the same time***! Individual are not the mere effects of the relation of power, through the normalisation process. They are also causes in a specific form of reciprocal causation that has nothing to do with classical physics, but that have connexions with Simondon's analyse (1964) of phase transitions in physics, or Canguilhem's analyse of "normativity" in biology (1943).

Let's insist on this very point. One could say that, even if we are our own judge at the first person, we are simultaneously determined at the third one. At our subjective level we seem to be free, but at a higher level we would be described, as "assujettis" by the normalisation structure. In this case normalisation process would be acted and "lived" by our subjective consciousness and it could also be described and "naturalized" as a generic and objective property of a social network.

Such an assumption would work if we would accept that the level of consciousness and the level of the objective network can be easily decoupled. But it is not the case! There is no objective and atemporal structure of power independent of us, like in the structuralist analyse[7]. And yet, at the same time, the power is not the strategy of any subjective entity. That's the paradox.

We will try to find some elements in order to solve it. Power is not a "disposition", or a "faculty". It is surely an immanent relation expressed in the social corpus (Foucault, 1975, p 31), but individuals produce this network of micropowers. There is no central point, no unique source of sovereignty. It doesn't mean that the power can be reduced to interpersonal relations between individuals.

There is a goal, an aim, or a strategy, since something is "maximised". In *Surveiller et punir,* it is called "utility" (Foucault,1975, p 223). However, this concept doesn't have anything to do with the "utility value" in classical economy. Utility here means "normalisation". Our societies are more and more normalised: that's the aim of the big strategy, of the big will. ***Yet this immanent will is also an effect produced in the network. That is why it is not coming from the top.***

On one hand it is an immanent cause, but on the other one, it is an "event" emerging in a history, and not a substance or an essential reality. Strategic properties are just effects of the "*dispositif disciplinaire*", as a self-organised structure. They are not coming first. They emerge from the internal relation between the shape of the relation of power and its functioning. The structural shape of the relation of power is not atemporal. It is defined by its potential changes coming from history. The structural shape is also a changing one, and strategy has only a meaning in a genealogical way of thinking. There is no original strategy. There is no will of power differentiating values and forces that would not be also a differentiated event having a sense, but no essence. The principle is also an event: this conception of immanence is common to Deleuze and Foucault. The metaphysical cause is nothing but a natural and a social effect, constructed in a chrono-topological structure. That is why the power is not coming from the top, and also not coming from the down, since there is

---

[7] Stephane Legrand uses the concept of « surdétermination » to explain this (2007, p 21): "il faut observer un jeu mobile où chaque côté est simultanément déterminé et déterminant par rapport à l'autre".

no structural hierarchy able to define a priori what the relation of power is. There is no transcendental principle, no "condition de possibilité du pouvoir" (Foucault, 1976, p 122). Power is "middle out". He comes from everywhere but he is nowhere:

"Omniprésence du pouvoir: non point parce qu'il aurait le privilège de tout regrouper sous son invincible unité, mais parce qu'il se produit à chaque instant, en tout point, ou plutôt dans toute relation d'un point à un autre. Le pouvoir est partout ; ce n'est pas qu'il englobe tout, c'est qu'il vient de partout » (Foucault, 1976, p 122).

And yet the paradox is not completely solved, because the hierarchy between micro and macro level is not completely erased by Foucault. We will come back to this important point later. At the same time he writes in the same book and fast at the same page, that the relation between dominant and dominated is not a real "matrix of power".
On one hand, the impersonal network of micropowers comes from everywhere. It is also an immanent cause and an effect of its working. But on the other hand, the relation between the macropower and the micropower is like a relation between a real, and an illusory shape of power[8], or between a real level of efficiency, and another level that is nothing but an "an hegemonic effect of redistribution" (Foucault, 1976, p 124). Would macropower distributions be simple epiphenomena, or real differential shapes and values? Shall we characterize for instance the repressive macropower and the model of representative sovereignty as a certain kind of "mereological supervenience"?

C- The transformation matrix

Let's come back now to the most important point. What would be the difference between punishment and discipline, or between the law and the norm?
Normalisation needs subjectivation. It is instituted by a subject. In this way of thinking, it seems to be similar to the Canguilhem's concept of "normativity", which doesn't have any objective value, since is also firstly instituted by somebody (Canguilhem, 1966, p 77), and finally by "life" itself (Canguilhem, 1966, pp 78-79). However, life is also polarity. It prefers health to decease. It produces a difference between positive and negative values, and thus it eliminates. Complexity or life comes from the fact that it is also a process that will overcomes the initial difference between health and decease, since health needs decease and pathology for structural and not for conjuncture reasons. There is no health without illness.
However, in normalisation, there is simultaneously a subjectivication and an objectivation process. On one hand the power selects. But normalisation is not repression. It doesn't exclude a class of human beings. It assumes on the contrary, that a class of citizen is excluded by the law and by the repressive macro mechanism of power; and nevertheless it integrates it in the society. ***Normalisation is information and control.*** It is a discrepant extension of repression, since repression excludes what normalisation integrates. Thus, for instance, generalised punishment is paradoxically not a mere punishment. It adds new rules to the juridical laws: a minimal quantity principle, the principle of sufficient idealisation, of lateral effects, of perfect certainty (Foucault, 1975, p 97), etc. It is the "representation of punishment", and not the punishment itself that is maximised through such rules (Foucault, 1975, p 97). And it works not only for the guilty, but for the whole society.
Normalisation appears through a new "transformation matrix" (Foucault, 1976, p 131): power generates knowledge, and knowledge will generate power. Through normalisation,

---

[8] See Legrand 2007, p 38.

subjectivation is instituted, but as a source of power. Subjectivation is also controlled, and in a way negated _ even if not suppressed_ by an objectivation process. It is shaped in the discipline and punishment machinery. We act on our own, and yet we are an element in a strategy of maximisation. We are the instrument of an objective will that is not ours. That is why human sciences come from the disciplines. They are produced by a general and social requirement inherent to the immanent network of micropowers. Through economy, medicine, psychology and psychiatry, we are shaped as subjects. That's the paradox: we are not shaped as objects, but as subjects. It means firstly that knowledge is discipline, technology, and not pure theory. It is not outside its field of investigation. It means also that knowledge is power. It shapes human being and human behaviour. It changes our individual and social bodies.

Finally there is no subjectivation without normalisation, and thus without information and control. Yet on the other hand, all disciplines are pure techniques, even as human sciences. They are not atemporal theories. There is no "invisible hand" in Foucault's universe. And what is maximised is normalisation, and not collective utility. We understand why now: ***objectivation is a result of a collective process and techniques, and not a substantial principle of rationality.*** There are just objectivation effects and no a complete objectivity. Objectivation and subjectivation are both incomplete dimensions of the relation of power connected through the transformation matrix.

That is why it is an immanent and not a transcendent one. Immanence means here: an "inside" that is also "outside", or a "determinant" that is paradoxically also "determined". Smith's invisible hand, or Laplace's Demon are nothing but metaphysical entities. They symbolize a Principle of Sufficient Reason. ***For Foucault, power needs a will, yet this will itself is an effect of the network, and not a metaphysical cause. The constructive relation between the initial description of such a network and its functioning can only define it***. It is what it acts. That is why it is obviously open and incomplete.

Power is not force and violence. Can we give one more precise proof of this? Foucault is not Canguilhem (1966) or Bergson (1959). He refuses to rend the relation of power "creative", or "normative"[9]. But the concept of normalisation has to very different meanings. The first one is just the idea that our individual or collective body is controlled and educated through disciplines.

Yet he also insists on the fact that power includes resistance to power, and thus contra powers. In this way of thinking, it is inherent to the normalisation process, that we get the ability to be opposed to it. That is why he concludes that "an open relation of power" produces "a field of answers, reactions, effects, or possible inventions" (2001, 1055). Invention is not creation, but it assumes the ability for the relation of power to overcome itself. It also assumes finally the ability that power would not be only a network of constraints, but also a system of norms that people would evaluate and criticize. We can react partially on this impersonal will, on this strategy without any strategist.

2- Biopower

In *La volonté de Savoir,* Foucault introduces the concept of "biopower" (1976; p184, p189). Yet, the first aim of the book is to understand the dispositif of Sexuality as « an extension » of the dispositif of Alliance (Foucault, 1976, p140). There are strong connexions between "sexuality" and "disciplines", yet this "dispositif" shows new important developments that we will emphasize.

---

[9] See on this point Guillaume Leblanc, 2004.

Foucault's analyse starts with the expression and analyse of a discrepancy between "*Scientia sexualis*" and "Confession" (*Aveu*). The "dispositif" of Alliance is focused on reproduction, on family, on a hierarchical vision of society based on the so-called "*Droit du sang*".

Yet, there is a new form of Will emerging through the Modern Period. And it starts with the question of Confession, since it introduces what Foucault calls "a regime of truth" into the dispositif of power. It is not only that the power is accepted, lived and internalized, by our body as "a prisoner" of our soul. The relation of power is rended "true" for us, as something that we can try to recognize. We take it as such. Something in the relation of power is not only turned on the power, but also on us[10]. It is not only in our body, but also in our consciousness. Such a relation has obviously an ethical meaning; it is not only the expression of a political control on our bodies.

However, *Scientia sexualis* is opposed to the relation of power, and it introduces new rules concerning knowledge of us as such. *Scientia sexualis* is an objectivation of "the will of knowledge", that is not only "a will of social control". This will is turned on knowledge, or more precisely on the knowledge of us. What is going on in such a reflective motion? Are we coming back to a philosophy of consciousness? Certainly not!

The will of knowledge is objected through various rules and disciplines. It concerns firstly "the nervous woman", or "the child sexuality", "specification of perverse people" and then "the control of births". What would be the great secret around sexuality? Would it be the sex itself? The sex stays here as a natural organ without any secret and any interest. The dispositif of sexuality produces a specific answer to the problem of the self, as we could have any knowledge of it. The problem is coming indeed from the fact that knowledge *is* the mystery, and not the solution.

On one hand, the "subjectivation" by the dispositif of sexuality "constitutes human being as subjects" (Foucault, 1976, p 81). ***Yet this reflexion on ourselves, this attempt to understand us better, this need of knowledge and of freedom, is not controlled by ourselves. It is completely constructed by the dispositif of sexuality.*** What is the great mystery around this? How can we better understand that the knowledge of ourselves is paradoxically not founded on ourselves? Does it be founded merely on a social and political "dispositif" of power? The answer is: no. ***In a way this reflexion is recreating us, as individuals and also as collective entity. A new form of sovereignty is at work in the dispositif of Sexuality: "le droit de faire vivre".***

"Le droit de faire vivre" is not merely a "normalisation" process. It is more. A new extension appears, that cannot be completely explained by the "*Umwertung*" of the representative macro sovereignty into a social and technical network of micropowers. Such a system works only at the level of individuals and of society. Of course; Foucault said often that such a micropower network was like a big "machine", and that he tried to make a microphysics of power. But the word "physics" was just strange and not useful, since the power had at the same time "a soul", even as a simple "physical soul". At this level nothing threatened the division between natural and social sciences or between the world of atoms and cells, and the world of human relationships. In *la Volonté de Savoir,* Foucault adds some new developments and precisions on the structure of power. It is coming from the top again, and again also from the down (Foucault, 1976, p 83). But what is the down here?

The down is nothing but biological constraints. Sexuality symbolizes an incredible trend to reflect our biological constraints into social and political norms. In a way sexuality is coming from sex, but in another way, it reflects sex, as a way for the humanity to control its own

---

[10] It is a new step of subjectivation that was not present in Surveiller et Punir (1975). See on this point Dreyfus and Rabinow: "enfin j'ai cherché à étudier la manière dont l'homme a appris à se connaître a appris à se reconnaître comme sujet « d'une sexualité » (1984, p 298).

biological traits individually and collectively. Thus sex is not only the base. Sex is socially, politically and also ethically constructed and controlled by the dispositif of sexuality. Biological constraints are not specifying only biological facts. Since we can act and react on it, they become also ethical and political norms. A new great classical distinction is threatened by this development. As the separation between State and society was attacked by the disciplinary dispositif, the separation between facts and values is discussed by the dispositif of sexuality. ***The sex is now a fact and also a value: that's the big secret which requires a new regime of truth in the contemporary society. It concerns us as individuals, but also as populations. What is going on, here? It's nothing but our place in Nature.***
It is not merely politics; it is ecology. And what is the difference? There is a new asymmetry in this relation of power. It concerns our relations with new generations, and not only the relation between individuals in the present. The old definition of power was: "acting on action of others". Yet this relation can purely be characterized as a topological one, since it is implicitly assumed that "other people" also exist.
Yet the new relation of power is characterized by a chrono-topological asymmetry, since it concerns the relation between the humanity and future generations. However, future generations don't exist today. They will just exist tomorrow. Such a relation requires obviously an extended form of social/natural physics, since it cannot be represented in a classical space, based on invariance and symmetry. We need to reshape the framework in which we understood firstly Nature, in order to explain it. One will speak "***as if***" the future generations were here, and here they are not. ***What they will be is reflected by us. It is not simply naturally determined.***

And here we are led to a last big ambiguity. We would ask a question to Foucault: since a biopower is a reflection of biology in politics and since it concerns the humanity as species, and not only as a collection of individuals. Through this new relation, would ***the future of humanity not be obviously the object of a representation, or of a reflection?***
What each of us is doing today, concerns the future of humanity as a collective entity tomorrow. We will argue that this problem cannot be treated only through social and technical procedures of control, since humanity is now shaped and also represented as a value into the relation of power. ***This new extension concerns the come back from the control procedures, to the representation relation.***
Foucault's position was not clear on this point. We remember, that in a way the micropower network was real, and the macro power sovereignty a symbol. Foucault draws up an inverted hierarchy between effective micropower and symbolic macropower. We argue that the question of biopower needs a new extension and a new inversion. ***We need to think the control procedure as reflected into a representative structure.*** If it would not be the case, we could be led to treat the future of humanity only as a technical biological problem, and not as a political question. And we have shown precisely, that since in the biopower relation biology is reflected by politics, humanity cannot be simply a fact; it is obviously also a value and a problem for humanity itself.
Thus we must conclude for a new good reason now, that control procedure are the top in a way, ***but they are also the base for a new representation structure in another way.*** That is why we don't need only a description of biopolitics in terms of "dispositif" or of Strategy without strategist. We need a democratic characterisation of the biopower by representative and citizens. And we need democratic representations reflected into procedures, juridical laws and administrative commissions. Our position is obviously not a come back to the old and abstract representation of power, since what we need is already partially constructed through and by the democratic contemporary societies! This new Domain was not really thought by Foucault, and it is open to us today. The precautionary principle is inserted in the French

constitution, and in European institutions. The obligation to respect the human body; and the preservation of the human genome were not only discussed as bioethical questions. They are now effectively introduced in the French "bio-law" (Fagot-Largeault/Miquel, 1995).

References:

Louis Althusser, Etienne Balibar, *Lire le Capital 1 et 2*, Paris, François Maspero, 1965.

Henri Bergson *Les Deux sources de la morale et de la religion*, Editions du centenaire, Paris, PUF, 1959.

Georges Canguilhem Essai sur quelques problèmes concernant le normal et le pathologique réédité sous le titre Le Normal et le Pathologique(1943), augmenté de Nouvelles Réflexions concernant le normal et le pathologique (1966), 9ᵉ réed. PUF/Quadrige, Paris.

Gilles Deleuze, *Foucault,* Paris, Ed. de Minuit, 1986.

Hubert Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, University of Chicago Press, 1982.

Hubert Dreyfus and Paul Rabinow, *Michel Foucault: Un parcours philosophique,* Paris, Gallimard, 1984.

Michel Foucault, *Les mots et les choses*, Paris, Gallimard, 1966.

Michel Foucault, *Surveiller et punir. Naissance de la prison*, Paris, Gallimard, 1975.

Michel Foucault, Histoire de la sexualité, vol. 1 : *La volonté de savoir*, Paris, Gallimard, 1976.

Michel Foucault*, Dits et écrits*, vol. 2 : *1976-1988*, Paris, Gallimard, coll. « Quarto », 2001.

Michel Foucault*,* 1978-1979 : *Naissance de la biopolitique*, Paris, Gallimard, 2004a.

Michel Foucault*, Sécurité, territoire, population*, Paris, Gallimard, 2004b.

Thomas Hobbes, *Leviathan,* Oxford Worlds, Classics, 2009.

Jaegwon Kim, Philosophy of mind, Westview Press, 1998.

Anne Fagot-Largeault and Paul-Antoine Miquel *Regional Developments in Bioethics*, Vol 4; Kluwer Academic Publishers; 183-210, 1995.

Guillaume Leblanc, *La pensée Foucault, Ellipses,* 2006.

Guillaume Leblanc, 'Le problème de la création : Canguilhem/Bergson', *Annales bergsoniennes 2*, 488-506, Paris, PUF, Epiméthée, 2004.

Stéphane Legrand, *Les Normes chez Foucault*, Paris, Presses Universitaires de France, coll. « Pratiques théoriques », 2007.

Karl Marx, *Die Deutsche Ideologie*, Erster Teil, Paris, Editions Sociales, 1972.

Jean-Jacques Rousseau, *Du contrat social,* Éditions Flammarion, Paris, 1992.

Gilbert Simondon, *L'individu et sa genèse physico-biologique,* PUF, Paris, 1964.

Alexis de Tocqueville, *De la démocratie en Amérique*, Paris, Flammarion, Folio, 1986.

Paul Veyne, *Michel Foucault. Sa pensée, sa personne*, Paris, Bibliothèque Idées, Albin Michel, 2008 (réimpr. 2008),