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**Michel Foucault and Judith Butler: Troubling Butler's
Appropriation of Foucault's Work**

by

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A thesis submitted in partial fulfilment of the requirements for the
degree of Doctor of Philosophy in Philosophy

University of Warwick, Department of Philosophy
July 2008

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Acknowledgements

I would like to thank Christine Battersby for the support she has given me with this thesis. Her generosity in giving her own time to see this project through to the end is very much appreciated.

Declaration

This thesis is my own work.

This thesis has not been submitted for a degree at another university,

Abstract

One of the main influences on Judith Butler's thinking has been the work of Michel Foucault. Although this relationship is often commented on, it is rarely discussed in any detail. My thesis makes a contribution in this area. It presents an analysis of Foucault's work with the aim of countering Butler's representation of his thinking. In the first part of the thesis, I show how Butler initially interprets Foucault's project through Nietzschean genealogy, psychoanalysis and Derridean discourse, and how she later develops this interpretation in line with the progress of her own project. In the main part of the thesis, I present an analysis of Foucault's thinking in the period from *The Archaeology of Knowledge* (1969) to *The History of Sexuality volume I* (1976). This analysis focuses on the aspect of his work which has most influenced Butler's thinking: namely the notion of a relationship between knowledge, discourse and power. The other issues in his work which Butler addresses—genealogy, the subject, the body, abnormality, and sexuality—are discussed within this framework. I show how, in the early 1970s, Foucault develops the notion of power-knowledge, and sets out a relationship between power-knowledge and discourse which is overlooked by Butler. I argue that Butler interprets Foucaultian power through the notions of repression and social norms, and ignores the concepts of technology and strategy which form a key part of Foucault's thinking. I show how, from *The Archaeology of Knowledge* on, Foucault develops a socio-historical ontology and a genealogy of the subject, both of which are at variance with Butler's interpretation of his thinking.

Note on the Translation of Key Terms in Foucault's Work

The term *dispositif* has been translated into English in different ways. In *Psychiatric Power* (2003), Graham Burchell uses the term “apparatus”; Alan Sheridan, in his translation of *Discipline and Punish* (1975) employs the term “mechanism”; and Robert Hurley in *The History of Sexuality Volume 1* (1976) uses the term “deployment”. Each of these translations conveys an aspect of the meaning of “*dispositif*” and also the way in which the term is employed in slightly different senses in each of these different works. Rather than employing one of these three translations, I have, in the main, retained the word “*dispositif*”. Occasionally, I have used “apparatus” in its place: Foucault sometimes uses the terms *appareil* (apparatus) and *dispositif* synonymously. Graham Burchell gives a useful account of both the problems involved in translating this term and the meanings which Foucault attaches to it (2003: xxiii-xxiv).

The term *énoncé* which occurs in *The Archaeology of Knowledge* (1969) is translated by A. M. Sheridan Smith as “statement”. This is confusing as other philosophers, for example, J. L. Austin (1962), use this term as synonymous with the proposition. Foucault makes it clear that the *énoncé* is not a proposition and that he is employing the term in a broader way. I have, in my text, retained the French word.

The term *savoir* is generally translated into English as “knowledge”. One of the problems with this is that, in French, there two equivalent words: *savoir* and *connaissance*. In Foucault’s work, *connaissance* is generally used to refer to disciplines of knowledge, particularly the human sciences. The term *savoir* is employed in a specialist sense which Foucault defines within the context of his own work. The meaning of *savoir* also undergoes a change between *The Archaeology of Knowledge* and *Discipline and Punish*. In order to avoid confusion, I have often retained the original French term.

Introduction

This thesis is structured as an argument with Judith Butler's interpretation and criticism of Michel Foucault's thought. From her first work, *Subjects of Desire* (1987), Butler has consistently engaged with key concepts in Foucault's thinking; she has also developed major elements in her own theoretical framework as a response to what she perceives to be inadequacies in his position. Butler's work is all relatively recent, but her output has been substantial and is still on-going. While she defines herself as a philosopher, her influence is now evident across a range of academic disciplines.¹ In contrast to Butler, Foucault has been influential and widely commented on for over forty years. The recent, and on-going, publication of his courses at the Collège de France means that there are now opportunities for presenting new readings of his work. The combination of all these factors makes a study of Butler's interpretation of Foucault's thinking a good project for a thesis.

The task of critical appraisal of Butler's thought is, not surprisingly, still at an early stage. At present, discussions of her work are mainly restricted to articles, and to sections in books which are not specifically devoted to her work. However, three full-length studies of Butler's work have recently appeared (Salih, 2002; Kirby, 2006; Lloyd, 2007). Foucault's influence on Butler's thinking is widely recognised and, in these works, this is commented on. In addition, Allen (1999) contains chapters on both Butler and Foucault, and a small number of articles have appeared that explicitly position Butler's thinking in relation to Foucault's (Burkitt, 1998; Schrift, 1995; Mills, 2003;

Dudrick, 2005). To my knowledge, my thesis is the first detailed study of Butler's reading of Foucault's work.

It is my view that Butler's engagement with Foucault's work has resulted in a productive and valuable adaptation of his thinking. However, I also believe that she distorts important aspects of this thinking and that, given the attention that her work is now, rightly, enjoying, her reading will become influential. My aim here is, therefore, to present a critique of her view of his work and also to evaluate the criticisms that she makes of aspects of his thinking.

In my thesis, I formulate my argument with Butler's interpretation and criticisms of Foucaultian thought mainly through a presentation of my own reading of his work. Reading Foucault's work in relation to Butler's has led me to focus on the relation between knowledge, discourse and power; this is the area in which Foucault's influence on Butler is most evident. Other themes which feature in Butler's use and critique of Foucault's thought are also discussed: genealogy, the subject, sexuality, the body, the abnormal, and psychoanalysis.

The interpretation of Foucault's work which I present emerges out of my engagement with Butler's thinking. This interpretation highlights certain key concepts in Foucault's work that I consider to be misinterpreted or overlooked by Butler: his distinctive conceptualization of the relation between knowledge and discourse; his notion of a practice; and related to this, of technology; his

conceptualization of power as discipline and bio-politics; his view of discourse and power as tactical and strategic; his presentation of genealogy as a historical method as well as a political perspective; his distinction between processes of objectification and subjectification of human beings.

Rather than dealing with generalities, it seemed to me that my argument with Butler required an in-depth analysis of Foucault's texts. Given the large number of these texts that have now been published, some selection was clearly required. From her first work, *Subjects of Desire* (1987), to the publication of *The Psychic Life of Power* (1997) and *Excitable Speech* (1997a) in 1997, Butler's engagement with Foucault's thinking is, in the main, focused on three of his texts: 'Nietzsche, Genealogy, History' (1971), *Discipline and Punish* (1975) and *The History of Sexuality Volume 1* (1976). In her later works, *Precarious Life* (2004a) and *Giving an Account of Oneself* (2005), Butler's concern with the relation between the political and the ethical leads her to an engagement with Foucault's work on the state and technologies of the self, produced in the late 1970s and early 1980s.

In order to make my project manageable, I have broadly restricted my analysis to Butler's works up to 1997 and to Foucault's output during the early and mid-1970s. I have also decided to include an earlier work by Foucault—*The Archaeology of Knowledge* (1969). The reason for this will become evident below. In relation to Foucault, my main focus is on this work, *Discipline and Punish* and *The History of Sexuality Volume 1*. However, I have frequently also

used recent publications of essays, interviews, and lectures, at the Collège de France and elsewhere, to approach, from a fresh perspective, the texts to which we have had access for some time.

In discussing Butler's use of Foucault's work, I have taken a two-fold approach: in the first two chapters of my thesis, my focus is on Butler's work; in the following six chapters, I present a discussion of Foucault's work. In all of these chapters, I take issue with particular aspects of Butler's interpretation and application of Foucault's thinking. The trajectory of my argument with Butler takes the following course: in chapter 1, I show how, in *Subjects of Desire*, she develops the interpretation of Foucaultian power that she will employ in her later work. I also present an analysis of her employment of Foucault's concept of genealogy in *Gender Trouble* (1990).

In chapter 2, I focus on Butler's formulation of the concept of performativity in *Gender Trouble* and *Bodies That Matter* (1993), and the subsequent modification of her original interpretation of Foucaultian power. This chapter also addresses the question of Butler's relationship to psychoanalysis and the way in which, in *Bodies That Matter* and *The Psychic Life of Power*, she employs this discourse to interpret and criticize Foucault's thinking. The remaining chapters are all concerned with Foucault's work; my response to the relationship that Butler sets up between her thinking and Foucault's is presented at different points in these.

In my account of Foucault's work, I show how he presents knowledge and power in terms of processes of historical composition. My approach to his thinking draws on this model. In chapters 3 to 8, I trace the emergence, over a number of years, of key components in his thinking, and show how these are combined with each other and, in the course of his investigations, undergo modifications.

In chapters 3 and 4, I discuss Foucault's formulation, in *The Archaeology of Knowledge*, of the notion of a discursive practice, and also of a historical methodology with which to study this. In addition, I discuss his notion of genealogy, and track the initial development, in his lectures in the early 1970s, of the notion of power-knowledge. Chapters 5 and 6 are concerned with Foucault's presentation, in *Discipline and Punish*, of his history of the emergence of the prison and disciplinary practices. Here I provide an analysis of his notions of power-knowledge and technology, and also of his account of the emergence of the notion of the delinquent as a basis for processes of normalization. I also discuss his presentation of processes of objectification of human beings through the notions of individualization, the norm, abnormality and the soul.

Chapters 7 and 8 are concerned with Foucault's analysis, in *The History of Sexuality Volume 1*, of the historical composition of sexuality as an apparatus (*dispositif*). In these chapters, I also discuss Foucault's critique of psychoanalysis, his presentation of a strategic view of power and discourse as

an alternative to the notion of repression, his analysis of the notion of a “true” sex, and his conceptualization of processes of subjectification.

Interpreting Butler’s Work

In my discussion of Butler’s work in chapter 1, I show that her first book, *Subjects of Desire* (1987)—the most philosophical of her texts—is a key work for understanding her relation to Foucault. However, in the secondary literature this text has received little attention, and most of this has focused on the influence of Hegel on her thinking.² In my engagement with this work, I show that it is here that Butler first formulates her distinctive view of Foucaultian power. I argue that this view develops out of her analysis of Foucault’s work as emerging from a Nietzschean notion of law and domination, and also from his engagement with the psychoanalytic tradition.

I argue that it is on the basis of this analysis that Butler forges two of the main strands of the interpretation of Foucaultian power which she employs in her later work: namely, that power is juridical and repressive, but also productive; and that power functions through a process of dialectical inversion which brings about a process of proliferation, rather than synthesis. In chapter 2, I show how in *Bodies That Matter* (1993), Butler adds another strand to her interpretation of Foucaultian power when she presents power as a process of materialization of norms through processes of repetitive citation. In my thesis, I argue that, in fact, none of these strands are a feature of Foucaultian power.

Butler's notion of power has received little scrutiny in commentaries on her work; most of these assume that she is simply reproducing Foucault's view of power. Allen's work (1999: 31-7), for example, which has chapters on both Butler and Foucault, presents exactly the same interpretation of Foucaultian power as Butler. However, doubts about Butler's version of Foucaultian power have been expressed by, for example, Kirby (2006: 46) who suggests that her emphasis on prohibition and repression undermines her attempt to present power as productive.³

My critique is both different from, and broader than, this. In chapters 5 and 7, I show how Butler's representation of Foucaultian power as juridical and productive is incompatible with Foucault's casting of power in terms of disciplinary technology and bio-politics. In chapter 6, I argue that Butler's notion of the functioning of norms is different from Foucault's, and in chapter 8, I show that she misunderstands Foucault's critique of the notion of repression.

In *Gender Trouble* (1990), her second major work, Butler employs her notion of Foucaultian power in conjunction with an interpretation of Foucaultian genealogy as a method of showing that the "real" is constructed by discourse and power. Commentators on this work regard it—rightly—as the text in which Foucault's influence is most important. Allen (1999), Salih (2002) and Lloyd (2007) each also suggest that Derrida's influence becomes more evident from

Bodies That Matter on. In my interpretation of *Gender Trouble*, I suggest that Derrida is, at this stage, already a major influence on Butler's work.

In chapter 1, I show that, in this work, Butler employs her interpretation of Foucaultian power in conjunction with a Derridean view of discourse. I argue that it is this combination that defines the notion of "power/discourse" (Butler, 1995a: 135) which appears in *Gender Trouble* and in her later work. In conjunction with this analysis, I show that Butler's interpretation of Foucaultian genealogy is very different from the one which Foucault himself presents. I argue that his genealogy is concerned with the historical composition of the social field in practices of power-knowledge, technologies of power, and discourses. My view is elaborated, in chapters 3 to 8, in discussions of Foucault's historical methodology and the genealogies which he presents in his works on punishment and sexuality.

A major criticism which has been leveled against Butler's work is that she substitutes an analysis of language for an analysis of the social world. In this respect, Butler's approach is often contrasted with Foucault's. Mills (2003), for example, contests the application of the term "Neo-Foucauldian" to Butler's work on the grounds that her notions of performativity and interpellation present a view of the productive operation of power as linguistic rather than social. She argues that whereas Foucault maintains the specificity of technologies of power, Butler conflates these with the functioning of language. Mc Nay (1999) makes a similar criticism, arguing that in Butler's work: "The

symbolic comes to metonymically represent other social and political relations.” (1999: 180).

Criticisms that Butler’s focus on the discursive is at the expense of the social do have some validity. However, these often overlook the fact that, while Foucault analyses practices such as the prison and the asylum, his focus, as I will show, is always on knowledge and discourse. For this reason, my problem with Butler’s work is not her emphasis on discourse rather than the social field, but the way in which she misrepresents the relation between knowledge, discourse and power in Foucault’s thinking. In chapters 4 and 5, I show how, in his lectures in the early 1970s and in *Discipline and Punish* (1975), Foucault develops the notion of apparatuses (*dispositifs*) of power-knowledge on the basis of which discourses emerge. An important aspect of my argument in this thesis is that in, focusing on discourse, Butler ignores the level of power-knowledge in Foucault’s work.

Power-Knowledge, Discourse and Norms

My analysis of Foucault’s thinking takes issue with the widely accepted view that *Discipline and Punish* (1975) marks a break with his previous work. This break is presented as a movement out of an “archaeological” period, in which the focus is on knowledge and discursive practice, into a “genealogical” period that centres on power and non-discursive practices.⁴ In place of this model, I identify a series of developments in Foucault’s notion of knowledge that link

The Archaeology of Knowledge (1969) to *Discipline and Punish* and *The History of Sexuality Volume 1* (1976). As far as I am aware, only one commentator on Foucault's work has previously attempted to do this: namely, Béatrice Han (1998). Before discussing her account, I will first set out my own position.

In chapters 3 and 4, I argue that, in *The Archaeology of Knowledge*, Foucault formulates a view of knowledge (*savoir*) as a distinct social practice—discursive practice—which is articulated with economic and political practices. He defines the discursive practice as constituted by four levels: objects, subject positions, concepts and strategies. I show that, after this work, Foucault broadens his analysis by investigating specific techniques of knowledge: namely, the inquiry, the examination and the confession. He argues that these function simultaneously as means for acquiring, transmitting and authenticating knowledge (*savoir*), and as tools for exercising power in the management of populations. In these techniques, power and knowledge are not articulated with each other across separate practices; rather, each is imbricated in the other.

Foucault initially employs the term power-knowledge (*pouvoir-savoir*) in relation to these techniques. I show how he later broadens his use of this term to describe practices which are centred on these techniques: for example, the disciplinary apparatuses (*dispositifs*) of the asylum (Foucault, 2003) and the prison (Foucault, 1975) which employ the technique of the examination.

Foucault argues that these *dispositifs* have given rise to domains of rationality, objects, subject positions, and strategies. He claims that it is on the basis of these that the discourses of the human sciences have developed.

Han (1998) presents a different account of Foucault's transition from the archaeological works to *Discipline and Punish*. She sees the link between the two phases as lying in the notion of conditions of "acceptability" of discourse. Han (1998: 79-92) shows how, in *The Archaeology of Knowledge* and his earlier work, Foucault defines a level of knowledge (*savoir*) which constitutes the framework within which the discourses of the human sciences take shape and receive recognition. Han (1998: 122-46) argues that when Foucault later introduces the notion of power, conditions of acceptability become bound up with the functioning of these discourses as normalizing practices. For a discourse to be accepted as scientific it must now derive its objects from the processes of subjection and objectification which take place in disciplinary practices.

My analysis shows that the moves which Foucault makes in the transition from *The Archaeology of Knowledge* to *Discipline and Punish* and *The History of Sexuality Volume 1* are more complex than Han suggests. In addition to constituting objects, disciplinary practices also employ techniques which involve both the acquisition and verification of knowledge and, therefore, criteria for establishing truth and falsity. Foucault presents the use of techniques of the examination and the confession in disciplinary practices as

one of the major conditions which make the emergence of the human sciences possible. In his analysis, disciplinary practices not only give rise to objects; they also produce subject positions and strategies which are taken up by the discourses of the human sciences.

In her analysis, Han positions *The Order of Discourse* (1971a) as the key text for understanding the changes which take place in Foucault's thinking in the early 1970s. I also regard this as an important text; however, I view the lectures, 'Truth and Juridical Forms' (1974), and the course summaries, 'The Will to Knowledge' (1971b) and 'Penal Theories and Institutions' (1972), as equally significant.

My view of the relation between power-knowledge and discourse is one of the major differences between my interpretation of Foucault's work and Butler's. Another difference concerns her view, first advanced in *Bodies That Matter* (1993), of the discursive construction of the social field as a process of materialisation of norms through processes of repetitive citation of performative actions. In opposition to this view, I present Foucault's model as one of historical composition.

In chapters 7 and 8, I show how Foucault describes the constitution of the apparatus of sexuality as a process which brings together *dispositifs* of power-knowledge, disciplinary and bio-political technologies of power, and medical and psychiatric discourses. In my discussion in these chapters, and also in

chapter 5 in relation to the prison and the carceral system, I analyse the way in which the notions of tactics and strategy provide the framework for Foucault's description of the composition of the social field. This is an aspect of his thinking which is ignored by Butler, and also by commentators on his work. In my thesis, I present the notions of tactics and strategies as key components of Foucault's thinking in the early and mid-1970s.

Butler's interpretation of Foucaultian power in terms of the materialisation of norms is discussed in chapter 6. Most commentators do not single out Foucault's account of the norm for special attention; rather they present it in the context of disciplinary techniques as a whole. Two important exceptions here are Ewald (1989; 1990) and Macheray (1989), both of whom Butler cites in one of her later works, *Undoing Gender* (2004). I discuss Butler's use of their work in chapters 6 and 8.

I argue that, in her interpretation of Foucault's work, Butler assumes that his notion of the norm is the same as the sociological one. In opposition to this, I suggest that Foucault's view of the norm is derived from Georges Canguilhem's work in the history of science, and that, in fact, it functions very differently from the sociological norm. In my discussion in chapter 6, I focus on the individualizing and corrective features of the norm which Foucault highlights, and also the role of the norm in establishing a field of abnormality. Butler, in common with commentators on Foucault's work, ignores the

importance of processes of individualization in Foucault's analysis of the disciplinary norm.⁵

Interpreting Foucault's Work

In chapter 3, I suggest that *The Archaeology of Knowledge* (1969) has been an important influence on Butler's notion of discourse. Dreyfus and Rabinow (1982: 62-6) have presented an interpretation of this work which has been followed by many later commentators and which has, possibly, also influenced Butler. They argue that, in this text, Foucault presents discourse as unifying non-discursive practices and enabling them to "function in a coherent way" (1982: 65). Dreyfus and Rabinow (1982: 77, 84) criticize Foucault's position and argue that productivity belongs to social practices, which they see as providing a background to discourse. They argue that this is something which, in his later works, Foucault came to recognize. (1982: 102).

In chapter 3, I dispute Dreyfus and Rabinow's interpretation of *The Archaeology of Knowledge* and, also, Butler's similar view that Foucault holds that discourse is productive insofar as it enters into the "articulation" of "practices and relations" (Butler, 1995a: 138). Here I show that, in this work, the productivity of discourse is, in part, derived from the fact that the discursive practice is articulated with non-discursive practices which can be separately identified.

In contrast to Dreyfus and Rabinow's interpretation of *The Archaeology of Knowledge* as a statement of the autonomy of discourse, Gutting (1989) and Flynn (2005), in two of the most important works to have appeared on Foucault, present this work as a methodological text. Gutting (1989: 226-60) argues that Foucault is here presenting an account of his distinctive approach to the history of thought. He reads Foucault's work within the framework of the history of science, and the attempt to trace the development of scientific concepts. Flynn (2005) focuses on Foucault's nominalism, and the importance of space and the notion of the event for his conceptualization of discourse, power and the subject. (2005: 17-23; 56-7; 120-2; 134-7).

I also interpret *The Archaeology of Knowledge* as a methodological text. My focus is on Foucault's presentation of a framework for studying knowledge as a series of practices, and for tracking changes in the composition of these practices over defined historical periods. As I have indicated above, I regard this work as a key text for interpreting Foucault's later work.

In the case of *Discipline and Punish* (1975), the second of Foucault's major texts which I discuss, I have found most existing accounts of this work to be inadequate in one respect or another. There is a wide divergence in the secondary literature with respect to the relationships which Foucault presents between the prison, the disciplinary society, delinquency, the carceral system, and the human sciences. Leading commentators such as Sheridan (1980), Dreyfus and Rabinow (1982), Visker (1990), Mahon (1992), May (1993; 2006)

Elden (2001) and O'Farrell (2005) all present different versions of aspects of Foucault's account.

One of the problems with interpreting *Discipline and Punish* is that Foucault's analysis is both highly complex and very detailed. This is, perhaps, the reason why there is still no such thing as a standard account of this work. In my discussion of this text, I express my disagreements with Butler's interpretation of certain aspects of Foucault's analysis. These concern a variety of issues: the nature of power; the strategy of the prison; the targeting of the body; the functioning of normalizing practices; the meaning of the "modern soul"; and the existence of resistance.

In my discussion, in chapter 5, of Foucault's presentation of power in *Discipline and Punish*, I have focused on the related notions of power-knowledge and disciplinary technology. This work is often presented as a neo-Nietzschean text. My approach is different. In opposition to Butler's Nietzschean interpretation of Foucaultian power as inscription on the body, I have attempted to read Foucault's work through Heidegger's notion of modern technology. In chapter 6, I have also taken issue with Butler's use, in *The Psychic Life of Power* (1997), of Nietzsche's work to criticize the notion of the soul which appears in *Discipline and Punish*.

The suggestion that Heidegger's influence can be detected in this text is not new. It can be found in Sawicki (1987), Dreyfus (1989; 2003) and Elden

(2001: 108-10); however, the elaboration of this influence is, in each of these cases, a limited one. In chapter 5, I have used ‘The Question Concerning Technology’ (Heidegger, 1954) as a framework for presenting an analysis of Foucault’s account of the relations between bodies, power, knowledge and discourse.

Most commentators on Foucault devote little space to his next major work, *The History of Sexuality Volume 1* (1976), preferring to pass on to the later volumes. Dreyfus and Rabinow’s (1982: 168-83) work, published before the later volumes appeared, still provides one of the best discussions of this text. They see its importance in terms of the attention it gives to processes of subjectification; in line with this interpretation, they focus on the practice of the confession as a technology of the self which is linked to the power effects of scientific discourses.

In my discussion of *The History of Sexuality Volume 1*, in chapters 7 and 8, I address the issue of subjectification, but I also approach this text in other ways. I examine Foucault’s account of the composition of the dispositif of sexuality, and the parts played by Christian practices, technologies of power, medical discourses, strategies and tactics in this. In comparing Foucault’s approach with Butler’s, I also show that her notion of sex and sexuality is different from Foucault’s.

Megill (1985), in a work that is cited in the bibliography of Butler's *Subjects of Desire* (1987), presents an interpretation of *The History of Sexuality Volume 1* which, in my view, may have been an important influence on *Gender Trouble* (1990). Megill (1985: 191-2; 236-7) argues that in *The History of Sexuality Volume 1*, as in *The Archaeology of Knowledge*, Foucault presents a view of language as autonomous. Equating Foucaultian power with Nietzsche's will to power, Megill suggests that Foucaultian power "manifests itself in a discourse through which it arbitrarily, and for its own purposes, engages in the invention of 'truth'" (1985: 192). Megill sees Foucault as presenting the world as if it were purely discursive. He suggests that Foucault is claiming that sexuality is produced by discourses about sexuality.

Megill also argues that, in *The History of Sexuality Volume 1*, "Foucault is articulating an antinaturalism." (1985: 253); he is attempting to eliminate "any connection between sex (or sexuality) and a presumed natural substratum." (1985: 253). Megill (1985: 237-8) suggests that seeing the world as discursive destroys its solidity and exposes its arbitrariness; it thus opens up a space for the power of subversion. This is identical to the interpretation of Foucault's view of sexuality and sex which Butler presents in *Gender Trouble*. It is an interpretation which, in chapters 1, 7 and 8, I will strongly dispute.

Megill presents a Nietzschean reading of Foucault's work. This is something which Butler also does—as I discuss at various points in chapters 1 to 6. In her case, this reading is mediated by Foucault's essay, 'Nietzsche, Genealogy,

History' (1971). Few writers have drawn attention to the affinities with Nietzsche which Butler's interpretation of Foucault's work displays. Exceptions here are Schrift (1995) and Stone (2005) who read her notion of the performative through the Nietzschean roots of Foucault's approach to the subject and genealogy. In my thesis, I draw attention to the influence of Nietzsche in relation to specific aspects of Foucault's thinking on genealogy; however, unlike Butler, I have, in the main, tried to differentiate their work.

Foucault's work on sexuality has been highly influential in lesbian and gay studies, and queer theory.⁶ Although Butler's project can be, and often is, positioned in this field, she identifies herself, primarily, as a feminist rather than a queer theorist: "I would say that I'm a feminist theorist before I'm a queer theorist or a gay and lesbian theorist." (1994: 32).

Sawicki (1996) points out that while feminist theorists have utilized Foucault's notions of disciplinary technologies and bio-power, they have been critical of his views on the subject and the possibility of resistance to power.⁷ These criticisms have been voiced particularly strongly by feminists such as Nancy Fraser⁸ who have worked in the tradition of critical theory. As the volume *Feminist Contentions* (1995: 43-8; 133-8) shows, Butler has defended Foucault's work in her engagement with these; however, she has also adopted some of their criticisms.

In her books that appear after *Gender Trouble*, Butler puts forward various criticisms of Foucault's work. Firstly, she argues that he fails to explain how the material body is constituted by power and discourse. (1994: 33) In chapter 2, I suggest that her concept of performativity is developed to fill this perceived gap. Secondly, she suggests that Foucault fails to recognise that discursive power has a constitutive outside that results in exclusions and the production of unintelligible bodies. (1993: 23; 35).

Thirdly, Butler finds fault with Foucault for ignoring the productive nature of repression and foreclosure. (1993: 23; 1997: 25). Fourthly, she argues that his account of subject formation is too mechanistic and, consequently, cannot accommodate failures in subject formation; neither can it explain resistance. (1997: 86-7; 1999a: 164). Fifthly, she claims that Foucault lacks a theory of the formation of the psyche and cannot, therefore, explain how the subject is formed in processes of submission (1997: 1-3). She suggests that his account of subject formation needs to be supplemented with a psychoanalytic perspective. (1997: 87) These criticisms are all discussed at different points in my work.

Finally, a note on some of the terminology used in this thesis is necessary: I have followed Foucault in retaining terms which are today, rightly, considered offensive but which were once in use in specific practices: for example, *pervert*, *abnormal*. In these cases, using the terminology of today would have distorted the nature of these practices and undermined historical accuracy.

¹ Breen and Blumenfeld (2005) show her influence across disciplines as diverse as archaeology and literature.

² Both Salih (2002) and Lloyd (2007) briefly mention her characterisation of Foucaultian power as what Lloyd terms a “non-synthetic dialectic”. (2007: 19).

³ Kirby (2006) suggests that while Butler’s intention is to follow Foucault in presenting power as productive, this is undermined by the way in which she “consistently represents power, *first and foremost*, in terms of prohibition, injunction and repression.” (2006: 46).

⁴ Almost all commentators draw this division. Where they differ is with respect to the extent to which archaeology survives what they see as Foucault’s genealogical turn.

Two writers who have taken a different approach are Mahon (1992) and Flynn (2005). Mahon shows how all of Foucault’s work, from *History of Madness* on, can be construed as genealogical. He sees Foucault as successively focussing on three “genealogical axes” (1982: 1): truth, power and the subject. Flynn also presents an axial reading; however, he argues that all of the axes are present to different degrees in each of Foucault’s works. He follows the orthodox view that archaeology is linked to knowledge and genealogy to power.

⁵ Mahon (1992: 140-55) discusses how disciplinary practices bring about individualization but he pays almost no attention to the notion of the norm.

⁶ On this influence, see e.g. Weeks (1992), Halperin (1995), Spargo (1999).

⁷ For an elaboration of these criticisms, see McNay (1992).

⁸ See Fraser (1983, 1985).

Chapter 1

Butler: Power and Genealogy

In this chapter, I will focus on Butler's first two published works, *Subjects of Desire* (1987) and *Gender Trouble* (1990). *Subjects of Desire* is concerned with the influence of Hegel's *Phenomenology of Spirit* (1807) on French philosophers in the twentieth century. *Gender Trouble* addresses the very different issue of the relations between sex, gender and sexuality. In these two texts, Butler develops an interpretation of Foucault's thinking on power, discourse and the subject that will also be employed in her later works.

The first two sections of this chapter are devoted to *Subjects of Desire*. My discussion of this text will show how Butler attempts to establish a relationship between Foucault's work and Hegel's *Phenomenology* in two ways: firstly, by presenting Foucault's view of power as a Nietzschean reworking of the struggle between the lord and bondsman that features in Hegel's text; secondly, by positioning Foucault's analysis of sexuality in relation to psychoanalysis and its reworking of Hegel's concept of desire.

The third and fourth sections of this chapter discuss how, in *Gender Trouble*, Butler applies Foucault's thinking in developing a distinctive analysis of gender and sexuality. My discussion of this text will, in this chapter, be mainly limited to the first part of this work where she argues that the identity categories that constitute the subject are not natural, but are the product of power and discourse. Here, I will focus on the way in which Butler presents this text as an example of Foucaultian genealogy, and on the problems with her

interpretation of this notion. In the next chapter, I will discuss the second and third parts of *Gender Trouble*, together with Butler's later work.

Foucault, Hegel and Nietzsche

In *Subjects of Desire* (1987), Butler (1987: 179-183) initially provides an analysis of Foucault's relationship to Hegel through a reading of section 4 of Foucault's essay 'Nietzsche, Genealogy, History' (1971: 369-91).¹ Her analysis of this essay is based on the assumption that, in presenting Nietzsche's views, Foucault is also presenting his own; this is a move for which no argument or supporting evidence is provided.² As we will see, Butler views this essay as expressing some of Foucault's most important ideas. In this and later chapters, I will be suggesting that this essay is a useful source for understanding Nietzsche's influence on Foucault's thinking; however, Foucault is an original thinker and, as I will show, his notion of power, his view of the body, and his genealogy of the modern subject are not the same as Nietzsche's.

In her discussion of 'Nietzsche, Genealogy, History', Butler focuses on Foucault's account of Nietzsche's concept of *Enstehung*—the origin or moment of emergence of new social configurations out of the domination of some human beings by others. She describes Foucault's account as a "Nietzschean reworking" (1987: 180) of the dialectic of lord and bondsman in the *Phenomenology*. She argues that, in Hegel's text, the lord's domination of the bondsman, as well as the confrontation between them, presupposes that

they each recognise a shared common social reality. This recognition is the condition of the agency of each; on a broader level, it is also what makes the constitution of historical experience possible. As a result of this shared reality, the conflict between lord and bondsman leads to a stage beyond the contradictions of domination in which there is a resolution of their difference in a new synthesis.

Butler distinguishes Foucault's account of domination, in '*Nietzsche, Genealogy, History*', from Hegel's arguing that, in Foucault's case, the relations between the forces that confront each other are conceptualised only as ones of distance and difference. Here there is a refusal of the Hegelian notion of a synthesis that overcomes domination; instead the outcome of conflict is inadvertent, taking shape as a proliferation of chance effects, rather than a higher unity.

Butler (1987: 182) argues that, for Foucault, history is conceptualised as a scene of endless dominations; it is these which bring new social formations into existence. In support of this, she cites a passage from '*Nietzsche, Genealogy, History*', in which Foucault suggests that, for Nietzsche, conflict is not exhausted and resolved by the establishment of laws; rather, the law itself sets the stage for repeated scenes of violence and the institution of new forms of domination.³ Butler presents this view of domination and the law as Foucault's own.

Butler argues that, for Foucault, domination by the law has generative and productive effects: “the various strategies of the law’s self-implementation become the occasions for new historical configurations of force.” (1987: 182). Out of this reading of Foucault’s essay, Butler extracts what she sees as the fundamental elements of his concept of power: a binary relation of domination secured through juridical regulation, and the production and proliferation of new social configurations as the outcome of regulation. For her, Foucaultian power is, thus, juridical in terms of its mode of regulation, and productive in terms of its effects.

Butler argues that, in Foucault’s work, domination functions through prohibition, and, at the same time, produces the elements that it controls; the instability of the relationship of domination means that it is always prone to disturbance and unexpected reconfiguration:

Regulative or prohibitive laws, what Foucault will come to call “juridical” laws, are curiously generative. They create the phenomena they are meant to control; they delimit some range of phenomena as subordinate and thereby give potential identity and mobility to what they intend to subdue. They create inadvertent consequences, unintended results, a proliferation of repercussions precisely because there is no prior dialectical prefiguration of what form historical experience must take. (1987: 182).

Here Butler presents Foucault's notion of power as a unitary and singular one. The juridical is presented as productive: it regulates and represses, and in the process of doing so, it produces cultural life; change takes place when juridical power inadvertently subverts itself and generates unintended consequences.

This reading of Foucault's essay through the notion of "a dialectic deprived of the power of synthesis" (1987: 183) shapes the view of power that Butler will employ in her later work. From *Gender Trouble* (1990) on, it is domination through regulation and its instability that interests her. In her work, power has unseen, inadvertent, proliferating effects; and resistance is formulated as displacement, subversion, and perversion. The themes of desire and recognition that underlie the encounter of the lord and bondsman will frame her later work. The relationship of inversion of the binary in the dialectic of lord and bondsman will resurface in discussions of sexual prohibition, the volatility of hate speech, and the unforeseen results of both of these. The framework for power that Butler develops in *Subjects of Desire* proves to be highly productive for her later work. However, as I will show, it is not Foucault's concept of power that she employs.

The inadequacy of the analysis of Foucaultian power that Butler presents in *Subjects of Desire* is due to both the revised dialectical framework within which she situates the relationship of domination, and to her conceptualisation of the processes through which domination functions. In relation to the first of these, Foucault's models of both history and power go beyond a rejection of

Hegelian synthesis and its replacement with an acceptance of the play of chance. In his work, the exercise of power does result in unintended consequences, rather than a dialectical synthesis. However, the socio-historical field that he presents is, nonetheless, a structured one in which patterns of domination are conceptualised through the notion of technology: *Discipline and Punish* (1975), revolves around an analysis of three technologies of punishment; *The History of Sexuality Volume 1* (1976) contrasts a technology of sex with an earlier technology of the flesh.

Foucault also goes beyond the notion of a proliferation of unintended consequences emerging out of, and undermining, relations of domination. In his work, the proliferating effects of power are given shape through the notion of strategies: *Abnormal* (1999), for example, maps the emergence of modern forms of domination in judicial, medical, and psychiatric technologies through the convergence of strategies that develop over hundreds of years. The concept of Foucaultian power that Butler presents ignores the notions of strategies and technologies.

In relation to Butler's conceptualisation of the processes through which domination takes place, a major problem with her analysis is that she presents these as juridical in nature. The terms "law" and "juridical" are used by Foucault in a much narrower sense than Butler's account suggests. In his work, the term "juridical" is reserved for relations of sovereignty, and a distinction is drawn between law and other forms of power. In contrast, Butler uses the terms

“law”, “repressive law” and “juridical law” in place of, and as synonymous with, social regulation in general.⁴ Foucault’s concept of power is more complex than Butler suggests; it cannot be equated with juridical regulation.

In *Discipline and Punish* (1975: 133-228), Foucault argues that, in modern society, the juridical can no longer function as an adequate representation of power: it is incongruous with new methods of power that employ technique rather than repression, normalisation rather than law. Here he presents another form of power: disciplinary power. Rather than employing prohibition, censorship, exclusion, rejection and the setting of limits, disciplinary power operates through techniques and procedures that measure, rank and evaluate individuals in terms of a norm, and demarcate a line between the normal and the abnormal. Disciplinary power objectifies individuals, turning them into targets for knowledge by differentiating and individuating them.

In *The History of Sexuality Volume 1* (1976: 135-50) Foucault also distinguishes another type of power: biopower. Like discipline, this functions through the norm rather than the law; it operates at the level of the population, rather than the individual. Biopower encompasses regulatory mechanisms that exercise control over, and regularize, factors such as birth and death rates, public health, the urban environment and the social security of society. In *The History of Sexuality Volume 1* Foucault differentiates the modes of control exercised by these three forms of power through a distinct terminology:

juridical power functions through law, disciplinary power through discipline, and bio-politics through regulation.

In *Subjects of Desire*, Butler presents a reading of Part 5 of *The History of Sexuality Volume 1*, in which Foucault argues that, in modernity, power functions to maximise the forces of life, as opposed to exercising control over the right to live or die under juridical systems of sovereignty. This reading suggests that she is aware of the problematic nature of the analysis that she has presented:

Although Foucault occasionally refers to the shift from juridical to productive models of power as if it were an inevitability in a world no longer structured in Hegelian terms, he also makes it clear that this shift is not a purely logical necessity, but, rather, a condition of historical circumstances. (1987: 225)

For Butler, the shift from juridical to productive power is, as we have seen, a shift in thinking that takes place as a result of a critique of the Hegelian dialectic; it is not a shift in historical configurations of power. Here, and in other places in her work, the distinction that Butler draws between juridical and productive power is a distinction between an inadequate conceptualisation of power that views it as nothing more than juridical, and an alternative conceptualisation based on the realisation that the juridical is also always productive.

In her reading, Butler (1987: 225-228) contradicts her earlier interpretation of Foucaultian power as a single, unitary concept by arguing that in Part 5 of *The History of Sexuality Volume 1*, juridical and productive power are positioned as binary opposites. She argues that, in Part 5, productive power is made synonymous with life and energy, while juridical power is depicted as anti-life and anti-energy, as subduing productive power. Butler suggests that, in this relationship, productive power takes on the appearance of a desire prior to culture and discourse, appearing as “pure energy, the will-to-power, or life itself” (1987: 228). Here Butler is again casting Foucault’s concept of power as a direct derivative of Nietzschean thought: in this case, aligning productive and juridical power with Nietzsche’s forces of affirmation and negation.

There is a fundamental difficulty with the terms in which Butler conducts her analysis of both ‘Nietzsche, Genealogy, History’ and *The History of Sexuality Volume 1*, that is indicative of the problems to be encountered in attempting to conflate Nietzsche’s and Foucault’s views of power. In *Subjects of Desire*, the question her analysis has posed as to whether, in Foucault’s work, the juridical and the productive are two types of power, or two dimensions of a unitary concept of power, is largely passed over. However, in ‘Sexual Inversions’ (Butler, 1992: 59-75), written after *Gender Trouble*, Butler confronts the problem raised by her earlier work head on. Here she argues that, in Foucault’s work, the juridical and the productive, rather than functioning as two dimensions of a single concept of power, constitute two separate types of

power: the juridical functions restrictively, imposing limits and prohibitions; the productive generates objects to control, elaborate and proliferate. (1996: 60).

Butler argues that the historical schema for power that Foucault presents in Part 5 of *The History of Sexuality Volume 1* is misguided: there is no historical shift from juridical to productive power; rather, juridical power “is a kind of dissimulated or concealed productive power from the start” (Butler, 1996: 65). Her objection to what she perceives to be Foucault’s position is that regulation is always generative in the sense that it shapes intelligibility. She argues that the shift from the juridical to the productive is a movement internal to the operation of power itself, not history; there is no temporal lag between regulation and production, they occur together; the object regulated never precedes the process of regulation, neither does regulation precede the object.

In effect, what Butler is doing in ‘Sexual Inversions’ is employing her original interpretation of Foucault’s concept of power, based on her reading of ‘Nietzsche, Genealogy, History’ in *Subjects of Desire*, against the second interpretation that, in the same text, she developed to accommodate his historical schema in Part 5 of *The History of Sexuality Volume 1*. Both interpretations are based on the view, which as we will see in chapter 5 is in fact mistaken, that Foucault sees all processes of domination as functioning through juridical prohibitions and sanctions. In Part 5 of *The History of Sexuality Volume 1*, Foucault does not argue that there is a movement from

juridical power to productive power: although, in his work, he speaks constantly of power as producing effects, he never employs the term “productive power” to denote a specific form of power.

Foucault’s text (1976: 135-145) clearly differentiates three forms of power: juridical power, disciplinary power, and biopower. Juridical power is typical of monarchical rule; disciplinary power and biopower are based on the norm. Biopower emerges in modernity; disciplinary power becomes widespread in modernity, but it originates much earlier in history. Disciplinary power and biopower together enhance the forces of life in a way that juridical power does not; however, neither of these types of power can be characterised as pure energy or will to power. For Foucault, all these forms of power—juridical power included—are generative in that they shape social practices; however, they function in different ways.

Foucault and Psychoanalysis

In *Subjects of Desire* (1987: 217-228), Butler’s analysis of Foucault’s notion of power is also conducted by tracing a second line of descent through psychoanalysis. Here she presents his account of sexuality and power in *The History of Sexuality Volume 1* (1976) as a response to the thought of Jacques Lacan and Herbert Marcuse. This interpretation is based on her reading of a passage in this work (Foucault, 1976: 81-83) in which Foucault discusses the psychoanalytic notion of desire and power. Here he describes two positions

within psychoanalysis: one in which desire is viewed as repressed by the law; the other in which it is also seen as constituted by the law. Butler (1987: 221) equates the former with Marcuse, and the latter, with Lacan.

Butler positions Marcuse's and Lacan's thinking in relation to Freud's notion that civilization is based on a juridical power that represses the instincts, and also in relation to the project of emancipation of the subject's desire from this repression. She (1987: 217-8) argues that, whereas Freud connects sublimation only to the repression of instincts by the law, Marcuse presents this process as creative and erotic; in his account, production follows, and develops out of, regulation. She argues that Foucault derives his notion of the generativity of power from Marcuse; a claim that she will repeat again in *Gender Trouble* (1990) and *The Psychic Life of Power* (1997).⁵ However, she also presents Foucault's approach as radically different from Marcuse's in that he rejects the notion of an ahistorical life instinct—Eros—that can be liberated from the cultural structures in which, historically, it has been repressed.

Butler (1987: 204; 215-6; 218-21) suggests that, in Lacan's thought, Foucault discovers a non-emancipatory view of desire that counters Marcuse's position. She argues that, by connecting the repression of preoedipal desire to the foundations of the symbolic order, Lacan blocks the notion that repressed desire can be recovered. In his work, the law determines the experience of desire within culture; as prohibition and language are coextensive, desire cannot be conceptualised apart from the law. Butler presents Foucault's

position on the relation between discourse and power as a development of this relation between repression and the symbolic order which is drawn by Lacan.

Butler argues that, rather than following Lacan in viewing culturally constructed desire as a constant characterised by lack and constituted by prohibition, Foucault views desire as something that is continually being produced and continually changing; for him, the repression exercised by the juridical law actually produces desire. This production of desire through the law is a discursive process: the law is encoded in, and functions through, discursive practices such as medicine, psychiatry and criminology. These regulate desire at the same time as producing it.

Butler notes that, for Foucault, discourse not only transmits power, it also exposes its fragility and, thus, provides a starting point for resistance to power; the self-subverting nature of power opens a space for subjects themselves to intervene in its operations. She argues that, for Foucault, there is no possibility of liberation from power, but neither, as in Lacanian theory, are we trapped by it.

Butler (1987: 220-3) employs Foucault's depiction of psychoanalytic procedures of confession as expanding and elaborating the discourse of sexuality to illustrate this interpretation of his concept of power. She argues that, in *The History of Sexuality Volume 1*, Foucault presents psychoanalysis as an instance of juridical power: "as the discursive sphere in which juridical law

comes to govern affective life." (1987: 220). She argues that in its theory, psychoanalysis presents desire as repressed by the law, and confession as the tool for the emancipation of repressed desire; however, in practice, instead of retrieving a repressed desire that does not exist, the process of confession acts as the vehicle for the discursive production, elaboration and proliferation of desire:

Foucault purports to be revealing an inadvertent consequence of psychoanalytic discourse, namely, that the juridical power of repression is transformed into the productive power of discourse, and that nowhere is an original or prelinguistic desire brought to light. (1987: 220).

In describing Foucault's account of how discourses are produced out of confession, Butler argues that juridical power inadvertently subverts itself as regulation becomes eroticized. In the process of confession, the binary opposition between desire and the law is reversed: instead of inducing guilt, the prohibition of the law produces pleasure and its elaboration in a proliferation of discourses.

A major problem with Butler's view of Foucaultian power as an attempt to move beyond the problems in Marcuse's thinking by turning to Lacan is that in the passage in *The History of Sexuality Volume 1* on which she bases her case, the thinker with whom Lacan's position is compared is Wilhelm Reich, not

Marcuse—as I will show in chapter 8. In addition, Foucault’s analysis of confession is both different from, and more complex than, Butler’s account suggests. Furthermore, as I will show in chapter 7, in *The History of Sexuality Volume 1*, the relationship between confession and the constitution of sexuality is traced over centuries.

Foucault presents confession as a practice, comprising rules and roles, in which power and knowledge function in a circular fashion; it begins as a Christian ritual and is later reconfigured within medicine and psychiatry. In its secular form, confession produces effects only in conjunction with disciplinary practices in the family, the medical profession and the state, and only through the position that these occupy within the strategic field of bio-power. Butler’s analysis of psychoanalytic confession is her own, not Foucault’s—she gives no references for this. Foucault does not present psychoanalysis as an example of juridical power: as we will see in chapter 7, he argues that it puts forward a juridical version of power in its theory, but he regards its practice as disciplinary. In Foucault’s work, psychoanalysis, like psychiatry in general, is portrayed as a normalising technology.

A further problem with Butler’s account is that Foucault’s analysis of the relation between sexuality, confession, power and discourse cannot be reduced to her framework of “dialectic gone awry” (1987: 222) and a “constant inversion of opposites” (1987: 225). In *The History of Sexuality Volume 1*, confession and eroticisation are linked together not through a dialectical

reversal of guilt and pleasure, but through the pleasure that comes from the knowledge of sex, and from the power exercised over another's sex, in the functioning of the apparatus of sexuality. (Foucault, 1976: 70-73; 44-5).

Furthermore, for Foucault, discourse is not a mere proliferation: it develops strategically and takes shape within practices. Thus, in his account of confession, discursive proliferation is the outcome of the collection and codification of confessional material by the psychiatric profession, in pursuance of its interests. (1976: 63-4). It is also a consequence of the application of this knowledge in the management of sexual behaviour as part of a corrective technology.

The differences between Lacan's and Foucault's thinking on the functioning of power are not the ones which Butler describes in her account of confession. As I will show in chapter 8, it is above all the notions of technology and strategy that set Foucault's concept of power apart from the psychoanalytic notion of juridical regulation. It is this difference that Foucault is referring to in the well-known passage from *The History of Sexuality* (1976: 81-83) where he criticises the negativity of the juridical conception of power held by psychoanalysis.

In her account of this passage, Butler (1987: 221) argues that the point Foucault is making is that the juridical model fails to recognise that desire is discursively produced by power: "According to Foucault, the repressive law is the discursive moment of desire's *production* rather than its *negation* "(1987:

221). The implication here is that rather than criticising the juridical model itself, Foucault is only taking issue with its failure to recognise the productivity of law. In supporting this reading, Butler argues that Foucault criticises Lacan for retaining “a belief in a true desire prior to repression” (1987: 221); this, she suggests, is something “that would, according to Foucault, announce an ‘outside’ to discourse.” (1987: 221).

In fact, Foucault directs no such criticism against Lacan; on the contrary, his critique of psychoanalysis focuses on the fact that Lacan argues that there is no desire outside the law (1976: 81).⁶ Foucault’s criticism of psychoanalysis is not that it fails to recognise that desire is discursively produced by power: his argument is that, in relation to sexuality, power functions as a technology (1976: 90); it operates not through the prohibitions and exclusions that are foregrounded by psychoanalysis, but through techniques and tactics. This concept of a technology is absent from Butler’s account of Foucault’s thinking.

In the following chapters we will see the extent to which Foucault’s concept of power is different from Butler’s. The notion of power that she develops in *Subjects of Desire* has to be seen as her own, developed out of her interpretation of Foucault’s concept through Hegel, Nietzschean genealogy and psychoanalysis⁷. Out of this interpretation, Butler develops the two-dimensional concept of power that we have seen employed in her analysis of psychoanalytic confession. One of these dimensions is centred on discourse: power is discursive; it produces what the juridical regulates. The other is

centred on regulation: the juridical is conceptualised in terms of both prohibition and production; it functions through a binary relation of repression that has the potential to subvert itself, producing a proliferation of discursive effects.

In her second major work, *Gender Trouble*, Butler develops her view of Foucaultian power in two ways. Firstly, in *Subjects of Desire*, discourse is conceptualised as an aspect of power; in the relationship between these two, power is positioned as primary. In *Gender Trouble*, this order of priority is reversed; the emphasis is now on discourse, and power is conceptualised as an aspect of its functioning. Secondly, Butler now presents Foucaultian power in conjunction with Foucaultian genealogy. This genealogy is conceptualised through its affinities with Nietzschean genealogy.

Genealogy and the Naturalization of Sex

Gender Trouble, published in 1990, brings a critical perspective to bear on Anglo-American theories of gender and French theories of sexual difference in the light of Foucault's thinking on power, discourse and the subject. It is a work which has to be situated within developments taking place in the women's movement at the time it was written. *Gender Trouble* (1990) revolves around debates relating to the way in which essentialist assumptions about the notion "woman" were erasing differences between women, including that of

sexuality.⁸ This text also reflects discussions around sexual practices and identities taking place among political lesbians at the time.⁹

In the preface (1990: viii-ix), Butler presents this work as an exercise in Foucaultian genealogy; she argues that its aim is to show that identity categories that define the subject, and are taken to be “natural” are, in fact, political constructs constituted by discourses and institutions. Butler’s interpretation of Foucault’s concept of genealogy in this text forms the focus of the discussion below.

After writing *Subjects of Desire* (1987), Butler turns to the work of Simone de Beauvoir and Monique Wittig to address a problem that she has identified at the end of this text: namely, how to conceptualise the functioning of desire and regulation in terms of concrete bodies marked by gender. (1987: 231-8). In her paper, ‘Variations on Sex and Gender: Beauvoir, Wittig and Foucault’ (1986), Butler focuses on the relationship between sex, as the anatomy of the physical body, and gender, as a cultural phenomenon. Here she argues that sex is a fiction. This analysis is elaborated in *Gender Trouble*.

At the centre of *Gender Trouble* is a critique of both the naturalization of the category of sex, and the notion that sex exists before, and is independent of, gender. Butler (1990: 16-25) argues that the binary terms of sex and gender are the effects of a system of compulsory heterosexuality, that both defines a discursive domain and regulates the identities of subjects. Her presentation of

this position is based on a reformulation of Monique Wittig's notion of the "heterosexual contract". Butler draws some of her most important ideas from her engagement with Wittig's thought and, in *Gender Trouble*, more space is devoted to Wittig than to any other writer.¹⁰

In papers that were mostly published in the early 1980s, and which have been brought together in *The Straight Mind and Other Essays* (1992), Wittig argues that heterosexuality is a political, rather than a natural, regime: it fabricates the categories of man and woman, and institutionalises the oppression of the latter by the former.¹¹ Wittig's theory employs the notion of a pre-social state in which sexual difference initially takes shape when men as a class begin to oppress women. She also believes that it is possible to be outside the system of sexual difference—as she considers the lesbian to be—or to totally break free of its constraints —as she holds other women can.

Wittig's notion of the heterosexual contract is much broader than Butler's model of compulsory heterosexuality. Reflecting radical feminist thinking of the time, Wittig's notion encompasses every aspect of women's position in society. In contrast, Butler's model is more narrowly focussed on the issue of sexuality. Butler criticises Wittig for retaining the emancipatory notion of a humanist subject who pre-exists social categories. Citing Foucault, Butler argues that it is not possible to have a subject that exists outside or before the operation of power; the subject is always an effect of power. (1990: 19-20; 117-8; 121-22).

Butler reworks Wittig's notion of the heterosexual contract through her interpretation of Foucault's view of the relations between power, discourse, and the subject. In *Gender Trouble*, the relations between sex, gender and desire are conceptualised on the model of a matrix (1990: 17).¹² Butler argues that regulatory practices within society determine which particular combinations of these three signifiers are allowed to generate coherent, recognised identities.

The regulatory practices in question are those of compulsory heterosexuality which institute sex and gender as mimetic and binary, governed by desire for their opposites:

The institution of a compulsory and naturalized heterosexuality requires and regulates gender as a binary relation in which the masculine term is differentiated from a feminine term, and this differentiation is accomplished through the practices of heterosexual desire. The act of differentiating the two oppositional moments of the binary results in a consolidation of each term, the respective internal coherence of sex, gender, and desire. (1990: 22-3).

Homosexual and other identities in which gender does not correspond to sex, or in which desire does not follow sex or gender assignment, are denied

intelligibility and recognition. With this notion of the heterosexual matrix, Butler establishes the interdependence of sex, gender and sexuality: heterosexuality both produces, and requires, a binary system of sex and gender. This is the foundation on which she develops the rest of the analysis that is presented in *Gender Trouble*.

Butler describes *Gender Trouble* as a genealogical investigation. This she defines as a project that attempts to show how cultural configurations, such as gender and gendered subjects, are discursively produced, and how their naturalization ensures their regulatory power as modes of identity:

As a genealogy of gender ontology, this inquiry seeks to understand the discursive production of the plausibility of that binary relation, and to suggest that certain cultural configurations of gender take the place of “the real” and consolidate and augment their hegemony only through that felicitous self-naturalization.

(1990: 32-3).

For Butler, genealogy is necessary because power constantly employs the strategy of inverting the relationship between cause and effect, presenting the discursive as the product of something originary and foundational, and then conceals this move from us. In *Gender Trouble*, sex, gender and desire are signifiers that pose as foundational, as causes that are actually effects.

In the Preface to this text, Butler aligns her notion of genealogy with Foucault's:

To expose the foundational categories of sex, gender, and desire as effects of a specific formation of power requires a form of critical inquiry that Foucault, reformulating Nietzsche, designates as "genealogy". (1990: viii).

In *Gender Trouble*, Foucaultian genealogy is presented as a version of Nietzschean genealogy. Butler employs Nietzschean genealogy to frame her argument that discourse creates the illusion that it is underpinned by a prediscursive ontology which suggests that linguistic signifiers are anchored outside language. She links this naturalization of discursive categories to an error that she shows has been defined by one vein of Nietzschean interpretation as "the metaphysics of substance" (1990: 20).¹³ This she describes as the notion that the grammar of subject and predicate reflects a pre-existing ontological reality of substances and attributes.

Butler suggests that this idea of the metaphysics of substance can be applied to the psychological categories that govern our thinking about gender: we fall into the illusion that the gendered person is a substantial entity when, in fact, there is only a linguistic category. She argues (1990: 24-5) that a rejection of the metaphysics of substance involves accepting Nietzsche's position that there is no "doer" behind the deed. Applied to gender, this means that there is no

“being” of gender behind expressions of gender; rather, gender identity is “performatively constituted” (1990: 25) by the deeds that are regarded as expressing it.¹⁴

Butler (1990: 18-19) argues that this notion of the metaphysics of substance is also employed as a critical tool in Foucault’s thinking: “sex appears within hegemonic language as a *substance*” (1990: 18). Interpreting Foucault’s concept of sex in terms of the binary relation of male and female, Butler (1990: 18-19) presents the account that he offers in *The History of Sexuality Volume 1* as a linguistic one, focussed on relations between signifiers: “For Foucault, the substantive grammar of sex imposes an artificial binary relation between the sexes, as well as an artificial internal coherence within each term of that binary.” (1990: 19).

As a result of this analysis of *The History of Sexuality Volume 1*, and also of Foucault’s introduction to *Herculine Barbin* (1980a) which she also discusses, Butler is able to conflate Foucault’s notions of sex and sexuality with her own account of the logic of the heterosexual matrix: “Foucault implicitly subscribes to such an explanation.” (1990: 23). As I will show in chapters 7 and 8, Foucault’s analysis of sex and sexuality is not, in fact, concerned with relations between signifiers, or with the naturalization of sex. Neither is his usage of the terms “sex” and “sexuality” the same as Butler’s: in his work, “sex (*sexé*)” and “sexuality (*sexualité*)” do not refer to male and female, and heterosexuality and homosexuality.

In *Gender Trouble*, the notion of the metaphysics of substance is employed within a concept of genealogy that focuses on the construction of subjects by power and discourse. Butler (1990: 29) suggests that Foucault's notion that sexuality is always circumscribed by power relations can be used to present a critique of positions that hold out the promise of emancipation from the repression of a natural sexuality; and also positions, such as Lacan's which present a desire which pre-exists the law.

Butler presents the heterosexual matrix as a system that combines discourse and power. She describes it as a “domain of intelligibility” (1990: 17), which is generated through “linguistic conventions” (1990: 23). She focuses on its signifying elements—sex, gender and desire—and the relations of dependence that exist between these. She argues that these relations are the products of power: there is no necessary relation between sex, gender and desire; it is regulation that establishes the links between them.

For Butler (1990: 32-3), regulatory processes are consolidated through the mechanism of repetition. Over time, repetition of the logic of the matrix brings about the congealment and reification of gender categories whereby they take on the appearance of substances. Repetition also opens up the possibility of actions that subvert and distort gender systems; as the meanings of signifiers and relationships between them, are inherently unstable, they are always subject to resignification.

Although the interpretation of genealogy that Butler presents in *Gender Trouble* is based on her view of Foucaultian power, the view of discourse which she employs draws mainly on Jacques Derrida's work. The heterosexual matrix is partially modelled on Foucault's notion of the discursive practice—as I will show in chapter 3; however, as we will see, it is Derrida's view of discourse that is in play in Butler's notion of genealogy.¹⁵

Butler's conceptualisation of the instability of the signifiers in the heterosexual matrix draws on the Derridean view of signification as a play of difference in relations between signifiers. Other aspects of her thinking also converge with his. For example, her concept of repetition is drawn from Derrida's conception of the nature of the sign; in his work, iterability is an essential feature of signs, and while repetition is a process that is constitutive of structures, it always, in itself, introduces a space or interval that presents the possibility of destabilisation.¹⁶ Butler's conception of genealogy as a process of exposing the discursive production of “the real” is also easily aligned with Derrida's thinking: he argues that the fixed point of presence, that is assumed to exist outside structures or systems of relations between signifiers, is a projection or function of discourse itself.¹⁷

In *Subjects of Desire* (1987: 183), the notion, in Derrida's work, of the permanent possibility of a rupture between the sign and what it signifies, is compared to the difference, in Foucault's thinking, between the two sides in the

relation of domination; Butler argues that, in each case, instead of totality and closure, there is a proliferation of unexpected effects. In *Gender Trouble*, Derrida's and Foucault's positions, framed by this interpretation, are combined in Butler's analysis of the potential for subversion and disruption inherent in the heterosexual matrix—a configuration that, as we have seen, combines power with relations between signifiers. The instability of signifiers has its counterpart in the fact that the success of regulatory processes can never be guaranteed.

In *Gender Trouble*, Butler (1990: 29) argues that the heterosexual matrix presents an ideal that covers over ambiguities and incoherencies that confuse and destabilise gender; in reality, subjects achieve varying degrees of coherence and continuity between sex, gender and desire.¹⁸ Here she also presents power as constantly being subverted from within its own boundaries by marginal subjects. She suggests that, rather than repeating the relations between signifiers in the heterosexual matrix in a reproductive fashion, lesbian and gay cultures use the opening provided by repetition to replay, redistribute, and resignify the identity categories that these relations make possible. (1990: 30-33; 136-141).

Subjugated Knowledges, Genealogy and Discourse

The key position assigned to lesbian and gay cultures in *Gender Trouble* (1990) points to a second notion of genealogy that underpins this text: making

marginal subjects and their discourses visible. This notion, which actually draws on Foucaultian genealogy, is, in *Gender Trouble*, never explicitly formulated as an aspect of Butler's genealogical approach. This is surprising as it is this notion that gives this work its distinctive character.

In his course of lectures, “*Society Must be Defended*” (1997), delivered at the Collège de France in 1976, Foucault defines genealogy in terms of a relation to “subjugated knowledges” (Foucault, 1997: 7). In the first lecture, he argues that the unitary theoretical structures of formal scientific type discourses erase and delegitimise alternative knowledges of a popular and fragmentary nature. The task of genealogy is to activate these subjugated knowledges, bringing them into opposition to the coercive effects produced by official discourses.

In the second lecture, Foucault directs this analysis against the theory of rights which, he argues, conceals the fact that power coerces and constitutes, rather than represents, subjects. He suggests that, for this reason, the effects of power are best studied at its outer edges, in terms of “peripheral bodies” (1997: 29), rather than at the centre. These two lectures were both published in English in 1977 and it is clear that Butler was aware of them.¹⁹

Gender Trouble follows Foucault's model in respect to both focussing on the effects of power at its edges and activating subjugated knowledges. Butler's text (1990: 1-34) begins with an attack on the theory of rights and the exclusionary practices that produce “peripheral bodies”. As we have seen, she

argues that regulatory structures produce peripheral subjects who fail to conform to their requirements; discontinuous, incoherent, prohibited identities, that fail to align sex, gender and sexuality in culturally legitimate ways, are constantly spawned by the heterosexual matrix.

In *Gender Trouble*, Butler, unlike Foucault, gives no attention to the concrete practices that regulate and produce deviant genders; but she does expose the way in which official knowledges, in the form of the discourses of feminism, structuralism and psychoanalysis, erase the subjugated knowledge that lesbian and gay communities represent. Insofar as much of the text of *Gender Trouble* is devoted to challenging the erasure of lesbian existence in discourses that have shaped feminism, Butler's genealogy has obvious affinities with Foucault's view of genealogy as the activation of subjugated knowledges.

Foucault's method of bringing knowledges that have been erased to light is to trace the history of a current discourse through the transformations that have taken place in its themes; these transformations are analysed in conjunction with developments in other discourses, and in the social practices in which the discourse plays a part. This scheme can be seen at work in "Society Must Be Defended", and also in the courses given at the Collège de France in the two preceding years: *Abnormal* (1999) and *Psychiatric Power* (2003). It is also evident in *Discipline and Punish* (1975). In contrast, in *Gender Trouble*, Butler's method is to focus on the structure of discourses and their internal contradictions. Her approach to the various authors that she considers is to

show, firstly, that through the adoption of foundational, metaphysical assumptions, lesbian and gay identities are erased from their discourses; and secondly, that this erasure is never completely successful.

In carrying out this project, Butler adopts the Derridean strategy of double reading of texts²⁰ and also what she terms “Foucault’s genealogical critique of foundationalism” (1990: 72). The Derridean strategy involves subjecting a text to two readings: one which shows how it remains trapped within classical metaphysical assumptions with respect to gender; another that reveals points of rupture from these assumptions which remain implicit in the text. In *Gender Trouble*, Butler follows this procedure in relation to the thought of Freud, Lévi-Strauss, and Lacan.²¹

In the case of Freud (which I will discuss in more detail in the next chapter), she shows that his theory of sexuality posits prediscursive male and female dispositions with respect to desire, but the role that he assigns to the incest taboo in gender formation necessitates a prior taboo against homosexuality that he never acknowledges (1990: 57-65). Applying the Foucaultian dimension of her analysis, she argues that there can be no such thing as prediscursive sexual dispositions that pre-exist power or the law; what appears as natural is a discursive construction.

In conjunction with her critique of mainstream discourses, Butler challenges heterosexuality’s claim to a hegemonic status over homosexuality on the

grounds that it is “natural”. Here she employs a framework modelled on another, related, Derridean strategy: the deconstruction of metaphysical oppositions.²² Derrida argues that such oppositions are always based on a violent hierarchy in which one of the terms governs the other. Deconstruction overturns the hierarchy by showing that the term held to be secondary has, all the time, been implied in the primary term. In doing so, it reorganises the original field of opposition.

In *Gender Trouble* (1990: 30-31), Butler challenges the conceptualization of homosexuality as a copy or imitation of gender categories that originate in heterosexuality. She argues that lesbian and gay cultures work with the same gender categories as heterosexuality because they are all part of the same cultural configuration. While heterosexuality can claim hegemony, it has no more of a claim to naturalness or originality than homosexuality: both are constructed by power and discourse: “gay is to straight *not* as copy is to original, but, rather, as copy is to copy.” (1990: 31). Butler claims that heterosexuality and homosexuality, of necessity, each include the other: identity categories, in their construction, always presuppose what they exclude. Like Derrida, she argues against the possibility of working outside the classical oppositions: they have to be accepted and destabilised from within discourse.

Foucault’s approach to discourse is very different from this. While Butler focuses on features that are internal to discourse, Foucault always analyses discourses in the context of social practices and historical events. In *Discipline*

and Punish (1975), the discourses of the human sciences are situated in relation to the prison and the carceral system; in *The History of Sexuality Volume 1* (1976), discourses are related to practices in the Christian Church and the family, and to discipline and the bio-political policies of the state; in *History of Madness* (1961), the focus is on how madness as an object of discourse undergoes successive historical displacements in interrelation with institutions; in *The Birth of the Clinic* (1963), a similar framework is employed to examine changes in the position of medical practitioners as users of discourse. Although Butler aligns her notion of genealogy to Foucault's, it is difficult to reconcile her claim with his work: his studies of madness, medicine, psychiatry, punishment and sexuality display a very different character from *Gender Trouble*.

The gap that separates Foucault's approach to discourse from Butler's is evident in the very different analysis of heterosexuality and homosexuality that he advances. Rather than presenting these as different distributions of the same signifiers, as Butler does, Foucault traces a separate historical trajectory for the emergence of the homosexual. This trajectory extends from the figure of the "hermaphrodite" in legal discourse at the end of the sixteenth century to that of the "invert" in the nineteenth-century "medicine of perversions" (1976: 118; 1980a; 1999: 65-8; 310). Foucault argues that the discourse on sexuality, within which he claims the notion of heterosexuality emerges, develops out of a focus on what is regarded as the unnatural, the peripheral, and the perverted,

including homosexuality. As I will show in chapter 7, this is one of the main theses of *The History of Sexuality Volume 1* (1976: 36-49).

As a consequence of this approach, Foucault breaks down the binary definition of sexual identity in a different way from Butler. In his work, he presents practices of exclusion as an integral part of normalising processes. This enables him to argue that identities that are subject to taboos and social opprobrium are positioned at the centre, not the margins, of culture. Foucault shows that, as it is “abnormal” subjects, such as the homosexual, that become the object of scientific knowledge, they are more discursively individuated than others, and thus present the parameters within which “normal” identities come to be constructed.

In *Gender Trouble*, the notion of power, as well as the notion of discourse, that Butler employs is also different from Foucault’s. At the beginning of this work, Butler again defines power as a method of regulation that is based on negation: its function is:

to regulate political life in purely negative terms—that is through the limitation, prohibition, regulation, control and even “protection” of individuals (1990: 2).

As in *Subjects of Desire* (1987), Butler uses the term “law” as synonymous with power. The term “norm” now also makes an appearance, but there is no

discussion of this concept, and “law” rather than “norm” remains the term that she most often uses.

In her account of the heterosexual matrix, Butler presents power as productive as well as regulative. The productivity of power is again conceptualised in terms of a conjunction between regulation and discourse. However, this conjunction is now given a more detailed definition. In *Gender Trouble*, the repetitive and unstable nature of the signifier is mirrored in the functioning of power as a force that effects both the congealment of relations between signifiers and also their disruption.

The analysis that I have presented in this chapter suggests that Butler’s notion of genealogy is also very different from Foucault’s. Butler’s genealogy is concerned with showing that cultural configurations such as gender are products of power and discourse; they become naturalised as a result of repetition of relations between signifiers that are governed by regulatory processes. The most serious problem with Butler’s claim to be applying Foucault’s genealogical method in *Gender Trouble* is the fact that she ignores the connection between this concept and the historical investigation which is always at the centre of his work.

For Foucault, the genealogical approach involves the use of historical material to challenge our current notions of *how* the social is configured by power and knowledge, rather than, as in Butler’s work, *the fact* of its being so configured.

For example, the genealogical approach in *Discipline and Punish* is to be found in the demonstration that the prison is constituted by disciplinary practices rather than legal ones, and that the discourses of the human sciences emerge out of practices in the prison and the carceral system. In *The History of Sexuality Volume 1*, it can be found in the demonstration that, historically, the apparatus of sexuality was not initially constituted around the notion of sex. Although Foucault features as a major player in *Gender Trouble*, his rich historical analysis of sexuality is largely ignored.

In the next chapter, I will discuss how Butler develops, and applies, her interpretation of Foucault's thinking in her later work. Here I will trace a line of continuity from *Gender Trouble* to the concern with performativity and psychoanalysis which appears in these texts.

¹ This essay originally appeared in the volume *Hommage à Jean Hyppolite* (Paris: Presses Universitaires de France, 1971). Foucault also pays homage to Hyppolite in *The Order of Discourse* (1971a). Part of Butler's discussion, in *Subjects of Desire*, of French twentieth-century appropriations of Hegel is devoted to Hyppolite.

² Commentators are divided as to whether the views which Foucault expresses in this article can be interpreted as his own. Some, e.g Gutting (1989: 277-8), Dean (1994:14) and Han (1998: 96-9), argue that they cannot; others see them as providing the key to Foucault's work: see Dreyfus and Rabinow (1982: 106), Mahon (1992: 105-113).

³ Butler (1987: 182) makes this point through the following citation from 'Nietzsche, Genealogy, History': "it would be false to think that total war exhausts itself in its own contradictions and ends by renouncing violence and submitting to civil laws. On the contrary, the law is a calculated and relentless pleasure, delight in the promised blood, which permits the instigation of new dominations and the staging of meticulously repeated scenes of violence.".

⁴ Although Butler's terminology is here taken up from Hegel, in her later work, it reflects the psychoanalytic usage of Freud and Lacan. Butler draws no distinction between the way in which regulation itself is conceived in psychoanalysis, and the way it is conceived by Foucault.

⁵ *Gender Trouble* p. 72; *The Psychic Life of Power* p. 58. There is no mention of Marcuse's view of power in Foucault's work. However, lecture 9 in *Abnormal* (1999: 236) contains a discussion of his view of sexuality.

⁶ Butler cites a passage from Foucault's discussion to support her interpretation; however, a careful reading shows that in this passage Foucault is referring to Lacan's position, not stating his own, as Butler assumes. The quote that appears in *Subjects of Desire* (1987: 221) is as follows :

One should not think that desire is repressed, for the simple reason that the law is what constitutes desire and the lack on which it is predicated. Where there is desire the power relation is already present: an illusion then to denounce this relation for a repression exerted after the event; but vanity, as well, to go on questing after a desire that is beyond the reach of power. (HS81).

This quote by Butler contains a mistake in transcription: the first sentence in Butler's version does not stand on its own in Foucault's text; rather it comes at the end of a long sentence in which he is setting out the view of psychoanalysts—of whom Lacan is obviously the main one—who have formulated a more complex notion of the relation of power to sex than that of the repression of an instinct. The quote that Butler presents as Foucault's criticism of Lacan (that the law constitutes desire and that there is no desire outside the law) is actually part of Foucault's statement of Lacan's position. It should begin: "thus one should not think...".

Here my interpretation is supported by Sheridan (1980: 180). Referring to this passage, Sheridan states: "He is well aware, he says, that a body of psychoanalytic thinking—the reference is clearly to Lacan and his followers, though they are not named—has abandoned the notion of a rebellious energy that wells up from below...."

In *Gender Trouble*, Butler takes a different position. Foucault's criticism of repression is now interpreted as excluding Lacan: "Foucault criticises the repressive hypothesis for the presumption of an original desire (not "desire" in Lacan's terms, but *jouissance*)" (1990: 65).

In an endnote in *Bodies That Matter* (1993: 248), Butler returns to the interpretation presented in *Subjects of Desire* but now phrases this differently: "Foucault asks where (sic) the desire said to be "repressed" by the law is not itself the effect, the product, the incited result of that law". She argues that Foucault is referring to "'the law of desire' in Lacan" (1993: 248). In this note, there is another mistake in transcription of part of Foucault's discussion of the psychoanalytic view of power.

⁷ Each of the writers that Butler discusses has a different concept of power. For Hegel, power is juridical but its operation is framed by the dialectic. Nietzsche's will to power functions through knowledge. Lacan's notion of the law concerns the universal regulation of desire in symbolic structures in the Oedipus complex. Marcuse's concept of power encompasses Freudian regulation of the instincts, Marxist capitalist exploitation, and Weberian legal rational authority.

⁸ *Gender Trouble* (1990: 1-6) begins by highlighting the problems that attach to the political representation of women. At the centre of all Butler's work is a concern with the field of political representation, particularly with the politics of identity.

⁹ See Butler's discussion of lesbian identities on pp. 122-3 of *Gender Trouble*; the long footnote (fn. 53) on p. 156 on various papers on feminist sexual politics; and her analysis of drag on pp. 136-8.

¹⁰ In *Gender Trouble*, Butler refers to nine essays and two books by Wittig.

¹¹ See, in particular, the essays 'The Category of Sex', 'One is Not Born a Woman', and 'On the Social Contract' which appear in this collection.

¹² In a footnote (1990: 151 fn.6), Butler acknowledges that her notion of the "heterosexual matrix" is drawn from Wittig's notion of the "heterosexual contract". She also mentions Adrienne Rich's notion of "compulsory heterosexuality" (Rich, 1980), but, in this text, there is no discussion of Rich's work.

¹³ On this point, Butler cites Michael Haar's work, rather than Nietzsche himself. For a critique of Butler's employment of Nietzsche and of Haar's interpretation of his thinking, see Battersby (1998: 103-6).

¹⁴ In addition to challenging the notion of gender identity, Butler (1990: 20) argues that the metaphysics of substance is behind emancipatory political positions that assume that we can bring about an end to sexual repression and liberate an originary non-gendered subject that has, hitherto, been trapped by power.

¹⁵ On p. 40 of *Gender Trouble* there is a brief paragraph on poststructuralist views of language. This appears in an account of the work of the structuralist, Claude Lévi-Strauss, in connection with his view that there is no instability in the binary identity of the signifiers, man and woman. Here Butler informs the reader that, poststructuralists reject attempts to permanently fix the relationships between signifiers and signifieds in binary oppositions, instead, embracing the openness of signification. She explains this in Derridean terms: "the discrepancy between signifier and signified becomes the operative and limitless *differance* of language,

rendering all referentiality into a potentially limitless displacement.” (1990: 40). A footnote attached to this paragraph refers the reader to various works by Derrida.

Butler is not the first to have employed Derrida in relation to lesbian and gay identities and the question of essentialism; see e,g, Fuss, 1989.

¹⁶ See ‘*Différance*’, Derrida, 1968.

¹⁷ See ‘Structure, Sign, and Play in the Discourse of the Human Sciences’ , Derrida, 1967.

¹⁸ See, for example, Butler (1990: 17; 31; 135-6).

¹⁹ Butler refers to these two lectures in *The Psychic Life of Power* (1997: 16). Although part of the 1975-6 course at the Collège de France, compiled in “*Society Must Be Defended*”, which was not published until 1997, these lectures were originally published on their own. See Foucault, 1977d.

²⁰ See Derrida, *Positions*, 1972.

²¹ Butler also employs a double reading against Wittig and even Foucault; in their case, not to expose the trace of subjugated knowledges but emancipatory notions based on metaphysical assumptions.

²² See Derrida, *Positions*, 1972 for a statement of this method. Derrida, *Of Grammatology*, 1967 shows the method at work. Butler cites ch.2 of this work in fn. 6 p.158.

Chapter 2

Butler: Performativity and Psychoanalysis

In her next three major works—*Bodies That Matter* (1993), *The Psychic Life of Power* (1997) and *Excitable Speech* (1997a)—Butler formulates four lines of criticism of Foucault's thinking: firstly, he does not adequately explain how the material body is constituted by discursive power; secondly, he fails to acknowledge the exclusionary nature of power; thirdly, he gives inadequate attention to the problem of agency and resistance; fourthly, he largely ignores the domain of the psyche.

As we shall see, Butler develops these criticisms within the parameters of her own project, rather than Foucault's, and in terms that are determined by the uses to which she turns his thinking. After *Subjects of Desire* (1987), her continuing engagement with his work involves reinterpreting his thinking in order to apply it to different problems than it was originally designed to answer. This process of interpretation is an on-going endeavour; as we will see, Butler returns to the same passages in Foucault's work again and again.

In this chapter, I will attempt to follow the twists and turns which characterise Butler's engagement with Foucault's thinking by focusing on the notion of performativity that is central to her project. In the last chapter, we saw how, in *Subjects of Desire*, she forges an interpretation of Foucaultian power as juridical and repressive, productive and discursive, volatile and expansive. I also showed how in *Gender Trouble* (1990), she fashioned a notion of power-discourse which combined her interpretation of Foucaultian power with Derridean discourse, and a notion of Foucaultian genealogy as a project which

challenges the naturalisation of the subject. Butler's concept of performativity brings all of these strands together and also develops them in new directions.

In the interview 'Gender as Performance' (1994), she states that she devised the notion of performativity to explain how discourse produces the subject—something for which she considers Foucault does not offer an adequate account:

I begin with the Foucaultian premise that power works in part through discourse and it works in part to produce and destabilise subjects. But then, when one starts to think carefully about how discourse might be said to produce a subject, it's clear that one's already talking about a certain figure or trope of production. It's at this point that it's useful to turn to the notion of performativity (1994: 33).

In this chapter, I will show how the notion of performativity emerges out of Butler's engagement with Foucault's work, and how she then uses this concept to reinterpret his thinking. I will also show how she develops the idea of performativity in conjunction with the psychoanalytic notions of repression, foreclosure and the psyche. As we will see, it is through these that she formulates her criticisms of Foucault's work.

From Inscription to Performativity

At the end of *Subjects of Desire* (1987: 236-8), Butler discusses the fact that Foucault, in his essay, ‘Nietzsche, Genealogy, History’ (1971: 375), describes Nietzsche’s view of the body as an inscribed surface on which the events of history are imprinted and from which significations emerge. Interpreting this as Foucault’s own view, she argues that inscription is a more complicated notion than he suggests; it has to be conceived in terms of different kinds of bodies. One of the questions she raises here is how we might understand the body as the inscribed surface of gender relations.¹ As I will show, it is in the attempt to formulate an answer to this question that she develops her notion of performativity.

After writing *Subjects of Desire*, Butler first takes up the theme of inscription of the body in her paper ‘Foucault and the Paradox of Bodily Inscriptions’ (1989),² parts of which are included in *Gender Trouble* (1990). In the latter, she argues that:

In a sense, *Discipline and Punish* can be read as Foucault’s effort to rewrite Nietzsche’s doctrine of internalization in *On the Genealogy of Morals* on the model of *inscription*. (1990: 134).

Butler (1990: 134-6) draws on Foucault’s brief presentation of the notion of the prisoner’s soul in *Discipline and Punish* (Foucault, 1975: 29-30) to explain

how, rather than being a materiality outside and prior to power and discourse, the sexed body is produced by these.

Butler argues that, in Foucault's account of the prisoners, the law is not presented as external to their bodies but as signified on them. It is inscribed on their bodies as that which defines them and gives them their intelligibility; it is synonymous with their essence or soul. She suggests that, for Foucault, the soul is not interior to the body, but is inscribed on the surface of the body as the signification of an invisible, illusory internality that defines the subject:

The figure of the interior soul understood as “within” the body is signified through its inscription *on* the body, even though its primary mode of signification is through its very absence, its potent invisibility. (1990: 135).

Applying this analysis to the sexed body, Butler argues that the signification of the law of gender—the taboos against incest and homosexuality—on the body creates the illusion of an interior, organising gender core that defines the essence of the subject. This gives rise to a corporeal stylization of bodies that acquire their coherence through the binary configuration of sex, gender and desire.

Butler (1990: 139-41) develops this analysis further by devising the concept of performativity to explain the notion of significations on the body. She argues

that the illusion of an inner gender core or substance, inscribed on the surface of the body, is the product of actions that are “performative” (1990: 139). Butler’s notion of the performative is derived from J. L. Austin’s elaboration of constative and performative uses of language in *How To Do Things With Words* (1962). Austin describes the performative as a sentence which “indicates that the issuing of the utterance is the performing of an action” (Austin, 1962: 6).

In *Gender Trouble*, performatives are presented as both corporeal acts and signifying practices which, constrained by power, fabricate the sexed body and gender identity through processes of repetition. In this text, the notion of performativity is employed to explain the productivity of signifying practices: how they produce sex and gender, and the illusion of naturalisation. It is also used to counteract the metaphysics of substance: there are no essences, only singular acts which effect what they signify; power is productive through the force of these acts.

Although Butler’s notion of the performative is drawn from Austin, other influences are more important for the broader notion of performativity which she employs. Performativity incorporates her interpretation of Foucaultian power as juridical and productive, as functioning through discourse, and as constructing subjects. The notion of performativity also draws on Derrida’s essay ‘*Devant la loi*’ (Derrida, 1985),³ Paul de Man’s work on Nietzsche (De Man, 1979: 79-131),⁴ Simone de Beauvoir’s notion of the situated body (De

Beauvoir, 1949)⁵, and practices of drag and butch/femme styles in lesbian and gay communities. (Butler, 1990: 136-9).

In *Gender Trouble*, Wittig's view of language as having material effects plays a major role in Butler's discussion of how sex and gender become sedimented in performative acts. Butler (1990: 114-6; 125-6; 139) shows that, in explaining how compulsory heterosexuality is constructed, Wittig presents language as an oppressive system that violently shapes both individual bodies and the social world; through the repeated acts of speaking subjects, language produces the categories of sex, and man and woman, as aspects of social reality: "language works in a *material* way to construct the social world" (1990: 119). Butler argues that:

Wittig understands gender as the workings of "sex" where "sex" is an obligatory injunction for the body to become a cultural sign, to materialize itself...as a sustained and repeated corporeal project.

(1990: 139).

In *Bodies That Matter* (1993), in contrast to the variety of sources for the notion of performativity cited above, Foucault and Derrida emerge as the main influences on Butler's formulation of this notion. In this text, Butler turns her attention to the process of sedimentation of performatives. Instead of the fabrication of effects, it is now the materialisation of regulation that is at issue; in place of resistance as denaturalisation and the proliferation of alternative

corporeal styles, there is here an acceptance of the resistance of signifiers to changes in meaning.

Following Derrida, Butler argues (1993: 13; 226-7) that the reason performatives produce effects is that they are citations of conventions.⁶

Applying this to gender, she defines performatives as acts that cite norms. She argues that norms compel reiterations of themselves:

the norm of sex takes hold to the extent that it is “cited” as such a norm, but it also derives its power through the citations that it compels. (1993: 13).

Butler now presents performativity as the reiterative power of discourse to materialise the body, and other objects that it constrains and controls, through the process of citation of norms. Performatives produce effects through the authority that they accumulate over time.

In *Bodies That Matter*, in contrast to *Gender Trouble*, Butler consistently employs the term “norm”, rather than law. There is no discussion of this move; however, it signals an important development in her conceptualisation of power. In the earlier work, sex, gender and sexuality are presented as cultural configurations which combine signification with regulatory processes of law; in this text, as we have seen, there is little discussion of how these processes function. In *Bodies That Matter*, Butler’s use of the concept of the norm

enables her to foreground the question of power rather than, as in *Gender Trouble*, discourse. The norm is a concept which describes regulatory processes; however, in Butler's usage, it also encompasses signification. Signifiers such as sex and gender, and injurious names which she now also considers, are presented as being simultaneously regulatory and discursive.

In line with these developments in Butler's thinking, as I will now show, Foucaultian power is redefined as a repetitive process of citation of norms that produces material effects; its productivity is viewed in terms of the constitution of the matter of bodies and, more generally, of materiality itself. This, in turn, leads Butler to also rework Foucault's conceptions of the body and the soul, in the context of which her notion of performativity was originally developed.

In the introduction to *Bodies That Matter*, Butler (1993: 8-10) takes up the commonly encountered argument that Foucault personifies power by positioning it, rather than human agency, as the subject that produces history.⁷ To counter this, she proposes an interpretation of Foucault's concept of power as a process of reiteration of regulatory norms: "There is no power that acts, but only a reiterated acting that is power in its persistence and instability." (1993: 9). This "reiterated acting" is what characterises performativity.

In *Bodies That Matter*, it is power as reiterated acting that effects the constitution of matter; materiality is an effect of productive power:

That matter is always materialised has, I think, to be thought in relation to the productive and, indeed, materializing effects of regulatory power in the Foucaultian sense. (1993: 9-10).

Regulatory norms work performatively to materialise the sexed body; in fact, the sexed body has to be conceptualised as the materialisation of regulatory norms. (1993: 2).

In this text (1993: 32-35), Butler again reworks the brief passage in *Discipline and Punish* (1975) on the relationship between body and soul; this time, in the context of a conceptualisation of the body as a process of materialisation, and of the soul as a process of investment in the body. Here she draws on Aristotle's notion of the relation between body and soul. Butler argues that, in his work, the soul signifies the actualisation of matter: the relationship between soul and body is like that between the wax and the shape that is given to it by its stamp; each depends on the other. In her analysis of Foucault's soul, she takes up Aristotle's notion of a *schema*: the form, shape or figure without which matter never appears.

Butler argues that Foucault's soul has to be seen as a concept that historicises this formulation: his soul "acts as a power-laden schema that produces and actualizes the body itself" (1993: 33); it is "a normative and normalizing ideal" (1993: 33) that shapes and forms the body. She suggests that, in *Discipline and Punish*, the soul brings the prisoner into existence in the sense that her/his

subjection is ensured through the way in which the soul acts as the principle of her/his material formation as a subject; the investment of power in the prisoner's body and the materialisation of that body are coextensive.

In an important footnote that links the constitution of the prisoner's body to her/his formation as a subject, Butler elaborates further on this interpretation of Foucaultian power:

The soul renders the body uniform; disciplinary regimes train the body through a sustained repetition of rituals of cruelty that produce over time the gestural stylistics of the imprisoned body....It is in this sense that materialization can be described as the sedimenting effect of a regulated iterability. (1993: 252).

Here Butler presents Foucault's account of the operation of power in terms of performativity: the key elements of discipline are the repetition of rituals, the iterability of regulations, and the sedimentation of these as the stylised body of the prisoner.

This exposition of Foucault's view of the relation between the body and the soul differs from the earlier interpretation which Butler presented in *Gender Trouble*. This earlier interpretation has to be placed in the context of her attack on essentialism and her view that power and discourse fabricate ontological effects. Thus, the soul is depicted as signifying an illusory internality, a

substance or essence; gender is presented as a play of fantasy on the surface of the body; the prisoner's soul is represented as signifying the law—the essence of which constantly eludes us.

In *Bodies That Matter*, instead of the play of the law on the surface of the body, the prisoner's soul is now seen as a materialisation of the body through a normative investment by power. In Foucault's text, discipline shapes individuals, in part, through the establishment of norms. Butler takes this up in her depiction of the soul as a “normalizable ideal”. In line with her reconceptualisation of Foucaultian power through performativity, she interprets discipline as a reiterative practice.

In chapters 5 and 6, I will show that Foucault does not, in fact, view the relation between power and the prisoner's body on the model of inscription or materialisation. In his work, like Butler's, there is a focus on certain signifiers: in *Discipline and Punish*, the delinquent; in *The History of Sexuality volume 1*, the masturbating child, the perverse adult, and others. However, as I will show, these signifiers are viewed as emerging out of specific practices or technologies that incorporate power and knowledge; they are then elaborated as objects of knowledge in discourses that have a strategic dimension.

This is a very different model of power and discourse from Butler's. Foucault does not, as Butler argues, conceptualise power as a process of materialisation that is effected through repetition of norms. In *Discipline and Punish*, as I will

‘show in chapters 5 and 6, the technology of punishment implemented in the prison is described not as a repetition of norms, but as a set of disciplinary techniques that combine power and knowledge. In relation to these techniques, norms play a role that is different from, and more limited than, the one that Butler ascribes to them.

Butler’s reworking of Foucaultian power through the notion of performativity represents an attempt to draw on the productive aspects of this notion. Derrida notes the affinity between the force that attaches to Austin’s performative, and Nietzsche’s thinking (1985: 98). However, performativity is also, in Austin’s account, a juridical concept. Butler herself notes the central place occupied by the marriage ceremony in his analysis, and the fact that performatives include “legal sentences, baptisms, inaugurations, declarations of ownership” (1993: 225).

In explaining how power is not a subject but a “reiterated acting”, Butler employs the model of the judge and the law: “the judge cites the law that he applies, and it is the power of this citation that gives the performative its binding or conferring power.” (1993: 225). In *Bodies That Matter*, in her notion that performatives derive their power from the citation of norms, Butler retains the connection which Austin draws between convention and the force of the performative. It is noteworthy that she initially takes Austin’s notion of the performative from an essay on the source of the authority of law: namely, Derrida’s ‘*Devant la loi*’.⁸

In *The History of Sexuality Volume 1* (1976), Foucault argues that one of the characteristics of sovereign and juridical power is that it is modelled on the role of the legislator. He suggests that, in this model:

Power's hold on sex is maintained through language, or rather through the act of discourse that creates, from the very fact that it is articulated, a rule of law. It speaks, and that is the rule. The pure form of power resides in the function of the legislator; and its mode of action with regard to sex is of a juridico-discursive character. (1976: 83).

In Butler's account of the performative, it is also through “the invocation of convention” (1993: 225), the citation and reiteration of norms, that the judge's speech draws its force. In *Bodies That Matter* (1993: 249), Butler interprets the passage cited above as a criticism of Lacan's work. She defends Lacan's position arguing that Foucault, wrongly, assumes that repetition has to be repetition of what is self-identical; he describes the law as “doomed always to repeat itself” (Foucault, 1976: 85).

In fact, Butler does take her notion of the performative beyond ritual repetition: following Derrida, she argues that a performative always has the ability to break with its existing context. However, as I will show in the next section, Butler will have difficulty in reconciling the ritual and repetitive aspects of

performativity with the volatile and expansionist nature which she still ascribes to Foucaultian power, and also to the Derridean signifier through which she sees this power functioning.

Power, Interpellation, Resistance and Hate Speech

One of the issues which Butler finds most problematic in Foucault's work is the possibility of resistance to power. In an early work, 'The Force of Fantasy: Feminism, Mapplethorpe, and Discursive Excess' (1990a), Butler links her notion of resistance as resignification to Foucault's concept of a "reverse" discourse" (Foucault, 1976: 101). In *The History of Sexuality Volume 1* (1976), Foucault notes that the discursive elaboration, in nineteenth century psychiatry and jurisprudence, of homosexuality and other minority sexual practices brought about increased regulation of a domain that, previously, had only been categorised as "perversity". However, in so doing, it also made possible the formation of a reverse discourse in which homosexuals formulated demands for rights in the same language that had been used to pathologise them.

Butler interprets reverse discourse as an inadvertent outcome of regulation and a consequence of the uncontrollable nature of discourse; regulatory regimes produce the conditions for their own subversion (1990a: 198). She argues that Foucault derives his conception of reverse discourse from Nietzsche's notion of the sign-chain. She defines this notion as the idea that the original purposes

of a sign are “reversed and proliferated throughout the history of its usages” (1990a: 198).

The work cited above is contemporaneous with *Gender Trouble* (1990) in which performativity is presented as offering endless possibilities for proliferating alternative styles of gender. In *Bodies That Matter* (1993), however, resistance is no longer conceptualised in terms of contesting the naturalisation of discursive categories. Here, the focus is on the use of injurious terms directed against those on the boundaries of social and discursive life. Butler emphasises the way in which injurious terms act as a constraining influence on resignification as they become sedimented through usage.

Taking up Nietzsche’s notion of the sign-chain, Butler now argues (1993: 223-4) that the possibility of resignification cannot be deduced from the volatile nature of the sign alone. She points out the difficulties involved in changing the meaning of terms that carry a long history of injury and shame: as the name institutes us as subjects, we cannot totally evacuate it; rather we have to resignify the site of injury from a position of occupying it. Identifying Foucault’s position with Nietzsche’s sign-chain again, Butler now accuses him of investing power with a life of its own, as if it could reconfigure itself at any and every moment. She describes Foucault’s position as a “utopics of radical resignification” (1993: 224).

In her work, Butler also argues that Foucault's position displays the opposite feature to this: it leaves no space for resistance. This criticism arises in the context of her development of Louis Althusser's model of the constitution of the subject through interpellation. In an interview with Vikki Bell, 'On Speech, Race and Melancholia' (1999a), Butler presents her turn to Althusser's work as a response to what she perceives to be inadequacies in Foucault's notion of the relationship between discourse and the subject. Here she (1999a: 164) argues that Foucault's position is "too unilateral": it cannot account for the partial constitution of subjects, the failure of subject formation, or the constitution of subjects in unpredictable ways. Butler again refers to the prisoner in *Discipline and Punish* (1975):

It's as if the prisoner is simply made, it's as if somehow the prisoner is constituted almost mechanistically. (1999a: 164).⁹

In 'Ideology and Ideological State Apparatus', Althusser (1970: 115-126) presents the scene of an anonymous passer-by who is hailed by a policeman's call—"Hey, you there!"—and responds by stopping and turning around. He argues that this turning around to face the law allegorises the process by which we are constituted as subjects; in this case, as subjects of the law. For Althusser, the subject does not pre-exist the law; rather, s/he has to be initiated as a subject through establishing a relation to the law.

In *Bodies That Matter*, Butler links Althusser's concept of interpellation to her notion of performativity by arguing that the call of the law is performative in that it constitutes us as subjects: "the "I" only comes into being in discourse through being called, named, interpellated" (1993: 225). In other words, before we can become subjects of discourse, we have first to be subjected by discourse through being addressed. In her interview with Vikki Bell, Butler argues that Althusser's model avoids what she views as a deterministic approach on Foucault's part; Althusser's framework allows for the possibility of a subject not answering the call, or taking it up in a way that is not intended.

In the light of Butler's earlier discussion of the prisoner, her criticism of Foucault's position is not surprising. However, we now find that, on the one hand, she is arguing that Foucault presents us with a model of subject formation in which the effect of power is totalising; and on the other, that his model of resistance implies that the effects of power can always and easily be subverted and reversed.

As we have seen, in her first work, *Subjects of Desire* (1987), Butler looked to Foucault's concept of power to provide a theory of resistance. Here she presented him as arguing that regulation by the law generates inadvertent consequences that proliferate out of control. In *Gender Trouble*, the instability of Foucaultian power that was highlighted in the earlier work was now reinterpreted as the propensity of repetition to stray from regulatory norms, and, thus, present the possibility of subjects consciously proliferating

alternative configurations through performative acts. Although, in *Bodies That Matter*, Butler argues that Foucault has no theory of resistance, in her later work she continues to define the possibilities for resistance through his theory of power. This, as I will now show, is the case in *Excitable Speech* (1997a).

In this text, Butler explores the theme of injurious interpellation through an extended discussion of hate speech. This engagement leads to a further elaboration of the relation between performativity, the constitution of the subject, and resistance which is based on yet another interpretation of Foucaultian power. In *Excitable Speech*, Butler moves away from her previous preoccupation with genealogy and the ontological effects of discourse, and applies her concepts of power and performativity to a concrete contemporary political issue; namely, current attempts that call on the state to block hate speech by legislating against it.

This text revolves around the way in which Austin's performative has been used as a tool in these efforts. Butler shows how supporters of legislation against hate speech in the U.S.A., such as Catharine McKinnon, have based their case on the fact that performatives have the dual character of saying and doing at the same time. In defending a position that opposes calls for state intervention in the field of hate speech, Butler argues that not all speech acts that have the form of the performative are efficacious. She employs Foucault's notion of power to distinguish her notion of the performative from the version

advanced by proponents of legislation which, she argues, is based on a legal or juridical model.

Here Butler's approach to the performative marks a departure from the centrality of the concept of sedimentation in *Bodies That Matter*, and the attempt there to redefine Foucault's concept of power through the notion of reiteration. In *Excitable Speech* the iterable nature of performativity is still central to Butler's analysis. However, her emphasis is now on the fact that the citational character of the performative means that neither its origin nor its end can ever be permanently fixed; the performative can always be disconnected from both its context and the speaking subject. This notion of the vulnerability of the performative to reappropriation is now combined with a context of social institutions and practices that is largely absent from her previous work. *Excitable Speech* provides analyses of pornographic practices, anti-discrimination legislation, and homophobia in the military.

Butler's (1997a: 1-41; 71-82) main criticism of the proponents of legislation against hate speech is that the notion that speech acts always do what they say is modelled on legal language and the power of a sovereign state. She argues that, today, the speech acts of the judiciary and the police may act in this way, but those of groups and individuals outside the state apparatus do not; while hate speech can act injuriously, those who utter it cannot ensure that hate speech acts on others in the way they intend.

Butler (1997a: 74-80) presents an alternative model of the functioning of the performative. She bases this presentation on a new account of Foucaultian power: to her previous accounts of power as proliferation, and reiteration, she now adds power as a dispersion. In her discussion, she focuses on Foucault's conception of power as emanating from different sites, rather than as being held by particular groups or individuals. She argues that, on this model, power has to be seen as actualised in the effects of practices; and the subject has to be viewed as constituted by these practices, rather than as the one who wields power.

On the basis of this analysis, Butler argues that responsibility for hate speech cannot be ascribed to individual speakers; rather the power to injure that it exercises has to be seen as dispersed in disparate institutions within the state apparatus and civil society. For the same reason, the effect of hate speech on minority groups cannot be viewed as totalising; the dispersion of power makes resistance, rather than the acceptance of a status as victims, possible. In line with this attempt to distance the functioning of most performatives from a legal model, Butler (1997a: 35-6) also presents a non-juridical analysis of the injurious name: the name has to be conceptualised as an on-going process that encompasses a diverse, mobile and complex history of relations.

The argument that Butler presents in *Excitable Speech* suggests that there are two types of performatives: sovereign performatives that emanate from the state apparatus, the efficacy of which are guaranteed; and other performatives

that derive their force from the dispersed network of power relations in civil society, and frequently lack efficacy. This distinction between the ways in which performatives that issue from the state differ from other performatives undermines the basis of Butler's initial Foucaultian analysis that power is no longer sovereign in character but dispersed throughout society.

Foucault rejects the distinction between the state and civil society that Butler employs.¹⁰ In *Discipline and Punish*, for example, he shows how the disciplinary power that spreads through society also transforms, and links up with, the state apparatus. Butler's distinction between state and civil society raises the problem of where the state apparatus ends and civil society begins. If only the state's performatives are guaranteed to be efficacious, how, for example, are gender and sexuality now constituted?

Butler's distinction between performatives that issue from the state, and other performatives, has to be seen as a response to a problem that arises as soon as the performative is conceptualised on the Derridean model: if every citation brings the possibility of a break with context, then how do performatives ever become sedimented? And why do some become sedimented within a context but not others? This is a problem that Butler considers in the last chapter of *Excitable Speech* where she compares Derrida's development of Austin's performative with Pierre Bourdieu's.

Here (1997a: 141-63) she provides a critical reading of Derrida's position. She argues that by casting iterability and the break from previous contexts as features attributable to the nature of the sign alone, Derrida forecloses the possibility of a social analysis; we are unable to ask why some performatives exercise more social force than others and, conversely, why some appear to break more easily from their social contexts than others.

Butler argues that Bourdieu is able to offer such an account, but at a cost: he attributes the force of the performative to the position of social power occupied by the subject; however, on this model, the performative cannot do anything other than reinforce the status quo—it cannot break with its context.¹¹ In her discussion, Butler uses Foucault's view of power and discourse as co-extensive, and of power as emanating from both official and unofficial sites, to criticise Bourdieu's position that language derives its authority from differential positions in a social sphere that is exterior to it.

Butler offers no alternative to the impasse presented by this juxtaposition of Derrida's and Bourdieu's positions: "We have yet to arrive at an account of the social iterability of the utterance." (1997a: 150). At the end of *Excitable Speech*, the reader is, thus, confronted with a situation where, after the concept of performativity has unravelled in relation to concrete political situations, no solutions are offered to the problems its employment has posed.

What is surprising about Butler's analysis is that the resources offered by Foucault's notions of technology and strategy for analysing the sedimentation of relations between power and discourse are ignored. These are the concepts that complement his view of the social as a series of mobile relations emanating from diverse sites: technologies constitute relatively stable, but dynamic, compositions of power and knowledge that are formed in social practices; strategies shape the mobile trajectories followed by power and discourse. These will be analysed in chapters 5 and 8.

A Psychoanalytic Critique of Foucault

In *Subjects of Desire* (1987), as we saw, Butler positions psychoanalysis in relation to Foucault's "critique of the repressive hypothesis" (1990: 74). This phrase, which regularly appears in her work, is a reference to the passage in *The History of Sexuality Volume 1* (1976: 83-5) in which Foucault criticises the juridical notion of power on which, he argues, psychoanalysis is based.¹² In the previous chapter, I argued that Butler misinterprets Foucault's analysis, viewing it as a critique of psychoanalysis' failure to recognise the productivity of power, rather than a critique of the juridical nature of its conception of power; for her, what distinguishes Foucault's approach to power is that the repression exercised by the juridical law actually produces desire, rather than, as in psychoanalytic theory, following it.

In this section I will show how, in *Gender Trouble* (1990), Butler uses her interpretation of this passage to criticise psychoanalysis while, at the same time, attempting to rework aspects of its theory through Foucault's notion of power; and how, in *Bodies That Matter* (1993), she reverses this approach, arguing not only that psychoanalysis has a productive view of power, but also that it encompasses a dimension of exclusion and abjection which Foucault ignores.

In *Gender Trouble* (1990: 57-77), Butler employs psychoanalysis to address the question of how the system of compulsory heterosexuality constitutes gender identity at the level of the individual psyche. Here, her focus is on the functioning of prohibitions and taboos in the genesis of the individual. She criticises Freud for positing pre-discursive desires and dispositions in individuals, and for failing to acknowledge that identity is produced not only by a taboo against incest, but also by a taboo against homosexuality. Her analysis is based on the genealogical approach that she applies in her presentation of the heterosexual matrix. It also involves a reworking of Freud's notions of repression and the incest taboo through, what she terms, "Foucault's genealogical critique of foundationalism" (1990: 72). This she defines as the idea that there can be no sex, gender or desire that precedes power.

Butler shows that, in Freud's work,¹³ although heterosexuality is presented as a construction, in the process of which other possible sexual identifications have to be excluded, he also suggests that the relative strength of "the masculine and

feminine sexual dispositions” (1990: 58-60) in an individual determines the pattern of gender identity that emerges. Drawing on her conception of Foucaultian genealogy, Butler criticises Freud for positing primary sexual dispositions and suggests that, rather than being foundational, these are productions of the regulatory system of heterosexuality. She argues by concealing the genealogy of the notion of sexual dispositions, power is able to create the illusion that it is the facts of psychic life that are at the origins of cultural configurations of sexuality, when, in fact, the reverse is the case.

In relation to homosexuality, Butler shows that Freud evades the implications of his own thinking. She argues (1990: 63-4; 69-70) that, in order to function, the taboo on incest—on desire for the parent of the opposite sex—must be preceded by a taboo on homosexuality—on desire for the parent of the same sex.¹⁴ As a result, she suggests, stable gender identities that conform to the heterosexual matrix are always formed as oppositional, carrying the trace of disavowed homosexual desire; at the psychic level, in avowedly heterosexual individuals, repressed homosexual desire must always co-exist with heterosexual identity. This analysis of the production of homosexual desire at the level of the psychic formation of the individual complements the one that Butler presents of the social field where the stability of heterosexuality depends on the existence of homosexuality as an identity that is intelligible, though forbidden.

In *Gender Trouble*, Butler (1990: 65; 72-3; 75-7) also reconfigures the Freudian theory of the genesis of individual identity by applying her notion of Foucaultian power; here her aim is “to reverse Freud’s causal narrative and to think of primary dispositions as effects of the law” (1990: 65). She argues that repression creates the incestuous desires and homosexual dispositions that it subsequently represses in order to produce exogamic heterosexuality as the cultural norm.

In an analysis that echoes Lacan’s, Butler interprets this repression as instituting sanctions as well as prohibitions: the law not only dictates what is impermissible, it also sets out what is legitimate. It is able to do this because it is discursive as well as regulatory: the law “acts not merely as a negative or exclusionary code, but as a sanction and, most pertinently, as a law of discourse” (1990: 65). She argues that taboos are productive because at the same time as they draw a line between the legitimate and the illegitimate, they also distinguish between what can and cannot be said; they produce and delimit the domains of the speakable and the unspeakable.

This attempt at employing Foucault’s concept of power to recast psychoanalytic taboos and prohibitions as productive is incompatible with the critique of psychoanalysis that he presents in *The History of Sexuality Volume 1* (1976). Here, in the sections of his analysis on “*The negative relation*” (1976: 83) and “*The cycle of prohibition*” (1976: 84), he makes his rejection of the concepts of taboo and prohibition very clear. In her discussion of the incest

taboo, Butler states that her concern is not with arguments about whether the incest taboo is universal. However, she does argue (1990: 75-6) that, rather than being a universal law, the incest taboo might be understood as a particular historical configuration of power. She suggests that it may be applicable to late capitalist households, where desire for the mother is both incited and prohibited, rather than human history and culture as a whole.

As I will show in chapter 7, Foucault's approach to the notion of the incest taboo is different: he ascribes its emergence to medical intervention in the family and to the play of interests in the strategic field of medical discourses at the time. Foucault takes a similar approach with respect to homosexual identity arguing that it emerges as a consequence of a “psychiatrization of perverse pleasures” (1976: 105; 42-3) in the context of developments in the technology of sexuality in the nineteenth century.

In *Bodies That Matter* (1993), and her later work, Butler's deployment of psychoanalysis will move away from a focus on repression in general to a reworking of the more specific notion of foreclosure. In *The Psychic Life of Power* (1997), she describes the difference between the two in Freud's terms: a repressed desire “might once have lived apart from its prohibition” (1997: 23); foreclosed desire is barred from consciousness, but it is also constitutive of the subject. As I will show below, in *Bodies That Matter* and *Excitable Speech* (1997a), Butler's emphasis on foreclosure is part of an attempt to account for the constitution of the subject in Foucaultian and psychoanalytic terms.

However, in *Excitable Speech*, she also continues to employ a broader concept of repression and to cast this as productive.

This broader concept is associated with explicit, rather than implicit, prohibitions that open themselves to public contestation. In Butler's work, explicit prohibitions tend to take two forms: censorship of sexuality and injurious interpellations. As in *Subjects of Desire*, Butler continues to argue that sexual prohibitions lead to an eroticization of prohibition itself, and a proliferation of sexual discourses.¹⁵ Having previously, mistakenly, attributed this position to Foucault, she (1997a: 93-4) now insists that it is, in fact, originally a psychoanalytic, rather than a Foucaultian argument: it derives from Freud's position that the repression of the libido becomes a libidinal activity.¹⁶

In *Bodies That Matter*, Butler attempts to refine her notions of both repression and the possibility of resistance to power. In this text, she positions the psychoanalytic unconscious as an aspect, not only of the subject, but also of discourse and the social. Here she argues that what is valuable in psychoanalysis is the idea that every regulatory norm produces a remainder: "its outside, what one might call its 'unconscious'" (1993: 22); and every formation of the subject requires the production of exclusions through mechanisms of repression and foreclosure.

In this text, Butler employs the psychoanalytic notion of an outside in conjunction with her reinterpretation of Foucault's notions of power and

discourse as a “reiterated acting” that constitutes a process of materialisation. At the same time, she criticises Foucault for rejecting the psychoanalytic notion of an outside to discourse. This is in contrast to her earlier work, where his thinking was presented as a counter to what she viewed as the metaphysical, foundationalist assumptions of psychoanalysis.

Developing the position that she put forward in *Gender Trouble*, Butler (1993: 1-23) argues that the matrix by which gendered subjects are formed, requires the construction of a domain of bodies that fail to materialise the norm; these are bodies that are not viable, bodies that are inhuman. Butler’s notion of this domain of unviable bodies combines discursive and regulatory concepts: these bodies are unintelligible, introducing disruption and incoherence into systematicity; they are also abjected,¹⁷ disavowed beings who fail to qualify as subjects.

Butler argues that the domain of the abject has to be conceptualised as the constitutive outside¹⁸ of the domain of intelligible bodies; as the limits of intelligibility rather than as its opposite. The domain of the inhuman circumscribes and delimits the intelligible, while also performing the function of policing it; the intelligible is thus dependent on the unintelligible for its existence. Butler presents the domain of the abject as the product of foreclosure and erasure. She argues that the boundary that it creates is a variable one that is dependent on political factors. In the interview, ‘How Bodies Come to Matter’ (1998), when pressed for examples of abject bodies, Butler cites non-Western

lives, refugees, the poor and psychiatric patients, in addition to lesbian and gay lives.

Butler's working of the psychoanalytic remainder as a constitutive, rather than an absolute, outside can be seen as a development of the Derridean model she has previously employed in *Gender Trouble* in the context of describing the relation between heterosexuality and homosexuality.¹⁹ In *Bodies That Matter* (1993: 187-242), the notion of a constitutive outside is employed in conjunction with her theory of performativity: the performative operates with regulatory force to materialise bodies; in so doing, it operates through reiteration and foreclosure at the same time.

Butler's notion of a constitutive outside to power and discourse has implications for her view of the norm: this now includes alterity as its constitutive outside. Materialisation is never a stable process; as each repetition of the norm has, of necessity, to also repeat that which it forecloses, it is always subject to failure. The subject that is produced is characterised by incoherence and dissonance: "identity always requires precisely that which it cannot abide" (1993: 188). This instability in the process of repetition means that resistance and resignification can shift the boundaries of the norm making it possible for it to incorporate what it had previously excluded.

Butler (1993:35) suggests that, by focussing only on the productive and formative aspects of power, Foucault fails to acknowledge that materialisation necessarily involves this process of foreclosure whereby some bodies are

excluded and remain radically unintelligible. Later, she argues that Foucault views the subject as “a unilateral effect of prior discourses” (1993: 189). She also refers to a “Foucaultian linguisticism, construed as a kind of discursive monism, whereby language effectively brings into being that which it names” (1993: 192).

Much of Foucault’s work is concerned with Butler’s domain of abjection, and it is surprising that she makes her criticisms without any discussion of this fact. However, while he does not ignore the question of abjection, he does conceptualise it in a different frame from Butler. As I have argued above, Foucault does not view power or discourse on the model of performativity, and, as I will show in chapter 6, his concept of the norm also functions in a different way from Butler’s.

In chapters 5 to 7, I will show how Foucault’s thinking on abjection and discursive intelligibility is exactly the opposite of Butler’s: he presents the abject as more, rather than less, clearly delineated than the non-abject. Foucault’s work on the nineteenth century illustrates how groups such as criminals and homosexuals became the occasion for an explosion of discourses. He also shows how it was the discursive elaboration of individuals in these groups that determined the framework in which everyone else came to be defined. On the wider question of the possibility of resistance to power—which Butler is attempting to address here, and for which she implies Foucault

leaves no space—I will, in chapter 5 show that this does not, in fact, pose the type of problem for him that she suggests.

In *Bodies That Matter*, the notion of social abjection is modelled on the psychoanalytic concept of foreclosure: the foreclosed is what is excluded from consciousness and cannot enter it without threatening the dissolution of the subject; the abject is what the social casts out as uninhabitable and threatening identities.²⁰ Butler's employment of the concept of foreclosure emerges as a response to Foucault's criticism of the notion of repression; it is also accompanied by a revaluation of the critique of psychoanalysis which she presented in her earlier work.

In one of the notes to the introduction to *Bodies That Matter*, Butler argues that Foucault's critique of the repressive hypothesis cannot be applied to Lacan's work: foreclosure has “generative effects” (1993: 248-9 fn. 19). For Butler, foreclosure escapes the criticisms that Foucault directs against the notion of repression. In her later work, *The Psychic Life of Power*, she reasserts this position:

As foreclosure, the sanction works not to prohibit existing desire but to produce certain kinds of objects and to bar others from the field of social production. In this way, the sanction does not work according to the repressive hypothesis, as postulated and criticised by Foucault, but as a mechanism of production (1997: 25).

In *Excitable Speech* (1997a: 127-141), Butler positions foreclosure as a type of censorship. Here she distinguishes between explicit and implicit censorship: explicit censorship involves the public regulation of speech; implicit censorship functions through establishing the domains of the unspeakable that are involved in subject formation. Butler argues that, by drawing a distinction between the permissible and the impermissible, censorship, in fact, produces speech: “it produces discursive regimes through the production of the unspeakable.” (1997a: 139).

Butler employs the Lacanian notion of foreclosure to link this production of the unspeakable to processes of formation of the subject. Lacan argues that the infant only becomes a subject by taking up a position within regulatory structures of language that differentiate him/her from a domain of the unspeakable; the subject is produced as the result of a “primary cut” (1997a: 138) that introduces a bar between that subject and the unspeakable. Butler recasts Lacanian foreclosure as a political process that takes place again and again in the social sphere through practices of censorship. She argues that, by demarcating the unspeakable from the speakable, these practices implicitly regulate what is to count as viable subjects.

Through the notion of implicit censorship, Butler recasts censorship as a practice that is constitutive and formative, rather than negative and repressive. This emphasis on the productive nature of censorship, and its recasting in terms

of foreclosure, has to be read as an attempt to defend psychoanalysis against Foucault's critique of this discipline's negative concept of power.²¹ In *The History of Sexuality Volume 1*, Foucault includes “*The logic of censorship*” (1976: 84) as one of the four features of the negative view of power that he associates with psychoanalysis. Butler's attempt to cast censorship as productive does not entirely escape his critique.

Here Foucault argues that censorship takes three contradictory forms: “affirming that such a thing is not permitted, preventing it from being said, denying that it exists.” (1976: 84). In Butler's account these three forms take shape as taboo and repression, discursive unintelligibility, and the domain of the inhuman and the dematerialised. As in Foucault's analysis, these are interlinked as cause and effect of each other in a “paradoxical logic” (1976: 84): repression brings unintelligibility and dematerialisation, but repression also functions as each of these; unintelligibility is an effect of dematerialisation, and dematerialisation is an effect of unintelligibility.

Unlike the Lacanian notion of foreclosure, Butler's notion of censorship is not a totalising one: the abject has the potential to become the non-ajacent; it can materialise into the intelligible and the human. This is because the abject is never actually totally unintelligible or dematerialised. In the interview cited above, ‘How Bodies Come to Matter’, Butler (1998) attempts to clarify her position in this respect. Here her questioners, troubled, understandably, by the notion of bodies that exist but do not materialise, ask if her position should be

expressed in normative rather than ontological terms: isn't the problem that abject bodies *do* materialise and gain intelligibility, but they still fail to qualify as human?

To this Butler replies that ontological effects are a matter of power. Elaborating on this further, she argues that there is “a differential production of the human or a differential materialization of the human.” (1998: 281): the unthinkable and the unintelligible do have a discursive existence, but this is an existence as “the radically uninterrogated” (1998: 281). From a Foucaultian perspective, as I will show in subsequent chapters, this description is totally misplaced.

Repression, Subject and Psyche

In *The Psychic Life of Power* (1997), Butler moves beyond her earlier work by attempting to provide a theory of the subject that combines psychoanalytic and Foucaultian thought. In the process, she presents a critique of Foucault’s conception of the subject, and also an interpretation of his thinking which positions him in relation to Hegel, Nietzsche and Freud.

At the beginning of this text (1997: 1-3) Butler sets out what she perceives to be the central problem in Foucault’s work: for him, as she sees it, power functions both as an external force pressing the subject into submission, and as a formative element that constitutes the subject—power is characterised by the “double valence” of “subordinating and producing” (1997: 2). However, she

argues, Foucault never provides an adequate explanation as to how these two processes of repression and subjectification function together: “he does not elaborate on the specific mechanisms of how the subject is formed in submission.” (1997: 2).

In *The Psychic Life of Power*, Foucault’s concept of power continues to be described through the notion of performativity, but there is also a return to the analysis in *Subjects of Desire* (1987): Foucaultian power is again presented as a productive form of “the juridical power of repression” (1987: 220), that brings about “the constant inversion of opposites” (1987: 225). However, whereas in the earlier text, Foucault’s thinking was positioned as an advance on Hegelianism and psychonanalysis, these are now employed in conjunction with Nietzschean thought to expose what Butler perceives as fundamental weaknesses in Foucault’s view of the relation between power and the subject.

Butler (1997: 31-34; 53-62) argues that Foucault’s account of subjection of the body has affinities with Hegel’s, Freud’s and Nietzsche’s accounts of the consequences of suppression of, respectively, the body, the instincts and the will. However, unlike them, she suggests, he fails to provide the theory of the psyche that is necessary to link repression with the constitution of the subject. Butler shows how, in Hegel’s analysis of ‘The Unhappy Consciousness’ in the *Phenomenology of Spirit* (1807), attempts by the subject to repress its own body through mortification result in the pleasure-seeking and self-augmenting

features of that body being transposed as features of self-consciousness. The body is, thus, preserved in the act of repression itself.

Butler argues that Freud echoes this account of the structure of subjection in his theory of the relation between the libido and repression: here the repressed libido attaches itself to processes of prohibition, turning these into libidinal activities; the libido, thus, becomes the mechanism for its own repression. In Nietzsche's case, the ascetic ideal, presented in *The Genealogy of Morals* (1887), is unable to suppress the will because the will reconstitutes itself as a will to nothingness. Butler argues that, in each of these instances, there is a dialectical reversal at work: the object of repression evades submission by inserting itself into the structures of repression.

Butler's account of Foucault's position reiterates her earlier interpretation: in his case, she claims, repression generates and proliferates the objects that it regulates; the act of repression, and the production of the body, pleasures and desires, constitutes one and the same activity. Linking Foucault's position to both Freud's and Hegel's, she argues that:

For Foucault, repression does not act on a pre-given field of pleasure and desire; it constitutes the field as that which is to be regulated, that which is always potentially under the rubric of regulation. The repressive regime, as Foucault calls it, requires its own self-augmentation and proliferation. As such, this regime requires the field of bodily impulses to expand and proliferate as a

moralized domain, such that it will continually have fresh material through which to articulate its own power. Hence repression produces a field of infinitely moralizable bodily phenomena in order to facilitate and rationalize its own proliferation. (1997: 58).

Butler argues that, despite its difference, this analysis of subjection is indebted to Freud and “remains unwittingly tethered to the Hegelian formulation” (1997: 34): this is because the body, pleasures and desires that are repressed are also preserved through being proliferated; power represses the body while, at the same time, depending on it for its self-expansion.

For Butler, the common ground between Foucault, Hegel and Freud is that they conceptualise the structure of repression in the same way: for each, the object that is repressed is preserved in the structure of repression. Butler suggests that Freud and Hegel take this analysis further: in Freud’s case, to function as prohibition, the law needs the libido that attaches to it; it requires the subject’s attachment to repression. Hegel requires a similar attachment. Butler argues that regulatory regimes constitute sites of attachment for desire; in order to repress, they need this attachment to take place. The subject’s desire, in its turn, needs to attach to a site. She argues that Foucault’s account of power and the subject fails to take this into account.

Butler argues that what is missing in Foucault’s work is an account of the psychic form that power takes: “the entire domain of the psyche remain[s]

largely unremarked in his theory” (1997: 2). She (1997: 1-24; 53-62) shows how in the work of Hegel, Nietzsche and Freud, the subject, like Foucault’s, is formed through submission; however, in their case, she argues, submission takes on a psychic form that constitutes the identity of the subject: the power that presses on the subject results in a turning back on the self that institutes a soul or psyche, and the self-reflexive nature of the subject.

Taking up this model, Butler argues that the process of formation of the psyche involves the internalisation of social norms that assume the form of conscience. However, the psyche, she suggests, cannot be conceptualised as a mere reflection of power: it has a modality of its own that needs to be taken into consideration in accounting for the actions of the subject. She finds recognition of this in the work of Hegel, Nietzsche and Freud, where the psyche is viewed as a form of self-imprisonment: a domain of guilt, self-condemnation, and melancholia, to which the subject forms a peculiar attachment. Butler presents this psyche as the counterpart of repression: if it is the case that the object of repression evades submission by inserting itself into the structures of repression, then an attachment to subjection has to be a constitutive element in the structure of the psyche.

In Chapter 3 of *The Psychic Life of Power*, Butler further develops the interpretation of the prisoner and the Foucaultian soul that she has previously presented in *Bodies That Matter* (1993), and applies the above analysis in this context. She now argues that the “normative ideal” (1997: 85) of obedience, to

which the prisoner is forced to conform, constitutes “a kind of psychic identity”, which Foucault calls a “soul”; it invades and totalises the prisoner, making her/him responsible for her/his own subjection. She argues that, in *Discipline and Punish* (1975), Foucault conceptualises subjectivation of the body in general and, thus all identities, through the metaphor of the prison: “discourse produces identity by supplying and enforcing a regulatory principle which thoroughly invades, totalizes, and renders coherent the individual” (1997: 85-6).

Butler (1997: 86-7) again states that Foucault’s conception of the prisoner leaves no room for resistance. She now argues that resistance requires that the psyche should not be reducible to the subject. Butler suggests that Foucault’s account of the prisoner’s soul lacks this vital element; he reduces the psyche to the operations of the normalizable ideal that is impressed on the subject from the outside. She argues that this is why there is no resistance to normalization in *Discipline and Punish*; resistance requires that the psyche is not reducible to the subject. Butler contrasts Foucault’s position with psychoanalytic theory in which the psyche exceeds the coherent subject and thus provides a basis for resisting normative regularization. Positioning Foucault’s thinking within the conceptual structures of both Lacan’s work and her own, she argues that: “Foucault presumes the efficacy of the symbolic demand, its performative capacity to constitute the subject whom it names.” (1997: 97)

Butler presents a different reading of *The History of Sexuality Volume 1* (1976), focussing on the brief passage in this text where Foucault refers to the emergence of a “reverse” discourse” (Foucault, 1976: 101) among homosexuals. She argues that, here, Foucault insists on “the dual possibility of being both *constituted* by the law and *an effect of resistance to the law*” (1997: 98). In this instance, she claims, the law is transformed into that which both opposes and exceeds itself; it brings into being the conditions for its own subversion. Butler defines this movement through both performativity and Althusser’s concept of interpellation:

What is brought into being through the performative effect of the interpellating demand is much more than a “subject”, for the “subject” created is not for that reason fixed in place; it becomes the occasion for a further making. (1997: 99).

Butler (1997: 101) argues that the reason why we find resistance in *The History of Sexuality Volume 1*, but not in *Discipline and Punish*, is due to the specific relationship of sexuality to power in *The History of Sexuality Volume 1*. Here, she suggests, disciplinary apparatuses fail to repress sexuality because repression itself becomes eroticised and functions as a source of incitement of sexuality; in other words, an attachment to repression develops. Butler (1997: 104-5) now argues that the possibility of resignification that arises from the repetition of norms cannot on its own account for resistance: resistance also demands an input from the psyche; it requires the detachment of desire from

the regulatory regime in which it has invested itself. Butler suggests that Foucault's account of reverse discourse involves an implicit recognition of this; she argues that, to this extent, his work contains a "suppressed psychoanalysis" (1997: 87).

The Psychic Life of Power raises many issues which I will take up in later chapters. Here I will do no more than indicate the broad outlines of what I will argue in relation to three of these. Firstly, with respect to the question of repression: in positioning Foucault's thinking in relation to the history of the concept of repression and finding it wanting, Butler—astonishingly—gives no attention to his critique of this notion. Foucault distances his thinking from this concept not only in numerous passages in *The History of Sexuality Volume 1*—one of which, as we have seen, Butler discusses in *Subjects of Desire* and refers to in *Bodies That Matter*—but also in *Abnormal* (1999), 'Schizo-Culture: Infantile Sexuality' (1989) and "Society Must Be Defended" (1997).

Foucault's notion of power is not the same as the concept of repression: in his case, power does not press down on the body from the outside; neither, therefore, is there a process of inversion of opposites whereby the body is preserved in the structure of repression. Foucault is not simply arguing, as Butler assumes, that we have to see repression as productive; his quarrel is with the notion of repression itself and with the juridical concept of power on which it is based.

In *The History of Sexuality Volume 1* (1976: 128-9; 82-91) and “*Society Must Be Defended*” (1997: 15; 40; 44), Foucault, like Butler, argues that repression was introduced into psychiatric discourse by Freud, and that before it was used by him, it was employed by Hegel; however, he also shows that it is rooted in a theory of law and sovereign power that is much older than these thinkers. He describes repression as having, today, evolved into a contradictory concept that combines elements from the theory of sovereignty with disciplinary notions from the human sciences.

One of the reasons that Foucault gives for rejecting the concept of repression is that it cannot account for the positive and constitutive effects of power in modern society. In *The History of Sexuality Volume 1*, as I will show in chapters 7 and 8, Foucault replaces the concept of repression that, in his time, dominated critical analyses of sexuality, with the notions of technology, apparatus (*dispositif*) and strategy which he had previously developed in *Discipline and Punish*.

Secondly, in relation to the issue of the soul: in *Discipline and Punish*, the Foucaultian soul emerges out of the functioning of technologies of punishment in the prison and the carceral system. As I will show in chapter 6, it is not a psychic entity. Foucault describes the soul as “Knowable man” (1975: 305), and as the “object-effect” (1975: 305) of disciplinary power and knowledge; he refers to it as a “reality-reference” (1975: 29) on which relations of power, and concepts and frames of analysis are inscribed. The Foucaultian soul is a new

space that is forged out of disciplinary practices of power-knowledge; this space makes possible the development of objects of discourse such as delinquency and abnormality, on the basis of which the human sciences have developed.

In *Discipline and Punish* (1975: 251-2) the main function of the prison is not, as Butler suggests, to produce an individual who conforms to “a model of obedience”; rather, it is to produce the delinquent—the person whose nature distinguishes her/him from the law-abiding citizens outside the prison walls. In *Discipline and Punish* and *The History of Sexuality Volume 1*, Foucault is not attempting to develop a theory of the subject: as I will show, his problem is how our modern representations of the subject in the discourses of the human sciences have come to be constituted. It is in this sense that he claims to be developing “a genealogy of the modern ‘soul’” (1975: 29).

Thirdly, in *The Psychic Life of Power*, the analysis of power which Butler applies to *The History of Sexuality Volume 1* is different from the one which she applies to *Discipline and Punish*. In the case of the prisoner, she emphasises processes of sedimentation; power produces regularization of the prisoner’s body through ritual repetition and citation. In contrast, in her analysis of sexuality, it is the volatility of power which is highlighted; here the emphasis is on expansion and proliferation. Power is, thus, presented as functioning in two opposite ways. As we have seen earlier in this chapter, this

is a problem which is inherent in Butler's notion of performativity; it is also a feature of the concept of repression which performativity incorporates.

As I will show in later chapters, the model of power which Foucault employs in *Discipline and Punish* and *The History of Sexuality Volume 1* is fundamentally the same. In each case, power is conceptualised as the emerging composition—not sedimentation—of relations of force in technologies which function in a dynamic, not volatile, strategic field.

In this chapter, we have seen how Butler's interpretation of Foucaultian thought has developed in parallel with her reconfiguration of the politico-psychological concept of repression through the notion of performativity. In the next chapter, in which I begin to present an alternative interpretation of Foucault's thinking and to respond to Butler's criticisms of his work, my starting point will not be his conceptualisation of power, but his approach to knowledge.

¹ Foucault's positioning of the body at the centre of his work in the mid-1970s, and his presentation of it as a social construction, has been an important influence on feminist theory.

See McNay (1992: 11-47).

² For a critique of this article, see Dudrick (2000).

³ See the 1999 new Preface to *Gender Trouble*; also Bell's interview with Butler: "I think in *Gender Trouble* I actually took it [the performative] from Derrida's essay on Kafka, "Before the Law" which had Austin as its background." (1999a: 164). In *Gender Trouble*, there is a reference to this essay in fn. 2, p.150.

⁴ In 'For a Careful Reading' (1995: 134), Butler mentions Paul de Man's (1979: 79-131) essays on Nietzsche as an influence on this concept. These essays include a discussion of the relationship between the doer and the deed that appears in *Gender Trouble*, and also of the performative function of language in Nietzsche's work.

⁵ Butler discusses de Beauvoir's work at various points in *Gender Trouble* (1990: 8; 10-12; 111-2; 139). In an early article, 'Variations on Sex and Gender: Beauvoir, Wittig and Foucault' (1986), Butler argues that, for de Beauvoir, cultural definitions that mark bodies survive only by being reproduced and reorganized in daily behaviour; in this context, the body is positioned and defined within a field of social constraints, but it is also itself a field of interpretative possibilities that opens the way for a variation of corporeal styles.

For a discussion of the influence of de Beauvoir on Butler's notion of performativity, see Lloyd (2007: 37-42).

⁶ Butler takes this argument from 'Signature, Event, Context', (Derrida, 1972). Her emphasis here is different from Derrida's. Derrida uses the notion of citation (or quotation) to argue that the performative, in keeping with the nature of all types of signs, always has the capacity to change its context. Butler discusses this aspect of Derrida's analysis in the last chapter of *Excitable Speech* (1997a).

⁷ In *Gender Trouble*, as in *Subjects of Desire*, the language in which Butler herself describes power frequently exemplifies such a personification of power; for example, when she accounts for the error of assuming a desire that exists before power: "the law produces the conceit of the repressed desire in order to rationalize its own self-amplifying strategies" (1990: 65)

⁸ See note 3 above. Here Derrida argues that the law depends on singular performances for its existence, and without these there would be no law. These performances exercise legislative power in virtue of their status as repetitions of existing laws.

⁹ This is a common criticism of *Discipline and Punish*. See, for example, McNay (1994: 102-4).

¹⁰ See Foucault 1978a: “I think that the theoretical opposition between the state and civil society, on which political theory has been labouring for a hundred and fifty years, is not very productive.” (1978a: 290).

¹¹ For a defence of Boudieu’s position here and a critique of Butler’s, see Lovell (2003).

¹² The meaning that Foucault attaches to the term “repressive hypothesis” is more specific than Butler suggests. It is the title of Part 2 of *The History of Sexuality Volume 1*. Here it refers to a version of the history of sexuality that can loosely be identified with Wilhelm Reich. This connection is clearer in “Schizo-Culture: Infantile Sexuality” (1989), a paper given by Foucault in 1975.

¹³ Butler’s analysis of Freud’s thinking (1990: 57-65) is based on a detailed analysis of ‘The Ego and the Id’ (Freud, 1923). Here her focus is on two aspects of his thinking: the operation of the incest taboo in the formation of gender identity; and the way in which lost and prohibited objects of desire, preserved in the ego as melancholic internalisations, can become focuses of identity.

Freud (1923: 370-3) sets out a complex—and, as Butler shows, often contradictory—schema of identity formation based on the Oedipus complex and the notion of a primary bisexuality in the child. He argues that most boys will identify with their father and most girls with their mothers. However, in some individuals this process is reversed and a melancholic identification with the parent of the opposite sex, who is lost as an object of desire, is formed; in others, two identifications may be formed, with one normally being stronger than the other. Freud suggests that the relative strength of “the masculine and feminine sexual dispositions” (1923: 372) in an individual determines the pattern of gender identity that emerges.

¹⁴ Other writers such as Wittig (1992) and Rubin (1975) have argued the case for this in advance of Butler. The frameworks in which they present their case are, however, different from Butler's.

¹⁵ This analysis can also be found in 'The Force of Fantasy: Feminism, Mapplethorpe, and Discursive Excess' (Butler, 1990a).

¹⁶ See *Excitable Speech* (1997a: 116; 175 fn. 19; 177 fn. 8).

¹⁷ The notion of the abject first appears in *Gender Trouble* (1990: 133-4). Butler takes the idea from Julia Kristeva.

¹⁸ The notion of a constitutive outside appears earlier in Butler's work in the discussion of the relation between prohibition and fantasy in 'The Force of Fantasy: Feminism, Mapplethorpe, and Discursive Excess' (Butler, 1990a).

¹⁹ Butler acknowledges this indebtedness to Derrida in various places in *Bodies That Matter*. See e.g. pp. 38-9. Her working of the notion of a constitutive outside draws on Derrida's concept of the *supplément*. (1993: 38-9; 194.)

²⁰ See *Bodies That Matter* (1993: 243, fn. 2).

²¹ See *Excitable Speech* (1997a: 178, fn. 8).

Chapter 3

Discursive Practice and Archaeological Method: *The Archaeology of Knowledge*

My discussion of Foucault's work begins with *The Archaeology of Knowledge* (1969). Here, and in the following chapters, I will be tracing a line of continuity between this text, *Discipline and Punish* (1975) and *The History of Sexuality Volume 1* (1976). In *The Archaeology of Knowledge*, Foucault presents a view of knowledge in its relation to social institutions and practices.

My aim will be to show how, in doing this, he also develops a set of concepts which, in a modified form, provide the framework for his later work. The most important of these concepts is the “discursive practice” (*pratique discursive*); this is developed in conjunction with the notions of *savoir* and *connaissance*.

In Foucault's work, the term *connaissance* often refers to the human sciences (*sciences humaines*)¹, but it is also employed in the broader sense of disciplines of knowledge. *Savoir* is usually translated as “knowledge”; however, as we will see, Foucault gives this term a distinctive meaning which cannot be conveyed by its English equivalent.

The first section of this chapter discusses Foucault's notions of *savoir* and *connaissance*. The second presents an account of how, in *The Archaeology of Knowledge*, the concept of *savoir* is elaborated through the notion of the discursive practice. Here my focus is on the way in which Foucault employs this concept to define three sets of relations: a relation between *savoir* and the social field; a relation between *savoir* and the subject; and a relation between *connaissance* and *savoir*. In the third section, I compare Foucault's concept of the discursive practice with Butler's view of the practice of discourse.

The fourth section of the chapter discusses the concepts that Foucault employs in formulating a historical methodology with which to analyse the discursive practice. Here I show how, in *The Archaeology of Knowledge*, he adopts the unorthodox approach of combining spatial models of knowledge and the social field with a focus on historical events (*événements*). In opposition to what he sees as an emphasis on teleology and continuity in traditional history, he presents the field of knowledge as constituted by systems of dispersion (*systèmes de dispersion*) which undergo different types of historical transformation (*transformation*). In this section, I show that parallels can be drawn between Foucault's historical methodology and Nietzschean genealogy. I argue that this connection does not provide a basis for the interpretation of Foucaultian genealogy which Butler presents.

Savoir, Connaissance and the Discursive Practice

Foucault develops “archaeology”² as a method for studying the level of informal knowledge—*savoir*—that can be identified as existing “between opinion and science (*connaissance scientifique*)” (1969a: 7). In his early works, *History of Madness* (1961) and *The Birth of the Clinic* (1963), Foucault studies *savoir* in its appearance in different types of texts and also in the forms in which it is manifested in social institutions and practices. In *The Archaeology of Knowledge* (1969), he points out how, in *History of Madness*, he demonstrated that in the seventeenth and eighteenth centuries, there was no established discipline which could be identified as the predecessor of

psychiatry, but there was, nonetheless, a discursive practice or knowledge (*savoir*) concerned with madness:

This discursive practice was certainly present in medicine, but it was also to be found in administrative regulations, in literary or philosophical texts, in casuistics, in the theories or projects of obligatory labour or assistance to the poor. (1969: 179).

In *The Archaeology of Knowledge*, Foucault presents *connaissance* as co-existing with other types of knowledge within *savoir*. He (1969: 179) points out how, in *History of Madness*, he showed that early nineteenth century psychiatry was part of a wider discursive practice that also functioned in the law, politics, literature, philosophy and everyday life.

In Foucault's work, *savoir* is also presented as a link between experience and science. In 'On the Archaeology of the Sciences: Response to the Epistemology Circle' (1968a: 330-332), a paper delivered shortly before the publication of *The Archaeology of Knowledge*, Foucault discusses the relation between *savoir*, science (*connaissance scientifique*) and experience. Here he argues that science cannot be viewed as a reading or translation of what appears in our direct experience of nature and culture; science both refers to experience and breaks from it. He presents *savoir* as a link between experience and scientific knowledge; it determines "the space in which science (*science*) and experience (*experience*) can be separated and situated one in relation to the

other.” (1968a: 331). He argues that the relations which are established between *connaissance* and experience are specific to each system of discourse and vary at different times in history.

In *The Archaeology of Knowledge*, in a rather cryptic clarification of the terms *connaissance* and *savoir*, provided for the English edition, Foucault tells us that:

“*Savoir* refers to the conditions that are necessary in a particular period for this or that type of object to be given to *connaissance* and for this or that enunciation to be formulated.” (1969: 15, footnote 2).

One of the main arguments presented in *The Archaeology of Knowledge* is that *savoir* can be studied as different discursive practices which produce their own objects. Each of these practices manifests a type of systematicity of which its users are unaware. This systematicity has nothing to do with truth or coherence; nonetheless, it sets parameters that have to be observed for discourse to be acceptable.

The clarification of *savoir* and *connaissance* which Foucault provided for *The Archaeology of Knowledge* also draws a distinction between these in terms of the relation between subject and object: “By *connaissance* I mean the relation of the subject to the object and the formal rules that govern it.” (1969: 15,

footnote 2). *Savoir* is distinguished from *connaissance* by the fact that it cannot be defined in terms of the subject-object relation that is involved in scientific and other bodies of formal knowledge; it is, essentially, anonymous; there is no subject at its origin.

In his previous work, *The Order of Things* (1966: 303-43), Foucault provides a critique of the trajectory of modern thought over nearly two centuries, arguing that it has consistently sought a philosophical foundation for knowledge in anthropology, in the analysis of the modality of “man’s”³ being. Here, he traces this thinking back to Kant’s institution of a transcendental field of subjectivity at the end of the eighteenth century. *The Archaeology of Knowledge* constitutes an attempt to present an alternative view of knowledge to Kant’s that dispenses with the synthetic activity of a transcendental subject.⁴ In this attempt, Foucault embarks on a project to set out “the mode of being” (1969: 113) of language.

In an interview, ‘The Order of Things’ (1966ba), given three years before the publication of *The Archaeology of Knowledge*, Foucault is still obviously searching for a vocabulary with which to define his distinctive approach to knowledge and language. Here he simply refers to “a certain implicit knowledge (*savoir*)” (1966b: 261) which is common to social practices, institutions and *connaissance*.

In *The Archaeology of Knowledge*, in an attempt to clarify and develop the notion of *savoir*, he introduces the concept of “discursive practice”: “there is no knowledge (*savoir*) without a particular discursive practice (*pratique discursive*); and any discursive practice may be defined by the knowledge (*savoir*) that it forms.” (1969: 183). Foucault’s introduction of this concept, and the detailed account of it which he presents, constitutes an attempt to describe and define the type of systematicity which characterises *savoir*; a systematicity, which in his earlier historical works, he has illustrated through empirical examples.

The notion of the discursive practice is a complex one; in *The Archaeology of Knowledge* it is presented over several chapters. Foucault defines it as a domain or a field that consists of four levels: “objects”, “concepts”, “enunciative modalities” (subject positions), and “strategies” (themes or theories). This field is characterised by dispersion and discontinuity; it lacks the systematicity and coherence displayed in the case of formal bodies of knowledge (*connaissance*) which are conscious products of individuals and groups. Foucault presents the discursive practice as a system of dispersion (*systèmes de dispersion*) at each of its four levels.

Foucault argues that objects display neither permanence nor uniqueness (1969: 32, 44). “Madness”, for example, is not the same object in medical and legal discourse; and in medical discourse, its meaning changes over time. Analysis of enunciative modalities reveals a dispersed subject speaking from different

planes, occupying different status positions (1969: 33-4, 50; 54). Concepts lack permanence and the coherence of a deductive system (1969: 34-5, 56). On the level of strategies, discourses do not provide a single permanent theme, but rather a dispersion of choices of often incompatible themes (1969: 35-6; 65-6). Discourse, at any of the four levels, is not, therefore, a continuous formation; rather, it is characterised by discontinuities, gaps, tangles, and incompatibilities.⁵

In *The Archaeology of Knowledge*, Foucault argues that although the discursive practice is characterised by these features, it, nonetheless, displays identifiable regularities. He presents these as the product of its “system of formation” (*système de formation*). He argues that every discursive practice is characterised by its own distinctive system of formation. This encompasses a dense and complex network of relations within and between the four levels of the discursive practice.

It is systems of formation, rather than objects, concepts, enunciative modalities, and strategies which give discursive practices their regularity and enable them to be described as distinct practices. Each of the four levels of the discursive practice has a relatively autonomous system of formation. The latter does not define specific objects, concepts, enunciative modalities and strategies; rather, it determines the space in which these appear. For Foucault, the system of formation, therefore, governs the conditions of occurrence or existence of knowledge.⁶

In the next section, I will discuss the way in which Foucault presents the relation between the discursive practice, and non-discursive institutions and practices. The reason for taking this approach will become clear later in this chapter when I position Foucault's thinking in relation to Butler's. My discussion will focus on the notion of the system of formation: it is the system of formation that brings discursive practice and other social practices into relations with each other. Foucault's positioning of the subject in relation to discursive practice, and his formulation of the relation between *savoir* and *connaissance* will be discussed in this context.

My discussion will be limited to the objects, enunciative modalities and strategies of the discursive formation as it is in the context of these that Foucault describes relations between the discursive and the non-discursive. As we will see in subsequent chapters, the notions of objects, enunciative modalities and strategies will also play a prominent role in Foucault's later work.

The System of Formation

In *The Archaeology of Knowledge* (1969), Foucault argues that the discursive practice produces its own objects (*objets*); discourse is not “the sign of something else” (1969: 47). Paul Veyne (1971) suggests that this is the most important innovation that Foucault introduces into the study of history; it means that successive practices are not reactions to a single “object”—for

example, madness— rather, different objects are involved in different practices. Veyne argues that, as objects are the products of practices, Foucault sees them as having to be understood in terms of the processes that produce them.⁷ In *The Archaeology of Knowledge*, Foucault sets out a framework for describing these processes.

In his account of the system of formation for objects, Foucault (1969: 40-9) employs the example of nineteenth-century psychopathology. He argues that, here, the system of formation brought together three sets of factors: processes in primary social groups such as the family and the work group; practices in official institutions such as the law and the medical profession; and available theoretical frameworks. Individual differences were originally singled out as deviant in primary groups; later these differences were taken up and defined by institutions. Finally, available theoretical systems of the time determined how these definitions were elaborated in discourse.

Foucault argues that discursive objects emerged from the way in which relations between all of these three factors were forged *inside* psychopathology at the time the discourse was established. (1969: 40-9). He sees the discursive practice as subject to constant transformations; however, these transformations are not necessarily connected to changes in the three sets of factors which were initially involved in the formation of the discursive practice.

Foucault's account of the system of formation of enunciative modalities (*modalités énonciatives*) (1969: 50-55) describes the role played by institutions and social practices in the relationship between the subject and discourse. He positions the subject as a series of points through which discourse flows, rather than as the point from which discourse originates. In *The Archaeology of Knowledge*, the subject does not perform a synthesising function from a position outside discourse. Rather s/he takes up fragmentary roles, and occupies dispersed sites within discourse. As a user of discourse, s/he can only take up the different subject positions which are offered by discourse.

In describing the system of formation of enunciative modalities, Foucault employs the example of the formation of modern medical discourse in the early nineteenth century—a process which he had previously mapped in *The Birth of the Clinic* (1963). Foucault describes the subject positions the doctor came to occupy in relation to medical discourse as the product of three sets of factors: the status of the doctor in society—a factor which was bound up with, for example, restrictions on access to his position and regulation of his profession by the state; the practices of the hospital, the clinic and the laboratory within which the doctor was situated; the different positions the doctor had to occupy in relation to patients—as observer, questioner, listener and so on. Foucault argues that the relationship which, at the time of its emergence, came to be constituted *within* modern medical discourse, between these three elements, set the parameters for the different subject positions which the doctor could occupy.

In *The Archaeology of Knowledge*, the level of strategies is more sketchily defined than the other levels of the discursive practice; however, it will play a major role in Foucault's later work. Foucault (1969: 64-70) defines strategies (*stratégies*) in terms of a choice of alternative themes or theories that the discursive field makes possible. Here it is important to note that Foucault sees objects, subject positions and concepts as forming blocks that can be integrated in different strategies.

Foucault tells us that he is not able to provide a full analysis of the strategic dimension of the discursive practice as it has not been the focus of any of his earlier works. In providing an outline for the system of formation of the strategic aspect of discourse he presents one of the factors determining the choice of theories as the relationship between the discursive practice in question and other discursive practices. Other factors relate to the use and appropriation of the discursive practice.

These include the role that the discursive practice plays in the field of non-discursive practices such as politics and economics; the rules and processes that govern the appropriation of discourse and limit its use to certain sections of the population; the relation between discourse and desire, including economic interests. Later in this work, Foucault argues that discourse is a resource that becomes the object of struggle between groups; in this sense, it “poses the question of power (*pouvoir*)” (1969: 120). As we shall see in the next chapter, it

is the problematization of the relation between discursive practices and practices of power in the context of the question of truth that, in next stage of Foucault's work, will lead to the development of the concept of power-knowledge.

Foucault's account of the discursive practice has often been subjected to criticism; it has also given rise to misunderstandings of the nature of his project. Here I will focus on one aspect of his analysis which is problematic: the notion that institutions and social practices are related inside discourse. In his account of the formation of discursive objects, Foucault argues that the relations which are established inside discourse have to be distinguished from relations "which, independently of all discourse or all objects of discourse, may be described between institutions, techniques, social forms, etc." (1969: 45). Foucault sees this distinction as crucial for marking out the autonomous nature of discursive practice and its relative independence from social practices in general.

In my account of the system of formation of objects and enunciative modalities, I have attempted to briefly indicate how Foucault sees relations between institutions and practices being established inside discourse. Unfortunately, his account is not very clear or detailed; it is also mainly dependent on examples. These examples are taken from his previous works and appear to assume a familiarity with these works on the part of the reader.

In their important and influential work, *Michel Foucault: Beyond Structuralism and Hermeneutics* (1982: 62-6), Hubert Dreyfus and Paul Rabinow argue that, in his account of the system of formation, Foucault is doing more than attempting to establish the autonomy of discourse: he is arguing for the priority of the discursive over non-discursive practices. They suggest that this is “one of the most important but least discussed claims in the *Archaeology*.” (1982: 63). Dreyfus and Rabinow interpret Foucault’s position on the establishment of relations between institutions inside discourse as synonymous with the claim that discursive practices make non-discursive practices possible:

the assertion that discourse is autonomous covers more than the claim that discourse can be made intelligible on its own terms. It is rather the extreme and interesting (if ultimately implausible) claim that discourse unifies the whole system of practices, and that it is only in terms of this discursive unity that the various social, political, economic, technological and pedagogical factors come together and function in a coherent way. (1982: 65).

Dreyfus and Rabinow contrast Foucault’s position with what they present as a “broadly hermeneutic view” (1982: 78) of the relation between discourse and social practices adopted by Martin Heidegger, Ludwig Wittgenstein, Thomas Kuhn and John Searle. They point out that, for these, it is the non-discursive background of shared practices that makes discourse intelligible.⁸

In my view, Dreyfus and Rabinow's interpretation of Foucault's thinking cannot be supported by textual evidence from *The Archaeology of Knowledge*. As I have indicated, there are problems with Foucault's presentation of the system of formation; however, this presentation does not provide support for the position which Dreyfus and Rabinow ascribe to Foucault, namely, that the discursive makes the non-discursive intelligible and has priority over it. My account above, of the system of formation of objects and enunciative modalities, provides an alternative account of Foucault's position which suggests that he is not making this claim.

Rather than contrasting Foucault's position with a hermeneutic approach, I would suggest that his thinking on relations between discursive and non-discursive practices is more usefully positioned within the context of Marxist debates on the relation between science, ideology and the economic structure. At the time Foucault was writing, Louis Althusser was developing classical Marxist theory in this area. Foucault was a student and friend of Althusser. In a letter published at the end of the English edition of *Reading Capital* (1968: 323-4), Althusser tells Ben Brewster, the translator, that Foucault has taken "formulations" from his work, but he has employed these in a novel way.⁹ In the interview, 'On the Ways of Writing History' (1967: 281) Foucault himself speaks of the debt he owes to Althusser.¹⁰

Althusser (1968: 40-3, 56-60; 1966: 166-7) challenged the orthodox Marxist distinction between theory and praxis by suggesting that there is no such thing

as practice in general; rather, there are distinct practices in different areas of social life. He lists these practices as: “economic practice, political practice, ideological practice, technical practice and scientific (or theoretical) practice” (1968: 58). In his work, ideological and scientific practice, in common with other practices, are modelled on economic practice. They are analysed as systems of production which have their own raw material and means of production, and which create their own products. Althusser presents scientific practice as articulated with economic, political and ideological practices which directly and indirectly provide its raw materials.

This view of the social field is, in part, an attempt to offer an alternative to the classical Marxist model in which knowledge is positioned as part of a superstructure that is determined by an economic base. Althusser’s notion of diverse practices which are articulated with each other is designed to present knowledge as having a certain degree of autonomy in relation to the socio-economic structure, although, in his work, economic practice is ‘determinant in the last instance’ (1968: 58).

Like Althusser, Foucault views knowledge as a productive practice; he also sees it as articulated with other social practices. His early historical works, *History of Madness* (1961) and *The Birth of the Clinic* (1963), each attempt to draw concrete and detailed links between discursive practices and other aspects of society. In ‘On the Ways of Writing History’ (1967), Foucault argues that “there is nothing to be gained” from describing an “autonomous layer of

discourses unless one can relate it to other layers, practices, institutions, social relations, political relations, and so on.” (1967: 284). This position also informs Foucault’s approach in *The Archaeology of Knowledge*.

In this work, the detailed accounts of the functioning of institutions which appears in *History of Madness* (1961) and *The Birth of the Clinic* (1963) are often drawn on. However, Foucault’s focus in *The Archaeology of Knowledge* is on discursive practice, and he makes no attempt to present a systematic analysis of non-discursive factors. As a result, non-discursive practices are presented either in the form of concrete details, or as lists of terms: for example, institutions, practices, economic and social processes, systems of norms, social forms, interests and desires (1969: 45, 68, 69). The meanings of these terms are taken for granted and not discussed.

In contrast, in ‘Politics and the Study of Discourse’ (1968), a paper delivered shortly before the publication of *The Archaeology of Knowledge*, in which Foucault further clarifies his methodology, the non-discursive is defined primarily in terms of practices. Here, he describes his project as producing “a history of discursive practices in the specific relationships which link them to other practices” (1968: 64). Drawing on *The Birth of the Clinic* (1963), he presents a detailed analysis of nineteenth century medicine as a relation between discursive practice and political practice. (1968: 65-9).

In this paper, Foucault advocates an approach to historical study in which “a field of general history” would encompass different types of practices and “the play of their relations”. He suggests that, within this field, “the historical analysis of discursive practices could be circumscribed as a specific discipline.” (1968: 64). It would appear, therefore, that, at this stage in his thinking, Foucault is working with a model in which different types of social practices—not only discursive practices—are relatively autonomous, but are also articulated with one another.

When the position on the system of formation which Foucault advances in *The Archaeology of Knowledge* is placed in this context, it can be seen that Dreyfus and Rabinow’s criticism is misplaced. In insisting on the specificity of the relations between practices and institutions which the system of formation establishes, Foucault is not attempting to argue for the priority of discursive practices over other types of practices. He is simply suggesting how discursive practice might be construed as having a relative autonomy in a field of other types of practices. Thus, the system of formation has to be seen as a barrier system which filters the influence of other practices on discourse, rather than, as Dreyfus and Rabinow argue, an instrument for organising these practices.

Dreyfus and Rabinow position Foucault’s thinking on discourse in relation to philosophical accounts of everyday language. However, the Introduction to *The Archaeology of Knowledge* makes it clear that Foucault’s own reference points are the disciplines of the history of ideas and the history of science. Gary

Gutting, in his important work, *Michel Foucault's Archaeology of Scientific Reason* (1989), has shown how Foucault's method of studying the history of discourse draws on the work of the French historians of science, Gaston Bachelard and Georges Canguilhem.¹¹ In the Introduction to *The Archaeology of Knowledge* (1969: 4-5), and in a later interview (1983: 437-8), Foucault positions his thought within this tradition.¹²

Althusser's work, which attempts to present Marxism as a science, was also influenced by Canguilhem and Bachelard. In the Introduction, Foucault (1969: 5) refers to Althusser's notions of breaks in the history of ideas which lead to the founding of a science through its detachment from an ideological past. In a later chapter of *The Archaeology of Knowledge*, Foucault discusses this issue in detail. Here, he (1969: 178-186) counterposes his thinking on *savoir* to Althusser's position on the relation between ideological and scientific practice.

In *For Marx* (1965: 166-8; 183-4), Althusser suggests that ideology can be "religious, political, moral, legal or artistic" (1965:167). He argues that scientific practice develops out of, but breaks with and replaces, pre-scientific, ideological practice that draws its raw material—representations, concepts, facts—from other social practices. In *The Archaeology of Knowledge*, Foucault (1969: 178-186) expresses his disagreement with Althusser's view that science excludes ideology, and that ideology constitutes an earlier and more primitive form of science. Foucault argues that although science (*science*) cannot be constituted without a prior discursive practice, it neither takes up every element

of this practice nor consigns the remainder to the status of error and ignorance. Science has to be viewed as one part of a broader field of *savoir* in which it plays a greater or lesser role.

Foucault (1969: 186-7) presents “scientificity” as one of a number of thresholds that can be distinguished within the discursive formation. These thresholds include the level of emergence of the discursive formation as a positivity (*positivité*): this is defined by the operation of a single system of formation for statements; the level of epistemologization (*épistémologisation*) which involves, additionally, recognition as a model for knowledge, and norms governing verification and coherence; the level of scientificity (*scientificité*) which also involves laws for the construction of propositions. *The Archaeology of Knowledge* is mainly concerned with defining the threshold for a positivity. A positivity does not usually coincide with an individual discipline; it may bring together various disciplines and sciences, or it may encompass areas from different disciplines and sciences.

Drawing on this model, Foucault argues that the discursive practice is ideological in virtue of its emergence out of a set of relations between knowledge and social practices. He suggests that, as science remains within the space of a discursive practice, it can never free itself of ideology (*idéologie*). However, by denying that ideology is synonymous with error, Foucault’s model, effectively, makes the notion of ideology redundant.¹³ In later chapters, we will see that the issue of the relation between *savoir* and epistemologization

is a major theme in both *Discipline and Punish* (1975) and *The History of Sexuality Volume 1* (1976). As I will show in the next chapter, Foucault's introduction of the question of truth and falsity in relation to scientificity and epistemologization will lead to new developments in his approach to both *savoir* and non-discursive practices.

Butler and Foucault on Discourse

In chapter 1, I showed that Butler's notion of discourse is influenced more by Derrida than by Foucault. The most important idea which she takes from Foucault's work is the relation between discourse and power: a relation which appears only after *The Archaeology of Knowledge* (1969). However, in her paper, 'Restaging the Universal: Hegemony and the Limits of Formalism' (2000a: 34), Butler acknowledges the influence of *The Archaeology of Knowledge* on her thinking. There are certainly similarities between her conception of discourse and the account that Foucault presents in this text. The most obvious of these is that, like Foucault, she views discourse as a practice.

The similarities between Butler's and Foucault's views of discourse are most evident in *Gender Trouble* (1990). Here, the heterosexual matrix is presented as an autonomous system of discourse which produces its own objects; like Foucault's discursive practice, it is not constituted as a system of representation of a pre-existing reality. The matrix also shares other features with the discursive practice: it is invested in both institutions and disciplines of

knowledge; the subject is positioned within the matrix rather than at its origin; the matrix is a dynamic system in which the signifiers are subject to transformation.

Towards the end of *The Archaeology of Knowledge* (1969: 192-3), there is also a brief discussion of sexuality which, in some respects, prefigures Butler's work. Here, Foucault argues that sexuality could be studied as a discursive formation. In such a study, he suggests, sexuality would not have to be analysed as a series of scientific discourses; it could, instead, be approached as "a system of prohibitions and values" (1969: 193).

One of the difficulties with drawing a comparison between the two writers on the basis of *The Archaeology of Knowledge* is that Butler's appropriation of Foucault's thinking is not limited to this work. In my discussion above, I have argued that, in this text, Foucault sets out a view of the practice of discourse which, with certain modifications, is carried over into his later work. A comparison of Butler's notion of the practice of discourse with Foucault's will, therefore, point to differences between her thinking and his which will also be evident in relation to his later work.

In this section, I will focus on two issues: the relation between discursive practice and other social practices in Butler's and Foucault's work; and the difference between Butler's employment of the concept of a speech act, and Foucault's employment of the concept of a statement (*énoncé*). Foucault's

position on social practices has been discussed in detail above; his view of the statement will be introduced in the discussion in this section.

In her work, Butler interprets Foucault as viewing discursive practice as synonymous with social practices in general. For her, the discursive always encompasses the element of culture. *Gender Trouble* (1990), her most Foucaultian work, is littered with references to the cultural: “cultural practices” (ix), “cultural construction” (7), “cultural possibilities” (9), “cultural discourse” (9), “cultural laws” (17), “cultural identity” (22), “cultural intelligibility” (29) and so on. In Butler’s work, no distinction is drawn between discourse and other social practices; the only division drawn is one between discourse and the boundary which circumscribes the realm of the abject.

In *The Archaeology of Knowledge*, Foucault does not refer to “culture”. Nonetheless, there are two ways in which what Butler refers to as “cultural practices” are implicated in his notion of discursive practice. Firstly, as we have seen, *savoir* encompasses not only the knowledge in formal disciplines (*connaissance*), but also the knowledge which is invested in social institutions and practices. Secondly, the discursive practice is governed by a system of formation that links discourse to social institutions and practices. However, in neither of these cases is discursive practice synonymous with the cultural field. As we have seen, *savoir* or the discursive practice (with which it is identical) exists alongside a range of social practices and institutions with which it enters into specific, describable relations. We have also seen that the relations

between institutions and social practices, which the system of formation establishes, are different from the non-discursive relations on which it draws.

In ‘For a Careful Reading’ (1995a: 138), Butler presents her interpretation of Foucault’s position as follows: “Discourse does not merely represent or report on pre-given practices or relations, but it enters into their articulation and is, in that sense, productive.” This is not the position which is advanced by Foucault in *The Archaeology of Knowledge*. In this work, the productivity of the discursive practice lies in the fact that it produces its own objects; not in the fact that it determines other practices. Butler’s position here is the same as the one that I discussed above in relation to Dreyfus and Rabinow’s work, and it is open to the same criticisms. If we compare Butler’s statement above with Foucault’s later work, the position is slightly different. In these, the discourses of the human sciences enter into the articulation of practices of power-knowledge; however, they also initially emerge out of these practices. This will be discussed in chapters 7 and 8.

The second major difference between Butler’s and Foucault’s approaches to the practice of discourse which I will discuss relates to Butler’s use of the notion of the speech act and Foucault’s use of the notion of the statement. As Butler’s use of the speech act was discussed in chapter 2, I will first focus on Foucault’s use of the statement

In *The Archaeology of Knowledge* (1969: 106-17), after developing the model of the discursive formation, Foucault presents the discursive practice as a field of *énoncés*. He now defines a discourse as “the group of statements that belong to a single system of formation” (1969: 107). *Énoncé* is usually translated as “statement”; however, as Foucault redefines the term for his own purposes, this does not convey its meaning. The *énoncé* is not the same as the proposition which describes a state of affairs and can be shown to be true or false; neither is it the same as the sentence. However, like the sentence and the proposition, the *énoncé* is constituted by a group of signs which may be uttered or written; in many cases, the same group of signs can be described as a sentence, a proposition and a statement (*énoncé*).

Foucault argues that the *énoncé* is distinguished from the sentence and the proposition by the fact that it only exists within the framework of the discursive formation: “A statement (*énoncé*) belongs to a discursive formation as a sentence (*phrase*) belongs to a text, and a proposition (*proposition*) to a deductive whole.”(1969: 116). Whereas sentences are governed by the rules of grammar, and propositions by the laws of logic, *énoncés* are governed by the regularities of the systems of formation for objects, enunciative modalities, concepts and strategies.

Foucault (1969: 84-7) argues that the *énoncé* precedes the sentence and the proposition; its existence is necessary for us to be able to decide whether the proposition has a referent, and whether the sentence has a meaning. This is

because the *énoncé* is concerned with the conditions of occurrence and existence of discourse at a particular time. Foucault describes it as a function of language, rather than, as in the case of the proposition and the sentence, one of its units. (1969:87).

Foucault (1969: 88-105) defines four characteristics of the *énoncé*, each of which parallels one of the four levels of the discursive formation. Firstly, its correlate is not objects or facts, but “laws of possibility, rules of existence” (1969: 91) for these. Secondly, the *énoncé* has to be positioned in relation to the subject-function rather than a subject. It opens up a space in which different subject positions can be filled by individuals. Thirdly, the *énoncé* cannot operate in isolation; it exists only within a domain of relations between *énoncés*. Fourthly, the *énoncé* is characterised by a “repeatable materiality” (1969: 102). It can circulate between different discursive strategies and it can be appropriated by different interests.

As we saw in chapter 2, Butler conceptualises the practice of discourse through the concept of performativity which she bases on the notion of the speech act. In *The Archaeology of Knowledge*, Foucault (1969: 82-4) considers the possibility that statements might be speech acts, but rejects this. However, Dreyfus and Rabinow (1982) describe a correspondence between Foucault and Searle in which Foucault says that statements *are* speech acts, but that he views them in a different way from Searle: “I was wrong in saying that statements were not speech acts but in doing so I wanted to underline the fact that I saw

them under a different angle from yours.” (Dreyfus and Rabinow, 1982: 46 fn.1).¹⁴

Foucault’s concept of the *énoncé* is a notion that addresses very different issues from those discussed by Searle and Austin and, presumably, this is what Foucault is referring to here. However, it is surprising that, in discussing speech acts in *The Archaeology of Knowledge*, Foucault does not also consider Austin’s argument that statements (which, in Austin’s usage, are synonymous with propositions) should not be treated as a unique category of utterances.

Butler, like Foucault, also views speech acts in a different way from speech act theorists. In Austin’s work, *How To Do Things With Words* (1962), the performative speech act is broadly defined by the feature that, in saying something, it also does something. Austin initially argues that the performative “is constituted not by intention or by fact, essentially but by convention” (1962: 127). Later in the text, however, he abandons the term performative, arguing that statements and performatives should be grouped together in the single category of speech acts. (1962: 149). As we will see, the unorthodox ways in which Foucault and Butler employ the terms ‘statement’ and ‘performative’ point to major differences in their views of discourse.

In ‘For a Careful Reading’ (1995a:134-5), Butler presents a succinct summary of her notion of the performative act which I will compare with Foucault’s notion of the *énoncé*. Here she argues that the performative act “brings into

being or enacts that which it names”. It is able to do this because “it repeats a set of linguistic conventions which have traditionally worked to bind or engage certain kinds of effects.” These conventions have gained their power through “a sedimented iterability” (1995a: 134). In his description of the *énoncé*, as we have seen above, Foucault also refers to the fact of repetition. He argues that, through repetition, the *énoncé* takes on a materiality in the sense that it acquires a “status as a thing or object” (1969: 102).

This position bears a superficial resemblance to Butler’s notion of “sedimented iterability”. However, in Foucault’s case, repetition is only possible in a specific field of use; in fact, it is the field of use that defines what will count as repetition. Foucault points out that the same sentence or proposition can, in different contexts, constitute different *énoncés*; and different sentences or propositions may constitute the same *énoncé*. He argues that it is the strategic field of use that gives the *énoncé* an identity and, thus, makes repetition possible. In *The Archaeology of Knowledge* ((1969: 102-4), field of use is defined in terms of the existence of the *énoncé* within a discursive practice. The repeatable materiality of the *énoncé* is also bound up with its institutional context: *énoncés* are repeated in conventional settings such as books, wills and political conventions.

For Butler, the productivity of discourse is bound up with processes of citation and sedimentation. Her view that these processes “bind or engage” specific effects has no equivalent in the notion of repeatable materiality that Foucault

presents. In *The Archaeology of Knowledge*, the productivity of the *énoncé* is bound up with other factors that function in conjunction with its repeatable materiality: the *énoncé* is linked to the conditions of occurrence of discursive objects; it opens up possible subject positions; it functions in relationships with other *énoncés*. *Énoncés* have as their correlate the field of objects, concepts, subject positions, and strategies, together with the systems of formation of these.

Butler's notion of the practice of discourse can, in fact, also be described through the notions of objects, concepts, enunciative modalities and strategies—although this is not something which Butler herself does. In the case of the heterosexual matrix, for example, sex, gender and desire are presented as concepts which only function through their relations with each other. The individual, whom Butler positions within the network of discourse, is both object and subject: s/he is produced through repetition of performative acts, but she is also able to repeat differently and subvert the matrix.

In Foucault's case, the subject function is distributed across different positions that can be given a specific description such as the one provided for the doctor in *The Archaeology of Knowledge* (1969: 50-53). In contrast, Butler's subject occupies a uniform position in the process of discursive production—namely, to repeat or to repeat differently. Foucault distinguishes the objects from the subjects of a practice; in Butler's case, these are merged. In positioning the

individual as both subject and object, Butler's thinking is closer to the late Foucault, rather than that of *The Archaeology of Knowledge*.

Although it is, therefore, possible to read Butler's notion of discourse as duplicating Foucault's framework, this framework functions in a different way in her work. Most importantly, there is no equivalent of Foucault's system of formation in Butler's notion of discourse. In *The Archaeology of Knowledge*, the appearance of the statement is linked to the entire topology of the discursive field in which it plays a role; the *énoncé*:

puts into operation a whole set of rules in accordance with which its object, its modality, the concepts that it employs, and the strategy of which it is a part, are formed. (1969:147).

As we have seen, the rules to which Foucault here refers involve relations with social institutions and practices, and also relations with other discursive practices.

In contrast to the *énoncé*, the performative is tied to a citation, to a linguistic utterance which combines the repetition of conventions with processes of sedimentation. In 'For a Careful Reading' (1995a), Butler argues that the performative has to "reencode" the "historicity" of the conventions which it repeats (1995a: 134). This historicity which is, effectively, the condition of occurrence of Butler's performative can be counterposed to the spatial

topology which defines the Foucaultian *énoncé*. However, for Foucault, the field in which the *énoncé* functions is also a historical one. In *The Archaeology of Knowledge*, he argues that the discursive formation “is not an atemporal form, but a schema of correspondence between several temporal series.” (1969: 74).

In *The Archaeology of Knowledge*, as we will see in the next section, Foucault forges a distinctive historical methodology for studying the production and transformation of discourse which combines the use of spatial models with the notion of the historical event (*événement*). The different dimensions through which the discursive practice and the *énoncé* are defined in Parts 2 and 3 of this text are designed to provide a framework for systematically tracking historical changes in *savoir*, and the relations between these and developments in institutions and social practices. This framework also makes possible a mapping of the emergence of *connaissance* within the discursive practice. In the next section I will show how Foucault develops an approach to the study of the history of discursive practice which combines the methods employed by the historians of his time¹⁵ with elements of Nietzschean genealogy.

Archaeology and History

In chapters 1 and 2, we saw how Butler’s reading and critique of Foucault’s essay ‘Nietzsche, Genealogy, History’ (1971) has been an important influence on the development of her thinking. In *Subjects of Desire* (1987) and *Gender*

Trouble (1990) she focuses on the parts of this work that concern the body and inscription, and law and domination. However, this essay is essentially about history and how its events should be recorded. Here Foucault (1971: 369-73) argues that Nietzschean genealogy rejects the metaphysical concepts that distort the study of history and, instead, focuses on the multiplicity of chance events that present themselves.

In setting out this view, Foucault takes up the question of essences and origins that, in a different context, *Gender Trouble* also addresses. He argues that Nietzschean genealogy is defined by its opposition to the search for “origins”. This search constitutes an attempt to grasp the essence of things; it is based on the assumption that the world we know is shaped by “immobile forms” (1971: 371) that pre-exist it. Foucault argues that the task of the genealogist is to show, through the recording of chance events and the detail of history, that there are no essences; that what we take to be such are fabrications that have been manufactured out of pieces that have no necessary relation to each other.

Foucault (1971: 373-9) shows that Nietzschean genealogy replaces the notion of the origin (*Ursprung*) with the notions of descent (*Herkunft*) and emergence (*Entstehung*). *Herkunft* focuses on the body as a surface on which the events of history are successively inscribed. The genealogist traces these events, refusing to unify them, instead maintaining them in the dispersion that characterises their appearance. Foucault argues that the notion of emergence is opposed to a teleological view of history. The genealogist records series of events without

assuming that they emerge to fulfil a purpose; s/he maintains the singularity and discontinuity of different beginnings, rather than presuming that they express identical meanings.

The attack on the notion of essences and the search for origins that appears in this essay provides a point of comparison with Butler's non-historical view of genealogy as a challenge to essentialism. In this section, I will show how Foucault initially sets out the framework of the approach to the question of essences that is summarised in 'Nietzsche, Genealogy, History' in *The Archaeology of Knowledge* (1969); here it features as an aspect of his archaeological method.

In Part 4 of this work, Foucault presents his archaeology (*archéologie*) as the basis for an alternative approach to the history of knowledge from the one employed in the history of ideas in his time. Archaeology is concerned with historical transformations in knowledge which it studies through the analysis of discursive formations. Foucault suggests that the history of ideas has as its constant themes: "Genesis, continuity, totalisations" (1969: 138); it looks for progression, homogeneity, and unification. In contrast, archaeology's theme is always differences (*différences*) and discontinuity (*discontinuité*). (1969: 203-206).

Foucault argues that one of the consequences of defining discourse in terms of differences and discontinuity is that all prior categorisations, all the unities that

the history of ideas takes for granted and presents as universals—for example, historical periods, nations, cultures—have to be suspended; only configurations that have been established through a meticulous mapping of relationships between series of discursive events can be accepted. Foucault tells us that archaeology employs comparative facts (*faits comparitifs*) to establish particular configurations of discourses, not general forms; its comparisons are always limited and regional. It looks for both analogies and differences, but always in terms of a historical analysis of actual exchanges between discourses. (1969: 157-65).

Foucault (1969: 3-11) relates this use of the comparative method to the employment of the notion of the series in a new historical methodology that was beginning to be established at the time he was writing. He argues that archaeology maps out its own series and, through these, new elements, relations and unities which challenge the unities and continuities of traditional history. In relation to the discursive formation, archaeology fixes the limits of a discursive event; the moment of its appearance, and the moment of its disappearance. (1969: 166-8). The elements, relations, and rules of the discursive formation can be presented as so many series, and correlated with series of events outside them. In this way, archaeology is also able to demonstrate how discourses “move to the rhythm of events” (1969: 168): how events, crises and interests are transcribed as statements, objects, and themes.¹⁶

In conjunction with his notion of the series, Foucault (1969: 166-177) sets out a model for mapping change at different levels of the discursive formation. He argues that archaeology does not simply record events as changes which have occurred; instead, it differentiates the homogeneous concept of change into types of transformations (*transformations*) which describe how events make an appearance at a particular level of discursive practice. Types of transformations in discourse bear on the system of formation: they relate to the elements of the system; the relations of the system; the relation between different rules of formation; and the relations between different discursive practices. Out of the different levels of events, Foucault privileges the level of the appearance of a new discursive formation.

This appearance marks a rupture in discourse; this is what Foucault's historical works are concerned with. In *The Archaeology of Knowledge*, Foucault rules out the notion that a rupture involves a revolutionary change in which everything is transformed at once. A number of distinct transformations are always involved, each one of which is likely to display a different temporality. Objects, enunciative modalities, concepts, and strategies from the previous discursive formation may still remain, although the field which they occupy and their position within this will have altered. (1969: 173).

In the previous chapter, we saw how Butler presents a temporal model of discourse in which materialisation is the product of repetitive citation. In contrast, Foucault's work is dominated by spatial models. In *The Archaeology*

of Knowledge, discourse is continually described through spatial metaphors: the discursive formation is depicted as a *field*; statements emerge in this field and take up *places* in relation to other statements (1969: 97-9); the system of formation occupies a position at the *limit* of discourse, on its *frontier* (1969: 46;74); discourse enters into relationships with adjacent *surfaces* such as the family and the penal system (1969: 41); the subject speaks from a variety of *planes* (1969: 54).

In *The Archaeology of Knowledge* everything occurs in a space; if we take away the concepts of field, surface, and plane, we will have lost Foucault's concept of discourse. In 'Return to History' (1972a: 430), he argues that time has to be, effectively: "got rid of" (1972a: 430). In his work, it is replaced by series which give *layers* of events. For Foucault, the vocabulary of time leads to a conception of history as analogous to the temporal continuity of individual consciousness. Spatial models avoid this: here entities can be juxtaposed, dispersions spread out, and empty spaces tolerated.¹⁷

As we have seen, the topology that Foucault employs to map out the discursive formation is based on a theory of discursive practice, and its relationship to the subject and social practices. However, it is also modelled on the historical series; the methodological device of the series enables the abstract theory of discourse, the subject and practices to take on a concrete form in the notion of the discursive field. With the series comes the notions of limits and distributions of different lengths; and the mapping of different relations

between series—dominance, hierarchy, dependence, subordination, simultaneity, succession, correlation, stratification, and so on. Here we have the dispersion, discontinuity and difference that characterise the discursive formation formulated as methodological presuppositions.

One of the reasons why, in *The Archaeology of Knowledge*, Foucault devotes so much space to the question of historical method is that here, in addition to attempting to formulate a distinct approach to knowledge, he is also attempting to forge a distinct historical methodology. This methodology combines an analysis of social structures with what he terms “the new history” (1969: 10)—a history that employs the notion of discontinuous series.

In ‘On the Ways of Writing History’ (1967), an interview given two years before the publication of *The Archaeology of Knowledge*, Foucault argues that history in his time is beginning to encompass the study of synchronic structures previously employed in ethnology and sociology, and as a result is looking beyond causal connections to establishing other types of relations. This now makes it possible to study signs, works, institutions and practices in a different way: “So, for the first time perhaps, we have the possibility of analysing as an object a set of materials that were deposited in the course of time” (1967: 281).

In *The Archaeology of Knowledge*, the discursive practice is studied as an object that exists as a complex set of relationships, but, as we have seen, this analysis is also underpinned by the notions of the event and the series that

Foucault takes from the new history. In ‘Return to History’ (1972a), despite his earlier refusal of the structuralist label in *The Archaeology of Knowledge*, he demonstrates the compatibility of structuralism and the new history.

Here Foucault argues that structuralism provides rigour by analysing change in terms of differences and the connections between them; and the new history brings a similar rigour to the analysis of the event by recognising multiple, discontinuous time spans. Thus, between them, he suggests, structuralism and the new history make it possible to grasp both the discontinuity of the event and different types of transformations. In this article, Foucault makes no reference to his own work; however, it clearly constitutes a justification of his own unorthodox methodology.

In *The Archaeology of Knowledge*, questions of methodology and philosophy constantly intersect. In Foucault’s work, the notion of the event, as recast by the new history, is redeployed in a philosophical critique of traditional history: a critique of its use of the suprahistorical notions of origins, teleologies and totalisations, and its refusal to recognise discontinuity and singularity. This critique of traditional history is later repeated in ‘Nietzsche, Genealogy, History’.

In Foucault’s work after *The Archaeology of Knowledge*, the perspective of Nietzschean genealogy will become more pronounced.¹⁸ However, it is important to realise the extent to which he is already drawing on this source in

the earlier period. His forefronting of knowledge rather than the subject of knowledge, his privileging of the event and relations between series, his emphasis on discontinuity and dispersion in discourse, and his opposition to teleology and totalisation in historical method, all these are essentially Nietzschean moves.

In ‘On the Ways of Writing History’, Foucault acknowledges the influence of Nietzsche’s thinking on his archaeological method: “my archaeology owes more to Nietzschean genealogy than to structuralism properly so called.” (1967: 294). Later, in the interview ‘Truth and Power’ (1977c), he presents his earlier works, *History of Madness* (1961) and *The Birth of the Clinic* (1963) as attempts “to do a genealogical history of knowledge” (1977c: 283). However, despite these links, it would be a mistake to label Foucault’s work as Nietzschean. The key concept in *The Archaeology of Knowledge*—the discursive practice—is Foucault’s own; similarly the tools employed in his historical approach constitute a unique amalgam of the new methodologies appearing in his own time.

Foucaultian genealogy is a tool that is developed for the purpose of questioning accepted unities and presenting new discursive formations through a detailed mapping of historical events. The discursive practice is intrinsically historical; it is a notion that is designed to track change. This sets Foucault’s notion of genealogy apart from Butler’s. Later when the methodology of *The Archaeology of Knowledge* is applied in the context of apparatuses in *The*

History of Sexuality Volume 1 (1976), Foucault will map the emergence and development of sexuality as a new historical formation. In *Discipline and Punish* (1975), he carries out the same exercise in relation to the prison, showing that it constitutes a new configuration of the practice of punishing.

In *Gender Trouble*, the heterosexual matrix is not established in this way; it is analysed as a product of culture rather than a product of history. Foucault's analyses undermine the unities established by traditional history; Butler's have the very different purpose of showing how the social is produced through a process of sedimentation of discourse and power. Her genealogy is directed against a sociological position that views sex and the subject as foundational and prior to culture and discourse.

Foucault's historical method enables him to present a more radical challenge to the notion of essences than Butler. In chapter 1, we saw how she defines the heterosexual matrix as a system of relations between sex, gender and sexuality.

In *The Archaeology of Knowledge* Foucault presents a much broader relational field: the discursive formation is constituted not only by its internal relations, but also by its relations with other discursive formations and social institutions outside itself. The discursive formation is described through comparisons with both existing and previous historical configurations; it acquires definition only in terms of the analogies with, and differences from, these which it presents.

In Foucault's later work, the notion of the discursive practice and the archaeological method are modified in line with the introduction of the concept of power-knowledge; however, they are not abandoned.¹⁹ In concluding this chapter, I will briefly present some examples of the continuities.

The focus of the later works is still *savoir* and its relation to *connaissance*, although *savoir* is now redefined as *pouvoir-savoir* (power-knowledge). The idea that a practice can be systematically described is retained and developed. Thus, in *Discipline and Punish*, the prison is analysed as a practice of power-knowledge. Attention to the topology of the social field is also a feature of the later works: the relational field of discursive practices that is described in *The Archaeology of Knowledge* provides the model for the microphysical field of power in *Discipline and Punish*; and Foucault's account of the emergence of discipline draws on the notion of systems of dispersion that is developed in the early work.

Key aspects of the historical approach that is set out in *The Archaeology of Knowledge* are also carried over into Foucault's later work. The comparative method frames both *Discipline and Punish* and *The History of Sexuality Volume 1*: in *Discipline and Punish*, the practice of the prison is described through a comparison with two previous practices of punishment; and disciplinary power is analysed in terms of its difference from sovereign power. Similarly, in *The History of Sexuality Volume 1*, the apparatus of sexuality is positioned in relation to the Christian practice of the flesh.

The method of mapping transformations in practices which is described in *The Archaeology of Knowledge* is also central to the structure of *The History of Sexuality Volume 1*. In the later work, Foucault argues that the priest is reconfigured as the psychiatrist, and the convulsive nun is transformed in the medical strategy of hysterization of women's bodies. In this text, the notions of event, series, difference and discontinuity are employed to question the historical periodization on which the repressive hypothesis is based. Using these notions, Foucault establishes alternative points of rupture in sexual practices, and challenges accepted views on the pattern of their deployment.

In the Introduction to *The Archaeology of Knowledge* (1969: 16- 17), Foucault indicates that his aim in producing this text is to both clarify the methods he has employed in his earlier works and to prepare a framework for his future work. However, the framework which later shapes *Discipline and Punish* and *The History of Sexuality Volume 1* is much broader than the one which emerges from *The Archaeology of Knowledge*. In the next stage of his work, Foucault takes up two themes which, in this text, have been largely bracketed out: the issue of power, and the question of truth and falsity. These will be the subject of the next chapter.

¹ In *The Order of Things* (1966), Foucault defines psychology, sociology and the study of literature and myth as human sciences. In *Discipline and Punish* (1975), other disciplines such as psychiatry, pedagogy and criminology are also referred to as human sciences.

² Mahon (1992: 114) cites a statement by Foucault in which he says that he took this term from Kant: “in order to designate the history of that which renders necessary a certain form of thought.”

³ In *The Order of Things* (1966), Foucault argues that “man” only makes an appearance with modern thought: “Before the end of the eighteenth century, *man* did not exist He is a quite recent creature, which the demiurge of knowledge fabricated with its own hands less than two hundred years ago” (Foucault, 1966: 308).

⁴ For a discussion of Foucault’s relationship to Kant’s notion of the transcendental, see Han (1998).

⁵ It is likely that Foucault’s model of the discursive formation as dispersion and discontinuity draws on Blanchot’s work. In *The Infinite Conversation* (1969), Blanchot challenges what he terms “the ideology of the continuous” (1969: 411), and presents an alternative perspective: “*to cease thinking solely with a view to unity*, and to make the relations of words an essentially dissymmetrical field governed by discontinuity” (1969: 77). Blanchot argues that the unity of thought is ascribable to a subject; as language is independent of the subject, it has to be conceptualised as a dispersion, a space that does not allow itself to be unified. For Blanchot, language is fragmentary; it is characterised by disjunction and divergence; by juxtaposition, not composition, of relations. Although Blanchot’s text was published in 1969—the same year as *The Archaeology of Knowledge*—many of the articles it contains were published earlier in the decade. For a bibliography of Blanchot’s articles, see Hill (1997)

⁶ Commentators are divided on the status of the system of formation. Dreyfus and Rabinow (1982: 92-3) argue that although the regularities it defines are presented as conditions of occurrence, rather than conditions of possibility of knowledge, they are nonetheless transcendental. Han (1998) reads Foucault’s project as that of presenting the conditions of

possibility of knowledge while attempting to dispense with the transcendental—a task in which, she argues, he is not successful. In contrast, Gutting (1989: 260; 267) argues that, in *The Archaeology of Knowledge*, Foucault is not attempting to ground his work in a philosophical theory of knowledge and language; he is simply developing a method for the concrete historical analysis of discourse.

⁷ Arnold Davidson says that Foucault told him that he considered ‘Foucault Revolutionizes History’ (Veyne, 1971) to be “the single most penetrating essay on his work.” (1997: 15).

⁸ For another critique of Foucault’s distinction between the discursive and the non-discursive, and an argument for dispensing with the non-discursive altogether, see Laclau and Mouffe (1985: 105-7).

⁹ The relevant passage reads as follows: “under his pen and in his thought even the meanings he gives to formulations he has borrowed from me are transformed into another quite different meaning than my own” (1968: 324). Althusser’s work, *For Marx* was published in 1966; however, in the introductory section entitled ‘To My English Readers’ (1966: 9), he informs us that all of the chapters, except one, were previously published as articles between 1960 and 1964. *Reading Capital* is a revised edition of *Lire Le Capital* Volumes 1 and 2, published in 1965 (1968: 7). Part 1 of this work was delivered in a seminar in 1965 (1968: 13).

¹⁰ Foucault refers to Althusser by name in the Introduction to *The Archaeology of Knowledge* (1969: 5). Althusser also cites Foucault’s work: see Althusser (1968: 1; 45; 103).

¹¹ Gutting (1989: 9-54) presents an account of the work of Bachelard and Canguilhem and also an assessment of their influence on Foucault’s thinking from *The History of Madness* to *The Archaeology of Knowledge*. He (1989: 53-4; 233) argues that Foucault’s work can be seen as a continuation of Canguilhem’s method of approaching the history of science through tracking transformations in the mode of functioning of concepts. He suggests that although, in *The Archaeology of Knowledge*, Foucault presents his previous works as studies of discursive objects, concepts and enunciative modalities, these can all be interpreted as studies of concepts that follow Canguilhem’s model.

For another discussion of Foucault’s relation to Canguilhem and Bachelard, see Lecourt (1969/72).

¹² For Foucault's assessment of Canguilhem's work, see his introduction to the English edition of Canguilhem's work *The Normal and the Pathological* (1966); also published in a modified form as 'Life: Experience and Science' (Foucault, 1985). For assessments of Foucault's work by Canguilhem, see the three short pieces included in Davidson (1997: 23-35).

¹³ In his later work, Foucault clearly dissociates his concept of *savoir* from the notion of ideology. 'Truth and Juridical Forms' (1994) contains a critique of the Marxist concept of ideology. The course summary for 'Penal Theories and Institutions' begins by opposing the notion of power-knowledge to the Marxist theory of ideology: "power and knowledge are not bound to each other solely through the action of interests and ideologies; so the problem is not just to determine how power subordinates knowledge and makes it serve its ends or how it superimposes itself on it, imposing ideological contents and limitations." (1972: 17).

¹⁴ Dreyfus and Rabinow treat Foucault's statements as "*serious speech acts*" (Dreyfus and Rabinow, 1982: 48). For a discussion of the influence of Anglo-American analytic philosophy on Foucault's work, see Davidson (1997).

¹⁵ In the introduction to *The Archaeology of Knowledge*, Foucault describes his historical analysis as influenced by the methods used by historians of science, including Bachelard and Canguilhem, and the social historians of the Annales school. Foucault discusses his historical method in Foucault (1967) and Foucault (1972a). For a discussion of the relations between Foucault and the Annales school, see Dean (1994: 37-42).

¹⁶ For a discussion of the notion of the event in Foucault's historical methodology, see Flynn (2005: 48-80).

¹⁷ Elsewhere Foucault suggests that spatial models have not been favoured by philosophers:

A critique could be carried out of this devaluation of space that has prevailed for generations. Did it start with Bergson, or before? Space was treated as the dead, the fixed, the undialectical, the immobile. Time, on the contrary, was richness, fecundity, life, dialectic. (1976a: 70)

For a discussion of the role of space in Foucault's methodology, see Flynn (2005: 99-142) and Elden (2001: 93-150).

¹⁸ For a reading of Foucault's work in conjunction with Nietzschean genealogy, see Mahon (1992).

¹⁹ There are still references to the discursive practice in *Psychiatric Power* (2003), the lecture course delivered in 1973-4; see e.g. p. 13.

Chapter 4

Knowledge, Power and Genealogy:

Lectures 1970-4

In the previous chapter, I compared Butler's notions of discourse and genealogy with the concepts of the discursive practice and archaeology that Foucault presents in *The Archaeology of Knowledge* (1969). In the following chapters, I will position her thinking in relation to the notions of power and knowledge which Foucault employs in *Discipline and Punish* (1975) and *The History of Sexuality Volume 1* (1976). Prior to this, I will examine the links which connect these works to *The Archaeology of Knowledge*. Although some commentators have positioned *The Order of Discourse* (1971a), delivered at the Collège de France in 1970, as a transitional work, these links are generally overlooked or only hinted at.¹

In the first and second sections of this chapter, I will argue that Foucault's concept of power emerges out of his continuing attempts, in various lectures in the early 1970s, to broaden the framework within which *savoir* and *connaissance* are cast in *The Archaeology of Knowledge*. One of the main gaps in this work is that while Foucault presents an analysis of the notion of *savoir* on which his earlier books are based, he makes no attempt to formulate a comparable analysis of the concept of power that is also employed in these. *History of Madness* (1961), for example, contains lengthy and detailed analyses of the functioning of the nineteenth century asylum and the way in which its inmates were controlled. In *The Archaeology of Knowledge*, as we have seen, the question of power is mentioned, but taken no further.

Later, Foucault suggests that, in his early work, he did not recognise the role that power was playing:

When I think back now, I ask myself what else it was that I was talking about in *Madness and Civilization* or *The Birth of the Clinic*, but power? Yet I'm perfectly aware that I never used the word and never had such a field of analyses at my disposal. (1977c: 117).

In fact, Foucault does explicitly discuss the question of power before *The Order of Discourse*. In ‘Politics and the Study of Discourse’ (1968), a paper which was discussed in the previous chapter, he presents a systematic account of how he perceives the relationship between discursive practice and political practice. (1968: 64).²

In this paper, Foucault argues that political practice does not determine the meaning or form of discourse; instead, it determines the conditions of its emergence and functioning. Drawing on *The Birth of the Clinic* (1963), he employs the example of the formation, in the early nineteenth century, of our present medical discourse. In this connexion, he presents a lengthy list of the features of political practice which, at the time, constituted the conditions of occurrence for medical discourse.

These include a new law of assistance that turned the hospital into a space of observation; the introduction of legal criteria regulating who had the right to use medical discourse; the integration of medical discourse into a system for the political control of the population; the extension of medical observation to the statistical level of population. This list shows how, in contrast to his later work, Foucault is, at this stage, conceptualising politics and power only in terms of the activities of the state apparatus.

In his lectures in the early 1970s, Foucault continues to examine the relationship between discourse and political practice; however, he also combines this with research into the question of the truth claims of certain types of discourse. As we shall see, it is this combination that leads him to the view that power and knowledge function together, rather than across two separate practices.

The term power-knowledge (*pouvoir-savoir*) first appears in his 1971-2 course at the Collège de France, ‘Penal Theories and Institutions’ (1972: 17). Unfortunately, only the summaries of Foucault’s courses at the Collège between 1970 and 1973 have been published. In tracking the emergence of the concept of power-knowledge in Foucault’s work, I propose to make use of the material that is available by following two main lines of enquiry.

The first will focus on the field of controls on discourse inventoried in *The Order of Discourse* (1971a). The second will focus on the techniques of the

inquiry and the examination which are discussed in the summaries for the courses given at the Collège de France in 1970-1 and 1971-2, and also in the series of lectures, ‘Truth and Juridical Forms’ (1974), delivered in Rio de Janeiro in 1973. My analysis will begin with a discussion of *The Order of Discourse*.

Truth and Power

The Order of Discourse (1971a) is not concerned with the discursive practice as a whole; its focus is on knowledge that has reached the level of epistemologization and scientificity. In the lecture, this knowledge is now referred to as discourse (*discours*), rather than *connaissance*. In *The Archaeology of Knowledge* (1969: 186-9), as we have seen, Foucault maps out different stages (which are not necessarily successive) in the development of *savoir*: the point at which a discursive formation emerges, the level of epistemologization, the level of scientificity and, beyond, this, of formalization. The level of epistemologization includes the human sciences with which Foucault’s early and middle works are concerned.³ Foucault tells us that the reason why his previous works have focussed on the epistemological level (*episteme*) is that, in our culture, “discursive formations are constantly becoming epistemologized (*s’épistémologiser*).” (1969: 195). *The Order of Discourse* examines the phenomenon of epistemologization.

In this lecture, Foucault moves towards his later conception of power in an analysis of procedures of limitation (*limitation*) and control (*contrôle*) of discourse (*discourse*). Here, he raises the issue of the status and the functioning of the notion of truth on which the sciences and disciplines of knowledge base their claim to authority. He (1971a: 70-3) separates out and delineates two aspects of discourse: a genealogical dimension (*ensemble généalogique*) which is concerned with the production of discourse, and a critical dimension (*ensemble critique*), concerned with its restriction. Rather than adding new insights to the analysis that has been presented in *The Archaeology of Knowledge*, this division redistributes the issues that have been discussed there in a new classification that also incorporates other factors.

Foucault defines the genealogical dimension that involves the production of discourse as: “the power to constitute domains of objects” (1971a: 73). Its key concepts are: the event and the series; discontinuity and transformation; regularities in discourse; the conditions of possibility of the elements of discourse. This is the ground that has been covered in *The Archaeology of Knowledge* in relation to the discursive practice, and the change in terminology from “archaeological” to “genealogical” is, thus, confusing; however, the key concepts listed above are now related specifically to the process of formation and emergence of discourse (*discours*) rather than, as with archaeology, to the description of the discursive practice and its transformations.

Foucault defines the critical dimension of discourse as being concerned with negative activities that restrict discourse, the most important of which is the operation of the division between truth and falsity. He argues that the genealogical and critical dimensions of discourse have to be considered together: the production of discourse has to be seen as taking place both outside and inside controls and restrictions; conversely, critical analyses of restrictions on a discourse must also examine the process of its formation. The genealogical dimension—the constitution of objects—will play an important role in Foucault’s later work; however, in *The Order of Discourse* he focuses on the critical dimension.

In relation to the critical (*critique*) dimension, Foucault presents an inventory of the negative activities that restrict and limit discourse, dividing them into three groups. The first group that he (1971a: 52-6) distinguishes concerns processes operating from outside discourse that function to contain its power and its danger. These involve firstly, prohibitions on what can be said, in what circumstances and by whom; secondly, the division between reason and madness, and the exclusion of the latter; thirdly, the will to truth (*volonté de vérité*): the division between truth and falsity, and the pressure on social practices to found themselves on “true” discourse (*discours vrai*). This, as I have previously noted, is an issue which is bracketed out in *The Archaeology of Knowledge*. Foucault argues that the will to truth has increasingly absorbed the functions carried out by prohibition, and the division between reason and madness.

In *The Order of Discourse*, the will to truth is presented as a historical phenomenon which becomes institutionalised and undergoes various transformations. In a brief discussion, Foucault delineates three stages in the history of the will to truth: he situates the first in ancient Greece; it concerns the displacement of the relation between, on one side, true discourse and, on the other, the power of the man who uttered it, and the effects that it produced. Foucault argues that this displacement gave our will to truth its general form: it positioned truth in relation to the meaning of the utterance, the form it took, and its relation to its referent.⁴

Foucault suggests that the second stage occurred at the turn of the sixteenth century, and the third, in the nineteenth. He argues that in different ways, each of these two stages prescribed a range of objects of knowledge (*objets à connaître*), a set of functions that the knowing subject (*sujet connaissant*) had to perform in relation to these objects, and material and technical sites where knowledge (*connaissance*) had to be invested in order to be recognised as “verifiable and useful.” (1971a: 55). The history of the will to truth and its institutionalisation will later receive detailed attention in ‘The Will to Knowledge’ (1971b) and ‘Truth and Juridical Forms’ (1974).

The other two groups that Foucault describes as restricting and limiting discourse concern processes that are internal to it: firstly, activities of ordering that are designed to contain the factor of chance in the production of the events

of discourse—commentary, the author function,⁵ and the division of discourse into disciplines (*disciplines*) (1971a: 56-61); secondly, rules concerning the qualifications of the subject that are designed to restrict access to discourse and to preserve and protect it (1971a: 61-4). Many of the issues discussed here have been previously raised in *The Archaeology of Knowledge*; however, they are now placed in a different framework.

In relation to the division of discourse into disciplines, for example, Foucault focuses on the question of rarefaction (*raréfaction*). In *The Archaeology of Knowledge* (1969: 118-20) this issue is discussed in relation to the discursive formation. Here he argues that, in comparison to the wealth of possibilities presented by grammar and vocabulary in any given period, very little is actually said. The discursive formation acts as an instrument for producing rarity: it makes it possible for some statements to emerge but not others.

In *The Order of Discourse*, Foucault makes the same point in relation to the division of knowledge into disciplines. He argues that to belong to a discipline, a proposition has to meet several requirements: it must address a certain field of objects; it must employ recognised concepts and techniques; it must be capable of being positioned within a defined theoretical framework.

Here, however, he raises two further issues. Firstly, he suggests a link between the demands of conformity in relation to objects, concepts and theories, and the requirements of truth that attach to any proposition presented by the discipline:

in relation to the latter, he notes that “before it can be called true or false, it must be ‘in the true’ (*dans la vrai*)” (1971a: 60).⁶ Secondly, he discusses how rarefaction in relation to discourse (*discours*) involves issues of disqualification and exclusion. It raises the question of discourses that simmer away outside the framework of accepted discourses, as failure to conform to the requirements demanded by the discipline results in consignment to “a whole teratology of knowledge (*savoir*) beyond its margins” (1971a: 60).

In *The Order of Discourse*, Foucault presents a comprehensive inventory of the limits and controls on discourse. However, with respect to the question of power, this paper barely advances beyond the position of *The Archaeology of Knowledge*. One of the problems with the view which Foucault presents is that, although almost the entire lecture relates to control, constraint and limitation, power is only considered to feature in the case of one of the three groups which he distinguishes.

This is the group of factors which function as systems of exclusion external to discourse: namely, prohibition, the division between madness and reason, and the will to truth. Foucault tells us that these “have to do with the part of discourse which puts power and desire at stake.” (1971a: 56). In *The Archaeology of Knowledge*, as we have seen, power and desire are mentioned in connection with the strategic dimension of discourse. However, neither in this work, nor in *The Order of Discourse*, is there any discussion of the concept of power itself.

In the interview, ‘The History of Sexuality’ (1977b), Foucault makes the following comment on his earlier position:

In *The Order of Discourse* I conflated two concepts, or rather that for what I take to be a legitimate problem (that of articulating the data of discourse with the mechanisms of power) I provided an inadequate solution. It was a piece I wrote at a moment of transition. Till then, it seems to me, I accepted the traditional conception of power as an essentially judicial mechanism. (1977b: 183).

Despite the inadequacy of the notion of power in this lecture, its focus on the forms that the acquisition of knowledge takes, and the modes of its transmission, will form a basis for Foucault’s subsequent work. Almost all of the issues discussed in this paper will, at different times, be incorporated in the analyses he conducts in books and lectures.

However, only the Nietzschean notion that the form which knowledge takes in our society is a function of the will to truth⁷ will occupy a central position in Foucault’s thinking. In his work in the early and mid-1970s, the problem of truth is considered in the context of the development of discourses that set themselves up as discourses of truth and seek to imitate the sciences. In *The Order of Discourse*, he (1971a: 55) argues that the will to truth exerts a

pressure on other discourses to emulate true discourses. He suggests that it has also given rise to a situation where practices, such as those in the areas of economics and penality, have been constrained to justify and ground their techniques and procedures in “true” discourses—political economy, sociology, psychology, medicine and psychiatry.

Although the model of power employed in *The Order of Discourse* is a judicial one, Foucault’s questioning of the importance of prohibition as a component of modern power shows that he is beginning to question this model. In his lecture, Foucault again raises the possibility of a project on sexuality and the prohibitions and taboos that accompany it. This time, his focus is on analysing the different discourses “where sexuality is discussed, and where it is named, described, metaphorised, explained, judged.” (1971a: 72).

Foucault now links the question of sexuality to his argument that the will to truth has increasingly displaced prohibitions by absorbing them in the parameters of scientific disciplines. In this context, he suggests that what has to be examined is how the interdiction that was applied to sexuality in the religious practice of the confession was given a discursive form in the sciences of medicine and psychiatry (1971a: 70). As we will see in chapter 7, in *The History of Sexuality Volume 1* (1976), Foucault’s thinking on power will move even further away from the notion of prohibition.

The Order of Discourse was Foucault's inaugural lecture at the Collège de France.⁸ In the months around this he was also delivering the first of his annual courses there: 'The Will to Knowledge' (1971b: 12-14). In the course summary, Foucault again addresses the issue of the rarity inherent in the field of discursive practice that is presented as unproblematic in *The Archaeology of Knowledge*; on this occasion the focus is on the discursive practice (*savoir*), rather than the level of scientific discourses and other disciplines that is addressed in *The Order of Discourse*.

He now points out that the production and transformation of the field of objects, concepts, enunciative modalities and strategies "presupposes a play of prescriptions that govern exclusions and selections." (1971b: 11). Archaeology is able to describe how the discursive practice is tied to changes in social institutions outside it and transformations in other discursive practices; however, it does not provide an explanation as to why particular discursive formations, rather than others, emerge. Foucault argues that this presents the problem of a seemingly "anonymous and polymorphous will to knowledge (*volonté de savoir, anonyme et polymorphe*)" (1971b: 12) that drives the production of the discursive field.

As with the problem of truth, Foucault turns to Nietzsche for a framework in which to describe this will to knowledge. In these lectures, and 'Truth and Juridical Forms' (1974: 5-15), he argues that Nietzsche presents knowledge (*connaissance*) as emerging out of interests outside it. It is a form of violence

by which things and situations are subjected to relations of force; it is strategic in nature, the outcome of a battle. This interpretation is echoed in ‘Nietzsche, Genealogy, History’ (1971: 382; 387-8), published in the same period, where Foucault presents Nietzschean history as an “affirmation of a perspectival knowledge (*savoir perspective*)” (1971: 382).

This is a view which regards every form of knowledge, including scientific consciousness, as partisan in its perceptions, and inherently unjust, even malicious: knowledge “gives equal weight to its own sight and its objects” (1971: 382); it arises from needs that have purely empirical roots. Here, Foucault presents Nietzsche as arguing that knowledge emerges out of violence, domination and subjugation; it is always situated within a field of forces. In this essay, he shows how Nietzsche views knowledge as a series of interpretations which successively reconfigure the meaning of things.

From Nietzsche, Foucault takes the idea that to understand the history of knowledge we have to view it from the perspective of strategies of power and interests outside it. In attempting to develop his own model for interpreting the relationship between knowledge and power, Foucault will also focus on the Nietzschean notion of the will to truth that has been raised in *The Order of Discourse*. As he has argued in this text, discourses of truth have increasingly absorbed other types of knowledge: the will to truth has given “our will to know its general form” (1971a: 54).

Power-Knowledge

In his courses at the Collège de France from 1970-3, and in ‘Truth and Juridical Forms’ (1974), delivered in 1973, Foucault adopts a new focus for his historical research which reflects the change in the direction of his thinking outlined above. In his previous work, Foucault had studied texts and institutions in order to trace transformations in the different levels of the discursive practice. Now he focuses on the issue, raised in *The Order of Discourse* (1971a), of the way in which the will to truth has determined the form which our knowledge takes. He also starts to examine the role that power and interests play in the emergence of knowledge. In his lectures, Nietzsche’s notion that power and interest precede knowledge is given a historical and institutional context.

In the early 1970s, Foucault embarks on a project which, eventually, will culminate in *Discipline and Punish* (1975). This he describes as tracing “the formation of certain types of knowledge (*savoir*) out of the juridico-political matrices that give birth to them and act as their support.” (1972: 17). The types of knowledge referred to here are the techniques of the inquiry (*enquête*) and the examination (*examen*) on which, he argues, the natural and human sciences (*connaissance*) are respectively based. Foucault presents these techniques as modes of truth production that initially develop as tools within political practices.

In setting out his analysis, Foucault presents the inquiry and the examination as devices in which knowledge (*savoir*) and power (*pouvoir*) function together. He argues that these techniques perform a dual function: they operate as means for acquiring and transmitting knowledge, and also as tools for exercising power in the management and administration of populations. The notion of *savoir* which Foucault is now employing is no longer synonymous with the discursive practice of *The Archaeology of Knowledge* (1969). In its new usage, *savoir* now also refers to the techniques of the inquiry and the examination, and the knowledge which these produce.

In ‘Truth and Juridical Forms’ (1974: 39-52), Foucault sets out a history of the practice of the inquiry showing how it became widespread in Europe in the Middle Ages as a legal tool of monarchy. Here it replaced the device of the test in which legal judgement was given on the basis of performance in combats and ordeals. Foucault suggests that the inquiry was not a new device: it originated in ancient Greece and, in an earlier period of European history, had been employed as an administrative tool in the management of matters such as taxes and property titles; in the Middle Ages it was employed by the church before being taken up by the state.

Foucault argues that the employment of the device of the inquiry in the judicial sphere involved a change in the form within which knowledge of the crime had to be framed, and of the conditions which made this knowledge possible. The inquiry established a set of rules that laid down the conditions that must apply

for truth to be established; it employed witnesses and evidence in establishing truth. Foucault shows that through its deployment in the legal sphere, the inquiry came to function within Western culture as a generalised model for authenticating, acquiring and transmitting truth. (1994: 52).

In this role, its use spread to other areas of political policy such as the collection of information on population and wealth. In the domain of disciplines of knowledge (*connaissance*), it became the basis on which geography and astronomy emerged; later it was involved in the development of medicine, botany and zoology.

Foucault argues that the point at which power and knowledge (*savoir*) intersect is in the area of the acquisition, authentication and transmission of knowledge. In his account of the inquiry, political practice—power—and knowledge (*savoir*) are presented as functioning as a single practice, rather than as in *The Archaeology of Knowledge* and ‘Politics and the Study of Discourse’ (1968), as two separate practices that are externally related. Foucault suggests that the inquiry initially emerges as a device that comprises both a method for exercising political power and a method for collecting and authenticating knowledge. As an administrative and judicial tool, it is shaped by a set of procedures involving a series of questions and prescribed roles that are developed in response to the needs of systems of political power.

In the course summary for the lectures of 1971-2, ‘Penal Theories and Institutions’ (1972: 17), Foucault states that knowledge operates through a system of power that determines the way in which it is recognised, accumulated and disseminated. This system is a form of power (*forme de pouvoir*) that functions in conjunction with, and owes its existence to, other forms of power. Conversely, he argues, power exercised in the social arena, can only function through “the extraction, appropriation, distribution or restraint of a knowledge (*savoir*).” (1972: 17).

By focussing on the tools and techniques involved in processes of political and social administration, Foucault brings a new perspective to bear on the notion of knowledge (*savoir*) that in *The Archaeology of Knowledge* is formulated through the concept of the discursive practice: *savoir* now also has to be conceptualised as a process in which power and knowledge function together. It is out of this analysis that Foucault’s notion of power-knowledge (*pouvoir-savoir*), or knowledge-power,⁹ emerges: “there is not knowledge (*connaissance*) on one side and society on the other, or science and the state, but the basic forms of “power-knowledge” (*pouvoir-savoir*).” (1972: 17). Now the “true” discourses of the sciences and other disciplines (*connaissance*) are dependent on the development of techniques of knowledge (*savoir*) such as the inquiry that develop as practices of power-knowledge.

The account of Foucault’s view of power-knowledge that I have set out above has focussed on the inquiry and its use in monarchical systems of government.

In ‘Truth and Juridical Forms’ (1974: 52-87), Foucault also investigates another device for the production of truth: the examination (*examen*). This is a technique that extracts knowledge from, and about, individuals and assesses their behaviour in relation to a normative framework.

Foucault argues that the examination emerges out of new forms of social control connected with the development of a disciplinary society in Europe from the eighteenth century on; it is on the basis of the examination that human sciences such as psychiatry, psychology, and sociology later develop. In respect to the examination, the relation between knowledge and power is a more complex issue than in the case of the inquiry. This is because power is now, as Foucault argues, diffused across society, in different practices and institutions, rather than concentrated in the state apparatus.

In ‘Truth and Juridical Forms’ (1974: 70-85), Foucault shows how, across different early nineteenth century institutions, the examination functioned in conjunction with uniform methods of control of populations. In *Psychiatric Power* (2003: 12-13), his 1973-4 course at the Collège de France, Foucault employs the term *dispositif* to describe this configuration. This term is also employed in *Discipline and Punish* (1976) and *The History of Sexuality Volume 1* (1976). In *Psychiatric Power*, the *dispositif* is the ensemble of power-knowledge encompassed by the disciplinary practice of the institution of the asylum.

Foucault (2003:1-35) presents the *dispositif* of the asylum as constituted by techniques for supervision and control that are integrated with methods for accumulating and circulating knowledge on patients. It is a tactical device directed towards the subjugation of patients and the enhancement of the authority and status of the doctor. Foucault argues, that in order to understand how the nineteenth century asylum functioned, we have to look behind the regularities and rules that define it as an institution to the *dispositif*—“the practical dispositions of power” (2003: 15)—that determined its functioning.

A central thesis of the lectures in *Psychiatric Power* is that, for much of its early history, the asylum functioned without any reference to a scientific or theoretical discourse. Foucault (2003: 12-13) describes the aim of this course as that of demonstrating how a scientific discourse—in this case, psychiatry—emerged out of the configuration of power-knowledge (*pouvoir-savoir*) constituted by the *dispositif* of the asylum. Here he sets out a method which he opposes to the earlier archaeological one, employed in *History of Madness* (1961): begin not with representations (*representations*) of knowledge and perceptions, but with a *dispositif* of power (*pouvoir*) and examine how it gives rise to statements and theories; view knowledge as following power, and analyse the *dispositif* of power as “a productive instance of discursive practice (*instance productrice de la pratique discursive*).” (2003:13).

Foucault argues that this approach enables a discourse to be identified at the point where it is formed: in this case, in the *dispositif* of the asylum. As I will

show in the next chapter, *Discipline and Punish* draws on this model. This work defines the prison as a *dispositif*, and shows how this *dispositif* gave rise to the discourses of the human sciences.

The development that takes place in Foucault's thinking between *The Archaeology of Knowledge* and *Discipline and Punish* is commonly described as a move from a focus on discursive practices to a focus on non-discursive practices. The account that I have presented above gives a more complex picture. It suggests, as I will now show, that what actually takes place is a reconfiguration of the notion of knowledge that Foucault employs in the earlier work.¹⁰

In *The Archaeology of Knowledge*, as we have seen, the discursive practice encompasses knowledge in texts and institutions; the examples which Foucault gives include scientific, philosophical, religious, literary and legal knowledge; also the knowledge invested in political processes, social institutions and everyday opinions. It is clear from this work, and Foucault's earlier historical studies, that the knowledge (*savoir*) he sees as being involved in all these instances relates to ideas, beliefs and perceptions. As we saw in the previous chapter, *The Archaeology of Knowledge* culminates in a discussion of the relation between science and ideology, and defining this relation is one of the main aims of this work.

In contrast, the knowledge on which Foucault focuses, in his lectures in the early 1970s, is knowledge of a technical nature. His research in this period is not focussed on the ideas and beliefs which are invested in political processes and social institutions, but in the tools, techniques and processes of knowledge employed. He is no longer writing about the statement—a function of language which places it in relation to objects, enunciative modalities, strategies and the system of formation of these.

Foucault's interest is now in the acts of inquiring and examining, each of which he describes as a “form of knowledge” and “a political form” (1974: 51-2). In his work, these are shown to also encompass other acts: in the case of the examination, the acts of observing, grading, judging and correcting; in the case of the inquiry, the acts of collecting items of testimony, validating these, and establishing what happened.

In my account, I have shown that it is as a result of Foucault's concern, from *The Order of Discourse* on, with the will to truth that these acts come to occupy a central position in his thinking. However, the framework for his research that he advances in the early part of ‘Truth and Juridical Forms’, suggests that another factor is also at work. Here he states that, while the approach to studying language as a series of regularities has been important, he now intends to follow the example of Anglo-American philosophers of his time and analyse discourse (*discours*) as “a strategic and polemical game” (1974: 3).

The round table discussion that followed these lectures, in which Foucault elaborated on this plan, has not been included in the English version of ‘Truth and Juridical Forms’.¹¹ However, in his article on Foucault’s philosophy of language (Davidson, 1997), Arnold Davidson refers to this discussion, and also provides translations of certain of Foucault’s contributions—which I cite below.

These contributions show that what Foucault had in mind was adapting the Anglo-American tradition to studying discursive strategies in a historical context, and within practices beyond “common-room conversations” (Davidson, 1997: 5). He also suggests that it should be possible to study discourse as “rhetorical procedures, as ways of conquering, of producing events, of producing decisions, of producing battles, of producing victories.” (Davidson, 1997: 5).¹²

From the above discussion, it is clear that, in ‘Truth and Juridical Forms’, Foucault is attempting to develop a framework for the strategic dimension of knowledge which, as we have seen is only sketched out in *The Archaeology of Knowledge*. In these lectures, he links the emergence and functioning of the examination within various institutions to a global strategic goal of transforming bodies and lives into productive forces within the capitalist system. (1974: 78; 84; 86). In the same year, in *Psychiatric Power*, as we have seen, the nineteenth century asylum was presented in terms of the concrete tactical functioning of a disciplinary *dispositif*. These conceptions of strategy

and tactics are incorporated in *Discipline and Punish*. In *The History of Sexuality Volume 1*, as we will see in chapter 8, Foucault also presents the discourses of medicine and psychiatry in strategic terms. It is in this text that the influence of Anglo-American linguistic analysis is most evident.

After *The Archaeology of Knowledge*, as I observed in the previous chapter, the term “discursive practice” rarely appears in Foucault’s work. However, although he now studies social practices such as the asylum and the prison, his focus is still on knowledge. In his work in the early and mid-1970s, Foucault employs the term “social practice” as synonymous with power-knowledge. In ‘Truth and Juridical Forms’ and, later, in *Discipline and Punish*, his interest in juridical practices is in how they give rise to domains of knowledge (*engendrer domaines de savoir*) (1974: 2); and how these domains of knowledge, in turn, give rise to the discourses of the natural and human sciences.

One of the major differences between *The Archaeology of Knowledge* and *Discipline and Punish* is that, in the early work, *connaissance* co-exists with other types of knowledge within a discursive practice (*savoir*); whereas in the later work, *connaissance* (in the form of the human sciences) is positioned as developing out of a *dispositif* of power-knowledge (*pouvoir-savoir*). In *Discipline and Punish*, Foucault states that:

the subject who knows (*connait*), the objects to be known (*connaître*) and the modalities of knowledge (*connaissance*) must

be regarded as so many effects of these fundamental implications of power-knowledge (*pouvoir-savoir*) and their historical transformations. In short, it is not the activity of the subject of knowledge (*connaissance*) that produces a corpus of knowledge (*savoir*), useful or resistant to power, but power-knowledge (*pouvoir-savoir*), the processes and struggles that traverse it and of which it is made up, that determines the forms and possible domains of knowledge (*connaissance*). (1975: 27-8).

In the work of Foucault's middle period, the social practice, as power-knowledge, takes on the productive role that, in *The Archaeology of Knowledge*, is ascribed to the discursive practice. In *Discipline and Punish*, the *dispositif* of the prison, like the discursive practice in *The Archaeology of Knowledge*, is configured in terms of objects, enunciative modalities and strategies. As I will show in more detail in the next chapter, the object of the *dispositif* of the prison is the delinquent; the enunciative modality is dispersed among a hierarchy of supervisory positions; strategy is conceptualised in terms of the role that the prison plays in the system of differential administration of illegalities in society.

One of the main arguments of *Discipline and Punish* is that the *dispositif* of the prison provides a domain or field of intelligibility on the basis of which the human sciences develop. Most importantly, it provides the human sciences

with an object—the delinquent—that is, later, conceptually elaborated and expanded.

At this stage in my discussion, it is too soon to attempt a comparison of the work of Foucault's middle period with the interpretation of his texts which Butler presents. However, two differences which distinguish their thinking are already evident. Firstly, Foucault's notion of the *dispositif*, and the distinction which he draws between domains of knowledge (*savoir*) and discourses of knowledge (*connaissance*), has no equivalent in Butler's thinking.

Secondly, both thinkers draw on the work by Anglo-American philosophers in the field of linguistic analysis. However, while Butler privileges the concept of the performative, Foucault focuses on the model of strategic games. In subsequent chapters, I will show how, in *Discipline and Punish* and *The History of Sexuality Volume 1*, Foucault positions the *dispositif* as a tactical device and the discourses of the human sciences as strategic investments.

In the next section, I will examine how Foucault's use of the notion of the *dispositif* leads to the introduction of new elements into his historical methodology. Here I will again be comparing Butler's approach to genealogy with Foucault's.

Archaeology and Genealogy

The change in Foucault's methodology between *The Archaeology of Knowledge* (1969) and *Discipline and Punish* (1975) is usually described as a movement from archaeology to genealogy. In the 1970s, Foucault describes the relationship between these in a variety of ways: one focuses on analysis, the other on history (2003: 238-9); one sets out a method, the other a political goal (1997: 10-11); one refers to the acceptability of a system, the other to the arbitrariness of its emergence (1990: 53-7); one concerns scientific knowledge; the other, the subject (1993: 176-8).¹³

The multiplicity of definitions reflects a process of clarification in Foucault's thinking, but also the difficulty he has in drawing a distinction between archaeology and genealogy. In the previous chapter, I argued that he is already employing a genealogical approach in his archaeology; however, in the early 1970s, as I have shown, he introduces new elements into his methodology that draw their inspiration from Nietzschean genealogy. In addition, he now begins to identify his own approach as both archaeological and genealogical.

In *Discipline and Punish*, Foucault characterises his analysis of the prison as an aspect of the "history of the present". Here he tells us that he is studying the past from the perspective of the needs of the present, and that he is doing this not by "writing a history of the past in terms of the present" but by "writing the history of the present" (1975: 31).¹⁴ Foucault's method is to start from a

situation in the present and to work backwards in order to establish patterns among events in the past that explain the emergence of our current practices. This project of writing a history of the present is not a new development in Foucault's work: it can also be found in *History of Madness* (1961) and *Birth of the Clinic* (1963). What is new in *Discipline and Punish* is the increased sophistication with which this project is now carried out.

In *Discipline and Punish*, Foucault provides little discussion of the complex methodology which his history of the prison involves. However, two papers delivered in 1978—‘Questions of Method’ (1980) and ‘What is Critique?’ (1990)—partly fill this gap. In ‘Questions of Method’ (1980), Foucault describes the approach he has adopted in *Discipline and Punish* as incorporating two elements: one that shows what initially made, and continues to make, our current practice of the prison appear acceptable and self-evident; another which demonstrates the precarious nature of the series of events that led to the establishment of the prison (1980: 225-6).

Foucault's aim is to undermine the self-evidence of our current practices, and this marks out his enterprise as essentially a political project. In carrying out this enterprise, he also targets conventional historical explanations as to how our current practices have evolved: *Discipline and Punish* is structured as a polemic against a humanist history that presents the prison, and the human sciences that have emerged alongside it, as the products of progress and reform.

In ‘What is Critique?’ (1990), Foucault sets out a useful account of the two-fold approach, mentioned above, linking this with the different perspectives of archaeology and genealogy. Here he argues that the archaeological level involves describing a social apparatus by identifying its “conditions of acceptability” (1990: 54): what makes it appear as rational, self-evident and indispensable at a particular time in history. This concept of conditions of acceptability can be seen as a reworking of the notion of conditions of occurrence that appears in *The Archaeology of Knowledge*, and its application in the context of social practices or *dispositifs*.

Foucault argues that archaeology defines the connections between power and knowledge in the object under analysis; it describes “the system of acceptability analysed through the knowledge-power interplay” (1990: 53). Archaeology deals with elements, systems and procedures of knowledge, with *savoir*, rather than *connaissance*. It focuses on specific describable mechanisms, instruments and procedures of power; on *pouvoir* rather than *puissance*. (1990: 51).

Foucault argues that while archaeology is concerned with defining and describing an apparatus, genealogy focuses on identifying its conditions of emergence. He presents genealogy’s task as the opposite to archaeology’s: it reveals the contingent and precarious nature of the social apparatus showing that it was not self-evident when it first arose and that to be accepted it had to

be accompanied by an element of force. He argues that genealogy reveals the singularity of its object; it does not regard systems as instances of a historical universal or as “incarnations of an essence or individualizations of a species” (1990: 55).

Foucault (1990: 55-7) differentiates his notion of genealogy from traditional causal analysis; he conceptualises the social apparatus as a historical effect constituted by heterogeneous processes that intersect with each other, and by multiple relationships that function in a circular fashion. This approach to the question of genealogy enables Foucault (1990: 58-9) to present archaeology and genealogy as modes of analysis that proceed concurrently; they constitute different dimensions of a single method.

The details of this single method, and its employment in relation to the prison in *Discipline and Punish*, are set out in more detail in ‘Questions of Method’ (1980: 226-8). Here, as in *The Archaeology of Knowledge*, Foucault defines his approach as that of “eventalization” (*événementialisation*) (1980: 226): viewing a social apparatus as a singular historical event. He describes eventalization as a process that involves constructing a “polyhedron of intelligibility (*polyèdre d'intelligibilité*)” (1980: 227) around the apparatus; the polyhedron provides an infinite number of faces within which different sets of historical relations can appear as the analysis proceeds. He argues that this approach involves a progressive multiplication of elements, relations, and domains: as the prison-event is broken down into different processes that

constitute it, the relevance of domains outside it—such as the school and the military—also becomes apparent.

In ‘Questions of Method’, Foucault presents a methodology that combines the historical analysis of series of events, described above, with a topological presentation of the social practice of the prison. In a clarification of the methodology which he has employed in *Discipline and Punish*, he argues that social practices have to be viewed as having “their own specific regularities, logic, strategy, self-evidence and ‘reason.’” (1980: 225). He defines practices as functioning along two axes: one that encompasses rules, procedures and techniques which relate to “what is to be done” or processes of “jurisdiction” (1980: 225); and another that relates to “what is to be known”, or processes of “veridiction” (1980: 225).

Foucault presents his methodology as combining an analysis of the functioning of the prison as a practice of power-knowledge with an account of its historical emergence:

Eventalizing singular ensembles of practices, so as to make them
graspable as different regimes of “jurisdiction (*juridiction*)” and
“veridiction (*véridiction*)”: that to put it in exceedingly barbarous
terms, is what I would like to do. (1980: 230).

Discipline and Punish functions simultaneously as an archaeology and a genealogy: it is concerned with both conditions of acceptability of the practice of the prison and the contingent circumstances of its emergence. What makes the conditions of the prison acceptable is its employment of disciplinary methods which, at the time of its birth, are flourishing in the military, schools, hospitals and workshops. (1975: 231-256). The contingent circumstances of the prison's emergence are described through an account of competing practices of punishment in existence at the end of the eighteenth century: the practice of public torture is still widespread, and many legal reformers favour its replacement with a practice of public representations and signs, rather than secretive, coercive detention. (1975: 114-31). Foucault (1975: 266-71; 285-292) also shows how the prison is, in its early years, subjected to criticisms from the authorities and opposition from the working class.

In 'Questions of Method', Foucault describes his genealogical project as a history of "the objectification of objectivities (*l'objectivation des objectivités*)" (1980: 238). Butler also presents genealogy as concerned with processes of objectification and the questioning of what we take to be self-evident. As we saw in chapters 1 and 2, she views objectification and self-evidence as the product of a repetitive process of materialisation of cultural norms and identities that takes place through discursive power. This is very different from Foucault's approach to genealogy as a method that provides both a complex description of the social practice or apparatus in terms of the relations in which it is implicated, and a detailed account of its emergence.

In the previous chapter, I argued that Butler interprets Foucault as viewing discursive practice as synonymous with social practices in general; this is also the position which she herself adopts. In opposition to this, I showed that, in *The Archaeology of Knowledge*, the discursive practice or *savoir* exists alongside a range of social practices and institutions with which it enters into specific, describable relations. The account that I have given above shows that this position is not abandoned with the introduction of the notion of power-knowledge. In *Discipline and Punish*, the *dispositif* of the prison which is defined as a practice of power-knowledge (*pouvoir-savoir*) is also described in terms of a relation to other practices, institutions and events.

One consequence of this difference in perspective between Butler and Foucault is that their notions of the political dimension of the genealogical enterprise are also at variance. In *Gender Trouble* (1990), as we have seen, Butler uses genealogy to make the case for both the volatility of the signifier and individual involvement in processes of resignification of gender: a position that raises the problem of the criterion needed for establishing the value and efficacy of different instances of strategic resignification. In contrast, in ‘What is Critique?’ (1990: 58-9), Foucault shows that it is because of the specific type of knowledge which it provides that genealogy can be turned to political ends: genealogy makes it possible to identify the areas of fragility in the composition of a social formation and, thus, points to the strategies that could bring about its disappearance.

The notion that the volatility of the signifier presents opportunities for resignification is a major theme in Butler's work. In chapter 2, we saw how, in *Bodies That Matter* (1993: 223-4) she argues that this theme can also be found in Foucault's work. Here she suggests that he draws on Nietzsche's notion of the sign-chain that appears in *On the Genealogy of Morals* (1887). In fact, in his genealogies of punishment and sexuality, Foucault employs the Nietzschean sign-chain in a way that has no equivalent in Butler's genealogy.

From Nietzsche, Foucault takes the idea that key concepts in our discourses have emerged out of social practices, and that these have also, subsequently, been subject to reconfiguration in different practices. In *On the Genealogy of Morals* (1887: 12-13; 44-5), Nietzsche argues that the notions of "good" and "bad" have emerged out of the domination of the common herd by the powerful and the noble. He also suggests that the concept of "guilt" (*Schuld*) has its roots in the notion of "debt" (*Schulden*) and the practices of buying, selling and exchanging with which it is associated.

In his work in the mid-1970s, Foucault follows Nietzsche in tracing the historical emergence of key concepts out of social practices. In *Discipline and Punish*, as we will see in the next chapter, he shows how the concept of the "delinquent", on the basis of which, he argues, the human sciences have been founded, emerges out of the practice of the prison. In *The History of Sexuality Volume 1* (1976), as I will show in chapter 7, he also traces the emergence of

the notion of the “desiring body”, and the figures of the “convulsive nun” and the “masturbating child” in the Christian practice of the flesh. Foucault argues that these are subsequently reconfigured in the practices of sexuality. This issue of the historical constitution of social practices, and the emergence of discursive domains and objects out of them, is one of the most important aspects of Foucault’s genealogy. In contrast, these concerns play no part in Butler’s conception of genealogy.

My next two chapters will be devoted to discussing *Discipline and Punish* and the question of power. Much of the historical narrative which this work encompasses can be found in a briefer form in the last two lectures of ‘Truth and Juridical Forms’ (1974). However, as we have seen, the notion of the *dispositif* only appears later, in *Psychiatric Power* (2003). In this work, Foucault begins to formulate the notion of power which will be further developed in *Discipline and Punish*. In the next chapter, I will discuss how, in *Discipline and Punish*, Foucault conceptualises power in terms of technologies and tactics which are focussed on the body.

¹ See e.g. Sheridan (1980: 120-30), Dreyfus and Rabinow (1984: 104-5), Barker (1993: 64) and Han (1998: 73-107). As I indicated in my introduction, only Han has used *The Order of Discourse* to analyse the links between *The Archaeology of Knowledge* and *Discipline and Punish* in detail.

² A briefer discussion of this relationship appears in *The Archaeology of Knowledge* (1969: 164).

³ Foucault usually places quotation marks around the term ‘scientific’ when he is discussing the human sciences; see e.g. *Discipline and Punish* (1975: 23; 24).

⁴ This process is traced in detail in ‘Truth and Juridical Forms’ (1994: 16-34).

⁵ Foucault discusses the question of the author in ‘What is an Author?’ (Foucault, 1979). This paper was presented in 1969—shortly before *The Order of Discourse*.

⁶ For a discussion of this issue, see Han (1998: 79-107).

⁷ The will to truth is a major theme in ‘Nietzsche, Genealogy, History’ (1971: 387-9). *La Volonté de savoir* (The Will to Knowledge) is the French title of *The History of Sexuality Volume 1*.

⁸ The lecture was given on 2 December 1970. Courses at the Collège de France ran from November to May, sometimes not starting until January. (Macey, 1993: 240-2).

⁹ This term is employed in ‘Truth and Juridical Forms’ (1994); see e.g. p. 52.

¹⁰ My interpretation here is different from many commentators, including Deleuze (1986: 31-2), and Dreyfus and Rabinow (1982: 102-3), who see *The Archaeology of Knowledge* as focussing on the discursive and *Discipline and Punish* on the non-discursive. In Foucault’s middle period, the main distinction in his work is between scientific discourses and power-knowledge. After *The Archaeology of Knowledge*, the notion of a non-discursive practice does not appear in his books; however, it does feature in the interview ‘The Confession of the Flesh’ (1977: 196-8), given in 1977. Here he defines the apparatus of sexuality as discursive and non-discursive but suggests that, in practice, it is difficult to distinguish between these.

¹¹ This discussion is included in *Dits et écrits 1954-1988*, tome 2 (1994a) pp. 623-646. Here Foucault mentions Wittgenstein, Austin, Strawson and Searle.

¹² Drawing on a later lecture by Foucault, delivered in Japan in 1978, which, again, has not been published in English, Davidson (1997: 3-4) suggests that Foucault's notion of power has also been influenced by Anglo-American philosophy. In this lecture, Foucault argues that just as this philosophy looks at everyday use of language, so is it also possible for philosophy "to analyze what happens every day in relations of power" (Davidson, 1997: 3). Relations of power, like language, can also be conceived as games that are played.

¹³ In an interview in 1983, 'Structuralism and Post-structuralism' (1983), Foucault says that he has ceased using the term archaeology; however, it is to be found in *The Use of Pleasure* (1984).

¹⁴ For a discussion which presents this as the main development in Foucault's thinking after *The Archaeology of Knowledge*, see Dean (1994: 17; 35).

For an analysis of this question which links Foucault to Nietzsche and Heidegger, see Elden (2001: 111-19). Elden presents an interpretation of Foucault's history of the present as a spatial mapping of the functioning of power through the relations between different sites.

Chapter 5

Power-Knowledge and Technology: *Discipline and Punish*

In *Discipline and Punish* (1975), Foucault presents discipline (*discipline*) as a technology that targets the body and which, by the end of the eighteenth century, functions in major institutions in European society. In this work, he provides an inventory of disciplinary techniques and procedures, and an analysis of the way in which they operate within the prison and across other practices in modern society. Foucault presents discipline as functioning through techniques that integrate power (*pouvoir*) and knowledge (*savoir*) in such a way that these two become indistinguishable and inseparable. The knowledge involved is of a practical, rather than a discursive nature.

In this work, the main focus for Foucault's analysis of disciplinary technology is the *dispositif* of the prison. He (1975: 24) argues that, instead of viewing penality as a method of reducing crime, we must detach punishment from juridical structures and discourses and analyse its concrete functioning as a political technology of the body (*technologie politique du corps*). Foucault presents the prison as developing a domain of practical rationality and a distinct object—the delinquent—which fuels the development of the discourses of the human sciences (*sciences humaines*).¹

In chapters 1 and 2, we saw how Butler interprets Foucault's concept of power in terms of the discursive production of subjects who are simultaneously regulated and subordinated through law and norms. We also saw how she interprets his view of the relation between power and the body on the model of inscription and, on this basis, develops an analysis of the prisoner. In this

chapter, I will show how Foucault describes modern power as functioning not in terms of discourses, law and norms, or as processes of inscription of the body, but as a technology which functions in the form of disciplinary *dispositifs* of power-knowledge.

My discussion of *Discipline and Punish* is spread over two chapters: the first focuses on Foucault's account of the nature of disciplinary technology; the second, on the view of processes of subjection which he presents. In this chapter, I will be discussing three aspects of Foucault's analysis of disciplinary technology: firstly, his description of the prison as a disciplinary *dispositif*; secondly, his conceptualisation of disciplinary power as a practical rationality which is defined by a distinct set of techniques and procedures; and thirdly, his account of the development of discipline, normalisation and the human sciences.

Three Practices of Punishment

In *Discipline and Punish* (1975), Foucault sets out to establish a relationship between the practice of the prison and the way in which the body and its forces are configured and deployed in disciplinary practices within modern society. This is an unorthodox approach to the penal system which by-passes the legal discourses in terms of which it is usually studied. In this context, Foucault (1975: 24-5; 54) cites Rusche and Kirchheimer's work, *Punishment and Social Structures* (1939), as an earlier attempt at carrying out such a project. Here

differences in systems of punishment are explained by differences in modes of production and the demand for labour power.²

In contrast to this work, Foucault approaches the question of the body and punishment from the perspective of power-knowledge, rather than economics. He situates his analysis in the late eighteenth century when, he argues, three distinct practices of punishment—three “technologies of power” (1975: 131) (*technologies de pouvoir*)—were in existence: one based on public torture (*supplice*);³ another on signs and representations in which punishments paralleled offences in their symbolic content; and a third on the prison. In this section and the next, my focus will be on the prison. However, as Foucault’s analysis of the prison is conducted through a comparison with the other two practices of punishment I will also consider these.⁴

Foucault’s approach to the prison as a *dispositif* of power-knowledge constitutes a major departure from his earlier published work in which the discursive practice has been the focus of attention. However, as we saw in the previous chapter, his lectures in the early 1970s all lead up to this development.

In this section, I will show how, in *Discipline and Punish*, rather than attempting to describe systems of punishment as discursive practices, Foucault sets out to show how each of the three systems which he distinguishes can be defined as a distinct domain of practical rationality—what he terms a “technology”.

In *Discipline and Punish*, Foucault's detailed analyses of systems of punishment are designed to show how each is constituted as a practice of power-knowledge which has its own procedures and processes. In his account, these procedures and processes are described in terms of a background of intelligibility that each practice provides. Foucault describes this intelligibility as immanent to the practice itself; it cannot be attributed to discourses, penal institutions or moral systems. Systems of punishment:

cannot be reduced to theories of law (though they overlap with such theories), nor can they be identified with apparatuses or institutions (though they are based on them), nor can they be derived from moral choices (though they find their justification in morality). They are modalities according to which the power to punish is exercised: three technologies of power. (1975: 131).

In *Discipline and Punish*, systems of punishment are presented as technologies; they are shaped by techniques, procedures and processes that encompass a tactical knowledge. Foucault shows how each of the three practices of punishment that he presents can be distinguished by the way in which the body is targeted, the techniques that are employed, and the sets of relationships within which these function. (1975: 3-69; 73-131; 231-56).

Foucault argues that the practice of public torture works and marks the body through techniques that both inflict physical pain and display the crime; it

positions the offender against the might of the sovereign and her/his laws.(1975: 34; 42-7; 47-54). The practice of signs and representations appeals to the interests of offenders, and deploys their bodies in the public education of others; it positions them as juridical subjects who are in the process of being requalified as members of the social pact. (1975: 89-90; 104-14). The practice of the prison works on the body through exercise and training in order to develop habits and behaviours; it positions the offender as the individual whose character has to be reformed. The practice of imprisonment emerges in association with the spread of disciplinary practices across society. (1975: 128-9; 235-44; 248).

Foucault suggests that each practice foregrounds a different technique of power-knowledge: torture and execution deploy a form of the test (1975: 35-42); signs and representation, the notion of measure (1975: 73-5; 89-99); imprisonment, the technique of the examination (1975: 125-6; 250-2). Public torture (*supplice*) draws on a knowledge of the body; the practice of signs and representations involves an elementary codification of relations between images and interests; the prison employs techniques of surveillance and normalizing judgement to accumulate knowledge of offenders.

Foucault shows that the practice of signs and representations was short-lived; within a brief space of time, both this practice and the practice of public torture were replaced with imprisonment. (1975: 116-7).⁵ He argues that this development was made possible by the merging of penality with disciplinary

power. In *Discipline and Punish*, the prison, like the asylum in *Psychiatric Power* (2003), is described as a disciplinary *dispositif*.

Foucault (1975: 130-1) suggests that disciplinary processes only began to colonise the legal system through the institution of the prison in the late eighteenth century—a relatively late stage in their development. He argues that, by the time they had done so, the model on which the prison was based—the disciplinary *dispositif*—had spread throughout society. The concept of the disciplinary *dispositif* will be discussed below, in the third section of this chapter. Here I will focus on the distinctive features of the *dispositif* of the prison.

Foucault (1975: 251-255) argues that the prison transforms discipline into an instrument for addressing the technical problem of reforming the character of the individual. He suggests that, in this respect, the prison develops an earlier practice of making judgements about the nature of the individual that had emerged within the technology of signs and representations. However, whereas the latter viewed the offender as a citizen to be reformed, the *dispositif* of the prison objectifies the prisoner as a “delinquent (*delinquant*)”—a dangerous individual, closer to the image of the monster than the citizen.

Foucault argues that, in the prison system, the prisoner’s delinquency is viewed as an aspect of her/his character; in this sense, the delinquent is the person who exists before, and independently of, the crime committed. It is the delinquent,

not the offender, who becomes the target for the processes and procedures of the prison. Foucault suggests that this objectification of the prisoner as the delinquent sets the prison apart from other disciplinary apparatuses. The notion of delinquency fuses the legal with the disciplinary, and the individual to be controlled and corrected with the dangerous, abnormal individual.

In *Discipline and Punish*, this objectification (*objectivation*) of offenders in the *dispositif* of the prison is contrasted with the practice of public torture in which this process does not take place. With public torture, the offender is punished as a subject who is defined by her/his relation to the sovereign and the sovereign's law which has been broken; s/he is regarded as interchangeable with others, offenders and non-offenders alike. (1975: 47-54). Foucault suggests that, in the practice of signs and representations, the offender begins to be objectified as punishment is tailored to what is likely to prevent her/him from again breaking the law. However, the offender is still viewed as a member of the social pact who shares a common legal status with others. (1975: 101-2).

Butler's focus on discourse, and her avoidance of the question of different technologies of power in Foucault's work, results in her conceptualising all power on the single model of juridical regulation. In her analysis of the prisoner in *The Psychic Life of Power* (1997), she reiterates her view that, while Foucault sometimes seems to imply that juridical power is a historically prior form to productive power, he does not really mean this:

Although Foucault occasionally tries to argue that historically *juridical* power—power acting on, subordinating, pre-given subjects—*precedes* productive power, the capacity of power to *form* subjects, with the prisoner it is clear that the subject produced and the subject regulated or subordinated are one, and that compulsory production is its own form of regulation. (1997: 84).

The account of the three different practices of punishment that I have given above shows that Foucault *does* view power in a historical context: in the field of punishment, and society generally, the dominance of juridical power declines as disciplinary power—which deploys a different type of regulation—advances. Foucault’s comparison of the three practices of punishment is designed to show the functioning of different modalities of power.

As I will now show, Butler’s juridical interpretation of power also leads her to present a view of the subjection of the prisoner which is at variance with Foucault’s.

Power and the Prisoner

Butler’s interpretation of Foucault’s concept of power as juridico-discursive leads her to present an interpretation of *Discipline and Punish* (1975) in which the prison is viewed simply as an appendage of the discourse of law, rather

than as a *dispositif* of power-knowledge. Two of the most important theses which emerge out of Foucault's account of the prison are that the delinquent is produced as the object of its practice, and that the strategic functioning of the prison is dependent on a failure to meet the aim of reforming individuals and producing obedient subjects. As I will now show, the analysis of the prisoner that Butler presents in different works—on which, as we saw in chapter 2, she bases major criticisms of Foucault's thinking—ignores both of these aspects of his account.

In chapter 2, we saw how, in *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997), Butler reworks Foucault's brief discussion of the notion of a modern soul that appears in the first chapter of *Discipline and Punish* (1975: 29-30). Here she presents an interpretation of the disciplinary formation of the prisoner in terms of a relation between body and 'soul'. In her account of this relationship, the soul functions as a "normalizing ideal" (1997: 90), forced on the offender by the practices of the prison, in accordance with which the body is materialised. Butler equates this normalizing ideal with "a model of obedience" (1997: 85). She argues that the prisoner's body is made to conform to a specific bodily style; it is "framed and formed through the discursive matrix of a juridical subject" (1997: 84); it presents as "a sign of guilt and transgression" (1997: 83).

In Butler's interpretation of Foucault's account of the prisoner, the matrix of discourse and power that governs the prisoner's behaviour and makes her/him

an intelligible subject is, thus, conceptualised in terms of both a norm of obedience, and a bodily style that displays the prisoner's juridical status. As I will now show, Foucault's account is actually both more complex and less literal than Butler suggests. In *Discipline and Punish*, the prison gives rise to a pathologization of the prisoner: the prisoner is not constituted by a norm of obedience, or by the discourse of the juridical subject; rather s/he is constituted as the delinquent.

Foucault (1975: 248-6), as we have seen, argues that the *dispositif* of the prison fabricates a new object for disciplinary intervention: the delinquent. He suggests that the prison is, from its inception, a *dispositif* designed for the disciplining of the delinquent; the delinquent is the correlate of the disciplinary technology of the prison; the two emerge together "as a technological ensemble" (1975: 255).

Foucault argues that, in employing the notion of the delinquent, the prison positions the offender as a target of power and an object of knowledge. He describes how, in the prison, the biographical details of the offender are searched for evidence of actions and attitudes that can be presented as early signs of future criminality.⁶ In addition, the prison system employs its own techniques of surveillance, documentation, and categorisation of the prisoner to provide on-going evidence of a criminal nature.

Foucault argues that, in the early years of its existence, the prison functioned with an ethnological conceptualisation of delinquents as a “quasi-natural” (1975: 253) class with its own distinctive form of life; later it began to develop elementary typologies that made it possible to classify prisoners on the basis of attributes such as intelligence, aptitudes and character. (1975: 252-4; 126). On this basis, it applied schemas of isolation, work, and control of time to the delinquent nature that it had itself manufactured.⁷

When Foucault presents the body as the target of power-knowledge in the prison, he is not, therefore, referring to the production of a stylistics of the body governed by a discursive matrix of the juridical subject, as Butler argues. Rather his point is that the technology of the prison frames the body as a set of behaviours and habits that can be made the object of knowledge, and progressively worked on through specific techniques.

What Foucault refers to as the “soul” is not a norm or ideal that literally forms the body; rather it is the human being insofar as s/he is both the object of punishment and the knowable object that is produced by the technology of discipline in the prison and, later, by the discourses of the human sciences:

the body of the prisoner, duplicated by the individuality of the ‘delinquent’, by the little soul of the criminal, which the very apparatus of punishment fabricated as a point of application of the

power to punish, and as the object of what is still called today penitentiary science. (1975: 255).

In this sense, the soul of the prisoner has to be equated with the delinquent and the technology that shapes this concept, not, as Butler assumes, with the obedient subject or the juridical subject. The nature of the Foucaultian soul will be discussed in more detail in the next chapter.

In *Bodies That Matter*, Butler interprets Foucault as presenting power in the prison as functioning through “repetition of rituals of cruelty” (1993: 252). However, in Foucault’s (1975: 244-7; 249-51; 125-6) own account, the power that is exercised on the prisoner functions through constantly adapting punishment to the on-going compilation of knowledge about her/him that is provided through surveillance and examination. One of the criticisms of the prison that Foucault advances is that “it becomes increasingly an apparatus for the modulation of the penalty” set by the court. (1975: 244).

In Foucault’s account of the disciplinary processes of the prison, the relation between power and knowledge is dynamic and circular rather than ritualistic and repetitive: through knowledge, power constantly readjusts the direction of its application, making way for further increases in knowledge. Butler’s depiction of the prison as a coercive institution, focussed on ensuring obedience in the prisoner, ignores the fact that, for Foucault, the prison is viewed as “an apparatus of knowledge” (1975: 126).

In *Discipline and Punish*, Foucault (1975: 264-8) points out that ever since its inception, the prison has produced high rates of recidivism. Rather than assuming that the prison is totally successful in producing an obedient subject, as Butler suggests, he produces evidence to show that, in this respect, it is a spectacular failure. In support of his position, he (1975: 271-85) also claims that the production of the delinquent by the *dispositif* of the prison is sustained by systems outside the prison.

In *Psychiatric Power* (2003: 14-15), Foucault describes his approach to institutions as that of looking beneath the norms that define their regularities for the disciplinary power relations that underpin these. This is the method that he adopts in his analysis of the prison. Here, he also employs a procedure that, in his course, *Security, Territory, Population* (2004), he refers to as “de-functionalizing” (2004: 119) the institution. This involves looking beyond the declared functions of the institution to the strategic role that it plays in the wider social field.

In *Discipline and Punish*, Foucault (1975: 271-92) argues that if we view the prison purely as an institution for the correction of those who break the law (as I have argued Butler does), we will not be able to explain its stability and longevity; the functioning of the prison has, therefore, to be viewed in terms other than the reform of offenders. He challenges the notion that the penal apparatus of police, courts and prison performs the function of punishing

breaches of the law, and points out that, in fact, only certain illegalities are prosecuted and punished. Foucault suggests that the penal apparatus has to be viewed as a system for this differential administration of illegalities. It gives free play to certain types of illegality while blocking other types.

Foucault argues that in the late eighteenth century, when the prison came to prominence, a traditional system of illegalities was being reorganised under the pressure of industrialisation and a convergence of lower class crime and political revolt. He claims that, in this situation, the creation of a delinquent class in the prison and its maintenance outside as a “controlled illegality” (1975: 279) performed two useful functions.

Firstly, it acted as a deterrent to working class crime by generating a new fear of offenders who were now presented as individuals with a criminal nature that made them inherently different from others. Secondly, the creation of a delinquent class provided the police with informers and *agents-provocateurs* who could be supervised and contained. Delinquents could also be used as a source of profit for the dominant class through utilising them in areas of illegality such as prostitution, arms and drug trafficking.⁸

The account of the delinquent that is presented in *Discipline and Punish* provides a non-juridical interpretation of the prison and the penal apparatus. In so doing it sets out a complex account of the investment of techniques of power in the prisoner that is at variance with Butler’s interpretation. Where Butler

casts power and discourse as repetition of norms of obedience, Foucault identifies a series of techniques and strategies of power-knowledge centred on the manufacture of the delinquent and the delinquent milieu.

Butler interprets the treatment of the prisoner in terms of the declared aim of the prison institution. Her genealogical method leads her to argue that this obedient, juridical subject has to be conceptualised in terms of a matrix of power and discourse—a normalizing ideal which is materialised in the prisoner's body. In contrast, Foucault's genealogical method leads him to view the institution of the prison in terms other than its declared function; and to analyse it as a tactical element that is strategically integrated into a broader field.

Discipline as a Technology of Power

In *Discipline and Punish* (1975), disciplinary power is introduced into the text as an element in the archaeology and genealogy of the prison. The practice of the prison is described as existing within a broader strategic constellation; Foucault reconstructs the network of supports on which its power-knowledge relations depend and the links they form with other practices. He employs this analysis to argue that the reason why the prison, rather than either of the other two practices of punishment, comes to dominate the modern penal system is that it employs disciplinary methods. The prison draws its support from, and links up with, other *dispositifs* through the micro-processes of disciplinary

power which underlie them all. Foucault presents disciplinary power as a technology that encompasses a set of techniques that is applied to the body in the practices of the prison, the school, the military camp, the industrial workshop and other institutions.

As we saw in chapter 2, Butler's account of the relationship between Foucaultian power, the body and the subject in *Subjects of Desire* (1987: 236-8), takes as its starting point the theme presented in 'Nietzsche, Genealogy, History' (1971) of the body as the object of history. In this essay, the Nietzschean body is presented as "the surface of the inscription of events (traced by language and dissolved by ideas)" (Foucault, 1971: 375). It is on the basis of this analysis, and the notion of the modern soul that appears in *Discipline and Punish*, that Butler attempts to interpret the situation of the prisoner.

Initially, in *Gender Trouble* (1990: 134-6), Butler presents an account of the soul and the process of inscription of the body in terms of the law being signified on the surface of the body; this gives the body its intelligibility and, through repetition, produces a distinct corporeal style. Later, in *Bodies That Matter* (1993: 32-5) and *The Psychic Life of Power* (1997: 83-91), she revises this interpretation, producing the account of the prisoner discussed in the previous section. The soul is now seen as a normative ideal, and the body as a process of materialisation that results from a repetitive citation of norms.

In this chapter, I will show that Butler's neo-Nietzschean account is not, in fact, the model that is employed in *Discipline and Punish*: Foucault's starting point for describing the productivity of disciplinary power in relation to the body and the subject is not Nietzschean inscription. Inscription of the body is an aspect of the practice of public torture that accompanies sovereign power. And whereas the practice of signs and representations—aspects of which Butler's account reproduces—can also be broadly interpreted within this framework, disciplinary technology cannot. As I will show, discipline functions through reconfiguring the forces of the body, making them the object of technical subjugation and utility.

Rather than developing out of the model of Nietzschean inscription, the concept of disciplinary technology that Foucault employs in *Discipline and Punish* has to be viewed as drawing on certain features of Heidegger's notion of modern technology. Although there are no references to Heidegger's thinking in Foucault's work of the early 1970s, his influence is acknowledged in later lectures and interviews.

For example, in 'Subjectivity and Truth' (1993), a lecture delivered in 1980, Foucault refers to Heidegger's concept of technology, and also to his own use of this notion in relation to the subject:

For Heidegger, it was through an increasing obsession with *techné* as the only way to arrive at an understanding of objects, that the

West lost touch with Being. Let's turn the question around and ask which techniques and practices constitute the Western concept of the subject (1993: 178-9).

In the interview, ‘Return to Morality’ (1984: 470), Foucault again acknowledges the influence of Heidegger on his thinking: “Of course, Heidegger has always been for me the essential philosopher... My whole philosophical development was determined by my reading of Heidegger.”⁹

Heidegger positions *techne* and technology in relation not only to production, but also to the question of truth. In his work, truth is concerned with a horizon or background against which things appear or present themselves. In *Introduction to Metaphysics* (Heidegger, 1953: 169-70), he defines *techne* as a kind of knowledge that looks beyond what is directly present to us to that which gives this its determinateness, its limits and its justification. He argues that *techne* involves “a knowing-producing” (1953: 18): it brings objects into existence within the horizon of a world that enables them to emerge and endure in a particular way.

In *Abnormal* (1999) and *The History of Sexuality volume 1* (1976), Foucault will mark the distinctive nature of his concept of social practices as power-knowledge by referring to them as technologies. His usage of this term, no doubt, signals an affinity with Heidegger’s notion of *techne*. This affinity is

also evident in the way in which Foucault conceptualises individual practices in *Discipline and Punish*.

As we saw in the previous chapter, when, in ‘Question of Method’ (1980), Foucault clarified the methodology he had employed in *Discipline and Punish*, he emphasised that social practices had to be viewed as having their own specific rationality and self-evidence. He described this rationality as a combination of processes of “jurisdiction” (what is to be done) and “veridiction” (what is to be known). (1980: 225). However, in *Discipline and Punish*, the term technology is used to refer to techniques of power, rather than to individual practices themselves. In this text, it is in relation to Foucault’s presentation of modern power in general that the influence of Heidegger is most evident.

In ‘The Question Concerning Technology’ (Heidegger, 1954) Heidegger argues against an instrumental view of technology that sees it as a neutral means to an end. Here he suggests that if we are to grasp the essence of technology we have to look beyond what is directly present to us to that which gives the technological its determinateness and its justification. Heidegger argues that, in modern technology, nature no longer stands against us as an object in its own right. Instead, nature appears as something to be set upon and challenged by human beings.

Heidegger claims that modern technology sees nature as a source of energy that can be unlocked, transformed, ordered, stored and distributed. It presents nature to us in a new way by enframing it as a “standing-reserve” (1954: 322):

Everywhere everything is ordered to stand by, to be immediately on hand, indeed to stand there just so that it may be on call for a further ordering. (1954: 322).

Heidegger argues that modern science’s presentation of nature as something which is subject to processes of calculation, and orderable as a system of information is the product of modern technology’s enframing of nature. Science follows rather than precedes modern technology.

Foucault reformulates Heidegger’s notions of modern technology and modern science in relation to techniques of power that order and enframe human beings in the modern age. Just as Heidegger sees the natural sciences as the product of a modern technology that is applied to objects, so Foucault views the human sciences as the product of a modern technology—discipline—that is applied to human beings:

These sciences, which have so delighted our ‘humanity’ for over a century, have their technical matrix in the petty, malicious minutiae of the disciplines and their investigations. (1975: 226).

From Heidegger, Foucault takes the notion of technology as a horizon within which objects present themselves; in the technology of discipline, human beings appear as objects insofar as they are made targets of power and knowledge. In a similar way to nature in Heidegger's analysis, Foucault's disciplinary bodies are configured as the source of forces that can be unlocked, transformed and reordered. They too function as a standing reserve, ready to be challenged and set upon. In *Discipline and Punish*, Foucault (1975: 224-5) situates disciplinary technology alongside the development of agricultural and industrial technologies in the same period, and compares the inventions of discipline to those of the steam engine and the blast furnace.

Like modern technology, disciplinary technology is essentially machinic in nature. In *Discipline and Punish*, the body is conceptualised as “part of a multi-segmentary machine (*machine multisegmentaire*)” (1975: 164), whose parts and forces combine with those of other bodies to constitute new machines. Power is described as a series of machinic links which function as a “micro-physics of power (*microphysique de pouvoir*)” (1975: 26) that traverses the social body, and which is autonomous, self-organising, and self-reproducing.

Everywhere in this text we find references to the machine: “the machine-prison (*machine-prison*)” (1975: 235); the military battalion that is “a sort of machine (*sorte de machine*) with many parts, moving in relation to one another” 1975: 162); the “marvellous machine (*machine merveilleuse*)” constituted by the Panopticon (1975: 202).¹⁰ Foucault's employment of the machinic model is

possibly also influenced by the use of cybernetic models in the social sciences in the period when he was writing. These combine the notions of machine and organism, and energy and information.¹¹

In an important footnote in *Discipline and Punish*, Foucault acknowledges the influence of Deleuze and Guattari¹² whose work, *Anti-Oedipus* (Deleuze and Guattari, 1972), utilises the cybernetic model. In this text, machines appear everywhere: “machines driving other machines, machines being driven by other machines, with all the necessary couplings and connections.” (1972: 1). Here we are presented with desiring machines at the molecular level, and technical and social machines at the molar level.

In this work, the body and the machine are conceptualised in novel ways as the traditional distinction between organism and machine is dismantled (1972: 283-5). This makes it possible to view machines, like organisms, as self-directing and self-reproducing, and as incorporating codes and information. In *Anti-Oedipus*, machines are engineered in combination with other machines; each machine has to be viewed as a complex network of connections, where the parts relate to each other but where, in addition, each part has relations with the parts of other machines.

Although Foucault’s analysis is different from Deleuze and Guattari’s, there are obvious similarities between the two works: for example, in the fact that Foucault presents a microphysical level of society, and mechanisms which are

strategic in nature, and able to communicate with one another. The relational nature of Deleuze and Guattari's account of machinic technology is duplicated in Foucault's account of the links between the prison and the carceral archipelago, and between the latter and areas of mainstream society. These links will be discussed in the last section of this chapter.

In *Discipline and Punish*, Foucault defines discipline as a technology that works the body as a machine. He argues that this technology is integrated into what he defines as productive apparatuses—workshops and factories, but also military, educational, medical and correctional institutions. Foucault's account of disciplinary technology presents a complex and detailed analysis of the intermeshing of power and knowledge in technical processes which target and subjugate the body. This account is based on a model of composition of bodily forces, not a model of inscription of bodies, as Butler suggests.

For Foucault (1975: 218-20), the starting point for disciplinary processes is not the subject, but multiplicities in the form of unorganised populations of individuals. He presents discipline as a technology for imposing order on human multiplicities (*multiplicités*), so as to master them, and derive from them, simultaneously, the maximum utility and maximum submission. In disciplinary processes, Foucault suggests, force is dissociated from the body, and its course is changed. (1975: 138). Discipline organises and regulates the movement of bodily forces which, in the multiplicities of unorganised populations, form fluid, horizontal connections. It transforms these into unities

and vertical, pyramidal hierarchies: “one of the primary objects of discipline is to fix; it is an anti-nomadic technique” (1975: 218).

Foucault presents disciplinary processes as based on an approach to the human body which by-passes both its normal, everyday functioning as an individual entity, and also the free associations it enters into with other bodies. In these processes, he argues, bodies are framed as compositions that can be broken down into parts and forces; as structures whose usual arrangements, connections, and directions are capable of constant modification. Here, power operates on the basis of an analytics of the body: “The human body was entering a machinery of power (*machinerie de pouvoir*) that explores it, breaks it down and rearranges it.” (1975: 138).

Foucault argues that disciplinary technology is based on processes of “instrumental coding (*codage instrumental*)” (1975: 153) of the operations of bodies in space and time, and in relation to their movements. (1975: 137). He claims that coding performs the dual function of increasing the utility and the subjection of bodies; with disciplinary power, productivity is always correlated with domination, and domination is always correlated with productivity.

Foucault’s presentation of disciplinary techniques is rich in detail. He (1975: 141-9) argues that coding in space ensures mastery, knowledge and utilisation of bodies through their distribution.¹³ It involves the employment of techniques such as enclosure in designated buildings, and the internal partitioning of

space. These enable individual bodies to be surveyed, analysed, and ranked in series, according to diverse criteria such as speed, skill and constancy. Foucault shows that coding by movement ensures utility and subjection through the efficient deployment of the body as an instrument. Techniques used here bring about an increasingly precise co-ordination of the physical elements of action, the objects which have to be acted on or the processes to be carried out, and time. (1975: 149-56).

Foucault argues that coding by time maximises productivity and domination, through a training of the body that enables the genesis of its forces to be rationalised. Disciplinary processes encompass repetitive exercises that train bodies and also ensure that progress through these is graduated according to complexity. (1975: 156-62). Foucault (1975: 162-7) argues that bodies which have been coded, segmented and serialized are linked with each other to form ensembles in which bodily forces are synthesised. Through these processes, schools, orphanages, the military, workshops, and other enclosed institutions, are not only colonised by disciplinary techniques, they are each also constituted as a machine (*machine*).

To sum up: in contrast to Butler, Foucault presents power as a mastery of bodies that cannot be equated with regulation by the law or the norm, and knowledge as a practical rationality that cannot be equated with discourses. For Foucault, relations of power-knowledge function through the spatial and temporal organisation of bodies, the pattern of the genesis of bodies as

productive forces, and the composition of the forces of different bodies into great machines.

Power-Knowledge and the Disciplinary *Dispositif*

In *Discipline and Punish* (1975), Foucault argues that the technical subjugation of the body is supported by processes involved in the disciplinary *dispositif*: techniques of “hierarchical observation” (1975: 170), “normalizing judgement” (1975: 177), and examination. Through the employment of these techniques, human beings become objectified in processes of knowledge and subjected by processes of power. This section will show how Foucault’s elaboration of these techniques also differentiates his view of power from Butler’s.

Foucault argues that all disciplinary *dispositifs* have mechanisms that enable observation to be used as a means of coercion; these tend towards ensuring maximum visibility of the actions and behaviours of those who are disciplined and minimum visibility of those who exercise power.¹⁴ Architecture and the spatial distribution of bodies are two of the tools used to achieve this effect. (1975: 171-4). This is the aspect of hierarchical observation that is most often emphasised in commentaries on *Discipline and Punish*.

What is often overlooked is the fact that Foucault presents surveillance (*surveillance*)¹⁵ as operating through structured systems of supervision and control of individuals. He (1975: 174-7) argues that, in the *dispositif*, functions

of control are integrated and organised on a hierarchical basis, taking the form of a pyramidal structure. This structure ensures continuous supervision of individuals. It is facilitated by a pattern of seamless communication between supervisors that functions through relays that run from the bottom to the top of the pyramid and vice versa.

Foucault claims that power in the disciplinary *dispositif* does not belong to any individual or group: it is always dispersed and organised through relays and networks; it is a system of differences and imbalances in mobile power relations. These relations operate on both the individuals who are positioned as the objects of discipline, and the supervisors who are organised in a pyramidal structure. Foucault argues that these relations are integrated into the structure of institutions. In this way, power relations contribute to the specialised functioning of institutions as industrial, medical, educational, or military organisations. As a result, power takes on the appearance of anonymity and automaticity; it is constituted not by reciprocal relations between individuals, but by the way in which the *dispositif* functions.

As we saw in chapters 1 and 2, Butler describes subjects as subjected to power relations that, in most cases, they themselves sustain. This is the view presented in both *Gender Trouble* (1990) and *Bodies That Matter* (1993) in which sedimentation and materialisation are seen as the product of repetition of performative acts. In contrast, Foucault presents discipline as a “relational power” (1975: 177); disciplinary power is constituted as a complex set of

relationships between those who exercise authority and those over whom authority is exercised.

It is this relationship that is at the centre of the disciplinary *dispositif*. In the functioning of the *dispositif*, the supervisory apparatus is situated in a parallel position to the enunciative modality that relates to the subject of knowledge in the discursive practice. In each of these, the subject position is distributed across a variety of different roles that pre-exist individuals and which they have to fulfil. In Butler's conception of power and discourse, this dimension is absent.

In *Psychiatric Power* (2003: 43; 47-8), where Foucault describes, in more detail, the system of pyramidal control which characterises disciplinary power, he also contrasts the functioning of this power with that of sovereign power. Here, he argues that sovereignty derives its solidity not from its organisation, as disciplinary power does, but from its relationship to a founding act in the past that confers legitimacy. This founding act has to be continually re-enacted through rituals, ceremonies and symbols; the public execution constitutes one example of this ritual re-enactment.

Foucault argues that discipline does not operate through ritual repetition and the reproduction of actions. It is focussed on the future rather than the past; its concern is with genesis and transformation of the forces of the body, not reproduction. In the military, for example, discipline replaces the joust—a re-

enactment of war—with graduated physical exercises. This account of disciplinary power is at variance with Butler's interpretation of Foucaultian power as a repetitive citation of norms. For Foucault, repetition and citation are key features of sovereign power, not disciplinary power.

In *Discipline and Punish*, Foucault (1975: 177-84) argues that, in the disciplinary *dispositif*, processes of hierarchical observation function in conjunction with instruments for judging individuals. The *dispositif* homogenizes individuals by placing them in relation to a common field of qualities, skills and aptitudes which are made the object of judgement and evaluation. This field encompasses both natural, observable processes, and artificial ones arising from rules relating to the functioning of the institution.

Foucault describes discipline as encompassing processes of measuring and ranking individuals within this field, thus, enabling norms to be established for both the group and the individual. He argues that the norm (*norme*) can set a minimum, an average or an optimum as the standard and goal for behaviour. By distributing individuals on a continuum around a norm, disciplinary processes enable hierarchies and gaps in performance in relation to particular skills and qualities to be mapped.

Foucault presents normalising judgement as a technique for ordering multiplicities, but also for creating individuals out of this ordering. Discipline is a process which is focussed on the genesis of individuals and their

behaviours. The notions of norm and rank are parts of a dynamic technology of behaviour which is both interventionist and transformative in nature; discipline involves a constant cycle of judging, punishing and correcting of individual behaviour. In the next chapter, I will argue that, in this respect, Butler's notion of the functioning of the norm is not the same as Foucault's. I will also show how they differ in respect to their analysis of the constitution of the normal and the abnormal.

In *Discipline and Punish*, Foucault (1975: 184-192) argues that normalizing judgement and hierarchical observation are combined in the device of the examination. The examination, as we saw in the previous chapter, is also discussed in 'Truth and Juridical Forms' (1974) and *Psychiatric Power* (2003).

In *Discipline and Punish*, Foucault again positions the examination as the technique of power-knowledge at the centre of the disciplinary *dispositif*. In its procedures, the individual is positioned as an object of knowledge that can be described and analysed. She/he is differentiated from others not only through processes of surveillance, but also through those of documentation.

Foucault (1975: 190) argues that documentation gives rise to a framework in which a knowledge (*savoir*) of the individual can be formulated and recorded: to categories and codes that enable the individual to be described, judged and differentiated from other individuals; to tables that make it possible for these differences to be mapped in relation to other individuals; to documents and files that allow this knowledge of the individual to accumulate and to be

utilised by different personnel. In this way, the individual is constituted as a “case (*cas*)” (1975: 191). This notion frames the individual within a circular relationship between knowledge and power: description, measurement and comparison on the one side, and training, correction and normalization on the other are positioned in a loop where each side feeds into and extends the reach of the other.

Foucault argues that the examination combines both “the deployment of force and the establishment of truth (*établissement de la vérité*)” (1975: 184). In objectifying human beings in systems of surveillance and evaluating them in a normative framework, the examination gave rise to a new form of knowledge (*savoir*). In the case of the device of the inquiry, as we saw in the previous chapter, truth relates to establishing the presence or absence of a situation. In contrast, the question of truth in the examination relates to the ranking, grading and evaluating of individuals in comparison with others.

Foucault claims that the continual growth in knowledge (*savoir*), emerging out of the disciplinary *dispositif*, contributed to the rise of “branches of knowledge (*connaissance*)” (1975: 224) which constituted the human sciences. In this connection, he notes that the examination has found its way into these sciences in the form of “tests, interviews, interrogations and consultations” (1975: 226). He argues that these devices simply reproduce “the schema of power-knowledge” of the disciplines. (1975: 227).

At the end of his analysis of the disciplinary *dispositif*, Foucault comments that “power produces (*produit*); it produces reality (*réel*); it produces domains of objects and rituals of truth (*vérité*).” (1975: 194). As we have seen, in *Bodies That Matter*, Butler interprets this production of reality through the notions of citation and materialisation. My account shows that the production of reality to which Foucault refers has to be interpreted differently. It has to be seen in terms of the objectification of human beings in processes of surveillance and control; the creation of a field of truth within which human beings are analysed and evaluated; and the emergence of discourses which, on the basis of this field, claim to define reality. In Foucault’s and Butler’s thinking, we are, therefore, faced with two completely different views of the nature of the social sphere.

In Butler’s work, there is no equivalent of Foucault’s concept of the disciplinary *dispositif*. For her, power functions as repetition, citation, and materialisation; and through prohibition, censorship and exclusion. In contrast, power relations in the *dispositif* are described in terms of patterns of supervision, techniques for the ordering of individuals, and processes of coercion. The notion of knowledge that Foucault employs in describing the *dispositif* is also different from Butler’s concept of discourse. In the *dispositif*, knowledge functions as a “mechanism of objectification (*mécanisme d’objectivation*)” (1975: 224). It is presented in terms of techniques of observation; fields for recording, analysing and evaluating; and channels of dissemination and utilisation. In contrast, Butler’s focus, in the case of

discourse, is on the functioning of signifiers; her concern is with the normative force of these. In Butler's work, power and discourse merge; in Foucault's *dispositif*, power and knowledge retain their separate identities, reinforcing one another in a "circular process (*processus circulaire*)" (1975: 224).

In comparing Butler's notion of discourse and Foucault's notion of knowledge, it is obvious that what is involved is not simply a different terminology, but rather two different concepts. In chapter 3, I suggested that Butler's notion of a practice is, in certain respects, similar to the notion of the discursive practice which Foucault presents in *The Archaeology of Knowledge* (1969). In *Discipline and Punish*, Foucault does not refer to his previous notion of the discursive practice. However, he has not totally discarded this framework, and, as I will show in chapter 8, the discourses of the human sciences are, in certain ways, still being interpreted within it. What *Discipline and Punish* makes obsolete is the system of formation: objects, enunciative modalities, and strategies of discourse are now determined by practices of power-knowledge.

In Butler's work, the nearest equivalent concept to Foucault's notion of power-knowledge is her notion of the norm. In her work, and in her interpretation of Foucault's, discourse and the norm merge in the notion of discursive power. In contrast, in *Discipline and Punish*, power-knowledge maintains an identity that is distinct from the practice of discourse. This issue will be discussed at greater length in the next chapter.

Discipline and Normalization

In *Discipline and Punish* (1975), Foucault presents disciplinary technology not only in terms of its characteristic features, but also in terms of its historical development. In this section, I will show how this history differentiates his view of power from Butler's interpretation in four further respects. These relate to his model of social change; his presentation of power as strategic; his thesis that processes of "normalization" emerge as a way of exercising power over "the abnormal"; and his view of the relation between the discourses of the human sciences and the *dispositif* of the prison.

Butler, as we have seen, views social change as a result of the instability of repetitive process of citation and the ever-present possibility of unexpected consequences being produced. In chapters 1 and 2, I showed how she begins to develop this analysis in *Subjects of Desire* (1987) where she presents a reading of the notion of emergence (*Entstehung*) that appears in 'Nietzsche, Genealogy, History' (Foucault, 1971). From Foucault's account of Nietzsche's employment of this concept, she takes up the notion that genealogy attempts to grasp "not the anticipatory power of meaning but the hazardous play of dominations" (1971: 376). She argues that, as no Hegelian synthesis ensues from domination, the result is a dispersion of unpredictable effects. It is this perspective on power that we find in *Excitable Speech* (1997a) where the performative is always prone to disconnection from its context.

The model of emergence that Foucault deploys in *Discipline and Punish* is very different. Here, as I will show, the emergence of disciplinary technology is viewed as a process in which diverse, dispersed and marginal practices move to the centre of society and, as they do so, undergo processes of transformation, elaboration and generalisation.

In *Discipline and Punish*, Foucault (1975: 138-9; 198-9; 210-11) suggests that the employment of discipline as a socio-political mechanism¹⁶ originated in attempts to neutralize potential dangers and control unruly populations. He argues that, with the gradual extension of discipline in the seventeenth and eighteenth centuries, there was a “functional inversion” (1975: 210) of its role. It began to operate in a positive rather than a negative way; in addition to neutralizing danger, it also increased the utility of individuals. This was a development that was made possible by the emergence of diverse, fragmented, small-scale techniques in marginal and dispersed locations, which began to hollow out new areas of regulation.

Foucault argues that, as a result of the dissemination of these techniques in institutions such as the military, schools, workshops and hospitals, disciplinary processes moved from a marginal to a central position. This dissemination was accompanied by a process of tactical development of disciplinary technology. Foucault argues that discipline progressed to a stage where it took on the form of generalisable models, capable of functioning in multiple and diverse ways.

The most important of these was the Panopticon, a model which merges functions of control with architectural design. Foucault (1975: 200-9) describes the Panopticon as an “ideal form” (1975: 205) that can be adapted to different demands and contexts. He argues that, here, disciplinary processes become “so subtly present” (1975: 206) that they completely merge with, and become indistinguishable from, the overall functioning of the institution in which they are employed. In this way, the production of docility and the production of utility are seamlessly combined, and domination is automatized and rendered invisible.

Foucault argues that, alongside the Panopticon, other generalisable models also developed. These took the form of small-scale mechanisms that could operate outside enclosed institutions: “flexible methods of control which may be transferred and adapted.” (1975: 211). In *Discipline and Punish*, it is at this point of exploitation of the potential of disciplinary mechanisms that discipline takes on a global character. Foucault argues that, as discipline became deinstitutionalised, there was a “swarming” (1975: 211) of panoptic techniques throughout society. Later, through the formation of the police,¹⁷ the state also took on the role of disciplining populations (1991: 213-5). The police apparatus brought disciplinary power to bear in the spaces that had not yet been colonised, and linked these together.

In *Discipline and Punish*, Foucault’s presentation of disciplinary power, in terms of processes of emergence and composition, is conducted in conjunction

with an account that positions its functioning within a strategic framework. In this text, he (1975: 26-28) presents a view of society as constituted by two distinct layers: a surface of discrete institutions, and a micro-physical level of diffuse disciplinary *dispositifs* which underpins these institutions. He argues that this micro-physical layer is constituted by a series of interconnecting tactical devices directed towards the subjugation and domination of individuals. (1975: 26).

Foucault (1975: 218-21) presents these tactical devices as integrated within a wider political and economic strategy. He argues that, at the point of their growth in the eighteenth century, they were deployed as a method for synchronising increases in population with the growth of productive apparatuses—workshops and factories, but also schools, hospitals, and armies. Foucault suggests that discipline ensured the growth of the forces of nations by delivering maximum efficiency and productivity at the lowest political and economic costs; without the mutual adjustment of populations and apparatuses, this objective would not have been attainable.

In *Discipline and Punish*, Foucault is, thus, attempting to develop an analysis that will do more than explain the functioning of power-knowledge in disciplinary *dispositifs*. He is also arguing that, firstly, relations of power-knowledge have to be viewed as aspects of broader political, military and economic strategies; and secondly, that these relations have played an essential role in the development of industrial capitalism.¹⁸ This notion of power as a

series of tactical relations, integrated in broader politico-economic strategies, is absent from Butler's interpretation of Foucaultian power.

Foucault's conceptualisation of power-knowledge as a micro-physical layer of interconnected disciplinary *dispositifs* is also employed in his account of the emergence of normalizing practices. In *Discipline and Punish*, the *dispositif* of the prison is positioned at the centre of a disciplinary continuum of different types of carceral (*carcéral*) institutions. Foucault (1975: 296-8) argues that, in the early nineteenth century, many of these institutions were directly linked to one another, and the same individuals circulated between them.¹⁹ In *Discipline and Punish*, the existence of this continuum, in which disciplinary *dispositifs* are engaged in processes of exchange and communication, is presented as the basis for the development of “the power of normalization (*pouvoir de normalisation*)” (1975: 308).

Foucault (1975: 298-303) argues that, as a result of interchanges between the prison and other carceral institutions, the age-old demarcation between crime and bad conduct, and punishment and correction, disappeared and breaches of the disciplinary norm became conflated with transgressions of the law. Individuals who populated the carceral system became subject to processes of objectification as delinquents. Foucault argues that, in this way, the prison homogenized the carceral continuum, linking two categories that had previously been separate: the notion of punishment attached to penality, and the notion of abnormality attached to disciplinary institutions of confinement.²⁰

In this process, the power to punish was merged with functions of educating, correcting and curing. In *Discipline and Punish*, it is the combination of these factors that defines normalizing power.

Foucault argues that the development of the power of normalization was furthered by processes of standardization of disciplinary techniques within the carceral system. He locates the beginnings of these in the semi-penal institution of Mettray which, in the 1840s, instituted a training school for its staff. He argues (1975: 293-6) that, in developing norms and processes of standardization for its own operations, this institution brought together discipline, medicine and the law—normalization, cure and punishment. Foucault suggests that these operations laid the foundations for the later integration of normalizing technology into psychiatry and psychology.

In *Discipline and Punish*, therefore, normalizing processes are not, as is often assumed, the product of the functioning of disciplinary *dispositifs* in general. Foucault argues that the fact that these processes spread across society was due to the influence which the carceral system exercised over other institutions involved in the supervision, correction and improvement of individuals who fell outside the normal range of various behaviours. Foucault observes that, in this development, teachers, doctors and social workers emerged as the new “judges of normality” (1975: 304). As we saw in chapters 1 and 2, Butler, in contrast to Foucault, positions normalization as a process that begins at the

centre of society, rather than with marginal populations. This issue will be discussed in the next chapter.

In interpretations of *Discipline and Punish*, the prison is often presented as the institution which typifies and is representative of all disciplinary mechanisms; Butler's analysis of the prisoner is an example of this. In fact, as I have shown, it is the singularity of the *dispositif* of the prison, its difference from other disciplinary institutions, which is highlighted in this work. The prison incorporates disciplinary techniques developed in other institutions; however, it also profoundly modifies these.

In *Discipline and Punish*, the human sciences are presented as developing on the basis of the singularity of the prison, rather than out of disciplinary practices in general. However, Foucault makes it clear that he is not arguing that the human sciences “emerged from the prison” (1975: 305). His thesis is, rather, that the carceral continuum, with its panoptic apparatuses and its far-reaching influence, was “the indispensable condition” (1975: 305) for the development and dissemination of the examination—the technique which has made the objectification of human behaviour and, thus, the human sciences, possible.²¹

Foucault's historical account of the prison and the carceral system does not go beyond 1840— a time when the human sciences had still to be firmly established. However, in the analysis that he presents in the first chapter of

Discipline and Punish, he argues that the human sciences introduced a new stage in the development of disciplinary technology: in taking the delinquent as their object, and the examination as their technique for acquiring knowledge, they developed a battery of new objects—heredity, environmental factors, drives, instincts, syndromes, and so on.

These objects performed a two-fold function: they provided a new surface to which normalising practices could be applied; they also enabled these practices to be legitimised by “true discourses” and by the new subjects of knowledge (*connaissance*)—criminologists, criminal psychiatrists and anthropologists, and so on—who purveyed them: “a whole field of recent objects, a whole new system of truth and a mass of roles hitherto unknown” (1975: 23).²²

In *Discipline and Punish*, Foucault makes strong claims about the role played by the prison and normalising practices in the development of the human sciences, but provides little analysis of the concrete connections. This work is clearly not designed to carry out this task. Foucault’s intention is, instead, to set out what he sees as the conditions of occurrence of the human sciences. In this respect, he is still pursuing the project which he elaborated in *The Archaeology of Knowledge*. However, these conditions are now described differently. Foucault’s analysis of the emergence of the human sciences draws on the Heideggerian model, discussed earlier in this chapter, in which science develops on the basis of the process of enframing of objects which is first carried out by technology. One of the main theses advanced in *Discipline and*

Punish is that the discourses of the prison—criminology and other human sciences—follow rather than precede the establishment of the prison.

In the previous section of this chapter, I showed that Butler's interpretation of Foucaultian power as discursive ignores his concept of the disciplinary *dispositif* in which power and knowledge are combined. The account which I have presented above shows that what *Discipline and Punish* is attempting to demonstrate is that, to understand the power effects of discourses (*connaissance*), we first need an analysis which lays bare the relations which exist between these discourses and practices of power-knowledge (*pouvoir-savoir*). Butler's failure to acknowledge this aspect of Foucault's thinking is the most serious problem with her interpretation of his work.

In the next chapter, I will discuss the question of normalization in more detail. In chapters 7 and 8, the relation between power-knowledge and discourse will be discussed in relation to Foucault's work on sexuality.

¹ For an analysis of Foucault's work that focuses on his account of the human sciences, and also examines the consequences for these of linking power and knowledge, see Visker (1990).

² Rusche and Kirchheimer (1939) argue that, in feudal society, there is no commercial demand for labour power, so penalties take the form of fines for the higher social strata, and corporal punishment for the lower classes that cannot pay fines. With the modern period, they relate punishment to shortage and surplus of labour power in the economy: in times of labour shortage, prisons flourish as workshops; prison labour is then profitable, material conditions good, and the value placed on the lives of offenders high. Rusche and Kirchheimer's work provides a history of methods of punishment from pre-feudal times to the 1930s when they were writing; their analysis encompasses imprisonment, corporal punishment, galley slavery, deportation and fines.

³ There are problems with translating this term into English: see Alan Sheridan's note at the beginning of *Discipline and Punish*. The term "public torture" does not convey the meaning of *supplice*; it also refers to public executions.

⁴ Most commentators ignore Foucault's account of earlier forms of punishment; exceptions here are Mahon (1992) and Owen (1994) who incorporate these in their analyses.

⁵ Foucault's historical narrative, in which the birth of the prison eclipses other forms of punishment, has been questioned. Braithwaite (2001: 45-8), for example, argues that Foucault overlooks the importance of deportation. The summary (1973a: 25) for Foucault's still unpublished course at the Collège de France in 1972-3, 'The Punitive Society', suggests that he may have said more about this issue in these lectures.

⁶ *I, Pierre Rivière* (Foucault, ed. 1973) provides a vivid illustration of this phenomenon in relation to the courts. Evidence from Rivière's trial and appeal, published here (1973: 163-60), includes details of early childhood behaviours: cutting off the heads of cabbages in play, crucifying frogs, talking to himself, avoiding women, tying a younger child's legs to a pothook. These are presented as precursors of his later crime of multiple murders.

⁷ The ethnology of delinquency to which Foucault refers was always a gendered one. This is a feature of sentencing and punishment which Foucault overlooks. For a discussion of this issue

in relation to nineteenth-century England, see Zedner, 1991. Zedner discusses gendered perceptions of female criminality and how these influenced prison policy in relation to women.

⁸ In ‘Prison Talk’ (1975a), Foucault argues that almost from the start there was a realisation that rather than reforming individuals, the prison was driving them “even deeper into criminality.” (1975b:40). He suggests that the collusion between police and criminals began in the 1840s. By then, the first assessments of the prison had appeared showing its failure as a project of reform; at the same time, it was also realised that benefits could be gained from this situation.

⁹ In *The Hermeneutics of the Subject* (2001: 187-9), his 1981-2 course at the Collège de France, Foucault again acknowledged his debt to Heidegger: when questioned about the influence of Lacan on his thinking, he replied that, in the twentieth century, only two thinkers have posed the question of the relationship of the subject to truth—Heidegger and Lacan. To this he added: “Personally myself, you must have heard this, I have tried to reflect on all this from the side of Heidegger and starting from Heidegger.” (2001: 189).

See also ‘Truth, Power, Self: An Interview with Michel Foucault’ (1988: 12-13): “I was surprised when two of my friends at Berkeley wrote something about me and said that Heidegger was influential. Of course it was quite true, but no one in France has ever perceived it.”

For discussions of Foucault’s thinking on power and technology in relation to Heidegger’s, see Dreyfus (1989; 2003), Elden (2001: 109-10) and Sawicki (1987).

¹⁰ Deleuze (1986) incorporates this machinic model in his interpretation of Foucault’s work; see, e.g., pp. 39-40. Other commentators have ignored this feature in *Discipline and Punish*.

¹¹ See, for example, Talcott Parsons’ work (e.g. *The Social System*, 1951) which dominated Anglo-American sociology in the 1950s and 1960s.

¹² See Foucault, 1975 p. 309 note 2. Foucault (1977e) wrote the preface to the English edition of *Anti-Oedipus*. He also reviewed Deleuze’s *Difference and Repetition* and *The Logic of Sense*: see ‘Theatrum Philosophicum’ (1970).

For Deleuze’s interpretation of Foucault’s work, see *Foucault* (1986). For a comparison of key concepts in his work and Foucault’s, see Deleuze’s ‘Desire and Pleasure’ (1994). Deleuze

has also written separately on the notion of the *dispositif* in Foucault's work; see 'What is a *dispositif*'? (1989).

¹³ For a discussion of the role of space in *Discipline and Punish*, see Elden (200: 133-150).

¹⁴ For discussions of the visible and visibility in Foucault's work, see Deleuze (1986: 32; 47-69) and Flynn (2005: 83-98).

¹⁵ The French word *surveillance* carries wider connotations than the English word. It also refers to supervision. See Alan Sheridan's note at the beginning of *Discipline and Punish* on problems of translation (1975: ix).

¹⁶ Foucault (1975: 211; 141-3; 149 and also 2003: 63-6) argues that discipline has its origins in enclosed religious institutions.

¹⁷ Foucault's notion of the police is based on practice in France and Germany where this function embraced much broader functions than in Britain. Police concerns encompassed not only law and order, but also areas such as education, public health, poverty, trade and industry. Foucault takes up this question of the police in his later work. See Foucault (2004); Foucault (2000c: 317-323).

¹⁸ The strategic aspect of power in *Discipline and Punish* is usually ignored in the secondary literature. One exception here is Honneth (1991) who places the relationship between populations and the productive apparatus at the centre of his analysis. He draws a contrast with the analysis of power presented in 'Nietzsche, Genealogy, History'.

¹⁹ In the nineteenth century the reach and mix of the carceral network was very extensive. Foucault (1975: 297-8) itemises the types of institutions out of which it was constituted: penal colonies for minors, the condemned, the acquitted, the insubordinate; colonies for orphaned and vagrant children; almshouses for female offenders and abandoned girls; establishments of apprentices; factory convents; charitable and moral improvement societies; assistance organisations; workers' estates and lodging houses.

²⁰ Foucault (1975: 297) notes that this distinction had already become blurred in the classical age. His *History of Madness* documents this.

²¹ Commentators generally ignore the specific role of the carceral and its relation to the abnormal in the expansion of the human sciences. Most see the human sciences as the product of discipline in general.

²² The power of normalization is the subject of *Abnormal* (1999), Foucault's lectures at the Collège de France in 1975—the year in which *Discipline and Punish* was published. Here he defines it as a type of power that emerges in the space between medical and juridical power (1999: 26).

Chapter 6

Processes of Subjection:

Discipline and Punish

This chapter is devoted to a consideration of the differences between the view of processes of subjection that Foucault presents in *Discipline and Punish* (1975), and the interpretation of this which Butler provides in her work. In the first section, I compare Butler's notion of subjectivation with Foucault's notion of individualization. The second section examines the question of the norm and the different traditions through which they each interpret this notion. In the third section, I examine Butler's claim that Foucault's analysis of power leaves no space for resistance. Finally, I take up the question of the modern soul, showing how Foucault provides a very different account of this from the one which Butler ascribes to him.

Subjection and Individualization

In *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997), Butler argues that, for Foucault, subjection (to power) and subjectivation (the making of a subject) are one and the same operation.¹ She interprets subjectivation as a process that is directed towards the production of homogeneous subjects who are interchangeable. The account that I have given in the last chapter shows that, for Foucault, discipline is a technology that is directed towards individualisation (*individualisation*)—the differentiation of one individual from another—rather than the production of homogeneous subjects. Foucault argues that “Discipline ‘makes’ individuals” (1975: 170). In Part Three of *Discipline and Punish* (1975), it is individualisation rather than subjectivation that is

analysed: the production of individuals (*individus*) rather than the production of subjects (*sujets*).

It is true that Foucault devotes much of *Discipline and Punish* to demonstrating that the prison produces the delinquent, but the reason for this is the exceptionality of this case. He does not devote space to showing that the school produces the student or the hospital the patient—even though this is obviously the case. Instead, he argues that, in the prison, the school and the hospital, discipline produces individuals; it is not possible to be a prisoner, a student or a patient without also being an individual case. The institution produces the subject; the disciplinary mechanism, the individual. Modern power is unlike previous systems of power in that it is exercised in relation to individual differences.

In *Psychiatric Power* (2003), Foucault uses the terms ‘subject-function’ and ‘individual’ in relation to discipline; however, in these lectures, when he employs ‘subject-function’ it is always with reference to individualisation. In *Discipline and Punish*, only the term ‘individual’ is employed: discipline is defined as “a technique for constituting individuals as correlative elements of power and knowledge” (1975: 194), and as “a modality of power for which individual difference (*différence individuelle*) is relevant.” (1975: 192); power produces “The individual and the knowledge that may be gained of him” (1975: 194).

For Foucault, the main feature of disciplinary power is that it is individualising; it is in this sense that is a process of subjectivation. Discipline homogenises groups of human beings by positioning them in a common field but, at the same time, it differentiates them. It is the fact that the process of subjectivation is simultaneously a process of individualisation that interests Foucault. This central feature of his analysis is ignored by Butler; her interpretation of Foucaultian power emphasises only its functioning as a homogenizing force.

In *Psychiatric Power* (2003: 42-57), individualisation is singled out as one of the main differences between disciplinary power and sovereign power. Here Foucault argues that the distinctive feature of discipline is that the exercise of power involves a continuous and detailed working of the body in such a way that the subject-function is tied to an individual body. In the relationship of sovereignty, the exercise of power is not aimed at extracting utility from the body through an analytical and exhaustive control of its forces; instead sovereign power intervenes only to extract a levy on what the body produces through labour, or to extract a portion of its time as service.

Foucault argues that, in systems of sovereignty, the power relation is not exercised on singular bodies, but in relation to multiplicities that are not individualised; the subjects over whom sovereign power is exercised are, for example, families, communities, or users of resources such as land and roads. In contrast to the hierarchical relations of the disciplinary institution, and the continuity and homogeneous nature of these across society, sovereignty

functions through a multitude of heterogeneous and discontinuous relations. For Foucault, sovereign power produces relations of subjugation, but not individualisation.

In his important and influential essay ‘Ideology and Ideological State Apparatus’ (Althusser, 1970), Althusser, like Butler, argues that the production of homogeneous subjects and their subjection are one and the same process. Butler reads Foucault’s thinking on the constitution of the subject as a development of Althusser’s work. One of the reasons for this reading, as I will show, is that Butler’s views of discourse, the norm and the institution are, in fact, closer to Althusser’s than to Foucault’s. In *The Psychic Life of Power* (1997), she links Foucault’s account of the subject in *Discipline and Punish* to the notion of interpellation formulated in Althusser’s essay. Here she argues that “Althusser’s doctrine of interpellation sets the stage for Foucault’s later views on the discursive production of the subject.” (1997: 5).

In ‘Ideology and Ideological State Apparatus’, Althusser analyses the concept of ideology in the context of knowledge and power, and the role these play in the production of the subject. Although Foucault rejects the Marxist notions of ideology and the state apparatus, Althusser is a thinker with whom he consistently engages and whose influence cannot be ignored. Althusser’s essay was first published in 1970; both its importance and the closeness of its concerns to those of *Discipline and Punish* suggest that Foucault must have been aware of its contents.

In ‘Ideology and Ideological State Apparatus’, Althusser argues that the constant reproduction of the economic and social structures of society is secured by an on-going subjection of its members. This subjection is secured by two different sets of state apparatuses: repressive apparatuses, primarily based on violence, which include the army, courts and police; and ideological apparatuses, such as schools, the family and the church that function through ideology (1970: 95-7). His analysis focuses on the problem of how subjection is secured in the second of these.

Althusser argues that the ideologies produced by apparatuses provide individuals with an imaginary and illusory representation of their relationship to their conditions of existence. He suggests that, rather than simply viewing these ideologies as ideas, they have to be seen as taking on a material existence; they are inscribed and continually reproduced in the ritualistic actions involved in the practices associated with each apparatus. Insofar as individuals are both controlled by these practices and involved in their reproduction, they are simultaneously subjected and produced as subjects. Althusser argues that different apparatuses produce different subjects: there is, for example, a religious subject, a legal subject, and a political subject. In each apparatus the subject is modelled on, and mirrors, an absolute subject; this subject occupies the place of the centre, and interpellates subjects around this centre in such a way that they both mirror the absolute subject and are subjected to this subject.

Rather than developing Althusser's essay, as Butler suggests, *Discipline and Punish* has to be read as a work that overturns the premises on which his analysis is based. Firstly, unlike Althusser (and Butler), Foucault does not accept the primacy of the level of ideology or representation in what Althusser terms ideological state apparatuses. For Foucault, the functioning of these apparatuses cannot be understood from the representations that they promote; it is the technologies of power that they deploy which have to be analysed. Although he argues that discipline, in the prison, the asylum, and elsewhere, functions through a knowledge (*savoir*) of each individual, and through techniques which combine power and knowledge (*savoir*), this knowledge is different from the discourses (*connaissance*) of the apparatus.

Secondly, Foucault rejects Althusser's distinction between a power that functions through ideology or representations, and a power that functions through violence and repression. For Foucault, all power relations are physical and targeted on the body; they are to be distinguished by the technology of which they are a part, rather than by whether they are exercised through violence or ideas.

In *Discipline and Punish*, it is the military institution that initially deploys the model of disciplinary power that is later copied by the school, the hospital, the workplace and the prison. And it is the prison that develops the technique of normalization that subsequently spreads to these other institutions. In contrast

to Althusser's distinction between repressive and ideological apparatuses, for Foucault, all these apparatuses are characterised by the same type of power relations.

Thirdly, Foucault rejects the model of the institution as a set of rules and regularities directed towards specified goals. Althusser reconstructs the sociological notion of the institution, presenting it as an apparatus that encompasses the materialisation of ideology and the constitution of subjects; however, his apparatus still functions through the ritualistic repetition that characterises the institution. In contrast, Foucault's disciplinary mechanism operates through hierarchical and dissymmetrical power relations that are strategic, mobile, and organised around the procedures of normalizing judgement and the examination.²

Butler's interpretation of Foucaultian power encompasses Althusser's view of the primacy of representation, its materialization in apparatuses that control and constitute the subject, and the ritual repetition that characterizes this process. Her notion of the norm which will be discussed below is also close to his notion of an ideal or absolute subject which is the focus for processes of mirroring and interpellation.

One of the weaknesses of Althusser's analysis is that while he is able to suggest how ideology exercises its influence over individuals as a group, he is not able to demonstrate how subject formation takes place at the level of the

individual. Foucault's analysis of disciplinary power as a physical power which is targeted on individual bodies overcomes this problem; he is able to show how discipline differentiates individuals from one another. In contrast to Althusser, Butler does attempt to tie the subject function to the individual body.

As we saw in the discussion of the prisoner in the previous chapter, she argues that Foucault conceptualises individuality through the notion of a soul envisaged as a “normalizing ideal” (Butler, 1993: 33) that materialises the body: “This normative ideal is inculcated, as it were, into the prisoner is a kind of psychic identity, or what Foucault will call a “soul”.” (Butler, 1997: 85). Butler supports this interpretation by citing a phrase from Foucault’s account of the position of the individual in the Panopticon: “he becomes the principle of his own subjection.” (Foucault, 1975: 203). She also extends her analysis by presenting it as Foucault’s model of identity in general: “discourse produces identity by supplying and enforcing a regulatory principle which thoroughly invades, totalizes, and renders coherent the individual” (Butler, 1997: 85-86).³

The account of discipline that I have presented in the previous chapter suggests that, in *Discipline and Punish*, there is actually a different model of both subjection and production from the one that Butler presents. Firstly, in relation to subjection, disciplinary power does not function through the intermediary of a soul or psychic identity in the way that Butler suggests; neither does it require discourses through which to function. Discipline operates through a physical force that is exercised directly on the body.⁴ As we have seen, this force is

calculated, measured and organised through an array of technical instruments, procedures and processes. Domination is also secured by a hierarchical apparatus which is integrated into the production process, and encompasses functions of supervision and control, and procedures of normalization. It is because discipline functions in this way that Foucault is able to describe it as a “political anatomy” (1975: 30).

Foucault’s analysis of the Panopticon fits into this framework. He (1975: 200-3) argues that, in this *dispositif*, the partitioning of bodies in space and time, and the organisation of techniques of surveillance, bring about a situation where maximum visibility is conferred on those who are subjected to power, and minimum visibility on those who supervise. As a result, those on whom power is exercised have to behave as if they are under constant surveillance. Foucault argues that, here, inmates are “caught up in a power situation of which they are themselves the bearers.” (1975: 201).

In the Panopticon, the apparatus incorporates the individual as another instrument in its functioning. S/he now straddles two positions: s/he is the object of the disciplinary practice, and s/he also occupies a role at the base of its supervisory pyramid: “he inscribes in himself the power relation in which he simultaneously plays both roles” (1975: 202-3). One of the features of Foucault’s account of the Panopticon is that, although this passing over of power “to the other side” (1975: 202) is discussed in detail, there is no mention of the soul, or of what Butler terms “a psychic identity” (Butler, 1997: 85). In the last

section of this chapter, I will show that the Foucaultian soul functions within disciplinary technology in a different way from that suggested by Butler.

Secondly, in relation to the process of production of subjects, Butler assumes that Foucault's analysis begins at the level of the subject. In fact, as we saw in the last chapter, his starting point is the multiplicity, not the individual or the subject: discipline transforms the fluid, horizontal connections in unorganised populations; individuals are forged out of the multiplicity in a movement that simultaneously homogenises and differentiates. By starting with the multiplicity, Foucault is able to conduct his analysis at a level that by-passes apparatuses and institutions, and focuses, instead, on the micro-physical processes of power and the technology that constitutes these.

In contrast, Butler's analyses of power take the subject and the practice as the starting point for analyses of power. For her, practices are repetitive and reproductive processes; in this respect, they resemble Althusser's apparatuses. In her work, practices are problematised from the perspective of what they exclude and marginalise; they are not questioned as to how their objects and subject-functions have emerged. In *Excitable Speech* (1997a), Butler focuses on the ability of performatives to break free from, rather than repeat, particular practices; however, as we saw in chapter 2, she is unable to provide a framework for analysing this phenomenon.

Thirdly, disciplinary power does not require discourses in order to function. In *Discipline and Punish*, as we have seen, it is power-knowledge constituted as disciplinary technology that produces individuals. In this work, and in *Psychiatric Power*, rather than discourses being materialised in apparatuses, as Butler and Althusser argue, they emerge out of them. One of the most noticeable features of *Discipline and Punish* is how few of its pages are devoted to the question of discourse, or to specific discourses.

The chapter on the prison (1975: 253-4) contains a brief account of how, at the birth of the prison, a proto-criminology attempts to move beyond a delineation of criminals as teratological types, and begins to classify them by applying a crude, but empirical, normative classification. Apart from this, there are only passing references to scientific knowledges—criminology, psychiatry, psychology, ethnology and medicine—without any engagement with their specific content.

The reason for this, as we saw in the previous chapter, is that the analysis which Foucault presents is directed towards showing how disciplinary technology provided the framework which made these discourses possible. His argument is that discipline first constituted human beings in a certain way, and on this basis ‘scientific’ knowledge of the human being was later constructed. In *Discipline and Punish*, power-knowledge is not discursive in nature, but it provides emerging discourses with a field of rationality and a series of objects.

As we saw in the previous chapter, Foucault presents the technology of the prison, and the objectification of the prisoner as the delinquent, as one of the foundations on which the discourses of the human sciences developed. He argues that the *dispositif* of the prison fuelled the emergence of criminology and related disciplines, and provided opportunities for the expansion of psychiatry, psychology and medicine into new areas.

Norms and Normalization

In Butler's interpretation of Foucaultian power, discourse and regulation are combined in the norm. As we have seen, in *Bodies that Matter* (1993) and *The Psychic Life of Power* (1997), the norm is presented as both an ideal that materialises the body and an exclusionary device. The first of these themes is presented as an integral part of Foucault's concept of power, the second as something which he fails to acknowledge. In a later work, *Undoing Gender* (2004: 40-56), Butler attempts to clarify the conception of regulation employed in her earlier work. The account of the norm that she provides in this text focuses on how social regulation regularizes behaviour by setting up standards for the normal; norms govern the intelligibility of bodies by normalizing subjects, making them socially interchangeable with each other.

In her discussion, she draws on two articles by François Ewald (Ewald, 1989 and 1990) devoted to an analysis of the norm. Although she (2004: 50-51) cites an extract from 'A Power Without an Exterior' (Ewald, 1989),⁵ in which

Ewald argues that, for Foucault, the norm is ceaselessly involved in a process of individualization, she provides no discussion of this issue. Instead she focuses on the homogenising nature of the norm, citing Ewald's view that the norm is both a way of producing rules and a principle of valorisation that defines a common standard.

In *Undoing Gender* (2004), Butler describes gender as "a sociological concept, figured as a norm." (2004: 210). In her work, she has always attempted to free the norm from its traditional sociological framework by associating it with power and discourse, and by employing post-structuralist thinking to challenge sociological conceptualisations of the relation between the norm and the subject. However, in certain key respects, her notion of the norm remains linked to a traditional sociological framework. In her work, the norm retains its identity as a common social standard endowed with coercive power that both controls and homogenizes individuals.

Foucault's concept of the norm is not a sociological one;⁶ it derives from the work of Georges Canguilhem. In *Discipline and Punish* (1975: 184) and *Abnormal* (1999: 49), Foucault links his concept of the norm to the analysis that Canguilhem develops in *The Normal and the Pathological* (1966)⁷. This work traces the usage of the concept of the normal to the period after the French Revolution, when it appeared in connection with demands for rationalisation of economic and social processes; Canguilhem shows how this concept later became employed in processes of standardization in education,

industry and the medical institution in modern society. Foucault refers to all these processes; however, in linking the norm to the emergence of disciplinary power, and to a normalizing technology, he extends Canguilhem's analysis in new directions.

Canguilhem (1966: 241-3) situates the norm in relation to multiplicity, chaos and mobility, and argues that it is an instrument for establishing order and stability. He shows that it is abnormality and infraction that bring the norm into operation and give it definition. The norm draws its meaning from what is outside itself that does not conform to what it requires; it evaluates this outside negatively, but it is also dependent on it. For Canguilhem, a fundamental characteristic of the norm is that it is always drawing the outside into itself.

In *The Normal and the Pathological*, he links the concept of the norm with the idea of correction showing that the etymological derivation of the term "norm" is associated with the T-square and the perpendicular. He argues that: "A norm or rule is what can be used to right, to square, to straighten." (Canguilhem, 1966: 239). It is Canguilhem's analysis of the norm as a corrective device that Foucault applies in *Discipline and Punish*.

For Butler, the norm functions as a constraint that homogenizes behaviours and subjects; it sets a common standard that coerces subjects to conform. In contrast, for Foucault, the norm is part of a corrective technology, the goal of which is to change individual behaviour by being interventionist and

transformative. Thus, although the Foucaultian norm creates a homogenous field that subjects everyone to common standards, within this field it also differentiates and individualises.

In carrying out its function as a corrective device, the norm functions in many different ways: as a rule of behaviour that must be conformed to; as a standard to be achieved; as a goal to work towards; as a common standard, and as a specific standard for an individual; as a minimum, average or optimum standard; as a way of ranking individuals in a distribution of achievements, abilities, behaviours, or qualities; and as establishing thresholds and limits that demarcate a domain of the abnormal. The norm is a technique that “compares, differentiates, hierarchizes, homogenizes, excludes.” (1975: 183).

In *Discipline and Punish*, Foucault (1975: 227) also refers to the phenomenon of “an indefinite discipline”—the tendency within disciplinary processes for the examination to become ever more analytical; the closure of the file to be permanently delayed; and the norm to be always moving beyond reach. In contrast, in Butler’s interpretation of the norm, there is no comparable internal dynamic: the main characteristic of the norm is repetition, not a constant striving to incorporate what is outside it and to transform what is inside it.

In Butler’s analysis, the norm combines within itself all the functions of power and knowledge which Foucault ascribes to a number of disciplinary processes. For her, the norm defines intelligibility, it sets a standard for behaviour, and it

is coercive and constraining in respect to actions and identities. In these respects, Butler's norm resembles the sociological norm. In contrast, Foucault's norm is more local and context-bound. He argues that: "The norm is not simply and not even a principle of intelligibility" (1999: 50). For Foucault, it is the practice as a whole that provides the horizon of intelligibility; the norm is an element in the exercise of power within this.

The Foucaultian norm is not, as Butler assumes, synonymous with power: disciplinary power also encompasses an analytics of the body, processes of surveillance, control and examination, and systems for gathering and circulating knowledge. Norms function through these processes and are, thus, only one element in a broader technology of power.

In this respect, Ewald puts forward the same view as Foucault, arguing that the norm is not a form of power; rather it functions within, and is brought into action by, different apparatuses, institutions and mechanisms of power (1990: 153). In *Security, Territory, Population* (2004: 8-9), lectures delivered in 1977-8, Foucault makes it clear that technologies of power have to be distinguished from techniques of power; the techniques may come to prominence in a particular technology, but they also have a history apart from the technology. As we saw in the previous chapter, discipline, as a technique for constraining unruly populations, existed before disciplinary technology. Similarly, the law was an instrument at the centre of the technology of sovereign power; however, it also functions as a technique within the technology of discipline.

In *Security, Territory, Population*, Foucault takes up the question of the relation between the law and the norm as techniques of regulation in the context of the functioning of the state apparatus and the police in urban areas. Here (2004: 46-7) he argues that juridical regulation exercises control by setting out laws as to what is forbidden; and disciplinary regulation operates by setting out detailed norms as to what has to be done: “the law prohibits and discipline prescribes” (2004: 47).

Foucault (2004: 56-7) argues that the law can be viewed as a codification of the norm; however, he makes it clear that this codification has to be distinguished from the techniques and processes of normalization that are carried out by disciplinary technology. In many respects, Butler’s concept of power and the norm is closer to this notion of regulation than to the notion of technology on which *Discipline and Punish* is based. However, it is also clear that Butler wishes to claim productive effects for regulation that, in Foucault’s work, belong to the domain of technology.

In *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997), Butler presents her emphasis on the exclusionary nature of the norm as one of the main differences between her work and Foucault’s. As we saw in chapter 2, she interprets Foucault as advancing a totally determinist view of disciplinary power, and ignoring the fact that there are bodies that fail to materialise the norm. She argues that this failure is inherent in the functioning of the norm; it

can only operate by drawing limits on what is to count as normal and, thus, creating a realm of exclusion.

In fact, Foucault does not advance a totally determinist model of discipline. In *Discipline and Punish*, rather than achieving total conformity, disciplinary technologies are involved in an endless task of attempting to overcome non-conformity. In Foucault's work, in contrast to Butler's, the norm is not, in itself, an exclusionary device; rather, as we have seen, it is a corrective device that is always trying to encompass what is outside it. Despite this, as Foucault shows, there is, in the disciplinary society, a layer of the population that is branded as abnormal.

Foucault accounts for this in two ways: firstly, he shows how a binary division between the normal and the abnormal, together with the processes of exclusion that accompanied it, was inherited from an older juridical system of controlling individuals. Foucault (1975: 195-200) argues that, historically, there have been two different models of controlling individuals: one which is based on exclusion, the other on disciplinary methods. He uses two examples to illustrate these models: the exclusion, rejection and isolation of the leper in the Middle Ages; and a seventeenth century plan for the disciplinary partitioning and segmentation of a town and its population in response to incidences of plague.

Foucault argues that these are different projects, “but not incompatible ones.” (1975: 199) He shows how, in the nineteenth century, they began to merge: on the one side, existing spaces of exclusion were subjected to disciplinary methods of individualization, and, on the other, disciplinary methods of individualization in mainstream society were used as new criterion for exclusion. The resulting method of control united two processes: the institution of a binary division between the normal and the abnormal (*anormal*) with the branding of the latter, and the disciplinary coercion and differentiation of branded individuals.

Secondly, Foucault shows that the human sciences developed new forms of branding individuals. In *Abnormal* (1999: 159-63), he provides an account of how nineteenth-century psychiatry reworked the notion of the norm, fusing two separate meanings from discipline and medicine: on the one side, the disciplinary concept of the norm as a rule of conduct, a principle of conformity and order; on the other, the medical notion of the normal as functional regularity in the organism, as opposed to abnormality and pathology.

Foucault argues that by merging these two meanings, psychiatry made it possible for irregularity in everyday conduct to be defined as pathological and abnormal in a medical sense. In *Psychiatric Power* (2003: 85-7) he describes the emergence and dissemination, in schools, workplaces and prisons, of what he terms “the Psy-function”: the development and application of psychological

theories and schemas for use in processes of individualizing, labelling, and normalizing those with whom the institution's disciplinary methods are failing.

Foucault's analyses of modern society, from *History of Madness* (1961) on, highlight the fact that one of the most important consequences of the expansion of the productive apparatuses and the drive for maximum utility is the creation of a large pool of individuals who are displaced from the mainstream of society. Far more people are subjected to processes of exclusion in a disciplinary society than in a society of sovereignty; disciplinary society brings about an extension of the carceral system. However, for Foucault, the consequence of social exclusion is not that those excluded become, as for Butler, "unintelligible" and "dematerialised"; in his work, exactly the opposite takes place: the excluded become the most differentiated in terms of discourses, and the most materialised in terms of investment by power relations.

In *Discipline and Punish* (1975: 192-4), Foucault argues that disciplinary power marks a new historical stage in processes of individualisation. Previously, it was those who exercised power who were individualised and made visible; their power was celebrated in rituals and ceremonies, and their lives documented in epic narratives. Those at the base of society remained largely anonymous and invisible. Foucault argues that with disciplinary technology, this situation is reversed: it is those on whom power is most intensely exercised who become most individualised and most documented.

Foucault suggests that, in the disciplinary society, those whose lives and behaviours are brought to visibility are children rather than adults; the mad rather than the sane; the sick rather than the healthy; the criminal rather than the law-abiding citizen: “it is towards the first of these pairs that all the individualizing mechanisms (*mécanismes individualisants*) are turned in our civilization” (1975: 193).

Foucault argues that when our society attempts to define the conforming adult, it is only able to do so by drawing on a knowledge that derives from the abnormal and the pathological:

when one wishes to individualise the healthy, normal and law-abiding adult, it is always by asking him how much of the child he has in him, what secret madness lies within him, what fundamental crime he has dreamt of committing. (1975: 193).⁸

Strategy and Resistance

One of the criticisms that Butler levels against *Discipline and Punish* (1975) is that Foucault’s analysis leaves no space for resistance. As we saw in chapter 2, this criticism is advanced in *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997). In fact, Foucault provides evidence of resistance throughout *Discipline and Punish*. He (1975: 264-66) shows that the prison system fails

spectacularly with respect to reforming prisoners; in its early years, recidivism rates were extraordinarily high, and they have continued to be so into our own time. Foucault wrote *Discipline and Punish* at a time when prison riots were occurring in France and all over the world. In the first chapter of this text (1975: 30-31), he highlights the mixed nature of the demands that fuelled these: traditional protests against cold, overcrowding and hunger in the prisons, but also protests against model prisons with their tranquillisers, psychiatrists and educationalists.

In contrast to Butler's interpretation of *Discipline and Punish* on the issue of resistance, I will, here, present a reading of this text as demonstrating the thesis that Foucault, later, advances in *The History of Sexuality Volume 1*: namely, that resistance is always "inscribed" in relations of power as "an irreducible opposite" (1976: 96).

Most of the resistance that is documented in *Discipline and Punish* is that exercised by the lower classes against practices of punishment, and the broader strategies of subjugation of which these are a part. In relation to the practice of public torture, Foucault shows how resistance to certain aspects of penality intensified in the course of the eighteenth century. There was agitation against class differences in sentencing and against excessive penalties for common crimes; solidarity was expressed with petty offenders, such as vagrants, who were viewed as being at the mercy of social conditions.

Foucault shows how agitation was organised around focuses for opposition opened up by the practice itself. An important aspect of the spectacle of the public execution was that the people had to testify to the truth of the crime they had to endorse the public rituals in which the guilt of the offender was displayed. Foucault suggests that it was the people's championing of the criminal that hastened the ending of torture and execution. (1975: 57-69).

Foucault (1975: 75-89) presents the eighteenth-century penal system as a battleground which was centred around attempts by the emerging bourgeois class to reconfigure the traditional pattern of "permitted" illegalities. He argues that, in legislating for the great economic changes of the eighteenth century, legal reformers adopted a strategy of heavily penalising practices common in the lower classes, such as theft of property. This was met with localised resistance in the form of continued theft, arson, assault and murder—responses that were met with the establishment of new systems of surveillance and control.

Foucault (1975: 272-85) suggests that resistance reached a peak in the late eighteenth and early nineteenth centuries. This period, he argues, saw a merging and politicisation of a series of separate conflicts: local struggles against issues such as taxation, extortionate prices, conscription; workers' actions around pay, hours, and the legality of their associations; social conflicts arising from increasing peasant and worker vagabondage. This development, Foucault suggests, was characterised by the fact that limited struggles took on

the wider dimension of conflicts with the legal system as a whole and the class power behind it. Foucault argues that the scale of this resistance was seen as an extreme threat to the established order of the time; an ever-present danger posed by a whole class of people perceived as criminal, barbaric and immoral. (1975: 275).

Foucault argues that the one of the main tools used to dissipate this resistance was the tactic of pathologization of the criminal as the delinquent. The delinquent, depicted as the monstrous, abnormal individual, was demonised as the symbol of illegality and criminality. Continual attempts were made to create a climate of antagonism and fear between delinquents and the lower classes, demarcating a rigid boundary between criminals and members of these strata that had, for centuries, been flexible, mobile and always blurred. In this way an autonomous criminal class, that had not previously existed, was manufactured.

Foucault suggests that this strategy was largely successful; the notion of delinquency contributed towards a reduction in the incidence of popular illegalities. In *Discipline and Punish*, this moment at which power separates criminals from their traditional base is presented as the final defeat of a long tradition of resistance in the lower strata of society based on “the political unity of popular illegalities”. (1975: 292).

Foucault argues that, at this point, resistance was driven to the margins of society surviving, in the early years of the nineteenth century, largely in the discourses of the newspapers of the workers' movements. From articles in the Fourierist paper, *La Phalange*, he (1975: 287-92) traces the emergence of a counter-discourse on criminality based on the notion of a delinquency of wealth, of moral decay and physical degeneration among the dominant class. In contrast, the criminal was depicted as the victim of the play of forces, as the product of need and repression. Foucault argues that, in this discourse, the commission of minor offences was reconstituted as a political revolt against this situation: "a rumbling from the midst of the battle-field." (1975:291).

In *Discipline and Punish*, therefore, rather than ignoring resistance, as Butler argues, Foucault presents the late eighteenth and early nineteenth centuries as a period in which it comes to the forefront in Western European culture, invading and threatening the established order before it is, subsequently, largely defeated. Resistance is presented in the context of broad economic and social strategies in which crime and punishment are the object of a battle between social classes; in this battle each side changes its tactics in response to the moves of the other.

Here, resistance does not simply pit force against force; it challenges the discourses in which practices are framed and, out of their elements, composes counter-discourses. Foucault suggests that resistance is most often local and dispersed in character. Different struggles do link up, but the pattern of

conjunctions they form, and the strategies they pursue, alter with developments in practices. Resistance can and does bring about change, but like organised processes of domination, it is only one factor in a diverse field of forces. Often resistance acts only as a stumbling block for strategies of power, but it is never totally absent.

In ‘Power and Strategies’ (1977a), Foucault puts forward the concept of a “plebs (*plebe*)” that is the permanent target of power. This is an entity that takes different forms at different times; it may be constituted as classes, groups, or individuals. Foucault describes it as a type of inverse energy or discharge. It is always at the limit of power relations responding to their advance by “a movement of disengagement” (1977a: 138). The existence of a “plebs” fuels the development of new strategies of power. In *Discipline and Punish*, a similar concept of resistance to power relations is formulated in terms of disciplinary technology. Here Foucault argues that technologies of discipline, from the moment of their inception, are always working against a resistance that is inherent in organised multiplicities. In relation to these multiplicities, discipline has to:

neutralize the effects of counter-power that spring from them and which form a resistance to the power that wishes to dominate it: agitations, revolts, spontaneous organisations, and coalitions—anything that may establish horizontal conjunctions. (1975: 219).

For Butler, resistance is conceptualised as following power relations. For Foucault, resistance is both what power has to overcome, and the response that follows its exercise.

Foucault's focus on class warfare in the area of crime and penality has to be juxtaposed with his positioning of disciplinary *dispositifs* within society-wide political and economic strategies. As we saw in the previous chapter, he argues that these strategies were directed towards ensuring social order; towards synchronising increases in population with productive apparatuses; and towards delivering maximum efficiency at the lowest political and economic costs. Butler ignores this aspect of Foucaultian power and, therefore, not surprisingly, also Foucault's account of collective, class-based resistance.

As we have seen, Butler looks for resistance to power at the level of the individual prisoner and what she interprets as her/his soul. In the discussion above, of Butler's and Althusser's thinking on the subject, I argued that disciplinary power does not individualise the prisoner by employing the intermediary of a soul, in the sense that Butler suggests. However, in *Discipline and Punish*, Foucault does speak about the soul functioning within disciplinary technology. In the next section, I will discuss how he views this functioning, and how his account differs from the interpretation that Butler presents in *The Psychic Life of Power*.

The Modern Soul

In chapter 2, I showed how, in her early work, Butler presents the Foucaultian soul as an attempt to rewrite Nietzsche's view of internalization of the law on the model of inscription on the body. Later, in *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997), she modifies this view and presents the Foucaultian "soul" as a "normative ideal" (1997: 85) that shapes and forms the body. In the later work, Butler argues that whereas both Foucault and Nietzsche provide an account of subjection "as the subordination of a subject to a norm" (1997: 66), only Nietzsche shows how, in the process of internalisation of social norms, a psyche is formed which has a modality of its own.⁹ Butler argues that, for Nietzsche, internalisation of punishment is followed by a narcissistic pleasure and attachment to self-persecution. (1997: 75).

As we have seen in this chapter and the previous one, Foucault does not conceptualise the exercise of power, over the prisoner and others, on the model of subordination to, or internalisation of, social norms. His soul is not a "normalizing ideal" that forms the body. In this section, I will show how Foucault attempts to develop Nietzsche's perspective, on the relation between the soul and punishment, in new directions. I will argue that, despite her attempt, in *The Psychic Life of Power*, to position Nietzsche against Foucault, Butler continues to, mistakenly, view the Foucaultian soul within the framework of Nietzsche's work, *On the Genealogy of Morals* (1887).

In chapter 3 of *The Psychic Life of Power*, after discussing the emergence of the soul in Nietzsche's *Genealogy* in the previous chapter, Butler attempts to search for evidence of a similar type of soul in *Discipline and Punish* (1975). Employing her model of Foucaultian power as a materialisation of the body, she argues (1997: 84-7) that the “normative ideal” (1997: 85) which shapes the body is “a kind of psychic entity, or what Foucault will call a ‘soul’” (1997: 85). Here, Butler criticises Foucault for presenting the identity of the subject as totalized by regulatory norms. She argues that a concept of the soul should allow for resistance to power, and should make it possible to distinguish between a normalised subject, and a psyche which exceeds this subject.

In a second attempt to find a Nietzschean-type soul in *Discipline and Punish*, Butler cites Foucault's comment in ‘Nietzsche, Genealogy, History’ that the subject appears through the destruction of the body. She suggests that the Foucaultian body might survive this process as a remainder; as “already, if not always, having been destroyed.” (1997: 92). In this case, it would be the body, and not the subject or soul, which functions as the source of resistance to normalizing practices.

The fact that Butler looks for the Nietzschean soul in Foucault's work is not surprising. There can be no question that Nietzsche's *On the Genealogy of Morals* (1887) was, in many respects, the model for *Discipline and Punish*. In ‘Questions of Method’ (1980), Foucault tells us that one of his reasons for

wanting to study the prison was “the idea of reactivating the Nietzschean project of a ‘genealogy of morals’” (1980: 224). As I will now show, in reactivating the project of “a genealogy of morals”, Foucault develops, rather than imitates, Nietzsche’s genealogy. In this process, the soul is given a new configuration.

In Nietzsche’s second essay in *On the Genealogy of Morals* (1887: 39-76), the emergence of the soul is traced through a history that goes back to the earliest forms of human society. Here, one of the theses presented is that our moral notions of punishment, guilt, duty and conscience have been shaped by contractual relations between debtors and creditors. Nietzsche argues that, in early forms of society, debt carried no connotations of guilt, but creditors were able to administer punishments for unpaid debts through taking pleasure in bodily mutilation of the debtor. Later, when this practice was outlawed, the notion of debt was translated into the idea of guilt, and the administration of punishment was tied to the idea of free will.¹⁰

In *The Psychic Life of Power* (1997: 71-78), Butler provides an analysis of this essay in which she notes that, for Nietzsche, the soul is produced when the instinct and the freedom to inflict pain on others is suppressed and is, instead, turned against the self: “the pressure exerted from the walls of society forces an internalization which culminates in the production of the soul.” (1997: 74). Her analysis passes over the fact that, in Nietzsche’s account (1887: 66-7), it is not a general pressure from society, but the emergence of the state and its

monopolisation of violence that prevents individuals venting violent instincts on others, and makes them turn these inwards. Nietzsche shows how, with the state, the institution of law develops; it is in this arena that the notions of right and wrong emerge. (1887: 56).

As I will now show, in ‘Truth and Juridical Forms’ (1974) and *Discipline and Punish*, Foucault provides a different genealogy of the relation between the state, punishment, guilt and the soul. In ‘Truth and Juridical Forms’, (1974: 34-45) he argues that ancient Germanic and feudal laws functioned on the level of settlements between individuals and small groups. Here the victim could demand reparation for a wrong (*tort*)—a harm done—and have the matter judged through various types of tests, such as duels and oaths, witnessed by local people. Foucault emphasises that the question of guilt did not enter into these procedures; neither was any attempt made to establish truth through the device of the inquiry.

As we saw in chapter 4, Foucault argues that, with the concentration of juridical power in newly emergent monarchical states, a new system began to be put in place from the twelfth century on.¹¹ He suggests that one of the main innovations that resulted was that the offence committed was now regarded not only as a *tort*—a wrong against another individual—but also as an infraction: a transgression (*faute*) of monarchical law. This introduced the notion of guilt into legal proceedings; the offence had to be subjected to the device of the

inquiry and, if the guilt of the offender was established, compensation had to be paid to the sovereign.

In *Discipline and Punish* (1975: 32-69), the features of this new system of justice are elaborated at length in the account of the practice of public torture (*supplice*) in the system of monarchical sovereignty that survives until the late eighteenth century. Here there are many themes that echo Nietzsche's *Genealogy*: the branding and measured inscription of the body of the offender; punishment as the payment of a debt by one party (the offender), and an act of vengeance by the other (the sovereign); the warlike nature of punishment.

However, the distance between Foucault's genealogy of "moral technologies" (1980: 224) and Nietzsche's can be seen in the fact that Foucault presents public torture as a technology that does *not* give rise to a "soul". Here, as we have seen, he argues that only the offence is punished; judgement is not passed on entities that are, later, held to exist behind the deed. It is with entities behind the deed, not the finding of guilt, that the Foucaultian soul is concerned. In *Discipline and Punish*, this soul emerges out of a different practice of punishment from the physical torture of the body on which Nietzsche focuses in *On the Genealogy of Morals*. The "modern soul (*âme moderne*)" (1975: 23), as Foucault terms it, is produced as an aspect of the functioning of the disciplinary technology of the body. Foucault insists that, in this technology, the soul (*âme*):

exists, it has a reality, it is produced permanently around, on, within the body by the functioning of a power that is exercised on those punished—and, in a more general way, on those one supervises, trains and corrects (1975:29)

In chapter 1 of *Discipline and Punish*, Foucault places the entry of the modern soul into the sphere of penality at a point in the eighteenth century when new humanist discourses on punishment were emerging. He argues that while changes in legal punishments, that began to take place in this period, have generally been viewed purely quantitatively—“less pain, more kindness, more respect, more ‘humanity’” (1975: 16)—there was, at the time, an awareness that the changes were more profound than this; an awareness that punishment was now targeting a new object. The reformers of the time concluded that if the body was no longer the target, the new object of punishment could only be the soul.

Foucault observes (1975: 16-23) that, with respect to punishment, there had, indeed, been “a displacement (*déplacement*) of its point of application” (1975: 22). The penetration of the penal system by the disciplinary technology of the body, and the resulting objectification of the offender, had brought into being “a whole new system of truth” (1975: 23), and a new range of objects which now became the target of punishment. Foucault argues that this change in the target of punishment was evident from the way in which new elements were

gradually introduced into criminal trials. It was no longer the offence alone that was judged:

judgement is also passed on the passions, instincts, anomalies, infirmities, maladjustments, effects of environment or heredity; acts of aggression are punished, so also, through them is aggressivity; rape, but at the same time, perversions; murders, but also drives and desires. (1975: 17)

Foucault argues that these new elements, that came to be judged, were formulated in the discourses of psychiatry, criminology, anthropology and medicine. These sciences introduced into trials new processes that bear on individuals and what they are, rather than on offences committed—processes such as diagnoses, prognoses, assessments of abnormality and programmes for normalization.

It is in this context that Foucault positions his concept of “the modern soul”. He argues that this soul is the correlate of the technology of disciplinary power that is exercised over the body, and it only comes into existence through this technology. He describes it as “the machinery (*engrenage*) by which the power relations give rise to a possible corpus of knowledge (*savoir*) and knowledge (*savoir*) extends and reinforces the effects of this power.” (1975: 29). It is not constituted by interiorization of guilt or responsibility, but by a circular relationship in which power and knowledge reinforce and extend one another

in a circular relationship. This complex provides the basis on which the notions employed in criminal trials, and developed in juridico-scientific discourses, emerge.

This explains why the Nietzschean soul, which Butler employs to present a critique of Foucault, does not appear in *Discipline and Punish*. Foucault's focus is on the emergence of a new type of soul in modernity. Notions of guilt and responsibility do not enter into the processes of judging and punishing associated with this soul. As Foucault (1975: 22) points out, it is not as experts in responsibility that psychiatrists are involved in the modern penal system, but as experts in assessing normality and abnormality. One of the main theses of *Discipline and Punish* is that, in modern society, the discourses of law and morality have gradually lost their hegemony; in their place, the discourses of the human sciences have come to dominate our conception of the subject.

In *Bodies That Matter* and *The Psychic Life of Power*, Butler bases her interpretation of the Foucaultian soul on the following passage that appears in the first chapter of *Discipline and Punish*:

The man described for us, whom we are invited to free, is already in himself the effect of a subjection much more profound than himself. A ‘soul’ inhabits him and brings him to existence, which is itself a factor in the mastery that power exercises over the body.

The soul is the effect and instrument of a political anatomy; the soul is the prison of the body. (1975: 30).¹²

It is her attempt to make sense of this enigmatic passage that leads Butler to conclude that the soul referred to has to be a normalizing ideal that materialises the prisoner's body. This is how she interprets Foucault's statements that: "A 'soul' inhabits him and brings him to existence" and "the soul is the prison of the body." However, what Butler overlooks is the statement that appears between these—"The soul is the effect and instrument of a political anatomy"—and the context in which this is presented.

Foucault (1975: 28-9) bases his conception of the soul on an analogy with the medieval notion of the King's two bodies: one of these bodies is that of a physical individual; the other is the non-corporeal body that grounds the relationships of sovereignty that spread across the kingdom.¹³ He suggests that just as the theoretical discourse of the king's two bodies codes the excess power wielded by the sovereign, so the excess power exercised on the prisoner's body can be viewed as giving rise to its duplication by a modern soul.

When Foucault writes that the soul is the effect of a political anatomy, the political anatomy that is being referred to is the network of micro-processes that underpin the institutions of modern society and bring about the disciplinary investment and subjugation of the body. The modern soul, therefore, does not belong to the prisoner alone; rather s/he is made to stand in

as a symbol for this soul. The soul is also produced by the exercise of power “over madmen, children at home and at school, the colonized, over those who are stuck at a machine and supervised for the rest of their lives.” (1975: 29). It emerges out of disciplinary processes of supervision, training and correction.

Foucault describes the soul as being “produced permanently around, on, within the body” (1975: 29); it is “the element in which are articulated the effects of a certain type of power and the reference of a certain type of knowledge (*savoir*)” (1975: 29). He defines this element as a “reality-reference (*réalité référence*)” (1975: 29) on which “various concepts have been constructed and domains of analysis carved out” (1975: 29). The Foucaultian soul is the new space that has been forged out of relations of power-knowledge in disciplinary techniques and processes, and through which criminology, psychiatry, psychology and the human sciences in general have been constituted.

In his discussion of the king’s two bodies and the prisoner’s soul, Foucault suggests that the history of the micro-physics of power could be seen as “a genealogy or an element in a genealogy of the modern ‘soul’.” (1975: 29). Here the implicit reference to Nietzsche’s work is unmistakeable. However, the distance between the Nietzschean and Foucaultian souls is also clear: Nietzsche’s is the soul of guilt, responsibility and self-condemnation that emerges out of a technology of inscription of bodies; Foucault’s is the soul of syndromes, drives instincts, tendencies and abnormalities that emerges out of disciplinary technology and its transformation into a technology of

normalization in the carceral system. This soul takes discursive shape in the constructs of psychiatry, psychology and other human sciences.

In *Discipline and Punish*, the soul is not just presented as the element in which power and knowledge function. It is also a term which is applied to the individual who is produced by discipline. Foucault refers to “the body of the prisoner, duplicated by the individuality of the ‘delinquent’, by the little soul of the criminal” (1975: 255). In *Psychiatric Power*, the soul is defined more narrowly. In these lectures, Foucault suggests that the soul is something which is “projected behind disciplinary power” (2003: 52). He argues that, whereas, individualization fixes the “subject-function” to a particular body (2003: 55), the soul or psyche encompasses potential dispositions which lie behind the individual. (2003: 55-6).

In *Discipline and Punish* these two meanings are both incorporated in the notion of the soul. In the first chapter of this work, Foucault argues that notions such as instinct, environment and heredity, which are presented in trials as explanations for actions, are also ways of defining individuals in terms of “what they are, will be, may be” (1975: 18). He suggests that, in these cases, it is not the crime that is being judged, but “the ‘soul’ of the criminal” (1975: 19).

From the above, it can be seen that Foucault’s notion of the soul, unlike Nietzsche’s, deliberately excludes a notion of the self. There is good reason for this. *Discipline and Punish* is structured as an analysis of the prison as a

practice of power. Here prisoners are conceptualised as objects of the practice, and guards, proto-criminologists and others as the subjects of the practice. Foucault is not concerned with, what he later terms, “practices of the self” in respect to either prisoners or guards. In this work, his main concern is with how human beings are objectified in practices of power. Later, he would criticise this approach:

When I was studying asylums, prisons, and so on, I insisted, I think, too much on the techniques of domination....Power consists in complex relations: these relations involve a set of rational techniques, and the efficiency of those techniques is due to a subtle integration of coercion-technologies and self-technologies. (1993: 182).

In *Abnormal* (1999), lectures delivered at the Collège de France in 1974-5, and in *The History of Sexuality Volume 1*, as I will show in the next two chapters, Foucault began to present analyses of the subject from the perspective of self-technologies.¹⁴ These analyses are centred, not on the examination, but on the practice of confession: another device of truth and power-knowledge. Foucault’s first lecture on the confession was delivered at the Collège de France in February 1975—the month in which *Discipline and Punish* was published.

One of the most surprising features of Butler's analyses of the issue of subjectification in Foucault's work is that they focus on *Discipline and Punish*, rather than *The History of Sexuality Volume 1*. This is, perhaps, due to the fact that, as I will show in chapter 8, Foucault does not conceptualise the relation to self on the model of a turning inwards that Butler presents.

¹ Butler argues that when Foucault uses the word *assujetissement* both meanings are implied; see e.g. *The Psychic Life of Power* (1997: 11; 90); *Bodies That Matter* (1993: 15; 33-4).

² The criticism that Foucault presents of his early work in *Psychiatric Power* (2003: 12-16) can also be read as a criticism of Althusser's essay.

³ For an interpretation of Foucault's presentation of the disciplined individual in *Discipline and Punish* which is, in this respect, similar to Butler's, see Prado (2000: 80). Prado argues that discipline leads the individual to experience herself/himself in a certain way and to adopt an outlook that makes her/him behave in a conformist fashion.

⁴ For a discussion of how the disciplinary body can function without any need for the conscious direction of a subject, see Dudrick (2005).

⁵ The source of the extract is incorrectly cited as "Norms" i.e. 'Norms, Discipline, and the Law' (Ewald, 1990).

⁶ The sociological notion of norms has its origins in the foundation of French sociology with the work of Émile Durkheim. In *Rules of Sociological Method* (1895: 2-3), Durkheim sets out the concept of social facts which is one of the main sources for the modern sociological concept of the norm. These are described as external to individuals and endowed with coercive power by means of which they impose themselves on individuals. They encompass laws, moral codes and the conventions of society. They are "ways of acting, thinking and feeling" (1895: 3); they consist of representations and actions. Foucault knew Durkheim's work well: see *Mental Illness and Psychology* (1954: 61-63) and *Discipline and Punish* (1975: 23). Much of Foucault's work can be seen as an attempt to break from the perspective of the sociology of his time. See, for example, *Psychiatric Power* (2003: 15-16); 'Questions of Method' (1980: 224); *Mental Illness and Psychology* (1954: 61-3).

⁷ Foucault wrote the Introduction that appears in the English translation of this work.

⁸ This phenomenon is also referred to in *History of Madness* (1961). See e.g. (1961: 526) where Foucault argues that: "The path from *man* to the *true man* passes through the *madman*." Here he notes that positive psychology only emerges out of negativity: the psychology of personality out of the study of the split personality, of memory out of amnesia, of language out of aphasia, of intelligence out of mental deficiency.

⁹ In her critique of the Foucaultian soul, Butler does not mention the fact that in *History of Madness* (1961) and *Mental Illness and Psychology* (1954), an interiority that has parallels with the Nietzschean soul features in Foucault's account of the asylum patient. Here he argues that, in the asylum, where madness was defined as a matter of the will, social controls based on exclusion and punishment were directed towards generating an interior of moral responsibility and guilt in the patient: "madness became a fact concerning essentially the human soul, its guilt, and its freedom; it was now inscribed within the dimension of interiority" (1962: 72).

Foucault (1962: 72-3) suggests that it was the dual structure of the asylum, combining an exterior punishment with an interior guilt, that made it possible for the human being to be objectified for the first time as a "psychologizable species" (1962: 73). The nature of the asylum determined the epistemological framework within which psychopathology, and later general psychology, developed. Foucault later provides a critique of this position in *Psychiatric Power* (2003: 14-16).

¹⁰ Nietzsche's genealogy of the soul encompasses a complex series of events that includes the development of credit and debt—and with these, promising and measuring—the emergence of the state, the rise of the gods and, later, Christianity. For a comparison of Nietzsche's genealogy of the soul with Foucault's, see Mahon (1992:133-155). Mahon's account of Foucault's genealogy focuses on processes of individualization.

¹¹ In contrast, Nietzsche's state is located in the period of pre-history. In "Society Must Be Defended" (1997:149), Foucault suggests that Nietzsche's (1887: 66) description of the blond barbarian invaders who set up the state is based on Boulainvilliers' account, written in the second half of the seventeenth century, of the Frankish warriors who invaded Gaul. In a description that has parallels with the account of the action of disciplinary power on multiplicities in *Discipline and Punish* (1975: 218), Nietzsche describes state power as a violence that brings about "the insertion of a previously unrestrained and unshaped population into a fixed form" (1887:66).

¹² Butler cites the whole or parts of this quotation in the following places: *Bodies That Matter* (1993: 33-4); *The Psychic Life of Power* (1997: 33; 85).

¹³ Foucault (1975: 28-9) refers to Kantorowicz's work (Kantorowicz, 1957). Kantorowicz shows how the king's second body holds together all the relations of sovereignty. He traces the development of the notion of the monarch's dual body showing that it existed from the early Middle Ages up to the time of the Tudors and Stuarts. Analysing its origins in Christian theology, Kantorowicz shows how it becomes intertwined with legal concepts. Foucault also refers to Kantorowicz's work in *Psychiatric Power* (2003: 45).

¹⁴ For a discussion of the appearance of the individual, the subject and the self in the different periods of Foucault's work, see Flynn (2005: 92-3; 154-5).

Chapter 7

The Apparatus of Sexuality: *Abnormal* and *The History of Sexuality Volume 1*

As we saw in chapters 1 and 2, *The History of Sexuality Volume 1* (1976) is a major source for Butler's interpretation of Foucault's thinking on power and discourse. The notion of a relationship between sexuality, power and discourse that is presented in this text is one of the sources for the conception of sex and sexuality that appears in Butler's work. Foucault's account of sexuality takes his analysis of the modern subject and power-knowledge beyond that advanced in *Discipline and Punish* (1975). In the latter, technologies of power and knowledge take hold of the physical forces of bodies; in *The History of Sexuality Volume 1*, these technologies also invade the body at the level of sensations and pleasures by analysing them in minute detail, intensifying our experience of them, deriving new conducts and types of individuals from them, and transposing them in scientific and theoretical discourses.

The History of Sexuality Volume 1 was originally planned as an introductory text for five succeeding volumes which never appeared.¹ The absence of these texts gives rise to problems of interpretation which are further exacerbated by the complexity of the field which Foucault maps out. This work covers events from the sixteenth century to the late nineteenth century; it encompasses the strategic apparatus of sexuality (*dispositif de sexualité*), and also two technologies of power—discipline and bio-politics (*bio-politique*)—that function within this.

These difficulties are mitigated to a certain extent by the fact that with the publication of *Abnormal* (1999),² the course of lectures delivered at the Collège

de France in 1975 that is partly devoted to sexuality, we now have access to material that gives a broader view of Foucault's original project. This work links his concerns with crime and sexuality through a theme which he presents as underlying both of these: namely, the emergence in the nineteenth century of the notion of the abnormal individual in psychiatric discourse and state policies. *Abnormal* shows that *The History of Sexuality Volume 1* has to be interpreted as a continuation of the project of the genealogy of the modern soul that is represented in the human sciences, of which *Discipline and Punish* is a part. It is important to note that in writing the works with which my study is concerned, Butler would not have had access to this material.

My discussion of Foucault's work will examine the way in which he configures sexuality as a historical *dispositif* or apparatus. In his work, the *dispositif* of sexuality is conceptualised as a strategic ensemble that is historically constituted by bringing together various practices, technologies of power and scientific discourses. It encompasses medical discourses, the disciplinary mechanisms that function within the family, and also a new form of power that Foucault begins to define in this work: bio-politics. Bio-politics is the phenomenon of state regulation of the population in relation to fertility, health, and mortality. Foucault sees the *dispositif* of sexuality that he describes as the one in which we were still living, in the mid-1970s, when he wrote *The History of Sexuality Volume 1*.

My discussion of Foucault's work on sexuality, and the interpretation of this which Butler presents, extends over two chapters. The first of these focuses on Foucault's account of the emergence of the *dispositif* of sexuality; its composition; and the functioning of the practices of power and discourses which it encompasses. Here, in order to contrast Foucault's view of sexuality with Butler's, I have found it necessary to set out, in the first two sections of this chapter, a detailed account of certain aspects of Foucault's analysis. In my view, no satisfactory accounts of this analysis have so far been presented.

In the second chapter, I discuss Foucault's critique of repression and the strategic model of power which he presents as an alternative to this. I also examine his account of the relation between truth and sex, and his views on the question of the subject.

The Genealogy of Sexuality

In this section, I will begin to show how Foucault defines sexuality in a different way from Butler. Foucault argues that the *dispositif* of sexuality is formed on the basis of four strategies, each of which is also constituted as a *dispositif*: "A hysterization of women's bodies"; "A pedagogization of children's sex"; "A socialization of procreative behaviour"; and "A psychiatrization of perverse pleasure" (1976: 104-5). The logic behind this configuration is to be found in the nature of the project which Foucault is pursuing in *Abnormal* (1999) and *The History of Sexuality Volume 1* (1976).

In these works, Foucault's method is to begin with our modern discourses on sexuality and to trace their conditions of emergence. In this case, the main discourse with which he is concerned is psychoanalysis. As I will show, Foucault's configuration of sexuality is based, mainly, on the way in which it has been conceptualised within this discourse, and also within psychiatry, with which, he argues, psychoanalysis has a close relationship. Foucault sees psychiatry and psychoanalysis as having a direct relation to certain developments which began to take place in Christian practices in the late sixteenth century. My discussion of Foucault's notion of sexuality will begin with these developments.

In *Abnormal* (1999) and *The History of Sexuality Volume 1* (1976), Foucault argues that pre-modern Europe was dominated by a structure which he describes as an apparatus centred on alliance. The focus of this apparatus was legality and illegality with respect to matrimonial relationships. In this apparatus, most of the attention given to practices of "the flesh" was concentrated on prescriptions regarding matrimonial relations; certain offences outside the marital relation were specified—for example, adultery, incest, rape, sodomy, bestiality—but they received little elaboration. Sexual practice was regulated by civil and religious law, both of which were seen as reflecting a more profound "natural" law that governed this sphere of behaviour. (1976: 37-41).

Foucault presents sexuality as a historical formation which emerged on the margins of this traditional juridical system of alliance. He argues that, from the sixteenth century on, a new practice developed within the Christian practice of the flesh and the sacrament of confession (*aveu*). This practice was centred on the relationship of the individual to the sensations and pleasures of the body. It was initially confined to elite Catholic institutions but later became widespread. (1999: 171-193).

As I will now show, Foucault defines this new practice as being based on a distinct technique of power-knowledge—the confession (*confession*); and also as having a distinct subject and object—the professional priest and the sinful body of the penitent. Over a period, new objects emerged out of this practice: the possessed woman and, most importantly, the masturbating child. Foucault argues that it was this complex of subject, objects and a technique which constituted the basis on which the *dispositif* of sexuality and aspects of the discourse of modern psychiatry developed. This model is, in many respects, close to the one which Foucault employs in *Discipline and Punish* (1975).

In *Abnormal* (1999: 185-90), Foucault argues that, up to the sixteenth century, sins which had to be described in the sacrament of confession concerned only two aspects of the sexual act: relationships between individuals within which the sexual act could legitimately be performed, and the form that the sexual act could legitimately take. After this time, an inner life of thoughts, desires (*désirs*), sensations and pleasures (*plaisirs*) also became an object of scrutiny.

Foucault suggests that, at this point, the schema for confession and the content and technique of examination of conscience took on new forms. It now had to include an inventory of the senses— touching oneself, looking at improper objects, uttering foul language and so on—and a causal analysis of relationships between thoughts, desires and immoral actions.

Foucault argues that sin was now held to begin with a pleasurable mechanical sensation in the body that was produced by the devil, and which could be indulged and amplified in thought. In this way, the field of transgression, and thus the sphere that had to be governed by Christian practices, was extended and enlarged. It was not only actions that had to be narrated, analysed and corrected, but the spiralling effects that ensued from bodily sensations: namely, the production of desires, their indulgence in thought, and the pleasure to be gained from all of this. Foucault argues that whereas, previously, sins of the flesh were defined as those which broke the rules of the matrimonial relation, now they were regarded as taking place within the body.

Foucault presents the early stages of his history of sexuality through two figures who are constituted within the practice of the confession, and who will each also be transformed in the apparatus of sexuality: the professional priest and the possessed nun. In *Abnormal*, the office of the priest is presented as developing through changes in the practice of confession and its associated practices of spiritual guidance. Here Foucault (1999: 174-6) traces

developments in the role and status of the priest, and the power he is able to exercise in relation to penitents.

Foucault shows how, from the twelfth century to the sixteenth centuries, the authority of the priest was strengthened through a series of measures that transformed confession into a practice that was co-extensive with the life of the individual. Penitents were obliged to confess to an ordained priest regularly, not just when they had committed a serious offence. In addition, one confession had to follow on from another in such a way that all the sins of a lifetime were confessed, and continuity had to be ensured by making confessions to the same priest.

Foucault (1999: 177-84) shows that the Council of Trent in the mid-sixteenth century enhanced the role of the priest by increasing the emphasis on qualifications and expertise. In addition to hearing confessions, the priest was now given the responsibility of overseeing practices of examination and guidance of conscience that were introduced as part of the daily life of Catholic elites.

Foucault (1976: 58-63; 18-21) shows how, as confession moved away from the legal model of infraction towards a practice that sought to govern souls through guidance and correction, it became a technique in which individualization and domination of subjects were combined. In both *Discipline and Punish* and *The History of Sexuality Volume 1*, subjects emerge out of processes that both

subjugate and individualize them; however, in *The History of Sexuality Volume 1*, the penitent is also an active participant in these. The practice of confession, thus, introduces an element that has no equivalent in Foucault's earlier account of disciplinary technology.

Foucault observes that, in the practice of confession, the object of the discourse is, at the same time, the subject who speaks. In speaking, s/he objectifies and individualises her/himself. Post-Tridentine Catholicism placed its adherents under an obligation to map out an interior space, and to cultivate a life-long relationship to this. Through regular examination of conscience, the subject undertakes a life-long process of continually striving to arrive at the truth about this inner space. By putting her/his thoughts, desires and temptations into discourse, and carrying out an analysis of these, the subject effects an on-going transformation of her/himself.

The two later volumes of *The History of Sexuality* advance a more developed view of the subject's relation to self; however it is only in the first volume that we see the interaction of this dimension with technologies of power. Foucault observes that confession is dependent on the speech of the subject and on her/his willingness to undertake a hermeneutics of the self, but it is the Church that places the obligation on the individual to do this in order to ensure her/his salvation. The discourse and procedures, by which the confession has to be framed, are clearly prescribed by the Church; however, priest and penitent are not equal participants.

Foucault observes that the penitent has to expose and humiliate her/himself in speech. In contrast, the priest's role is to listen in order to question and to draw out information, and then to interpret, judge and impose the penance. Within the technology in which both are implicated, the priest occupies a position of domination over the penitent: "the agency of domination does not reside in the one who speaks (for it is he who is constrained) but in the one who listens and says nothing" (1976: 62). Anyone can confess, but a confession must only be made to a priest. Foucault argues that, the exclusive nature of the power relation in the confessional meant that it combined exhaustive examination of the self with an injunction to silence and secrecy.

The history of the institution of the priesthood and the confession, which Foucault narrates, is obviously designed to present the priest as a proto-psychiatrist³, the confession as the forerunner of the psychiatric examination and the penitent as the future patient. With his account of the development of the technology of confession, the delineation of a new topology of the body, and the institutionalisation of the power of the priest, Foucault maps out a schema which, he argues, is later appropriated and transformed by psychiatry and psychoanalysis.

Foucault observes that, in the case of the Christian confession, the vast amount of information on individuals' pleasures that was communicated to priests was allowed to disappear. In contrast, when the device of the confession was

transposed in the practices of medicine and psychiatry, an “archive” (1976: 63) began to take shape. The confidences shared with doctors and psychiatrist became the source for the discourses of nineteenth century sexologists who collected and classified the multitude of heterogeneous sexual pleasures that were brought to light. (1976: 63-4; 43-4).

In *Abnormal* (1999: 201-227), Foucault argues that the intensive and exhaustive practices surrounding Catholic confession give rise to a new figure: the possessed nun. From the end of the sixteenth to the beginning of the eighteenth century, the Catholic Church was faced with the problem, in its convents, of the occurrence of possessions that were accompanied by convulsions. Foucault positions the figure of the possessed nun as both a product of the technology of the flesh and a symbol of resistance to it. The nun is contrasted to the figure of the witch who symbolises resistance to an earlier phase of Christianization focussed on the attempt at geographical saturation of the power of the Catholic Church. Foucault argues that, whereas the witch challenges the traditional juridical authority of the ecclesiastical establishment, the nun constituted a threat to the disciplinary technology of the flesh.

Foucault shows how, as the incidence of possessions and convulsions increased, and the Church proved incapable of containing them, it had to pass their management and treatment over to the medical profession. He (1999: 222) argues that it is a result of this development that the first contact takes place between the Christian technology of the flesh and the medical profession. For

Foucault, the importance of the nun lies in the fact that the issue of possessed women would, in different forms, reverberate throughout the history of modern psychiatry, fuelling new developments in its theoretical structure that contributed to the emergence of the apparatus of sexuality.

In *The History of Sexuality Volume 1*, a line of continuity is drawn from the problematization of possession, through the eighteenth century medical theories of nerves and vapours, to the medicine of hysteria and the work of Charcot in the nineteenth century (1976: 117;111-2; 55-6). *Psychiatric Power* (2003: 318-23) ends with an account of how the sexualization of women's bodies in psychiatry emerges out of confrontations between Charcot and hysterical patients, and Freud's observation of these.⁴ One of the four great strategies, out of which, Foucault argues, the technology of sexuality emerges is the "hysterization of women's bodies" (1976: 104).

The Medicalization of Child Masturbation

For Foucault, the significance of developments in the Christian technology of the flesh is that they provide a framework for the problematization and elaboration of bodily sensations and pleasures which will later be incorporated in the *dispositif*

of sexuality. Foucault's analyses of the nun, the priest, the penitent, and the practice of confession trace the emergence of subjects, objects and a technique of power-knowledge which will later, in the practice of sexuality, undergo

transformations. In contrast, in the case of the masturbating child, Foucault devotes almost no attention to the emergence of this figure within Catholic practices.

Foucault's focus on the figure of the masturbating child is, as I will show, on how s/he is integrated into medical technologies, and into disciplinary and biopolitical practices. Most importantly, Foucault presents the practice which develops around the child's bed as one of the most central, and, also, most immediate, supports for the development of psychiatric discourse on sex and sexuality. In this discourse, Foucault argues, "abnormal" rather than "normal" sexual practices are foregrounded. One of the key theses presented in *The History of Sexuality Volume 1* is that modern sexuality emerges out of a focus on "perversion" and "abnormality".

In *Abnormal*, Foucault argues that some of the main features of modern sexuality developed out of the European-wide, almost two centuries long, persecution of children—initially of boys and, later also of girls. In *Abnormal* (1999: 192-4; 220-1; 226-7; 232-3), he suggests that masturbation was originally problematized by the Catholic Church as an object of confession in single sex seminaries and elite, educational institutions. He (1999: 233-43) argues that, from the eighteenth century on, the Catholic discourse on masturbation began to appear in a secularised form, originally in largely Protestant countries.

This secular discourse moved the locus of concern out of elite ecclesiastical institutions into the bourgeois and aristocratic family home. Foucault argues that, in focussing on masturbation alone, this discourse narrows the concept of the flesh, restricting it to the body and infantile development. It transforms the notion of sin into the notion of physical danger: masturbation is now held responsible for all manner of present and future illnesses.

Foucault argues that the campaign against masturbation became intermeshed with both bio-political policies of the State and medical technologies which furthered these. In *Abnormal* (1999: 243-54; 264-5), he argues that, in the second part of the eighteenth century, a new valuation was placed on the child's body as an economic and political asset; interventions with regard to its survival, health and education began to take place. At this time, the family underwent a process of medicalization, initially organised around intervention on the question of masturbation. Parents came to act as intermediaries between the child and medical technology. Under the direction of doctors, they implemented disciplinary processes of surveillance, normalizing judgement, examination and intervention around the body of the child.

Foucault claims that the campaign against masturbation played a major role in the emergence of a scientific discourse on sexuality within psychiatry. In *Abnormal*, in this connection, two main themes are traced: one concerning the relation between sexual perversion and degeneracy; the other, concerning the relation between childhood and adult sexuality. These themes converge on the

notion of a sexual instinct. Foucault claims that it was the technologies that developed around the child's bed that laid the basis for the invention of the notion of the sexual instinct (*instinct sexuel*); an instinct which was defined as exceeding the bounds of biological reproduction and, in so doing, being prone to numerous abnormalities. (1999: 274-87).

In *Abnormal*, Foucault shows how the development of the notion of the sexual instinct took place in conjunction with the establishment, in the mid-nineteenth century, of psychiatry as an autonomous practice. This autonomy was based on the development of the concept of the abnormal individual, and the claim to be able to identify an extensive sphere of behaviour that was distinct from that of illness. (1999: 161-3). Foucault argues that, in this development, masturbation was placed within a broader field of sexual abnormalities. Its practice in childhood was no longer associated primarily with danger to physical health; it was now held to result in sexual perversion. (1999: 281-2).

Foucault shows how the figure of the sexual pervert, who emerged out of the child masturbator, came to be linked with another figure: the degenerate individual. The degenerate individual was defined as having the potential to undermine the physical integrity of future generations through the transmission of diseases and disabilities. In *The History of Sexuality Volume 1* (1976: 117-9), Foucault argues that the sexual pervert and the degenerate individual became linked through the development of the theory of degenerescence. In

this theory, unfavourable factors with respect to heredity and sexual perversion are related to each other through a circular causality.

The second line of influence that Foucault's traces between psychiatric theory, and disciplinary practices around masturbation, relates to the central role which childhood plays in this theory. He argues that: "Childhood has been the principle of the generalization of psychiatry" (1999: 304). In *Abnormal* (1999: 291-301), Foucault suggests that the campaign against child masturbation was transposed within psychiatric theory into the notion that adult behaviour could be scrutinised for instances of both developmental arrest, and regression to childhood behaviour. He suggests that, the pivotal position that was assigned to childhood development, enabled psychiatry to claim to be able to map the normal structural development of individuals. On this basis, it was then able to define abnormal deviations—from mental disability to sexual perversion—in this development

Foucault (1999: 265-8) also traces the key role occupied by incest in psychoanalytic theory back to the campaign against masturbation. He presents the terrain of the nuclear family as, from the outset, an incestuous space. It is created out of demands for parents to acquire intimate knowledge, and take intimate control, of their children's bodies; demands that they constantly spy on them, trap them, inspect them, imprison parts of them in various devices, sleep with them, place their hands on them. It is to this scenario that Foucault ascribes the emergence in psychoanalysis of the theme of incestuous desires for

their mothers and fathers on the part of children, and the acceptance by parents of this theme—despite decades of being told that their children's sexuality was autoerotic and non-relational.

To sum up, in Foucault's account of practices around child masturbation, the constitution of sexuality is presented as interwoven with the emergence of psychiatric discourses on the abnormal individual, and these discourses, in turn, as driven by bio-political policies. Foucault's analysis tracks the early development of the notions of instinct and abnormality that will become fundamental to modern conceptions of sexuality. His analysis also shows how, through the linking of sexual perversion with physical and mental degeneracy, sexuality became tied in to broader political goals.

The *Dispositif* of Sexuality

The account that I have given above of the transposition of Christian practices in medicine and psychiatry shows how, in his history of sexuality, Foucault is again following the model of tracking the emergence of objects in social practices. However, the *dispositif* of sexuality which appears in *The History of Sexuality Volume 1* (1976), is more complex than the *dispositif* of the prison which figures in *Discipline and Punish* (1975). It is also formed over a much longer period.

In *The History of Sexuality Volume 1* (1976: 115-9), Foucault singles out two key periods in the post-Christian development of sexuality. The first of these is the end of the eighteenth century when sexuality emerges as a secular issue in which the state had become involved. Here, he singles out objects of the Christian practice of the flesh that, at this time, were reconfigured in secular terms: the figure of the masturbating child that was introduced into pedagogy; the possessed woman who became the object of medicine; the conjugal couple which became the object of social economics.

The second period which Foucault singles out is the mid-nineteenth century. Here he highlights two developments: the emergence of the medical and psychiatric field of the “perversions”, and the development of eugenics. He argues that these were merged in the theory of degenerescence (*dégénérescence*): “The series composed of perversion-heredity-degenerescence formed the solid nucleus of the new technologies of sex.” (1976: 118). He suggests that the three objects composed by the child, the woman and the couple were reconfigured within the newly emerging medico-political technologies of degenerescence. As we have seen, it is here that a fourth object also emerges: the sexually perverse (*pervers*) adult.

Foucault (1976: 103-5) argues that the *dispositif* of sexuality is formed on the basis of these four objects which take shape in “four great strategic unities” (1976: 103). The first of these—the “hysterization (*hystérisation*) of women’s bodies”— brings together the medico-psychiatric notions of hysteria and sex

with state policies that view women through their reproductive role and the influence of this on the health of society. The second—the “pedagogization of children’s sex (*sexé*)”—concerns the disciplinary control of children’s sexuality in the family and the school, and dangers that this sexuality presents. The third—the “socialization of procreative behaviour” (1976: 104)—is focussed on the birth-rate and its importance for society as a whole. The fourth—the “psychiatrization of perverse pleasure” (1976: 105)—emerges with the notion of the sexual instinct, and the delineation of the deviations to which it is subject.⁵

Foucault argues that these four objects and strategies were each constituted as *dispositifs* of power-knowledge (1976: 103). He tells us that these were not devices to control sexuality; rather they were what constituted the *dispositif* of sexuality: “In actual fact, what was involved, rather, was the very production of sexuality (*production même de la sexualité*).” (1976: 105). Foucault (1976: 105) states that sexuality is the name (*nom*) given to a historical apparatus (*un dispositif historique*) which corresponds to a great network in which sensations and pleasures, the exercise of regulation, and the formation of discourses (*connaissances*) are linked together through the four great strategies of power and knowledge (*savoir*).

Here, it is noticeable that the notion of a *dispositif* that is employed in *Discipline and Punish* has now been modified. In the earlier work, as we saw, it referred to a disciplinary practice of power-knowledge or, as in the case of

the *dispositif* of the carceral, to a group of such practices. The *dispositif* was presented as a composition of forces that functioned as a tactical device pursuing the global strategy of supporting the development of the productive forces of nations.

In *The History of Sexuality Volume 1*, the *dispositif* of sexuality is more loosely constituted and, also, more extensive. It encompasses four *dispositifs* of power-knowledge, each of which is directed towards a separate strategy. It also includes discourses (*connaissances*) and bio-political practices. It is directed towards global strategies concerned with both “administering life” (1976: 138) and developing productive forces. (1976: 145-6). The *dispositif* now also includes resistances such as homosexuals’ “reverse discourse” (1976: 101) and Wilhelm Reich’s critique of repression (1976: 131). Foucault argues that the four strategies of the *dispositif* of sexuality form a clearly identifiable ensemble: each one is targeted on the body; each one also combines disciplinary with bio-political practices. In addition, each of these strategies is underpinned by the notion of sex (*sex*).

In *The History of Sexuality Volume 1*, Foucault (1976: 152-4) presents sex as functioning in a different way in each of the four great strategies. In the strategy of hysterization of women’s bodies, he suggests, sex is presented as something that orders the entire body around the function of reproduction and produces a constant state of agitation. In the case of the sexualization of children, sex is represented as present in virtue of the child’s anatomy, but

incomplete in terms of biological functioning; it is also held to be concealed, in so far as its long term effects, such as heredity, cannot be foreseen.

In the regulation of reproductive behaviour, Foucault argues, sex is presented as a play between the reality of reproduction, and a pleasure that can be dissociated from this. With the psychiatrization of perversions, sex is represented as an instinct capable of deviating from the context of normal biological functioning and taking on new meanings.

Foucault suggests that, in these strategies, taken together, sex is defined as a speculative interplay between opposites: the whole body and part of the body; what is present and what is absent; the visible and the invisible; reality and pleasure. In each case, a spurious link is drawn between sex, and anatomy and biological functions; sex is never encompassed by anatomy and biology, but it has sufficient links with these to give it a quasi-scientific appearance. Foucault suggests that sex is nothing more than an “imaginary element (*élément imaginaire*)” (1976: 156); “a shadow” (1976: 159) that is fabricated by psychiatry and medicine. He describes sex as “a complex idea (*idée complexe*)” that was formed inside the *dispositif* of sexuality. (1976: 152).

Foucault’s account of the emergence of sex and sexuality is certainly persuasive. However, insofar as his focus is on medical and psychiatric technologies, this account is also a highly selective one. Before comparing Foucault’s model of sex and sexuality with Butler’s, I will first indicate just

one way in which the historical narrative which he employs in support of his model might be problematic. Here, and later in this chapter, I will draw on a study of sexuality and social medicine which is critical of Foucault's historical narrative, but also supportive of his general approach: Frank Mort's *Dangerous Sexualities: Medico-Moral Politics in England since 1830* (1987).

Mort's work is particularly strong on the issue of the historical gendering of sexuality. As we have seen, Foucault's account of sexuality does not ignore women. The case studies, from medical and other sources, that he draws on are predominantly concerned with women. In addition, one of the four great strategies—the “hysterization of women's bodies” (1976: 104)—is targeted on women. This strategy concerns both the sexualization of their bodies in medical and psychiatric technologies, and their importance as mothers and homemakers in bio-political policies. We do not know how Foucault intended to elaborate on this strategy in the projected later volumes of *The History of Sexuality*, which were never written.⁶ However, Mort's study suggests the limitations involved in his historical perspective.

In an account of the struggles waged around the Contagious Diseases Acts in Victorian England, Mort (1987: 60-7) claims that, in the emergence of modern sexuality, a key role was played by the prostitute or sex worker: a figure that Foucault ignores. Mort positions this figure at the centre of two developments: firstly, the emergence of new definition of female sexuality that set up an opposition between the respectable, asexual woman and the immoral, “fallen”

woman; and secondly, the emergence of a view of male sexuality as instinctual, and of uncontrolled male desire as debauched and depraved.

In *The History of Sexuality Volume 1*, Foucault mentions working class opposition to medico-environmental policies (1976: 126) and, also, homosexual resistance to psychiatric labelling (1976: 101); however, he has nothing to say on the question of feminist resistance. In contrast, Mort (1987: 67-77; 83-6) presents an account of the eclipse, in the late nineteenth century, of the power of the male medical establishment as a result of being defeated by a “purity movement” (1987: 85) which was largely spearheaded by women. Mort (1987: 71-7; 91-8; 106-117) demonstrates the extent of the overlap between purity campaigns and feminist agitation in this period.

Mort’s account raises questions about the way in which Foucault has configured the *dispositif* of sexuality. At the beginning of my discussion of the Christian practice of the flesh, I argued that Foucault’s notion of sexuality is based on its representation in psychoanalysis. In his work on sexuality, as in *Discipline and Punish* (1975), Foucault is attempting to track the relationship between the discourses of his time and the *dispositifs* out of which they have emerged. In *The History of Sexuality Volume 1*, he states that the history of the *dispositif* of sexuality “can serve as an archaeology of psychoanalysis” (1976: 130).

Foucault sees psychoanalysis as the most important modern discourse on sexuality. In ‘The Confession of the Flesh’ (1977), he attempts to justify his position:

A culminating point is arrived at here in the history of the procedures that set sex and truth (*vérité*) in relation. In our time there isn’t a single one of the discourses on sexuality which isn’t, in one way or another, oriented in relation to psychoanalysis. (1977: 219).

This assertion of the preeminent position of psychiatry may have been true in relation to France in the 1970s, but it was not true of most of Europe at the time, and it is certainly not true today.⁷

Like Foucault, Butler also bases her model of sexuality on the concerns of the present. In *Gender Trouble* (1990), as we saw in chapter 2, these concerns reflect debates in the women’s movement in the late nineteen-eighties. In 1976, when *The History of Sexuality Volume 1* was published, the newly formed women’s movement was attracting much support and attention; in fact, it was already established as a major political force. The fact that Foucault could claim to be writing a history of the present with respect to sexuality, while ignoring the re-emergence of feminism, raises questions about the perspective from which he was writing.

The 1970s also saw the emergence of the gay rights movement, and Foucault's work is more in tune with the issues which were being raised by activists in this arena. In its focus on sexuality and its challenging of the marginalization of lesbian culture, Butler's work overlaps with themes in *The History of Sexuality Volume 1*. As is well-known, both Foucault's *The History of Sexuality Volume 1* and Butler's *Gender Trouble* have been highly influential texts in the lesbian and gay movement, and also in queer studies. Their differing approaches to the question of sexuality exemplify the current split, within this movement, on the question of whether the study of sexuality can be separated from issues of gender.⁸

The model of sexuality which Foucault presents is very different from the tradition of feminist theory out of which Butler's work emerges. As I showed in chapter 1, *Gender Trouble* (1990: 22-3) centres on the notion of an institutional heterosexuality that encompasses sex, gender and desire. This institution naturalises both the male-female binary, and desire for the opposite term of this binary.

Foucault's apparatus of sexuality presents a different configuration: women's sexuality is aligned with that of children and homosexuals, rather than placed in a binary relation with men's; homosexuality is positioned in relation to a medicine of the perversions, rather than in binary opposition to heterosexuality; male heterosexuality develops on the basis of the sexuality of women, children and homosexuals. Foucault positions peripheral sexualities at the centre of

modern sexuality; in contrast, theories of gender place the male-female relationship in this position. Butler problematises and destabilises the heterosexual gender relation, but, unlike Foucault, she does not decentre it.

Foucault's configuration of sexuality is based on a historical narrative which, as I argued above, does not ignore the fact that women are positioned in a specific relation to sexuality but, nonetheless, passes over some of the most important manifestations of the gendering of sexuality. Foucault's main thesis is that sexuality is an apparatus that emerges *outside* the framework of the male-female relationship. This apparatus, he argues, is the product of an "implantation of multiple perversions (*perversions multiples*)" (1976: 48); its focus is on the realm of the "unnatural" and the "perverted"; it brings marginal sexualities such as those of children, hysterical women, and homosexuals under scrutiny.

Foucault's thesis is that this foregrounding of "peripheral sexualities" gave rise to new knowledges and apparatuses. These did not simply displace the heterosexual couple as the focus for the discursive elaboration of sexual practice; they also redefined the nature of "regular sexuality": "if regular sexuality happened to be questioned once again, it was through a reflux movement, originating in these peripheral sexualities (*sexualités périphériques*).'" (1976: 39). This analysis of sexuality is diametrically opposed to Butler's in which heterosexuality occupies the centre ground and other sexualities are positioned at the limits of intelligibility. For Foucault,

heterosexuality has been constituted out of the elements elaborated in peripheral sexualities.

In chapter 1, we saw how, in *Gender Trouble*, Butler aligns Foucault's view of sex and sexuality with her concept of the heterosexual matrix and, also, with her employment of the idea of the metaphysics of substance as the basis for a genealogy of sex, gender and sexuality. Here she interprets Foucault's view that sex is a speculative element within the technology of sexuality, as an argument that the categories of male and female, and man and woman, constitute "an artificial binary relation". (1990: 19). She also claims that Foucault holds that this binary relation would disappear "through the disruption and displacement of heterosexual hegemony." (1990: 18).

The problem with this attempt by Butler to align Foucault's thinking with her own is that, in *The History of Sexuality Volume 1*, the binary nature of the male-female relation itself is never actually problematised. Butler's attempt to conflate Foucault's notion of sex with her own evades the fact that his usage of the term "sex" is different from hers. His notion of sex is bound up with desire, not, as in Butler's case, with the differentiation of male and female bodies. He argues that the *dispositif* of sexuality "constituted 'sex' itself as something desirable"; "the desire for sex" was made central to the functioning of sexuality. (1976: 156).

An additional difficulty with Butler's attempt to align her thinking with Foucault's is that her conception of sexuality is also completely different from his. In Butler's case, the institution of sexuality encompasses the naturalised heterosexual relations between sex, gender and desire, and the marginalised sexualities which take shape on the periphery of these. For Foucault, as we have seen, sexuality is constituted as an ensemble of four different practices, only one of which encompasses the heterosexual couple. These practices are linked not only by the idea of sex, but also by disciplinary and bio-political practices which are focussed on issues of health, fertility and mortality.

After *Gender Trouble*, Butler no longer attempts to present her views on sexuality alongside Foucault's. She also modifies her earlier position. In *Bodies That Matter* (1993), she argues that "forms of sexuality do not unilaterally determine gender" (1993: 238). Here she suggests that gender has to be seen as functioning through different categories which include sexuality, but also class, race and geopolitics. (1993: 116). However, she retains the notion of heterosexual hegemony, and her view of the importance of gender in relation to sexuality.

Bio-politics and Discipline

In chapter 5, I showed how the notion of power-knowledge (*pouvoir-savoir*) and the disciplinary *dispositif*, which appear in *Discipline and Punish* (1975), have no equivalent in Butler's work. In this chapter, I will now discuss

Foucault's view of the functioning of bio-politics in the composition of the *dispositif* of sexuality. In my discussion, I will also examine the relation between this view and Butler's interpretation of Foucaultian power.

In *The History of Sexuality Volume 1* (1976), *Abnormal* (1999), and “*Society Must Be Defended*” (1997), the course given at the Collège de France in 1975-6, Foucault revises his concept of power to encompass the level of state practices. In these works, disciplinary power is positioned as the first stage in the emergence of “bio-power” (*bio-pouvoir*). Bio-power is defined as a “bipolar technology” (1976: 139) which emerges in the modern period. It invests the body as a source of both anatomical performances and the biological processes of life.

Foucault argues that the investment of the anatomical body takes place in disciplinary processes; the investment of the biological body—“bio-politics”—involves the management of the population through attempts to influence variables such as birth and death rates, the health of the population, its life expectancy and its physical environment. Foucault positions sexuality within the framework of bio-politics: “Through the themes of health, progeny, race, the future of the species, the vitality of the social body, power spoke *of* sexuality and *to* sexuality” (1976: 147).

Bio-politics encompasses a variety of techniques that Foucault terms “regulatory controls (*contrôles régulateurs*)” (1976: 139). In *Gender Trouble*

(1990), Butler describes processes of gender formation as “regulatory practices” (1990: 16; 32) and also presents this term as a Foucaultian one. (1990: 32). Similarly, in *Bodies That Matter* (1993), she uses the terms “regulatory production”, “regulatory regime” and “regulatory norms” (1993: 15; 17).

However, despite this similarity in terminology, there are clearly identifiable differences between Foucault’s and Butler’s views as to how regulatory controls function. In Butler’s work, regulation operates through norms and processes of prohibition, censorship and exclusion. In contrast, Foucault uses the term “regulatory controls” with reference to techniques which include ideological campaigns, economic incitements, social controls and legal measures that are directed selectively at changing the behaviour of certain sections of the population. (1976: 146; 122; 126)

These techniques are not directed towards a universal policing of gender and desire, as in Butler’s case. Foucault (1976: 145-7) argues that, each of the four great strategies that constitute the *dispositif* of sexuality, ties the body to wider societal goals that involve a detailed and calculated exploitation of different groups. These goals include the management of the nation's fertility; the oversight of its health and living conditions; the investment in the next generation; the protection of the purity of the race.

In a later work, *Security, Territory, Population* (2004: 62-3), the course given at the Collège de France in 1978, Foucault shows how regulatory controls at the level of the population function in a different way from the disciplinary norm. They involve a statistical plotting of normal distributions for the population as a whole, and also for different groups within the population. On this basis, different groups are compared and techniques are employed to bring less favourable distributions into line with more favourable ones. Butler's "regulatory norms (1993: 16) do not function in this way; as we saw in the previous chapter, they set a common standard for the behaviour of individuals.

Butler presents Foucaultian power as a regulatory force that works in a general way to constrain subjects. However, in Foucault's work power always functions in concrete and specific situations. In the case of bio-politics, he describes this concrete functioning in terms of the way in which regulatory controls are articulated with disciplinary practices.

In *The History of Sexuality Volume 1*, Foucault argues that discipline and bio-politics are linked together by "a whole intermediary cluster of relations" (1976: 139). He presents the apparatus of sexuality as the area in which these relations take on their most concentrated form: sexuality is tied to both the disciplines and the regulation of the population; it implements both the micro-processes that reach into the small details of bodies, and the macro-processes that encompass the entire population. (1976: 146).

In “*Society Must Be Defended*”, Foucault argues that the disciplinary norm and the regulatory norm intersect and function through each other; lack of discipline at the level of the body is related to safeguards against unfavourable consequences at the level of the population. Discipline makes it possible for bio-policies to be applied at the level of individual bodies; its techniques—set out in *Discipline and Punish*—bring processes of individualization into operation. Foucault tells us that each of the four great strategies that constitute the apparatus of sexuality was “a way of combining disciplinary techniques with regulative methods.” (1976: 146).

As we saw in chapters 1 and 2, from *Subjects of Desire* (1987) to *The Psychic Life of Power* (1997), Butler views sexuality as functioning through prohibition, taboo and censorship. She argues that these mechanisms produce the legitimate and the illegitimate; they demarcate the speakable from the unspeakable. In contrast, Foucault makes it clear that sexuality is a *dispositif* in which the power exercised on the body “had neither the form of the law, nor the effects of the taboo.” (1976: 47). He does not argue that prohibition has had no place in the history of sexuality, but he insists that its operations have to be positioned within the functioning of positive mechanisms: sexuality is dependent on “a deployment quite different from the law, even if it is locally dependent on procedures of prohibition.” (1976: 49).

As we saw in chapters 1 and 2, Butler also interprets Foucaultian power in relation to sexuality as a process of dialectical reversal, in which the exercise of

power leads to an eroticization of prohibition. This interpretation appears in *Subjects of Desire* and it is, later, reiterated in *The Psychic Life of Power*. Here, Butler argues that the proliferation of sexuality and sexual discourse is the product of eroticization. In *The History of Sexuality Volume 1*, Foucault does present sexuality as an apparatus that is expansive and dynamic in nature. However, this feature is the product, not of eroticization, but of the functioning of sexuality as a disciplinary *dispositif* in which power and knowledge are linked together in a circular process, as I will now show.

In *Abnormal* and *The History of Sexuality Volume 1*, Foucault (1999: 243-56; 1976: 41-2) shows how bio-political objectives of the campaign against child masturbation were shaped in the *dispositif* which developed around the child's bed. This *dispositif* encompassed an array of processes and mechanisms: the constant vigilance of adults, the installation of devices of surveillance around the child's body, and the employment of material implements; the involvement of medical professionals, and the application of processes of examination and normalizing judgement; the extraction of confessions and the setting up of corrective procedures; the accumulation of knowledge and the development of discourses.

Foucault (1976: 41-6) argues that, in this way, the sexual body of the child was penetrated and invested in depth by power and knowledge. Thus, rather than reducing the occurrence of forbidden acts, the exercise of power brought about an increase in the sexualization of the body and extended the reach of sexual

practices. Foucault suggests that, in these processes, the operation of power was sensualised. There was a play of power and pleasure between adults and children, as one party sought to accumulate knowledge and the other, to evade detection. Foucault also argues that the way in which the *dispositif* of sexuality functioned as a practice of power-knowledge resulted in the sexual saturation of social spaces and social relations in institutions such as the family, the school, and the hospital.

Thus, although Foucault describes processes of sensualisation of the exercise of power, his account does not support Butler's view that his model of sexuality is based on the eroticization of prohibition. Foucault states that we are not “dealing with paradoxical forms of pleasure that turn back on power and invest it in the form of a ‘pleasure to be endured’.” (1976: 48). The sensualisation of power is a process that functions in conjunction with others in the context of a broader technology; it does not produce effects on its own.

Foucault makes it clear that he is not arguing that the expansion of the field of sexuality was a product of unanticipated consequences which developed out of prohibition and repression: “This implantation of multiple perversions is not a mockery of sexuality taking revenge on a power that has thrust on it an excessively repressive law.” (1976: 48). It was not the case that “having tried to erect too rigid or too general a barrier against sexuality, society succeeded only in giving rise to a whole perverse outbreak” (1976: 47).

In Butler's view of Foucaultian power, as we have seen, the prohibition and eroticization of sexuality function in conjunction with processes of repetition and materialisation. The account which I have given above, and in the previous two sections, suggests that Foucault views sexuality as a process of composition, not, as Butler argues, a process of construction that sediments citations. The narrative which Foucault presents demonstrates the emergence and consolidation of separate *dispositifs* which are linked through the fact of sharing certain common features: bio-political objectives related to the maximising the forces of life; disciplinary processes that expand the sphere of power and sensualise its exercise; and notions of sexual desire which emerge from psychiatric and medical discourses.

Foucault also presents a different model from Butler of the way in which discourse functions with power. In *Abnormal* and *The History of Sexuality Volume 1*, discourses are presented as contributing to processes of composition of the *dispositif* of sexuality. In these works, Foucault now analyses discourses as practices that combine knowledge (*savoir*) and power; to signify this, he refers to medicine and psychiatry as “technologies”.⁹ He shows that these technologies exercise effects in virtue of the disciplinary functions they perform and the bio-political strategies which they advance. They constitute the technical knowledge and practice in which discipline and bio-politics are united. In “*Society Must Be Defended*”, Foucault states that:

Medicine is a power-knowledge that can be applied to both the body and the population, both the organism and biological processes, and it will therefore have both disciplinary effects and regulatory effects. (1997: 252).

In *Abnormal* (1999: 133-4; 313-8), Foucault shows how, in psychiatry and medicine, the theory of degenerescence developed alongside the State's attempts to control aspects of the population such as its fertility, health and physical integrity. He argues that, in situating sexuality in relation to the problem of heredity and the strategy of defending society against abnormal individuals, the theory of degenerescence provided a powerful instrument for advancing bio-political objectives.

In *Abnormal*, the history of psychiatry that Foucault traces shows how its theory and practice are influenced by, but also, in turn, influence, the development of bio-power. He argues that psychiatry has to be viewed both as incorporating and advancing the strategic goals of bio-power, and as creating distinct "truth-effects" that serve its own interests which, in turn, shape bio-political goals. As we have seen, Foucault shows how the penetration of different social practices by psychiatrists leads to a prolific production of new concepts, and to radical changes in existing theoretical structures. These developments are analysed in terms of the profession's attempts to continually increase its status and expand its domains of influence:

I think we should try to analyze the grand structures and theoretical discourses of psychiatry at the end of the nineteenth century in terms of technological advantages, starting from the point at which it became a question of maintaining or even increasing the power effects and knowledge effects of psychiatry through these theoretical or speculative discourses. (1999: 310).

In *The Order of Discourse* (1971a), the problem of truth was posed in terms of rarefaction and exclusion; in *Discipline and Punish* (1975), it was presented in terms of scientific discourses emerging out of practices of power-knowledge; now, in his work on sexuality, Foucault's critique of truth is extended to showing how these discourses themselves function as technologies that are involved in the strategic advancement of their sphere of influence. It is in this context that Foucault (1999: 274-87) places the development of what he perceives to be the most powerful truth-effect of psychiatry in the field of sexuality: namely, the notion of sex and the sexual instinct.

In the next chapter, Foucault's model of power will again be discussed. However, at this stage of the discussion, some of the main features of the Foucaultian relationship between power and discourses on sexuality can be summarised: discourses (*connaissances*) emerge out of *dispositifs* of power-knowledge (*savoir*); they advance bio-political objectives and implement disciplinary practices; in functioning as distinct technologies, they also advance

their own strategic interests; discourses on sexuality produce distinct “truth-effects” which, subsequently, play a part in bio-political processes.

In the next section, we will see how Foucault employs this model in tracing the genealogy of psychoanalysis and, also, in analysing the role which this discourse plays in the *dispositif* of sexuality.

The Genealogy of Psychoanalysis

In chapters 1 and 2, we saw how Butler presents Foucault’s critique of psychoanalysis in terms of its inability to recognize the productivity of power; in particular, its failure to recognize that power creates desire. In chapter 1, I argued that, in the passage in *The History of Sexuality Volume 1* (1976) where Foucault presents his critique of the psychoanalytic conception of power, he is, in fact, objecting to its juridical framework, not simply its failure to recognise the productive nature of power.

In this section, I will argue that Butler ignores the fact that Foucault also presents a critique of psychoanalysis in terms of its genealogy. Here, I will show how he traces this genealogy through two converging lines: one of these relates to the reconfiguration of the Christian practice of the flesh in psychiatric discourse; the other is concerned with the class-differentiated deployment of sexuality.¹⁰

In *The History of Sexuality Volume 1*, Foucault (1976: 65-7) argues that, in nineteenth-century psychiatry, in the attempt to produce “true discourses concerning sex” (1976: 67), the Christian technique of confession was translated into a scientific framework. This was accomplished through the procedure of combining personal revelations with observable signs and symptoms. The exhaustive nature of the confession—the fact that everything has to be told—was now rationalised by ascribing a general causal efficacy to sex so that any behaviour or illness could have a sexual origin. The constraint intrinsic to the confessional technique—the obligation to tell the truth about ones desires, thoughts and pleasures—was now justified by the notion that there are aspects of the subject that are hidden from the self which only the psychiatric consultation can reveal.

Foucault (1976: 63-7) argues that, within the confessional procedure, the priest’s role of forgiveness and direction of conscience was replaced with the hermeneutic (*herméneutique*) role of the psychiatrist. The context of confession was also medicalised: the notion of sin was replaced with that of the pathological field of sex which was elaborated through notions such as instincts and drives, and pleasures and behaviours that could be subjected to processes of diagnosis and normalisation.

Foucault (1976: 68-70) claims that psychiatry’s colonisation of the Christian confession has resulted in sex emerging in modern discourses as an object of both scientific knowledge and hermeneutic understanding. In relation to

science, there are causal relations that have to be established and deviations that have to be normalised; in relation to hermeneutic understanding, there are meanings that have to be interpreted.

Foucault (1976:159) argues that Freud injected new life into the Christian injunction to discover the truth of the self and transform sex into discourse. Foucault suggests that it is the retention, in the discourses of sexuality, of this hermeneutic dimension that has led to sex becoming the key element in the identity and self-awareness of the modern subject:

It is through sex...that each individual has to pass in order to have access to his own intelligibility...to the whole of his body...to his identity (1976: 155).

In *The History of Sexuality Volume 1*, the genealogy of sexuality is presented as culminating in the emergence of psychoanalysis. Foucault positions psychoanalysis as a discourse that supports, rather than breaks from, the apparatus of sexuality; it has to be viewed as the heir to the practices of nineteenth century psychiatry (and, thus, also, to the Christian practice of confession). He argues that Freud does not represent “the threshold of a new rationality” (1976: 56), and he expresses his disagreement with those who see Freud’s ideas as original: “what they had attributed solely to the genius of Freud had already gone through a long stage of preparation” (1976: 159).¹¹

The relationship to nineteenth-century psychiatry and, through this, to the Christian technology of the flesh, is the first line of descent which Foucault traces for the genealogy of psychoanalysis. The second line is bound up with his view that sexuality was an apparatus that developed in relation to the bourgeois class. In *The History of Sexuality Volume 1*, Foucault (1976: 120-1) argues that it was in this class that child masturbation and female sexuality first became an issue; it was also here that processes of psychiatrization of the family began. He (1976: 129-30; 150) suggests that psychoanalysis has to be viewed as a strategic discourse that develops as a response to the problems of the bourgeois family.

In *Abnormal* and *The History of Sexuality Volume 1*, Foucault argues that the constant vigilance exercised over child masturbation, the equation of women's bodies with sex and its dangers, the threat of perversion, and campaigns around birth control, resulted in a saturation of the bourgeois family by the apparatus of sexuality. He (1976: 108-9) depicts the modern family as an incestuous arena: "sex" is constantly surfacing, yet it is also constantly having to be refused. The problems that this occasioned, he argues, fuelled medical knowledge and its interventions in family life; however, these problems also produced resistance to medicalization.

It is in this context, and that of the spread, in the late nineteenth century, of "bourgeois" sexuality to the working class (1976: 122), that Foucault positions the emergence of psychoanalysis. He argues (1976: 127-30; 1999: 266-73) that,

by deflecting incestuous desires from parents onto children, psychoanalysis relieved adults of the guilt occasioned by the sensuality that accompanied constant surveillance of their children. He presents the notion of repression of incestuous desires that psychoanalysis introduces into the dynamics of the genesis of the individual, as a strategic device that also functions to differentiate the sexuality of the bourgeoisie from that of the working class: while the working class were subjected to legal prosecution for engaging in incestuous behaviour, the bourgeoisie were represented as suffering from a repression of incestuous desires.

Foucault (1976: 112-3; 150) argues that psychoanalytic theory performs a key strategic role in relation to the apparatus of sexuality: it recodes sex and desire in terms of juridical relations between parents and children, and husbands and wives. In *The History of Sexuality Volume 1*, the incest taboo is presented as a device for situating the relations of consanguinity and the sovereignty of the father as the key to understanding the nature of sex. Foucault describes this position as “a historical ‘retro-version’” (1976: 150). He argues that psychoanalysis exercised an “authoritarian and constraining influence” (1976: 128). It declared that “all sexuality must be subject to the law”; and that no one could have a sexuality without subjecting themselves to the law. (1976: 128)

In *The History of Sexuality Volume 1*, Foucault also presents the incest taboo as a new and distinctive contribution to the question of the relation between sex and the truth of the individual. Psychoanalysis, he argues, recast the hidden

and secretive desires that had to be confessed to the priest as the repressed that has to be brought to light: “The task of truth was now linked to the challenging of taboos.” (1976: 130). Foucault argues that this move enabled psychoanalysis to also reconfigure the Christian notion of salvation by presenting confession as a device that offered liberation from repression.

To sum up: in presenting his genealogy of psychoanalysis, Foucault presents four main criticisms of this discourse. Firstly, through linking the incest taboo to desire of children for their parents, psychoanalysis brought into being the notion of a relation between sex and repression which came to be widely accepted. Secondly, psychoanalysis superimposed the idea of sex onto the functioning of relations of sovereignty in the family. Thirdly, psychoanalysis led people to believe that liberation from repression was linked to the task of uncovering the truth of the self that was concealed in sex. Fourthly, psychoanalysis was developed, and applied, in relation to the needs of the bourgeois class alone.

It is now also possible to see how Foucault’s configuration of sexuality has been drawn up on the basis of its representation in psychoanalysis. As we saw above, Foucault supports this move by arguing that the *dispositif* of sexuality initially develops in relation to the bourgeois class: “sexuality is originally, historically bourgeois” (1976: 127). He suggests that the procedures involved in the Christian elaboration of sins of the body, and the later medical and psychiatric intervention in the family were limited to this class. (1976: 120-2).

This narrative of the relation between class and sexuality is one of the most controversial aspects of Foucault's analysis.

Mort's (1987: 29-36) study, referred to above, presents a different view from Foucault's. He argues that, in nineteenth-century England, in official discourses such as those of social medicine, the sphere of the sexual was problematized in terms of the urban working class, not the bourgeois class. Mort suggests that what Foucault views as bourgeois sexuality is more accurately described as "bourgeois hygienics" (1987: 36).¹² Foucault's narrative of the class deployment of sexuality is weak, and suggesting that he may not, after all, be writing only about sex is certainly one way in which his conception of sexuality can be problematized

In *The Use of Pleasure*, the second volume of *The History of Sexuality*, Foucault (1984: 14-24) himself criticises the narrative presented in *The History of Sexuality Volume 1* in a much more drastic way. In opposition to the view that bodily pleasures and sensations were first colonised by the Christian confession, and transformed by the sexual discourses of the eighteenth and nineteenth centuries, he argues that, since the time of classical Greek culture, there has been a pattern of continuity in the sexual themes which have been problematized.

In this section, I have suggested that Foucault's critique of psychoanalysis is based, mainly, on his view of its genealogy. He argues that, rather than

positioning psychoanalysis as a challenge to the *dispositif* of sexuality, we have to see its discourse as an element within this *dispositif*. As I observed above, this is an aspect of Foucault's thinking which Butler ignores. Given the important position occupied by psychoanalysis in her work, and the fact that she often positions Foucaultian and psychoanalytic thinking in opposition to one another, her omission of Foucault's genealogy of psychoanalysis is, indeed, surprising. In the next chapter, I will begin by discussing the aspect of Foucault's critique of psychoanalysis which Butler does highlight: namely, his critique of the psychoanalytic view of power.

¹ The first French edition of the book listed the projected texts on the back cover: “2. *La Chair et le corps*; 3. *La Croisade des enfants*; 4. *La Femme, la mère et l'hystérique*; 5. *Les Pervers*; 6. *Populations et races*” (Eribon, 1989: 273-274). *The History of Sexuality Volume 1* is not actually an introduction to the further volumes that were published.

² For a discussion of this work, see Elden (2001).

³ In *Abnormal* (1999: 173; 179), Foucault shows how the priest is often presented as a quasi-medical figure, with theological literature from the Middle Ages on drawing analogies between spiritual deficiencies and physical illnesses, between the doctor's need to see the wound and the priest's need to hear the sin.

⁴ Foucault's research on possession is possibly connected with the prominence of female hysterics in psychoanalytic literature, from Freud to Foucault's contemporary, Jacques Lacan.

⁵ The titles of the projected volumes of *The History of Sexuality* that were not completed suggest that, had they been published, we would have been presented with a detailed genealogy of each of the four strategic unities that, Foucault argues, converged to produce the technology of sexuality.

⁶ In the interview, ‘The History of Sexuality’ (1977b), Foucault was asked if he thought that the projected volume on “the hysterization and psychiatrization of the female body” would “advance the women’s question” (1977b: 192). His answer was brief and non-committal.

One of the issues on which Foucault has been criticized by feminists is his attitude to rape. In both *Abnormal* and *The History of Sexuality Volume 1*, Foucault discusses the case of Charles Jouy. Jouy, a man of some 40 years with learning difficulties was, in 1867, brought to the attention of the authorities after committing a sexual offence involving a young girl. In *The History of Sexuality Volume 1*, his offence is described as that of obtaining “a few caresses” (1990: 31) from the girl, playing the game called “curdled milk” (1976: 31); in *Abnormal* (1999: 292-3), there is also mention of Jouy later dragging the girl into a ditch and possibly raping her.

Foucault's contextualization of these events is problematic. On the one hand, he trivializes them: they were everyday occurrences (1976: 31); the girl consented, maybe even led him on;

she was given four sous and ran off to spend them at the fair (1999: 292). On the other hand, he romanticizes them: they were innocent “bucolic pleasures” (1990: 31); they brought together “simple-minded adults and alert children” (1976: 32); they constituted an area of peripheral sexuality that had hitherto escaped disciplinary controls.

For a critique of Foucault in relation to his attitude to rape and other issues which have been highlighted by feminism, see Ramazanoglu (1993).

⁷ For an analysis which questions whether psychoanalysis occupied this position outside France, and therefore how useful Foucault’s history of sexuality is as ‘a history of the present’, see Bevis, Cohen and Kendall (1989).

⁸ For a discussion of this, see Butler (1994a).

⁹ In *Abnormal* (1999), Foucault employs the term “technology” to describe medicine (p. 250), psychiatry (p. 257), eugenics (p. 133), psychoanalysis (p. 133), and theories of the instincts (134) and of abnormality (p. 163). His employment of this term is designed to indicate the connection between these and mechanisms of discipline and bio-politics. Page references here give examples only: many more could be provided.

¹⁰ For a discussion of the various critiques of psychoanalysis which Foucault produced at different times in his life, see Toews, 1994.

¹¹ For a Lacanian critique of Foucault’s archaeology of psychoanalysis, see, Miller, 1989.

¹² Mort (1987: 37-41) also highlights the gendered nature of the differential class deployment of sexuality.

Chapter 8

Power, Discourse, Sexuality and the Self:

The History of Sexuality Volume 1 and

Herculine Barbin

In this chapter I will discuss four issues raised by Foucault's genealogy of sexuality that illustrate the differences between his conceptions of power, discourse, sexuality and the subject, and the interpretation of these which Butler presents. The first part of this chapter is devoted to a discussion of how Foucault presents his notion of power in opposition to the psychoanalytic tradition, and its Marxist interpreters. The second section focuses on the strategic aspect of discourse, which he highlights in *The History of Sexuality Volume 1* (1976), and how, together with the dimension of power-knowledge that is described in *Discipline and Punish* (1975), this is presented as an alternative to the repressive model of power.

In the third section, I compare Foucault's and Butler's approaches to the question of sexuality through a discussion of their differing perspectives on the case of Herculine Barbin, a nineteenth century hermaphrodite. In the final section of the chapter, I show how Foucault's view of the relation between truth and sex leads to a conception of subjectivity that lies outside the tradition within which Butler positions his thinking in *The Psychic Life of Power* (1997).

Repression and Psychoanalysis

In chapter 2, we saw how, in *The Psychic Life of Power* (1997), Butler presents Foucault's view of power as a version of the theory of repression. Here she argues that Foucault and Freud conceptualise the structure of repression in the same way: in each case, the object that is repressed is preserved in the structure

of repression. In Freud's case, the repressed libido attaches itself to processes of prohibition turning these into libidinal activities. Butler argues that, in Foucault's work, this pattern of preservation of the repressed object is conceptualised in terms of power constituting and proliferating desire and pleasure; power regulates desire and pleasure while at the same time producing them.

Positioning Foucault's thinking in relation to Hegel's 'Unhappy Consciousness' in *The Phenomenology of Spirit* (1807), Butler presents repression of desire and pleasure as also a production and expansion of the body:

the restrictions placed *on* the body not only *require* and *produce* the body they seek to restrict, but *proliferate* the domain of the bodily beyond the domain targeted by the original restriction.
(Butler, 1997: 59).

In the last chapter, we saw how, in fact, Foucault presents a different model of the relationship between power and the sexual body. In his history of sexuality, the constitution of this body is traced through Christian practices, medical technologies, psychiatric and psychoanalytic discourses, bio-political campaigns, disciplinary techniques and changing family structures. The domain of the sexual body expands and discourses relating to it proliferate, but

these developments are conceptualised in terms of the constitution of an apparatus, not as the product of repression.

Foucault's work in the mid-1970s shows that he considers the development of a critique of the notion of repression (*répression*) to be central to his project of a genealogy of sexuality. In *Abnormal* (1999: 42-52; 235-7), he criticises a contemporary, J. Van-Ussel, for a work on the repression of sexuality and the development of capitalism.¹ Linking Van-Ussel's thinking to Marcuse's, Foucault accuses him of employing concepts that are “psychological and negative” (1999: 236).

Foucault argues, firstly, that psychological and psychoanalytic concepts such as repression and suppression are too general to be used in an account of historical processes; secondly, that these concepts cannot account for the “positive and constitutive effects” (1999: 236) that are produced by events such as the campaign against child masturbation. In *Abnormal* (1999), Foucault presents his notion of the *dispositif* as an alternative to the notion of repression. He now also begins to create a space between the two notions by describing the *dispositif* as a general technique for “the government of men” (1999: 49); however, this idea of government is not developed until his later work.²

In ‘Schizo-Culture: Infantile Sexuality’ (1989), a paper delivered in 1975, and thus in the same year as *Abnormal*, Foucault summarises some of the material that later appears in *The History of Sexuality Volume 1* (1976). Here, he again

presents the notion of repression as a psychological, not a socio-political, concept. This time, the object of his critique is Wilhelm Reich³ and his followers. Foucault credits Reich with having originated the highly influential interpretation of the history of sexuality as a repression of sex by power. Foucault calls this “the Reichian schema” (1989: 154). Later this schema will appear in *The History of Sexuality Volume 1* as the repressive hypothesis.

In his paper, Foucault (1989: 16-7) presents four characteristics of the functioning of the technology of sexuality for which, he argues, the notion of repression cannot account. Firstly, the technology of sexuality employs the technique of confession: this technique encompasses injunctions to silence and secrecy, but its main effect is to bring about an expansion of discourse. Secondly, the technology of sexuality focuses on the subject’s relation to her/his body: where previously the focus had been on sexual relations with others, it is now the individual who is specified.

Thirdly, this technology makes child sexuality central: not only is the child’s body the main object of control, it is also the point from which new theories, such as the incest taboo, develop. Fourthly, this technology constitutes sexuality as a concern of science: sexuality is made an object of knowledge and a matter of truth. In connection with these four features, all of which will later appear in *The History of Sexuality Volume 1*, Foucault argues that they show that sexuality cannot be reduced to law, interdiction and censorship; rather these four features point to a strategic relation between power and

knowledge. Power (*pouvoir*) does something different from forbidding: it produces, invents and creates (1989: 158).

In his paper, Foucault criticises Reich for adopting Freud's notions of repression, interdiction, censorship and suppression, and applying them to the socio-political field:

this anti-repression holds that in studying processes *without a subject*—in a society, the exercise and discourse of sexuality—it is valid to use the categories worked out by Freud or his followers for the analysis of the speaking subject or the subject of desire. (1989: 155).

Foucault (1989: 156-61) describes the Reichian schema as based on three tenets, each of which, he argues, corresponds to an explanatory model that has been developed by psychoanalysis to describe a psychological condition.

The first of these tenets is that to exclude sex from discourse is at the same time to exclude it from reality; this is based on the model of hysteria. The second is that power operates on sex through the negative mechanism of interdiction, interpreted as taboo; this is the model developed for obsessional neurosis. The third is that power functions to subvert knowledge; it leads to ideology and false consciousness. This is the model for paranoia. Foucault argues that, within the Reichian schema, speaking about sex returns it to

reality; transgressing the law breaks the taboos surrounding sex; and speaking the truth liberates us from power.

In *The History of Sexuality Volume 1* (1976: 83-5), Foucault again associates the view that power represses sex with psychoanalysis; however, he now advances the new critique that the notion of repression is tied to a conception of power which is based on the model of law and sovereignty. He argues that this model positions sex in relation to the rule of law: the law tells sex what it can and cannot do, what is permitted and forbidden, licit and illicit. On this model, power's control over sex operates through discourse: power speaks as a legislator and the subject has to submit and obey. This model also makes the intelligibility of sex dependent on this relation to law; thus, sex can only be understood in terms of interdictions and taboos.

In his critique, Foucault focuses on the negative nature of the legal model of power that is implicated in the theory of repression: it presents power as functioning through a cycle of prohibition, and as employing mechanisms of censorship; it focuses on phenomena of exclusion, lack, limits and concealment. It is not the case, as Butler argues (1993: 248; 1997: 25), that Foucault ignores the productive dimensions that psychoanalysis attaches to the concept of repression. In criticising the conceptions of prohibition and rule, through which power is held to function, he also describes these conceptions in ways that, in Butler's thinking, would encompass productivity. For example, he argues that, in psychoanalytic theory, law "prescribes an 'order' for sex that

operates at the same time as a form of intelligibility” (1976:83); it functions through discourse, creating “a rule of law” (1976: 83); it produces “absences and gaps”, and “marks off boundaries” (1976: 83); it constitutes the subject as “he who obeys” (1976: 85).

In *The History of Sexuality Volume 1*, Foucault’s criticisms of the legal model of power relate to its negativity and the limited nature of the production that is encompassed by this model. In contrast, in his 1975 lecture, ‘Schizo-Culture: Infantile Sexuality’, the focus of his critique of the notion of repression is, as we have seen, its inability to encompass the productivity of power. The reason for the difference in emphasis between these two works is that, in *The History of Sexuality volume 1*, Foucault also incorporates the Lacanian position in his critique of psychoanalysis.

As we saw in chapter 1, Foucault (1976: 81-3), distinguishes two different psychoanalytic positions: one that conceives desire as repressed by law; the other that sees desire as constituted by the law. The former is clearly a reference to Reich’s work, not, as Butler argues in *Subjects of Desire* (1987), to that of Herbert Marcuse;⁴ the second is a reference to Lacan’s position.⁵ Foucault describes these two positions as: “the thematics of repression (*thémétique de la repression*) and the theory of the law (*théorie de la loi*) as constitutive of desire.” (1976: 82). He directs a single critique against both positions: as they are unable to conceptualise power outside the notion of law,

they present power as being “monotonous in the tactics it utilizes, incapable of invention, and seemingly doomed always to repeat itself.” (1976: 85).

Although Foucault includes a reference to the Lacanian position, *The History of Sexuality Volume 1* is constituted as a polemic against the “Reichian schema”.⁶ This is because, in addition to presenting a theory of the psyche, Reich and his followers have also produced a history of sexuality that is based on the notion of repression. When Foucault opposes his thinking to that of psychoanalysis, what is at issue is not only the question of power and law, but also the way in which sex and sexuality are conceptualised as historical formations.

Left-wing Freudians, such as Reich and Marcuse,⁷ position sexual desire as a given, and the apparatus of sexuality as a historical creation that develops to control and repress this desire. In contrast, Foucault positions sex as the product of sexuality, and sexuality as a productive, not a repressive, apparatus. Thus, whereas Reich’s and Marcuse’s histories centre on the problem of explaining how sexual desire came to be repressed, Foucault’s centres on the problem of describing how the apparatus of sexuality came to be constituted: “what is involved is the production of sexuality rather than the repression of sex.” (1976: 114).⁸

In chapter 1, we saw how, Butler sees Foucault as responding to the left-wing Freudian tradition by recasting repression as productive, and presenting

juridical power as producing and repressing the same object simultaneously.

As I have argued, this is not a position that Foucault holds. Butler's interpretation is made untenable by two features of Foucault's analysis: firstly, his rejection of the concept of repression; secondly, by his historical chronology: in *Abnormal* and *The History of Sexuality Volume 1*, as we have seen, sex (sexual desire) is described as being constituted within the *dispositif* of sexuality a long time after this *dispositif* has actually taken shape. In an interview, 'The Confession of the Flesh' (1977), Foucault expresses his position on this issue succinctly: "We have had sexuality since the eighteenth century, and sex since the nineteenth." (1977: 211).

In *The History of Sexuality Volume 1* (1976: 103-7; 115-127), Foucault's criticism of the Reichian schema is not only directed against its employment of the notion of repression. He also argues that the schema reduces sex to a single form, failing to see that power was exercised in different ways in relation to women and men, children and adults, the bourgeoisie and the working class. Foucault observes that the Reichian schema locates a rupture in the seventeenth century that institutes an era of repression, which begins to decline in the twentieth century. He argues that this chronology ignores a steady growth in techniques and discourses concerning sexuality.

Using the methodology he has developed in *The Archaeology of Knowledge* (1969), Foucault (1976: 115-122), presents an alternative history to the Reichian schema. In so doing, he maps out the procedures that have to be

employed in order to describe sexuality as a configuration; the way in which developments have to be traced by placing events in series; and the problems involved in locating continuities, transformations and ruptures in historical practices.

Foucault's recasting of sex as something that is invented rather than repressed, and his alternative history of the development of sexuality, are combined in the project of describing sexuality in terms of the composition of a historical *dispositif* that incorporates sex.⁹ As we saw in the previous chapter, the *dispositif* of sexuality encompasses diverse practices, technologies of power and discourses. In defining sexuality in this way, Foucault presents a very different conceptualisation of sexuality from the left wing Freudians—and also, of course, from Butler.

Foucault presents the strategic model of the apparatus of sexuality as his alternative to the psychoanalytic model of repression: “The strategical model (*modèle stratégique*) rather than the model based on law (*droit*).” (1976: 102). In the next section of this chapter, I will examine his notion of strategy in more detail.

Discourse, Strategy and Tactics

One of the major problems with interpreting the work of Foucault's middle period is the complex nature of the methodology that he employs in his texts.

In chapters 3 and 4, I emphasised the continuing importance of *The Archaeology of Knowledge* (1969) in this respect. However, on its own, this text is not sufficient for understanding the different strands of the approach which he is, at this stage, employing. In chapter 2 of Part 4 of *The History of Sexuality Volume 1* (1976), Foucault (1976: 92-7) sets out a method for analysing power within the framework of strategies and tactics. Before discussing this, I will first briefly examine the wider context within which he employs these notions.

In *Discipline and Punish* (1975) and *The History of Sexuality Volume 1*, Foucault appears to be applying a number of different, and sometimes conflicting, approaches to the study of the socio-historic field. One of the most notable features of these works is that, although he focuses on micro-processes and practices, he positions these processes in the context of functional objectives which are defined at the macro level. Thus, for example, disciplinary *dispositifs* are linked to the need to adjust growth in population to the expansion of the productive forces; and the *dispositif* around the child's body is related to management of "the life processes" (1976: 142). One of the problems with this approach lies in the distance which separates the micro and macro levels; in Foucault's work in this period, the links between the two levels are often asserted, rather than analysed.

Foucault's approach also combines both functionalist and conflict models of the social sphere. In the interview, 'The Confession of the Flesh' (1977), he

argues that the *dispositif* “has as its major function at a given historical moment that of responding to an *urgent need*.” (1977: 195). Here Foucault gives the example of what he claims was, in the early nineteenth century, the “urgent need to master a vagabond floating labour force” (1977: 204). This functionalist approach is, in Foucault’s work, combined with the notion that the *dispositif* is a strategic formation.

Foucault describes the *dispositif* of sexuality as consisting of “strategies (*stratégies*) of relations of forces supporting, and supported by, types of knowledge (*savoir*).” (1997: 196). He argues that the *dispositif* has to be analysed in terms of the strategies it advances, modifies and blocks; it is these that determine the relations of co-ordination between elements of the apparatus, the functions they perform, and the pattern of rationality they display.¹⁰ Describing the *dispositif* as strategic is, therefore, not simply another way of expressing the idea that it fulfils certain functional objectives. Rather it means that the *dispositif* is situated within a play of forces that both support *and* oppose the objective to which it is directed.

In Foucault’s work, the idea of a strategic field is sometimes linked to the notion of war (1976: 93) and, at other times, to the notion of a game. These notions incorporate the idea of conflicting interests, and also the idea of a play of chance in which the historical outcome is not predictable. These elements of the strategic approach appear to be diametrically opposed to a functionalist methodology in which every element is viewed as converging on one or more

objectives. The reason why Foucault attempts to combine these two apparently conflicting perspectives can be found in his distinctive view of the genealogical method.

As I argued in chapter 4, this method fulfils a dual role: firstly, it makes it possible to show that a historical outcome, such as the spread of the prison system, was not a foregone conclusion; in other words, that there was more than one strategic possibility. Secondly, this method can also be used to demonstrate that particular factors led to this specific outcome, rather than other alternatives; in other words, that there was a convergence of different factors on a single objective.

One of the most obvious problems with Foucault's approach is the attempt to model power relations in society on those of war. This model is successfully applied in *Discipline and Punish* where Foucault is able to show that it was in the military apparatus that disciplinary tactics were first developed. The military model also appears convincing in the context of the background of class struggle against which penality is presented in this work. However, in *The History of Sexuality Volume 1*, the appropriateness of this model is questionable. In "Society Must Be Defended" (1997: 16-18), Foucault himself raises doubts about its use.

A further problem with Foucault's strategic model is that employment of the functionalist method always gives rise to the problem that the writer appears to

be endowing social processes with intentionality. Foucault himself does not appear to regard this as a problem; *Discipline and Punish* (1975), *The History of Sexuality Volume 1*, and his lectures in this period, all employ a “teleological” vocabulary. In *The History of Sexuality Volume 1*, for example, Foucault argues that “Power relations are both intentional and non-subjective...they are imbued, through and through, with calculation” (1976: 94-5).

In ‘The Confession of the Flesh’ (1977: 202-4), Foucault provides an explanation of how he perceives the functioning of non-subjective strategies. Here he presents a situation in Northern France, in the early nineteenth century, where, in response to the problem of floating populations of labourers, various tactics were consciously applied at a local level; these tactics involved providing housing, credit facilities, and incentives to marry in order to fix workers in their workplaces.

Foucault argues that a “discourse of philanthropy and moralisation of the working class” (1977: 203) gradually took shape around these devices. The tactics and the discourses later become generalised through various societies and institutions. Other issues of a national nature such as children’s schooling and women’s work were later superimposed on the local tactics and discourses. In this way, Foucault argues, “a coherent, rational strategy” (1977: 203), which met certain class objectives, took shape without any individuals having consciously developed it.

This example shows how strategies can be viewed as emerging out of fluid social situations. However, in Foucault's work, this movement is studied in reverse: the historian begins with the strategy and works backwards to establish how it emerged. One consequence of adopting this approach is that the lines of development, which are mapped, appear to converge on the strategy as if by design. In 'The Confession of the Flesh', Foucault states that he views historical situations as if he was "dealing with a battle" (1977: 209). He argues that:

if one isn't content with descriptions, if one wants to try and explain a victory or a defeat, then one does have to pose the problems in terms of strategies, and ask, 'Why did that work? How did that hold up?' (1977: 209).

In this instance, Foucault agrees with his interviewer that the problem with this approach is that the narrative which ensues gives "the impression that the story is too pretty to be true." (1977: 209).

Foucault's notions of power, strategies and tactics, which I will now discuss, have to be placed in this context.

In the chapter on method in *The History of Sexuality Volume 1*, Foucault (1976: 92-7) defines power (*pouvoir*) in terms of a Nietzschean field of mobile

relations of force (*rapports de force*). This field is described through a topology that incorporates a tactical level that concerns the composition of relations of force, and a strategic level that enables patterns of change in relations of force to be tracked. Foucault argues that these relations of force are immanent in all social relationships: they are both the conditions and the effects of the differences, inequalities and instabilities that characterise these relationships.

Foucault presents the social field through a model in which relations of force form chains with, and gain support from, each other in tactical arrangements; they also form different types of strategic relations—alliance, conjunction, opposition, confrontation and so on. These strategic relations are based at the local level, but they also take shape as global¹¹ lines of force that are constantly subject to convergences and realignments. Foucault argues that these lines of force display a rationality that can be deciphered in terms of aims and objectives. On the basis of this analysis, he defines power as “the name that one attributes to a complex strategical situation (*situation stratégique complexe*) in a particular society.” (1976: 93).

This model not only provides a framework for describing the functioning of power, it also presents the field in which the discourses of sexuality are situated: “we must immerse the expanding production of discourses on sex in the field of multiple and mobile power relations.” (1976: 98). In describing the *dispositif* of sexuality, Foucault presents the field of discourse as a distribution

of strategies with different spheres and degrees of influence; within this distribution, strategies stand in various relations to each other

Much of the analysis presented in *Abnormal* (1999), which was discussed in the previous chapter, is based on this strategic view of discourse. In the case of the child masturbator, for example, the discourses of the state and the medical and psychiatric profession converge on her/his body (1999: 231-318). In this text, Foucault shows how the discursive field is subject to constant adjustments and realignments as strategies emerge and advance in response to particular conjunctures in the play of forces. In the case of the nun, for example, the church realigns its practices in response to the phenomenon of convulsions, while medicine embarks on the long process of colonising the Christian notion of the flesh. (1999: 222-7). In the previous chapter, we saw how Foucault also describes the development of psychoanalysis in these terms: psychoanalysis moves into the space created by the conflict between the goals of the family and those of the theorists of degenerescence.¹²

The notion of strategy first appears in Foucault's work in relation to discourse, not power; as we saw in chapter 3, this notion can be found in *The Archaeology of Knowledge* (1969: 35-37; 64-70). In this text, Foucault argues that discursive practices are characterised by sub-groups of objects, concepts and enunciative modalities that can be cast within alternative thematic and theoretical groupings.¹³ Foucault defines these groupings as strategies and, on this basis, characterises the discursive practice as "a field of strategic possibilities (*champ*

de possibilités stratégiques)" (1969: 37). In Foucault's later work, strategies of power are defined as functioning through the theories and themes of discourse.

In *The Archaeology of Knowledge*, Foucault draws a connection between the strategic view of the discursive practice and game theory. He argues that the fact that different strategies present themselves makes it possible "to play different games" (1969: 37). In 'Truth and Juridical Forms' (1974), as we saw in chapter 4, the theme of the game again appears when Foucault sets out his aim of developing an analysis of discourse as "a strategic and polemical game (*jeu stratégique et polémique*)" (1974: 3). Here he refers to "studies done by the Anglo-Americans" which look at discourse as "games, strategic games of action and reaction, question and answer, domination and evasion, as well as struggle" (1994: 2).

Although the notion of strategy appears in Foucault's work before the notion of tactics, it is the notion of tactics that is first developed in relation to power. In *Discipline and Punish* (1975), as we have seen, the delinquent who becomes an object of discourse is shown to emerge out of a tactical mechanism, namely, the *dispositif*. In *Abnormal* and *The History of Sexuality Volume 1*, discursive objects are again formed within *dispositifs*; here, these objects are now also positioned within an interplay between tactics and strategies.

In *The History of Sexuality Volume 1*, Foucault employs the concept of 'local centers' of power-knowledge ('*foyers locaux*' de pouvoir-savoir)" (1976: 98)

to describe this interplay: local centres are tactical mechanisms (*dispositifs*), such as the confessional mechanism and the practices around the child's bed, that give rise to domains of knowledge and discursive objects; over long historical periods, local centres are continually reinterpreted in new discursive strategies. He describes these centres as loci for a constant "back-and-forth movement of forms of subjugation (*assujettissement*) and schemas of knowledge (*connaissance*)" (1976: 98).

In *The History of Sexuality Volume 1*, the idea formulated in *The Archaeology of Knowledge*, that the discursive practice presents a choice of groupings of objects and concepts that enable different strategic possibilities, is reconfigured in a further development of the notion of tactics. Foucault now argues that discourses must be viewed as composed of "a series of discontinuous segments (*segments discontinues*)" (1976: 100) that perform a tactical role in relation to strategies. These segments can move between strategies and change the tactical function they perform; identical formulations can be employed in the service of different, even opposite, goals.¹⁴ As a result of this development, discursive tactics are now defined in terms of their manoeuvrability in relation to strategies—by what Foucault calls their "polyvalence" (1976: 100).¹⁵

This model of polyvalent tactics, which are capable of functioning within different strategies, can be identified as operating in Foucault's narrative of the colonisation of the elements of the Christian flesh by medicine, psychiatry and the state. Here we have an initial composition of different Christian practices

(tactics or *dispositifs*) around the confession of sins, and the regulation of convulsions and masturbation. Later, these *dispositifs* are transformed and incorporated in new strategies by medical technologies which function in the family, educational establishments and asylums. These strategies advance within a field of competing interests in which medical, psychiatric, and political discourses reconfigure the *dispositifs* within new practices, which develop on the basis of a regulation of sexual perversion.

In *Abnormal* and *The History of Sexuality Volume 1*, Foucault presents a two-fold relationship between discursive strategies and tactics of power-knowledge: through a process of discursive elaboration of the domains that practices of power-knowledge present, strategies expand, extend and combine tactics; as strategies are mobile, competitive and relational, they function by absorbing new tactics and discarding existing ones. Foucault defines the relation between strategy and tactics as that of a “double-conditioning” (1976: 99) in which each is dependent on the other to produce its effects: tactics remain in existence by becoming integrated into overall strategies; strategies develop on the basis of tactics which function as anchor points.

Foucault argues that discourses on sex have to be viewed from the perspective of both tactics and strategy: discourses have a tactical productivity (*productivité tactique*) in virtue of the effects of power-knowledge which they encompass; they also produce effects in virtue of the role they play in relation

to other discourses, within a strategic field of force relations. Foucault suggests that discourses have to be examined:

on the two levels of their tactical productivity (what reciprocal effects of power and knowledge (*savoir*) they ensure) and their strategical integration (*introduction stratégique*) (what conjunction and what force relationship make their utilization necessary in a given episode of the various confrontations that occur). (1976: 102).

On the basis of the above, it is now possible to draw together the analyses of power-knowledge and discourse presented in *Discipline and Punish* and *The History of Sexuality Volume 1*. In the earlier work, Foucault sets out a view of power-knowledge (the *dispositif*) in terms of the tactical composition of relations of force in practices which incorporate specific techniques. Here he presents a relational view of the social sphere, with lines of communication between practices functioning at a microphysical level which cut across the level of institutions.

In *The History of Sexuality Volume 1*, the functioning of discourse is added to this analysis; discourses are viewed as emerging out of *dispositifs*, but also as feeding back into them and shaping them. Foucault presents discourses as primarily strategic in nature; whereas power-knowledge composes relations of force, discourse drives their advance in particular directions. Discourses

incorporate the tactical elements of power-knowledge, and also function in conjunction with power at a strategic level. In Foucault's analysis, power always functions through knowledge (*savoir*) or discourse (*connaissance*), but it combines with each of these in different ways.

In chapter 3, I compared Butler's view of discourse with Foucault's account of the discursive practice in *The Archaeology of Knowledge*. It is now possible to also compare her view with the analyses he presents in *Discipline and Punish* and *The History of Sexuality Volume 1*. The difference between Butler's and Foucault's accounts of power and discourse is not, as some critics have argued¹⁶, that she conceptualises everything as discursive, whereas he also describes other practices; Foucault always analyses practices from the perspective of knowledge (power-knowledge) or discourse. Rather the differences in their views reflect fundamental differences in the ontologies which they present.

In summarising her position in 'For a Careful Reading' (1995a), Butler, as we saw in chapter 3, describes the performative as reciting "historically sedimented linguistic conventions" (1995a: 134) which have traditionally worked to produce certain kinds of effects. She argues that the productivity of the performative is dependent on its ability "to draw on and reencode the historicity of those conventions in a present act." (1995a: 134). In her work, as we have seen, these conventions are synonymous with social norms which both regulate and produce subjects and objects.

In *Undoing Gender* (2004: 51-2), Butler aligns her view of the norm with the interpretation of Foucault's work presented by Pierre Macheray (1989) in 'Towards a Natural History of Norms'. In this paper, Macheray interprets the Foucaultian norm as producing the elements on which it acts; and, in this process, also producing itself. Butler aligns this model with her view of sedimentation and citationality:

The norm is not exterior to its field of application. Not only is the norm responsible for producing its field of application, according to Macheray (187), but the norm produces itself in the production of that field. The norm is actively conferring reality; indeed, only by virtue of its repeated power to confer reality is the norm constituted as a norm. (2004: 52).

As I have shown, Foucault's ontology is not based on materialisation of norms, but on the dual notions of "tactics", or the composition of relations of power-knowledge in technologies, and "strategies", or the emergence and constitution of relational fields of discourse. Like Butler, Foucault links the effects of discourse to its historicity but, in his case, historicity is not conceptualised in terms of repetition and sedimentation. As we have seen, Foucault's model of historical constitution is that of a field of multiple series of tactical and strategic relations, and of *dispositifs* composed of practices and discourses.

In Foucault's work, the productivity of discourses on sex is dependent on the strategies advanced through them, the tactical elements of power-knowledge which these discourses bring into play, and also the genealogy of these discourses. This means that Butler and Foucault have radically different models of social change. Butler's interpretation of power in terms of citation and sedimentation leads her to view social change as the product of the space opened up in the process of repetition of norms. In contrast, in Foucault's work, technologies of power-knowledge that underpin the processes of repetition in institutions, together with the strategic field of discourses, constitute society as a sphere that is constantly mobile.

The difference between Foucault's and Butler's models of production of the social field is mirrored in their contrasting views of factors which prohibit and marginalise certain discourses. In *The History of Sexuality Volume 1*, Foucault employs the strategic model of the discursive field as a framework for explaining the negative, as well as the productive features of discourse. Here, he (1976: 12; 27; 100) suggests that prohibition and censorship can be recast as local tactics that function within strategies; thus, an injunction to silence has to be viewed not as the limit of discourse but, rather, "alongside the things said, with them and in relation to them" (1976: 27).

Foucault argues that, although power does not function on the model of repression, it may be "locally dependent on procedures of prohibition." (1976: 49). He now also incorporates within this framework factors that, in *The Order*

of Discourse (1971), were presented as controlling and limiting discourse. For example, he argues that the position held by the speaker and the institutional context in which s/he speaks influence the tactical effects produced by a discourse.¹⁷

Foucault's model of discourse as a field of competing strategies is also able to account for phenomena of marginality and exclusion. In “*Society Must Be Defended*” (1997: 178-186), he argues that the hegemonic position of the sciences is the outcome and product of strategic combat between discourses. The truth-effects which appear intrinsic to science are, he suggests, linked to processes of selection, exclusion, hierarchical organisation and institutionalisation of knowledge. Scientific discourses incorporate and redefine various knowledges, and then bury and mask the origins of these. Foucault (1997: 5-12) argues that the task of genealogy is to resurrect discontinuous and “subjugated knowledges” (1997: 7). He argues that it is by unearthing the history of sciences, and revealing the divisions and struggles which have accompanied their constitution, that their truth-effects can be challenged.

Truth and Sex: the Case of Herculine Barbin

In the previous chapter, I argued that, in *The History of Sexuality Volume 1* (1976), Foucault does not problematise the question of gender. The only place in his work where he does raise this issue is in relation to the question of

hermaphroditism; discussions of this question appear in *Abnormal* (1999) and in his introduction to *Herculine Barbin: Being the Recently discovered Memoirs of a Nineteenth Century Hermaphrodite* (1978). Butler draws extensively on the latter, in *Gender Trouble* (1990), in her discussion of Foucault's concept of sex. In this section, I will argue that, rather than problematising gender, as Butler suggests, Foucault positions the issue of sexual identity in relation to the question of the truth-effects of scientific discourses.

Herculine Barbin, published after *The History of Sexuality Volume 1*, was originally made up of three parts: a memoir in confessional form written by Herculine Barbin; medical and other records; and a short story by Oscar Panizza, based on the memoir. The English edition, published in 1980, includes a completely new introduction by Foucault. (1980a). *Herculine Barbin* was intended to be a prelude to a longer work on hermaphroditism that would have featured as one of the volumes in *The History of Sexuality* as it was originally planned (1978: 119). Unfortunately, Foucault's 1980 introduction is very brief and, unlike *I, Pierre Rivière* (1973), which is also based around an autobiographical account, there are no additional interpretive essays included.

Herculine Barbin, known as Alexina in the memoir, took her own life in 1868 at the age of thirty, after being forced to assume a male identity in 1860: an identity for which she had no desire. Up to the time of her change of legal status, Alexina had spent most of her life as girl and woman, pupil and teacher,

in all-female enclosed educational institutions. This life included close, passionate relationships with other girls and young women.

In his introduction, Foucault presents Alexina as symbolising “the happy limbo of a non-identity (*non-identité*)” (1980a: xiii). He suggests that, in her life as girl and woman, she was not bounded by a sexual identity, and within the all-female environment she occupied, she was able to draw others into the pleasure this non-identity offered. Arguing that everyone ignored Alexina’s abnormal body, Foucault (1980a: xii-xiii) presents a scenario in which they all, nonetheless, recognised an enigma in her being and were fascinated by this. In his account, Foucault argues that, unlike the doctors who later examined her, none of Alexina’s fellow pupils or teachers were concerned with the question of her identity: “nobody in Alexina’s feminine milieu consented to play that difficult game of truth (*jeu de la vérité*)” (1980a: xii).

In *Gender Trouble*, Butler (1990: 23-4) employs Foucault’s introduction to support her interpretation of his genealogy of sexuality as a critique of the metaphysics of substance. She argues that his analysis of Alexina’s world presents pleasures and desires as qualities “without an abiding substance to which they are said to adhere.” (1990: 24). Alexina’s case suggests, she says: “the possibility of a gendered experience that cannot be grasped through the substantializing and hierarchizing grammar of nouns (*res extensa*) and adjectives (attributes, essential and accidental).” (1990: 24). Butler (1990: 23) argues that, for Foucault, the problem is not the mixture of anatomical features

that Alexina's body displays, but the rules that govern the alignment of sex, gender and desire, and the linguistic conventions that support this.

Although Butler finds support for her own analysis in Foucault's introduction to *Herculine Barbin*, she also describes his account of Alexina as a "sentimental indulgence" (1990: 96) in the type of emancipatory discourse that he criticises in *The History of Sexuality Volume 1*. Butler (1990: 93-106) argues that, in his presentation of Alexina's sexuality, Foucault employs the model of an unregulated "prediscursive libidinal multiplicity" (1990: 97). Foucault, thus, comes close, Butler suggests, to replicating the psychoanalytic notion of a primary polymorphous sexuality and Marcuse's notion of a bisexual Eros that is repressed by culture.

Butler presents an alternative analysis of Alexina's memoirs in which she reads her relationships through the norms of lesbian sexuality. She takes issue with Foucault's assumption that the all-female environments of convent and school foster Alexina's particular pleasures and her sexual non-identity, arguing that it is instead "the eroticized presence of the law forbidding homosexuality that produces these transgressive pleasures" (1990: 100), and Alexina's subsequent confessional account of them in her memoir.

As Butler argues, there are respects in which Foucault's interpretation of Alexina's memoir cannot be supported. In the single sex institutions that Alexina inhabited, she would not have appeared, as Foucault suggests, as an

enigmatic figure. Passages in her memoir describe the kind, but firm, way in which she is reprimanded by two of her teachers, Mother Eléonore and Sister Marie-des-Anges, when she very publicly expresses her love for other girls. (1978: 9-12; 27-8). The fact that the nuns were able to respond to her in this way suggests that this was a situation which they were used to handling.

What Foucault's analysis passes over is the whole culture of girls' educational establishments at the time, and indeed into the twentieth century also, in which close relationships between girls and young women were accepted. However, this does not mean that Alexina's relationships can be positioned within the framework of lesbian relations, as Butler suggests. Alexina's memoir covers a period when nineteenth-century discourses on the perversions were still in an early stage of development, and the homosexual had yet to be defined.

In Foucault's introduction, there is no attempt to draw any parallels between Alexina's relationships and lesbian ones. He is supported in this by the text of her memoirs which show no awareness of the discourse of homosexuality. Butler's presentation of Alexina's pleasures, and the confessional nature of her memoir, as products of an eroticization of a prohibition against homosexuality cannot therefore be supported.

There are also problems with Butler's reading (1990: 23-4) of Foucault's introduction as an attempt to criticise the notion of the metaphysics of substance. In support of this, she cites his description of Alexina's situation as

“a world in which grins hung about without the cat.” (1980a: xiii). However, as I will show, Foucault’s interest in Alexina’s case is not in the way in which her life challenges naturalised views of sex, gender and desire. His focus is on the historical fact that scientific discourses on sexuality introduced the practice of ascribing sexual identities to individuals, and in so doing, brought about a change in the sexual status of the hermaphrodite

Foucault’s introduction to *Herculine Barbin* begins with the assertion that it is modern Western societies that have raised the issue of a ‘true sex’ when all that should matter is “the reality of the body and the intensity of its pleasures.” (1980a: vii). He argues that, for centuries, this was not the case: hermaphrodites were held to have two sexes.¹⁸ Foucault presents the male classification given to Alexina by the authorities as evidence of the colonisation of bodily pleasures by “true discourses”. Much of his introduction (1980a: vii-ix), is devoted to placing Alexina’s history in the context of medical, psychiatric and psychoanalytic discourses on sexuality.

Foucault argues that, from the second half of the eighteenth century, attempts by the medical profession to describe and configure the sexual organs led to a denial of the phenomenon of hermaphroditism. Everyone was now considered as either male or female: there could be no such thing as a mixture of two sexes in the same individual; there were only imperfections, and errors made by nature. In *Herculine Barbin*, Foucault positions Alexina’s case within this frame.

Foucault argues that, when faced with a hermaphrodite, doctors of the time focussed on “deciphering the true sex (*vrai sexe*)”. (1980a: viii). The medical reports that are included in *Herculine Barbin* (1978: 122-144) provide evidence of this. Unlike hermaphrodites in earlier periods, Alexina was not allowed to choose her sex: after a doctor established her “true” sex, the civil authorities changed her legal status in line with the medical ruling.

For Foucault (1980a: xi-xii), the importance of Alexina's case is that it occurred in a period of intensive development in the discourses of sexuality:

The years from around 1860-70 were precisely one of those periods when investigations of sexual identity were carried out with the most intensity, in an attempt not only to establish the true sex of hermaphrodites but also to identify, classify and characterize the different types of perversions. (1980a: xi-xii).

Foucault describes the nineteenth century as “haunted by the theme of the hermaphrodite” (1980a: xvii); he notes that medical literature at the end of the nineteenth, and the beginning of the twentieth, century “refers to Alexina rather often” (1978: 120). The title of the first study of her case was *Question d'identité* illustrating a new preoccupation with ascribing a sexual nature to individuals.

For Foucault, the significance of the hermaphrodite lies in the fact that, in the sciences of sex, this figure has been incorporated in the representation of the homosexual. The references (1980a: x), in his introduction, to same-sex love, and to the “passive (*passif*)” man and the “virile (*virile*)” woman, draw a connection between the histories of homosexuality and hermaphroditism.

This connection also appears in *The History of Sexuality Volume 1* (1976: 43). Here Foucault cites the argument, advanced in Carl Westphal's 1870 article, which first constituted the homosexual as an object of psychiatric discourse, that it was a certain sexual sensibility that defined the homosexual: “a certain way of inverting the masculine and feminine in oneself.” (1976: 43). Foucault argues that, from the moment of the first appearance of the homosexual in psychiatric discourse, the reference point for her/his characterisation has been the hermaphrodite:

Homosexuality appeared as one of the forms of sexuality when it was transformed from the practice of sodomy onto a kind of interior androgyny, a hermaphrodisim of the soul (*hermaphrodisme de l'âme*). (1976: 43).

In *The History of Sexuality Volume 1*, Foucault claims that it is the discourses of sexuality which first raise the question of sexual identity; they bring into existence “a new specification of individuals (*specification nouvelle des*

individus)" (1976: 1976: 42). Sodomy, he argues, was at one time simply an illegal act, "a temporary aberration" (1976: 43); however, in the discourses of sex, the homosexual emerges as "a singular nature (*nature singulière*)" and as "a species (*espèce*)" (1976: 43). Foucault's point of reference for homosexual identity is, here, the male homosexual; the issue of lesbian identity is ignored.

In his introduction to *Herculine Barbin*, Foucault makes it clear that, whereas the homosexual has an established identity within the technology of sexuality, the physical hermaphrodite is eliminated by medical discourses and survives only as an imaginary figure. Above, I argued that Alexina's memoir does not support Foucault's interpretation that she occupied "the happy limbo of a non-identity". (1980a: xiii). However, he (1978: 120; 1980a: xvii) also suggests that this image of the hermaphrodite was important in the popular imagination and "medico-libertine" fiction in the late nineteenth century.

The short story that Foucault (1978: 155-99) includes in *Herculine Barbin*—'A Scandal at the Convent', written by Oscar Panizza, some thirty years after the events it fictionalises—illustrates this. Butler does not discuss Foucault's reasons for including this story; neither does she discuss the story itself. This is surprising, given its content and the fact that Foucault comments on this in his introduction.

Panizza retells Alexina's story in the third person narrative, making substantial changes. The main events in Panizza's story take place over a single day,

beginning with the convent girls arriving at the Abbé's door clamouring to report a scene in bed between Alexina and the Mother Superior's niece. As the day goes on, the Abbé, the girls, and the population of the nearby village become convinced that the Devil has invaded the convent in the person of Alexina. The girls claim that Alexina has hairy legs like the Devil and, when Alexina and her friend appear at the midday meal, strike up a chorus of "The Devil and his bride" (1978: 177). A forester reports finding the two girls, semi-clothed, in a deep thicket in the wood; one of them had thick black hair on her legs and had evidently lain on top of the other. In the evening, a crowd of hundreds, carrying pitchforks and axes arrive at the convent; a story is circulating that an incubus, possibly the Devil himself, has tried to rape the Mother Superior's niece in the woods.

Panizza's story reinterprets Alexina's life from the perspective of the psychiatric theory of the perversions: a fact which is illustrated by an incident in the story where the Abbé looks for entries under Sappho, Lesbos and Tribadism in his Ecclesiastical Dictionary (1978: 172). Foucault draws our attention to the fact that Panizza was a psychiatrist; however, as in *The History of Sexuality Volume 1*, he makes no reference to the issue of lesbian identity in psychiatric discourse.

In her memoir (1978: 67-98), Alexina describes how her life is changed when medical and legal processes reclassify her sexual status. She has to adopt male attire and behaviour; she is no longer able to teach and takes up a male-defined

occupation on the railway. However, no punitive consequences are attached to her previous behaviour; punishment is never an issue with the court, the priest, or the doctor who are involved with her change of status.

In contrast, in Panizza's story, the involvement of medicine and the law in Alexina's case is presented as a matter of controlling the anarchic force of pleasures and sensations, by ensuring their correct alignment with anatomical and biological functions. In this case, it is not a question of conformity to the law, but of suppressing danger. The priest wants to do this by exorcising Alexina as a witch, but it is medical technology and the law that restore order and security to the convent and the village, when her true sex is revealed by science.

Panizza's story presents hermaphroditism as a mythical phenomenon that, potentially, escapes the regulatory structures of sexuality. Foucault (1980a: xvi) observes that Panizza makes Alexina the focus of his story, yet deliberately provides few details about her; she is presented as she appears to others. Foucault argues that, as a boy-girl figure, Alexina encapsulates the desires and fears of those around her; she symbolises the Dionysian: "faun running in the forest, incubus stealing into the warm dormitories, hairy-legged satyr" (1980a: xvi).

Like Panizza, Foucault also seems to be presenting Alexina as a figure who escapes sexual regulation—as Butler argues. The association of Alexina with

the Dionysian “hairy-legged satyr” and the forest is Foucault’s, rather than Panizza’s. In Nietzsche’s *The Birth of Tragedy* (1872: 41), the satyr is a sign of “the sexual omnipotence of nature”; it also signifies the sublime in the form of a nature that has not been touched by knowledge or culture.

In *Gender Trouble*, in criticising Foucault’s analysis of Alexina’s memoir, Butler (1990: 100-1) argues that she cannot be defined outside the framework of the heterosexual matrix; her case can only be analysed as a challenge to the pattern that the relationship between sex, gender and desire is expected to follow. She redistributes relations between the terms of the heterosexual matrix, but she remains within them: “Herculine’s anatomy does not fall outside the categories of sex, but confuses and redistributes the constitutive elements of those categories” (1990: 100-1).

My discussion of Foucault’s analysis of the historical relationship between hermaphroditism and homosexuality, and his interest in Panniza’s story, suggests that Butler’s account misses the point of Foucault’s analysis. For Foucault, the significance of Alexina’s case is not so much that she escapes the categories of sex and gender, as that, for a period of her life, she escapes the technology of sexuality and its discourses. Foucault’s critique is not directed, as Butler assumes, at the naturalisation of sex, gender and desire. His critique is narrower, and of a different nature from the one which she presents in *Gender Trouble*. His concern is with the consequences, for hermaphrodites and

homosexuals, of the invasion of scientific discourses into the sphere of the body and its pleasures.

Foucault's approach to hermaphroditism, in *Herculine Barbin*, is in line with the position that he advances, in *The History of Sexuality Volume 1*, that we must break away from the technology of sex by asserting “the claims of bodies (*corps*), pleasures (*plaisirs*), and knowledges (*savoirs*), in their multiplicity” (1976: 157). The stand that he takes here does not, as Butler (1990: 96-7) suggests, involve a return to the position of left-wing Freudians. He dissociates his view from their notion of liberating desire: “The rallying point for the counterattack against the deployment (*dispositif*) of sexuality ought not to be sex-desire (*sexé-désir*), but bodies and pleasures.” (1976: 157). As we have seen, for Foucault, sex is a concept that cannot be opposed to the *dispositif* of sexuality because it is constituted inside this *dispositif*.

Foucault's position is, nonetheless, highly problematic. In *The History of Sexuality Volume 1*, he argues for “a tactical reversal of the various mechanisms of sexuality” (1976: 157). It is, however, not clear what the nature of this would be. It is unlikely that Foucault is simply arguing for a return to the past, and a time before the discourses of sex appeared. Although his analysis does seem to point in this direction, it is likely that he had another alternative in mind: namely, something along the lines of the *ars erotica* which is discussed earlier in *The History of Sexuality Volume 1*.

In his discussion of sexual discourses, Foucault (1976: 57-8), compares the technology of sexuality with the *ars erotica* of civilisations such as those of China, Japan, and India. He argues that in the *ars erotica* truth is drawn from the practice of pleasure itself: pleasure is “evaluated in terms of its intensity, its specific quality, its duration, its reverberations in the body and the soul.” (1976: 57). The knowledge that is gained is then fed back into the process of pleasure in order to amplify its effects. It is possible that, in calling for a return to bodies and pleasures, Foucault is thinking along these lines. However, in the absence of any elaboration of his intention, his position remains unintelligible.

In ‘Revisiting Bodies and Pleasures’ (1999), published nine years after *Gender Trouble*, Butler again returns to this issue. Here, she argues that, in his later work, Foucault came to realise that the radical break with sex-desire that he projected was not possible.¹⁹ She suggests that the position he then adopted was that it is only insofar as we first understand ourselves as desiring beings that we can experience ourselves as subjects who have a sexuality: “To deny the sphere of desire, or to call for its replacement, is precisely to eradicate the phenomenological ground of sexuality itself.” (1999: 19).

Here, again, I will offer a different interpretation from Butler’s. In his later work, Foucault’s study of texts, from the ancient world, led him to the view that, in the West, sexual practices have always been linked to questions of truth. As a result, he now argued that it was utopian to imagine that, for us, bodies and pleasures could be severed from any connection with discourses of

truth: “Things being as they are, nothing so far has shown that it is possible to define a strategy outside of this concern.” (1984d: 295).

In the sessions held with Paul Rabinow and Hubert Dreyfus (1983a), in the year before the publication of the later two volumes of *The History of Sexuality* (1984; 1984a), Foucault also suggests that he was mistaken in his earlier positioning of the *ars erotica*:

I should have opposed our science of sex to a contrasting practice in our own culture. The Greeks and Romans did not have any *ars erotica* to be compared with the Chinese *ars erotica*...They had a *tekhnē tou biou* [art of life] in which the economy of pleasure played a very large role. (1983a: 259).

In these sessions, Foucault argued that sexual behaviour in different cultures can be distinguished by the relative importance placed on three different elements: acts, pleasure, and desire. He suggested that the Greeks placed the emphasis on acts, and regarded desire and pleasure as secondary; with the Stoics, “desire begins to be condemned.” (1983a: 269). The Chinese emphasised pleasure, and regarded restraint in acts to be necessary for pleasure to be achieved. Christianity foregrounds desire but tries to eliminate it; pleasure is excluded and acts play a neutral role. We emphasise desire and try to liberate it; pleasure is ignored and acts are unimportant.

Foucault's later work, therefore, represents a retreat from the position of *The History of Sexuality Volume 1* with respect to bodies and pleasures, and the possibility of dispensing with the discursive elaboration of these. However, the genealogy of the subject of desire that he undertakes here cannot be construed, as Butler suggests, as an attempt to rehabilitate sex-desire.

Truth, Sex, and the Subject

In his introduction to *Herculine Barbin* (1978), Foucault links the notion of a true sex with the notion of the truth of our sex, and both of these with the role that he considers psychoanalysis plays in our culture:

It is at the junction of these two ideas—that we must not deceive ourselves concerning our sex, and that our sex harbours what is most true in ourselves—that psychoanalysis has rooted its cultural vigor. (1978: xi).

In the previous chapter, we saw how Foucault argues that psychoanalysis reinvigorates the notion of a connection between the truth of the self and sex which was initially constituted in the Christian practice of confession. It presents sex as holding the key to the intelligibility and identity of the individual.

In this respect, Foucault positions psychoanalysis in a different relationship to the issue of subjectivity from Butler. In *The Psychic Life of Power* (1997), as we saw in chapter 2, Freud is presented as providing a theory of the formation of the psyche out of processes of repression; it is aspects of this theory that Butler defends and also employs to criticise Foucault. However, in *The History of Sexuality Volume 1* (1976) and in his introduction (1980a) to *Herculine Barbin*, Foucault focuses on something different in Freud's thinking: namely, the fact that he frames subjectivity as a relationship that is forged between truth and the self.²⁰

In previous chapters, I have discussed how, in her work, Butler continually returns to the prisoner in *Discipline and Punish* (1975), to interrogate Foucault's presentation of the subject. I have also questioned why she has not, instead, taken *The History of Sexuality Volume 1* as her model. Although these two works share similar goals and methodologies, they do not approach the question of the genealogy of the subject in exactly the same way. An important difference between them is the technique of power-knowledge which is foregrounded in each: the device of the examination that is so central in *Discipline and Punish* also appears in *The History of Sexuality Volume 1*; however, as we have seen, in the later work, Foucault focuses on another technique of power-knowledge: namely, the confession.

In Foucault's work, both the examination and the confession involve the extraction of knowledge from, and about, the individual. The difference

between them is that whereas, in the case of the examination, this is carried out through observation and supervision by others, in the confession, the individual is personally involved in the process of articulation of knowledge about the self. In the practice of confession, there is a dual process at work: the penitent becomes an object of knowledge for a priest whose position is that of a subject of knowledge; however, in order for this to be possible, the penitent first has to become a subject of knowledge in relation to herself/himself.

In the practice of confession, a relation is constituted with the self through a relation with the truth of, and about, the self. In his later work, where he traces the confessional device back to practices in the early history of Christian monasticism, Foucault describes confession as a technique utilised in what he now terms “technologies of the self”. (1981: 177-8; 1982a: 245-9).

In chapter 2, we saw how, in *The Psychic Life of Power*, Butler assumes that Foucault conceptualises the subject on the model of a psychic internalisation of social norms. Here, she (1997: 2) remarks that, on the question of the psyche, he appears to have nothing to say; nonetheless, she goes on to compare what she sees as a Foucaultian psyche with the psychoanalytic one, arguing that, in Foucault’s case, the psyche is synonymous with the normalised subject (1997: 85-7).

In ‘Subjectivity and Truth’ (1993: 182-4), a lecture given in the U.S.A. in 1980, Foucault provides a very different account of his position. Here, he

presents the concept of technologies of the self as an alternative to the representation of subjectivity through the notion of psychic life: “I think we have to get rid of the more or less Freudian scheme—you know it—the schema of interiorization of the law by the self.” (1993: 182).

In volumes 2 and 3 of *The History of Sexuality* (1984; 1984a), the notion of technologies of the self is at the centre of Foucault’s analyses; however, in *The History of Sexuality Volume 1*, the practice of confession is already being conceptualised within this framework. In the earlier work, Foucault does not present the position of the penitent as one in which s/he internalises social norms that are imposed on her/him. Instead, as we saw in the previous chapter, he shows how the penitent participates in a practice that is governed by rules that frame the procedures of the exchange that take place in the confessional. Here, the penitent and priest have defined roles to play: the priest as the subject; the penitent as object for the priest, and as subject in relation to the self.

In this work and *Abnormal*, unlike the later volumes of *The History of Sexuality*, the relation between self and truth is always positioned in connection with the question of power. As we saw in the previous chapter, Foucault’s account of the Christian practice of confession emphasises its functioning as a practice of domination as well as a technique of self-examination: the priest occupies a position of authority in relation to the penitent; he questions, interprets, judges and prescribes penance; access to his position is restricted

through rituals that require membership of an elite group and proto-professional qualifications.

In Foucault's account of the medicalization of the Christian flesh, in the eighteenth and nineteenth centuries, the practice of confession is mentioned but it is overshadowed by the focus on discipline, bio-politics, and discursive strategies. However, although techniques of the self are not foregrounded in *Abnormal* (1999) and *The History of Sexuality Volume 1*, the fact of their appearing here leads to an important modification in Foucault's conception of the genealogical enterprise in relation to the subject—as I will now show.

In this chapter and the three preceding ones, we have seen how, in *Discipline and Punish* and *The History of Sexuality Volume 1*, Foucault shows that human beings have been constituted as subjects and objects within both practices of power-knowledge, and the discursive practices which have developed out of these. In his texts, we are presented with warders, priests, criminologists and psychiatrists as subjects; and delinquents, children and perverted adults as objects.

We have also seen how Foucault has argued that, through the discursive elaboration of the domains, subjects and objects which feature in practices of power-knowledge, a particular representation of the human being has emerged in the human sciences. This representation encompasses psychological concepts such as instincts, heredity and abnormality; it also makes childhood

the basis for understanding adult behaviour. In *Discipline and Punish*, as we saw in chapter 6, Foucault refers to this representation as the “modern soul”, and presents his text as a genealogy of this soul.

In ‘Subjectivity and Truth’ (1993:176-8), Foucault positions all of his work in this framework:

I have tried to get out from the philosophy of the subject through a genealogy of this subject, by studying the constitution of the subject across history which has led us up to the modern concept of the self. (1993: 176).

Foucault tells us that in his study of the constitution of the subject he has focussed on the history of the human sciences. He argues that this history “constitutes a privileged point of view for the genealogy of the subject.” (1993: 177). This is because, in our society, all the practices that have the human subject as their object have led to the formation of knowledges which have become organised around “norms that are more or less scientific.” (1993: 177).

In this lecture (1993: 176-7), Foucault argues that the representation of the modern subject in scientific discourses has also been shaped by the existence in our culture of the moral obligation to know the self, and to make the self an object of knowledge. Later, in *The Hermeneutics of the Subject* (2001), his 1981-2 course at the Collège de France, Foucault argues that if we do not look

at the history of the relation between the subject and truth from the point of view of the technologies of the self which have linked these two together, “we will hardly understand what is involved in the human sciences...and in psychoanalysis in particular.” (2001: 188). We can now see how, in highlighting the role of confessional practices and their relation to psychoanalysis, *The History of Sexuality Volume 1* introduces another element into the genealogy of the subject that is not present in *Discipline and Punish*.

My account of the nature of Foucault’s genealogical project shows, yet again, the distance which separates his thinking from Butler’s interpretation and use of his work. Butler and Foucault present two radically different views of the relation between genealogy, discourse, and the subject. For Butler, genealogy involves showing how the naturalised subject is produced by discourse; for Foucault, it involves tracking how a particular representation of the subject has been produced in a specific set of discourses.

On the basis of the above discussion, we can now also see how two of the major criticisms which Butler advances of Foucault’s work are misplaced. Firstly, Foucault *does* explain how the subject is produced by power and discourse—but not in the way that Butler expects. Secondly, Foucault *does* address the issue of subjectivity and agency, but only after he has first addressed the issue of objectification. In each of these cases, his approach is through the history of the human sciences. It is now possible to see that

Butler's criticisms arise from a misunderstanding of the nature of Foucault's project.

¹ Van Ussel is also referred to in ‘Schizo-Culture: Infantile Sexuality’ (1989: 155-6) where his thinking is now linked to that of Wilhelm Reich.

² See *Security, Territory, Population: Lectures at the Collège de France 1977-1978* (2004).

³ Reich’s analysis of sexuality was highly influential in radical circles at the time Foucault was writing. In his work, Reich combines psychoanalysis with Marxism, linking the theory of the subject with a radical theory of politics and the economy, and arguing that sexual repression in the family is necessary to capitalist exploitation. Reich provides a critique of the bourgeois model of the family, championing women and young people’s right to sexual independence. His work also presents an explanation of the rise of fascism and the failure of Soviet communism in terms of the psychology of individuals manufactured by capitalist society. See, for example, Reich, 1936 and Reich, 1942.

In *Anti-Oedipus*, Deleuze and Guattari, present Reich as a revolutionary figure: the founder of a materialist psychiatry; the first to raise the problem of the relation between desire and the social field, and to show that psychic repression functions in the service of social repression (1972: 118). Their analysis of the Oedipal family draws heavily on Reich’s work.

⁴ In “*Society Must Be Defended*” (1997: 14-17), a course delivered in 1976, only months before the publication of *The History of Sexuality Volume 1*, Foucault again positions Reich’s work as his model for the notion of repression.

⁵ In Lacan’s work, the symbolic order is conceptualised in terms of the Law—“the Law of the Father”. Desire takes shape as a chain of substitutions among signifiers; it, therefore, can have no existence outside the Law. However, Lacan also positions *jouissance* as an elusive object which pre-exists the symbolic order.

⁶ The introduction of the Lacanian position in *The History of Sexuality Volume 1* sits uneasily within the general historical frame of this work. Foucault was possibly attempting to pre-empt criticisms of his presentation of psychoanalysis in this work.

⁷ See e.g. Reich (1936 and 1942); Marcuse (1955).

⁸ In ‘The Confession of the Flesh’ (1977), Foucault tells Alan Grosrichard that, in early drafts of *The History of Sexuality Volume 1*, “sex was taken as a pre-given datum, and sexuality

figured as a sort of simultaneously discursive and institutional formation which came to graft itself on to sex” (1977: 210).

⁹ However, in his earlier lecture, ‘Schizo-Culture: Infantile Sexuality’ (1989), delivered in 1975, Foucault repeatedly describes sexuality as a technology—though one reference to it as “a technological constellation (*ensemble*)” (1989: 162) points in the direction of his later thinking in *The History of Sexuality Volume 1*.

¹⁰ For a discussion that draws together the different dimensions of the apparatus (*dispositif*), see Deleuze, ‘What is a *Dispositif*?’ (1989).

¹¹ Foucault’s use of the terms local and global is not geographical. Local strategies cover a specific sphere of the field of power; global strategies link local strategies.

¹² The strategic approach to discourse also appears in *I, Pierre Rivière, having slaughtered my mother, my sister, and my brother...* (1973). This is a work, edited by Foucault, that relates to a criminal investigation in France in 1835. This volume includes an autobiographical account, newspaper reports of the time, and legal, medical and psychiatric evidence that illustrate the competing discourses involved in this case. In the Foreword, Foucault argues that placing the documents together makes it possible to map “the interaction of those discourses as weapons of attack and defense in the relations of power and knowledge.” (1973: xi). Although *Psychiatric Power* is mostly devoted to the question of tactics and the disciplinary apparatus, it also employs the notion of strategy in relation to describing developments in psychiatric discourse.

¹³ Here Foucault is following Canguilhem. Gutting (1989: 33-4) points out that Canguilhem separates concepts, which he sees as interpreting data, from theories which provide different ways of explaining data.

¹⁴ The notion that discourse can be viewed as comprised of tactical segments is developed in more detail in “*Society Must Be Defended*” (1997), the course delivered a few months before the publication of *The History of Sexuality Volume 1*. Here Foucault argues that although the major political discourses of the late eighteenth century are driven by different strategies, they can all be situated within a common tactical framework:

one can very easily, from Boulainvilliers onward, trace the constitution of a historical and political discourse whose domain of objects, pertinent elements, concepts and methods of analysis are all closely interrelated. (1997: 207).

¹⁵ Foucault derives this term from Canguilhem (1994: 181) who argues that concepts are “theoretically polyvalent”.

¹⁶ See e.g. Burkitt (1998); Mills (2003).

¹⁷ *The Order of Discourse* (1971a) also refers to factors of prohibition and censorship. Later, in an interview, ‘The History of Sexuality’ (1977b), Foucault says that he “should be only too glad to discard everything in *The Order of Discourse* which might seem to identify the relations of power to discourse with negative mechanisms of selection.” (184).

¹⁸ *Abnormal* (1999: 66-74) presents a history of attitudes towards hermaphrodites in France. For a discussion of Foucault’s account, see Cowan and Elden (2002).

¹⁹ As Butler (1999: 11-12) points out in her article, Foucault’s replacement of “sex-desire” with “bodies and pleasures” has been influential in lesbian and gay studies. She argues that it has led to a conception of sexuality that eradicates both gender and homosexuality.

²⁰ In later works such as *The Hermeneutics of the Subject* (2001), his 1981-2 course at the Collège de France, Foucault presents a history of the development of the relationship between the subject and truth, and of the idea that truth produces effects on the subject.

Conclusion

My critique of Butler's reading of Foucault suggests that although her engagement with his work has been a fruitful one, the common presentation of her thinking as Foucaultian is misleading. As Butler is regarded as one of the most authoritative contemporary interpreters of Foucault's thinking, it is important to show how, in pursuing her own project, she has presented a distorted and inaccurate version of his work. Hopefully, my thesis has made a contribution in this area.

In my analysis of Butler's work, I have shown how, in *Subjects of Desire* (1987) and *Gender Trouble* (1990), she interprets Foucaultian thinking through Nietzschean genealogy, psychoanalysis, and Derridean discourse; and how in *Bodies That Matter* (1993) and *The Psychic Life of Power* (1997) she presents an interpretation and critique of his work through her notion of performativity—a notion which combines the politico-psychological concept of repression with the concept of social norms. My argument with Butler's interpretation of Foucault's thinking has been presented along the dimensions of knowledge, discourse and power; and through the connection between these and the themes of genealogy, the subject, the body, abnormality, and sexuality which appear in both his and Butler's work.

On the issue of power, I have shown that Foucault does not view power as juridical and repressive; neither does he present it as a process of materialisation of norms. In his work, power-knowledge is conceptualised in terms of the tactical composition of disciplinary and bio-political practices

which combine domains of intelligibility with concrete techniques; these function through a series of strategic relations which constitute a field of power that cuts across major social institutions.

On the issue of knowledge (*savoir*) and discourse, I have argued, firstly, that Butler's notion of discourse is not the same as Foucault's: her notion draws on the Derridean view of the signifier and citationality; and secondly, that her interpretation of the relation that Foucault presents between discourse and power ignores the fact that discourse develops on the basis of the knowledge that functions in conjunction with technologies of power within social practices.

In Foucault's work, as I have shown, power-knowledge and discourse are conceptualised through the framework of objects and subjects of knowledge, and concepts and strategies; discourses exercise power-effects in virtue of both the tactics they incorporate from practices of power-knowledge, and their functioning within a strategic field. My analysis has demonstrated that the internal relationship between power and discourse which Foucault presents is dependent on both his specific concept of discourse, and his conception of the relation between power-knowledge and discourse.

In relation to genealogy, I have argued that Butler fails to grasp the nature of Foucault's project. His problematic is not, as she assumes, the social construction of the subject. I have shown that Foucaultian genealogy is

concerned with the historical constitution of the subject, and that it approaches this issue through the question of the conditions of occurrence of the representation of the modern subject in the human sciences. I have argued that this genealogy is initially conducted through an analysis of the objectification and individualization of human beings in technologies of punishment and that, later, in relation to sexuality, Foucault also turns his attention to practices in which a relation to the self is constituted.

I have shown that Foucault positions the body not as the object of processes of inscription, sedimentation of norms, or repression, but as existing in a relational field with other bodies, together with which it is configured, transformed and expanded in different technologies and discourses. On the issue of sex and sexuality, I have argued that, in contrast to the model of productive repression which Butler ascribes to him, Foucault documents the historical constitution of an apparatus that develops out of bio-political and disciplinary practices which, in conjunction with scientific discourses, emerge on the periphery of traditional structures of alliance.

In response to Butler's criticism that Foucault ignores what is outside the norm, I have shown that he positions groups which are marginalised at the centre of his work: his genealogy of punishment culminates in a focus on technologies in which the notion of the abnormal individual begins to emerge; his genealogy of sexuality documents the development of scientific discourses on the basis of peripheral sexual practices.

With respect to other criticisms that Butler makes of Foucault's work, I have demonstrated that firstly, he presents a complex and detailed account of how power and discourse produce the body and the subject. Secondly, while it is true that he does not employ a notion of the psyche, he begins, instead, to develop a new model for interpreting subjectivity. Thirdly, although the theme of resistance is not at the centre of Foucault's work, he does not ignore it; however, he presents it in terms of collective, rather than individual, action.

I have argued that Butler's attempt to position Foucault's thinking in relation to a psychoanalytic framework, and to criticise him on this basis, misinterprets both his critique of this discipline and the genealogical nature of his enterprise. In relation to the influences on Foucault's work, I have shown how he reworks Nietzsche's thinking, and how Heidegger and Canguilhem have also been important for him.

In my account of Foucault's work, I have demonstrated the continuity in his thinking from *The Archaeology of Knowledge* (1969) on, and how the approach which he formulates there, and later develops, gives the texts of his middle period their distinctive character. I have shown that the notions which Foucault employs—practice, *dispositif*, technology, field, event, series, condition of occurrence, transformation, tactics, strategy—enable him to present a socio-historical ontology that is very different from the one which Butler's application of her concept of performativity to his thinking suggests.

I have also drawn attention to the fact that Foucault's project is primarily concerned with knowledge, not, as Butler assumes, power. Its focus is the way in which the human being has appeared as the object and the subject of knowledge and discourse. Butler's interpretation and criticism of Foucault's thinking recognises neither the distinctive nature of his historical ontology nor the parameters of his project. As we have seen, her criticisms of his work are presented within the terms of her own project—a project which is very different from his.

In my thesis, I have attempted to indicate the limitations of Foucault's thinking. Issues of gender—and race, which I have not discussed—that figure prominently in Butler's work are, largely, absent from Foucault's. While Foucault presents himself as a thinker who is attempting to work outside the great systems of Marxism and structuralism which dominated his time, his approach is, by today's standards, still overly totalising. Apart from *Gender Trouble*, this is not a criticism that can be levelled against Butler's work.

I have also tried to highlight the specialist nature of Foucault's project. My analysis suggests that his genealogy of the subject has as its correlate the history of the human sciences. As we have seen, the concept of the *dispositif* in which modern human beings are objectified in processes of power-knowledge is framed with scientific discourses in mind. Similarly, the notion of sexuality is framed with psychoanalysis in mind. In contrast to Foucault's focus on the

human sciences, Butler draws the raw material for her work directly from contemporary political issues.

My thesis suggests certain areas that could be pursued in further research. Firstly, my account deals neither with Butler's recent works, nor with Foucault's late works. Butler's *Precarious Life* (2004a) and *Giving an Account of Oneself* (2005) provide readings of Foucault's work on governmentality and technologies of the self, more of which is currently becoming available with the publication of his lectures at the Collège de France in the late 1970s and early 1980s.

Secondly, I am aware that, in its one-sided focus on the shortcomings in her interpretation of Foucault's thinking, the account of Butler's work that I have presented here is inherently unjust. Her work is innovative, exciting and scholarly; it is also, in certain respects, more attuned to contemporary political problems than Foucault's middle works. A full-length comparison of her work with Foucault's would be a worthwhile project.

My thesis indicates that it is Foucault's Nietzschean roots, rather than the original aspects of his thinking, which has most influenced Butler. This could be a starting point for a comparison of their work. My study also suggests that Foucault's notions of technology and strategy might be used in providing a solution to the problem, highlighted in chapter 2, of the relations between sedimentation, subversion and proliferation in Butler's work.

Thirdly, with respect to Foucault: my engagement with Butler's reading of his work has enabled me to make an original contribution to Foucaultian scholarship. My positioning of *The Archaeology of Knowledge* in relation to *Discipline and Punish* (1975) and *The History of Sexuality Volume 1* (1976) has demonstrated the value of searching for continuity in Foucault's thinking rather than accepting the orthodox division of his work into archaeological, genealogical and ethical periods. Hopefully, the eventual publication of Foucault's courses at the Collège de France, from 1970-1973, will make it possible to fill out the trajectory that, in relation to knowledge, discourse, and power, I have attempted to map through the works of his middle period.

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