

ARTICLE

Foucault and Left Conservatism

Jeremy Moss, University of Melbourne

ABSTRACT: The consequences of Foucault's work for political theory have been subject to much reinterpretation. This article examines the reception of Foucault's work by the political left, and argues that the use made of his work is overly negative and lacks a positive political dimension. Through a discussion of the work of Judith Butler and other interpreters of Foucault I argue that the problem facing the poststructuralist left is formulated in a confusing and unhelpful manner, what I will call the 'dilemma of the left libertarian'. Once we get around this formulation of the problem a more progressive political response becomes possible. I end by discussing the political possibilities of Foucault's work in terms of an account of autonomy derived from Foucault's later work on the Enlightenment.

KEY WORDS: Foucault, Butler, Autonomy, Politics, Ethics, Critique, Left, Conservative, Rorty, Habermas

I: Introduction

The conjunction between Foucault and political theory is now well established. However, even though political theory and Foucault have been intimately linked in recent years the results have often been rather disappointing. Foucault scholarship has promised much yet delivered little that is useful for a left obviously struggling to define its goals. Many of those, on the left at least, influenced by Foucault have failed to reconcile egalitarian goals such as equality, material redistribution and human rights with the claims of poststructuralist political ontology concerning power, subjectivity or truth. From recent accounts of the significance of Foucault's work one gets the impression that the goal of a progressive politics is to reiterate the claim that because there is no philosophical basis from which to articulate a politics, we should confine ourselves to negative and local claims. Where Foucault's work is concerned, my complaint is that this attitude is neither in keeping with his texts themselves or with what is possible within the framework of his thought. What so many of his interpreters have done is to ignore the politically positive dimension of his work (which is elaborated in his discussion of what he calls the 'enlightenment ethos'), in favour of the

negative dimension. All too often interpreters of Foucault see the relevance of his work to be contained in the critical rather than constructive side of his enterprise, and for egalitarians this is less than satisfactory. I want to argue that surely this is not the sole point of a progressive politics. What has been lost here is the idea that the aims of a left or progressive politics should not be just to refuse certain definitions of the self or power, although this is important, but to argue for and articulate positive alternatives that will both alleviate oppression and enable people.

One of the major causes of this impasse is the absence of a positive position that has more than local applicability. Whereas the 'Old' left was renowned for its insistence on such principles, it is now increasingly unlikely to find much that goes beyond a very restricted localism. This impasse is nicely encapsulated in a recent debate concerning 'Left Conservatism', which re-opened the question of how we might have a progressive political position while still upholding many of the insights that poststructuralist thinkers such as Foucault have developed. What struck me as important about this debate was that it addressed the issue of what sort of politics is possible when working with frameworks informed by poststructuralist thought.¹ The ostensible context for the debate was the term 'Left Conservatism', which denotes a position that attacks at least two things about the poststructuralist left: the alleged obscurantism that infects so much of its dialogue, a kind of intellectual fog emanating from Paris — as the Left Conservatives might say; and the epistemological and political anti-foundationalism of theorists such as Butler. In turn, Butler and others argued that leftists such as Richard Rorty or Nancy Fraser were conservative because they ostensibly put forward a foundation for their political views. Neither of the above claims about poststructuralism are particularly new and I do not want to be taken as giving them credence. Why this debate strikes me as important, however, is that it highlights the issue of the conjunction of poststructuralist thought and political theory and the issue of whether this marriage is sometimes a marriage in name only.

In order to get the issues in this debate in perspective I will briefly describe some of Judith Butler's substantial normative claims, made in this debate and elsewhere, because I think Butler's work encapsulates some of the problems that are central to poststructuralist political theory, especially as it relates to Foucault. She also specifically identifies herself as engaging in a dialogue with elements of the left. My goal in what follows will be to show why Butler and others falsely diagnose the problems facing the Left and

¹ The debate took the form of a one day workshop in 1998 involving Judith Butler, Wendy Brown, Paul Bové and a number of other figures who are variously associated with either the academic left or poststructuralism. The debate was published in the electronic journal *Theory and Event* 2:2. http://muse.jhu.edu/journals/theory_&_event/toc/archive.html#2.2

poststructuralist theory. The concern that I have with Butler's work in particular is that she formulates the problem facing the poststructuralist left in a confusing and unhelpful manner, what I will call the 'dilemma of the left libertarian', a position that is really just a weak version of liberalism, which is a less than satisfactory return on her radical rhetoric. Once we get around this formulation of the problem a more progressive political response becomes possible, and I will pursue this problem through a discussion of some recent interpreters of Foucault and through Foucault's work itself.

My reason for choosing Foucault is that his work has obviously had an enormous impact on the intersection of poststructuralist thought and politics, yet has often been used to form very traditional political conclusions. In contrast, when describing the ethos he admires Foucault is quite explicit in his portrayal of the ethos as containing a positive and enabling component, which is, in my view, compatible with his other philosophical commitments. As an antidote to the limitations of the approach of Butler and others, my key claim will be that Foucault's work offers us a version of autonomy that is consistent with some of his other insights concerning power and subjectivity, that it can also function as a political principle that is not always confined to local applications and that has a positive component, thereby offering a better response to the problems facing contemporary left thought.

Before preceding let me make it clear what I am not arguing. I am not arguing that one should not reflect on what we might call 'political ontology', the basic terms of political theory; power, contract, obligation and so on, as so many Foucaultians do to great effect. Such tasks are clearly at the heart of what political theorists should be doing. Rather, what I want to argue is that such reflections should not have to end in the unnecessarily limited and negative conclusions typical of Butler's approach. I am also unashamedly pursuing a project that seeks to conjoin Foucault with a left or progressive stance. Some might see this as an exercise doomed to failure; that we should not think of Foucault in terms of left or right. But again, I think this is unwarranted. With respect to Butler, I should note that I am not trying to be comprehensive in respect to her work. I am really only interested in those parts of her work that deal directly with the political questions I have outlined and that are raised by the Left Conservative debate.

Butler and the Political: Difference vs Unity?

In the Left Conservative debate itself and elsewhere Butler criticises other elements of the left for being reductionist and advancing a false unity between different subjects. The unity is unappealing for Butler because it rests on a dangerous reduction of subjects' interests to class interests, thereby ignoring other, non-class based, differences. Her claim is that we need to rigorously adhere to the tenets of poststructuralist social and political

ontology, which tell us that our foundational terms cannot be grounded 'in any kind of permanent way'. Without proper respect for these kinds of theses the left is doomed, on Butler's view, to repeat the mistakes of the past.²

Butler thinks of anti-foundationalism as being opposed to a type of universalism that, in the language she prefers, subjects the differences in and between people and groups to a form of 'violence'.³ Such homogenising acts, she claims, do not respect the ineradicable differences that exist between subjects. The resistance to this sort of unity, as she puts it, 'carries with it the cipher of democratic promise on the left'. Nonetheless, interestingly, despite such suspicions, Butler admits that the language of universal human rights is impossible to ignore in the political arena.⁴ Butler expresses a distrust of any position which claims that there are political truths that apply universally even at a very general level because these universals cannot be given a proper foundation; they are conceptually impossible and practically dangerous as her recent work with Laclau and Žižek attempts to show.⁵ In fact, Butler seems to see this problem as a dilemma of the following sort: either one is for a type of ahistorical justification of norms or principles that ignores human differences (which she is not) or one accepts that there are no such justifications and, consequently, no universal political norms. I will call this the dilemma of the 'left libertarian'. It is a dilemma because the choice of the first alternative leads one into conflict with some of the crucial metaphysical claims concerning difference and historical causation, whereas the second choice runs foul of egalitarianism. Either way one is stranded. Describing this position as libertarian is appropriate because of Butler's staunch refusal, in the literature here under consideration, to articulate anything other than a respect for 'negative' norms that operate to protect individual freedoms. But let me be more precise. What her position seems to rule out are general criteria for judging and orienting action because this would introduce a false unity to subjects' experiences and a positive content to her politics.

² Judith Butler, 'Left Conservatism II', *Theory & Event*, 2:2, (1998): sect 4, http://muse.jhu.edu/journals/theory_&_event/v002/2.2butler.html

³ Judith Butler, 'Merely Cultural', *New Left Review*, (1998): p. 44.

⁴ Ibid.

⁵ In her article "Restaging the universal; hegemony and the limits of formalism", in *Contingency, Hegemony, Universality: Contemporary Dialogues on the Left*, ed. J. Butler, E. Laclau and S. Žižek (London: Verso, 2000), Butler uses a discussion of Hegel to make the point that the universal, at a conceptual level, will always exclude the concrete or particular but that what is excluded leaves a trace in the universal. She goes on to argue that this process is important for political theory as regimes that have set themselves up as representing the universal are invariably engaged in exclusionary practices.

As it stands, this dilemma rules out a progressive political position with any substance for Butler.⁶ However, understanding the problem in this way misrepresents the situation in which progressive politics finds itself. The issue should not be seen as a choice between those, on the one hand, who think difference precludes unity or any sort of universalism, and those, on the other, who think there is an ahistorical unity, which does not respect different subjectivities. Rather, the issue should be seen as one between an acceptable use of universalism — one that knows its limits, which I will call ‘transversalism’ — and one that does not. Butler and many others have misread the problem because they have set up a false dichotomy between universalism and difference that has bedevilled the debates between the ‘Old’ and ‘New’ left for years. The result is a reluctance to put forward positive or non-local principles, which erects a significant barrier to progressive political theory. In what follows, I will use Foucault’s own work to show that the political options for poststructuralism are not confined to negative political claims. I will articulate how this new way of seeing the problem allows us a way out of the left libertarian dilemma.

I want now to consider where echoes of this dilemma can be found in the reception of Foucault’s work.

II: Foucault; his Critics and Supporters

Foucault's work has elicited similar objections to those made by the left conservatives about poststructuralist influenced political theory. Foucault’s initial reception in political circles was dominated by his perceived inability to account for the basis of normative judgement and action. Foucault’s later research opens up possible routes for a defence against these charges.⁷ Nonetheless, the charge that there is no foundation for critical assessments

⁶ It is ironic that one of the mistakes made by Butler is to assume that her conclusions about a lack of universality in normative thought applies in the same way to *all* the different categories of this thought. It is as though she thinks that it is the same class of things that are universalised in politics, ethics and metaphysics. Part of the reason for Butler and others construing the situation in this way is because of an improper analogy between disagreement in metaphysics (‘violence’, as she calls it) and disagreements in politics or, more particularly, in theories of justice. Disagreement over fundamental issues in metaphysics may be the result of differences that perhaps just cannot be resolved. But not all disagreement in political theory is like that. We may disagree over what it is for any one of us to lead a fulfilling life but agree on the respect for another's views or the need not to harm others. These two assumptions are fundamental to any plausible politics (certainly any left politics) and constitute part of the basis for politics such that there can be disagreements without it meaning that differences are ignored. So Butler is wrong to make the analogy she does between metaphysics and politics.

⁷ I discuss this issue at greater length in my ‘Introduction’, *The Later Foucault: Politics and Philosophy*, (London: Sage Publications, 1998).

persists, especially among supporters of Foucault themselves. This is partly because there seems to be a marked conservatism in how Foucault is used. There is certainly a reluctance on the part of many of Foucault's interpreters to take anything but a very weak position on the possibilities of Foucault's work for politics and ethics, which, as I mentioned, ignores the positive side of the Enlightenment ethos.

Those who think that Foucault's later discussion of ethics and government offers us fresh insights into how we can conduct ethical inquiries often locate the benefits of the approach in the contrast between ethics and morality. What Foucault admired about the Greek model of ethics, understood as the self's relationship to the self, was that there was a certain amount of freedom to transform oneself in relation to a moral code. In effect, Foucault was attracted by the autonomy allowed by the Greek model of the *relation* between morality, seen as a code, and ethics. Some take this to be a rejection of a sterile appeal to overly formalised rules in favour of a more open form of inquiry into the good. Others, like Rorty, see this type of Foucaultian position as an acknowledgment of the type of anti-foundationalism wherein appeals to truth claims or notions like interest or rationality are just engaging renditions of one's own subjective position.⁸

Notwithstanding these doubts, Foucault's lack of emphasis on overarching moral codes has been developed and discussed by a number of sympathetic interpreters. However, they seem to use his work in a way that is reminiscent of Butler's approach. For example, in a recent article on Foucault, James Bernauer and Michael Mahon argue that Foucault's later work does allow for an identifiable ethical stance that cannot simply be equated with aesthetic self-absorption. They rightly point out that phrases such as 'we have to create ourselves as a work of art', have led to a great deal of misinterpretation of Foucault's later work.⁹ The authors argue that what phrases such as the one above direct us to is the effort of struggling for a kind of freedom, which is closely attuned to whatever historical contingencies we find ourselves surrounded by. This, at least, is a positive view that accords a measure of complexity to Foucault's later position. Nonetheless, the authors still shy away from any of the serious ethical or political consequences of even this

⁸ It is interesting to note that Rorty, from initially being a quite savage critic of Foucault, came around to thinking of Foucault as a fellow traveller down the pragmatist liberal path when it came to normative questions. For Rorty, the upshot of Foucault's position is that there is no deep philosophical reason for our obligations to other human beings. This is an interpretation of Foucault that sees him, along with Dewey, as having given up the 'hope of universalism', Richard Rorty, 'Moral Identity and Private Autonomy: the Case of Foucault', in *Essays on Heidegger and Others*, (Cambridge: Cambridge University Press, 1991): pp.197-8.

⁹ Michel Foucault, 'On the Genealogy of Ethics: an Overview of Work in Progress', ed. Paul Rabinow, *The Foucault Reader*, (Harmondsworth: Penguin, 1986): p.351.

rather minimal suggestion for what constitutes a Foucaultian political position. They point out, for instance, that Foucault's ethics are not to be equated with universal prescriptions for what is a right or wrong action. But they also mention that the Foucaultian model consists of maximising individuals' freedom to distance themselves from various objectionable normalisations and to have at least a measure of control over the type of people they are. Presumably, the authors see these two conditions as desirable for people to have and being good irrespective of what sorts of goals individuals might choose; that is, the content of people's choices is not constrained by assuming that these sorts of freedoms are important. Thus, the ability that both the authors assume in what they say is something like autonomy, although of a very minimal kind.

This sort of position is typical of other of Foucault's sympathetic interpreters.¹⁰ John Rajchman's widely cited work on Foucault's ethics exhibits the same tendency to understand the importance of Foucault's work to lie in a kind of vague preference for negative freedom. Like Bernauer and Mahon, Rajchman observes the distinction between moral codes and ethics, as Foucault understands it, as the crucial issue for 'modern practical

¹⁰ There are, of course, other positive interpretations of Foucault's work that I cannot do justice to here. I only claim to be discussing a prominent trend. Todd May's account of poststructuralist politics, Todd May, *The Political Philosophy of Poststructuralist Anarchism*, (Pennsylvania: Pennsylvania State University Press, 1994), which draws on Foucault, also only attributes minimal positive content to Foucault's work. He claims that there are two principles that follow from the poststructuralism of Foucault, Deleuze and Lyotard, they are: 'that practices of representing others to themselves — either in who they are or in what they want—ought, as much as possible, to be avoided.' (the anti-representationalist principle), (Ibid., p.130); and, 'that alternative practices, all things being equal, ought to be allowed to flourish and even to be promoted' (Ibid., p. 133). While he at least concedes that there is the possibility of generality here once we apply *ceteris parabis* clauses, there is still not much of a positive content. Similarly, Chris Falzon's book *Foucault and Social Dialogue: Beyond Fragmentation*, (New York: Routledge, 1994), is unnecessarily negative. Falzon sees the alternative to totalising metaphysics not as fragmentation but as the conceptualisation of our situation in terms of dialogue, especially social dialogue — the open ended interplay between ourselves and others. He makes the important and often overlooked point that a Foucaultian politics is not opposed to unity between groups or forms of united struggle. The difference between united politics on the Foucaultian model is that while it might put aside differences it nonetheless does not forget them or set itself up as outside difference or otherness. However, there is not much in this interpretation that has a substantive positive content. It also seems as though Falzon's model of dialogue in the political realm escapes some of the criticisms that other dialogical or procedural models have to face. In particular, the charge that in order to ensure that dialogue or discourse take place that substantive goods have to be assumed. For a discussion of some recent developments in this field see James Bohman, & William Rehg ed., *Deliberative Democracy*, (Cambridge, Mass: MIT Press, 1997).

philosophy'.¹¹ He notes that Foucault's genealogy attempts to free subjects from certain forms of truth, whether they are sexual or social. This is the negative part of the Enlightenment ethos that Foucault elsewhere says he admires.¹² The positive part, at least on Rajchman's reading, entails the kind of work on the self that Foucault finds first outlined by the ancient Greeks. The impasse that Rajchman sees Foucault's ethics as assisting us to overcome is the failure of any sort of universal moral code to tell us anything about how we should behave (our subjectivities are too diverse for such a code) in face of the need people experience to overcome oppressive subjectivities or at least experience some control over who they are. He writes

Foucault may not have provided us with what Habermas thinks of as philosophical yardsticks. But he may be said to have invented another use for philosophy. It is *not* universalistic: it does not appeal to people irrespective of who they are. And yet it is not *for* any one group. Foucault's philosophy was a philosophy neither of solidarity nor of objectivity.¹³ (My italics).

For Rajchman, Foucault's contribution to normative thought consists of the necessary tasks of uncovering the contingent nature of our identities and working on the self. Anything that resembles universalism is to be avoided.¹⁴

For those less sympathetic to Foucault his work offers even less of a political position. Some critics view his aesthetics of existence as little more than a frivolous indulgence and a relativistic one at that. Lois McNay, for example, sees Foucault's later work as a movement away from his earlier overly passive account of the subject. However, while she recognises that the project of an aesthetics of existence is more than a pure decisionism, McNay is far from comfortable with Foucault's position. She understands the problems for Foucault's account as stemming from unexamined notions of self-mastery and a heroization of the self. What is more, she argues that the models that Foucault uses to develop his idea of an aesthetics of existence are ones that are implicitly gendered.¹⁵ Foucault's final mistake is to fail to appreciate the social location of the self that is supposed to engage in aesthetic self-mastery. In conceiving ethics as a work on the self by the self, Foucault has taken a step back from his previous work and adopted a position that is reminiscent of

¹¹ John Rajchman, 'Ethics after Foucault', *Social Text*, Vol. 13/14, (1986): p. 166.

¹² Michel Foucault, 'What is Enlightenment?', ed. Paul Rabinow, *The Foucault Reader*, (Harmondsworth: Penguin, 1986).

¹³ Rajchman, *Ethics*: p.179.

¹⁴ One notable contribution to this debate is provided in a recent collection on Foucault and Habermas in Samantha Ashenden and David Owen, *Foucault Contra Habermas*, (London, Sage Publications, 1999). While this collection is on the whole positive about the politics that might develop out of Foucault's work, there are still many hesitations about the dimensions of such a project.

¹⁵ Lois McNay, *Foucault: A Critical Introduction*, (Cambridge: Polity Press, 1994): p. 149.

Sartre's disembodied ego making its radical choices. For McNay, Foucault's manoeuvre amounts to little more than a fetishization of aesthetic practice. Echoing Fraser, she concludes that, in the end, Foucault is left with a preference for an aesthetics of existence without being able to justify why this should be a goal or how we might distinguish good practices from bad.

Notwithstanding these misgivings, what might a positive characterisation of Foucault's work really amount to? We might agree that the negative goals of genealogy are of considerable importance; it is no small task to offer a critique of the major norms and practices pervading one's society. Even so, the normative perspective that these interpreters of Foucault offer moves little beyond the negative dimension of his thought. Take the supposedly positive element suggested by Rajchman. It consists primarily in working on the self in a way that seemingly pays little attention to the claims that others or society might make on a person.¹⁶ However, its chief failure is to see no position that might exist in between the disdain for universalism on the one hand and the (individually focused) ability to work on the self that is said to be the essence of Foucault's ethics on the other hand. Interpreted along these lines, Rajchman's position is similar to Butler's and reminiscent of the Left Conservative debate. He sees the political and ethical alternatives as divided between difference and unity with little scope for either giving positive content to an egalitarian program or going beyond a very localised sort of normative claim.

The confusion of this position lies in not seeing the potential in Foucault's work of a more robust understanding of ethical and political norms. It combines the reasonable assumption that the goals of people's lives should be left up to them to decide with the politically anaemic idea that the only positive ethical things that come out of Foucault's work are work on the self and a preference for negative freedom of some sort. While we might agree that, as a general rule, non-interference is a good thing, this does not imply that there are no moral or political principles with any bite. What the protagonists in the Left Conservative debate such as Butler and the Foucault interpreters cited above share is the move from the claim concerning anti-foundationalism to the idea that primarily limited and negative goals are the ones best suited to a progressive politics. They are able to proceed this way because they assume that there are insufficient features of human nature and experience from which we might derive a basis for interpersonal comparison and unity. The structure of the problem here is similar to the one that I identified in Butler's work. Both interpretations of anti-foundationalism share

¹⁶ In his book, *Truth and Eros*, Rajchman offers a slightly revised version of his thesis that attempts to integrate a form of concern for community into his interpretation of Foucault. However, he ultimately ends up with the same position John Rajchman, *Truth and Eros*, (London: Routledge, 1991, part 2).

the assumption that there can be no universal normative basis for either a political position or a way of criticising power relations and articulating general normative principles.

However, I think Foucault's work can provide an alternative once it is freed from some of the misleading dichotomies that frame the reception of his work in political theory. As I mentioned, his later work on autonomy holds the most promise and is able to offer both a way of criticising power relations and a basis of enablement that could fulfil the need to incorporate positive elements into progressive theory. In what follows I offer an interpretation of autonomy as an example of the sort of positive normative foundation that is consistent with Foucault's other insights. Not only is the interpretation of autonomy that I put forward compatible with Foucault's work, but it also might be used to form the basis of a specifically progressive politics. It is to these issues that I now turn.

III: Autonomy

The first thing to note about Foucault's later work and, indeed, about his political writing in general, is that there is no attempt to perform a *conceptual* analysis of autonomy. In fact, Foucault only mentions autonomy in a few scattered places. No doubt the heritage of the word autonomy in philosophy has much to do with its absence as a term in Foucault's vocabulary. The Kantian overtones and implications of autonomy, especially the implications for a theory of the subject, might explain why Foucault would have avoided the term. Yet, there are reasons to suppose that Foucault's criticisms of the constraints imposed on subjects derive their force from an implicit account of autonomy, as I will attempt to show.

Foucault's attraction to the idea of autonomy is outlined in some of his articles from his later work on Kant.¹⁷ In the context of reflecting on the direction of modern thought and its indebtedness to both Kant and the Enlightenment tradition, Foucault describes a philosophical attitude (on which he draws) that relies heavily on an idea of autonomy. Foucault finds in Kant's understanding of the 'maturity' humans need to show in their use of reason the basis for a modern question centred around what he calls a 'critical attitude'. What Kant understood as the Enlightenment was both a collective

¹⁷ Foucault wrote of Kant in a number of his later works notably in 'The Art of Telling the Truth', ed. L. Kritzman, *Michel Foucault: Politics Philosophy and Culture*, (London: Routledge, 1988). However, I will take the essay 'What is Enlightenment?' as the best source of his views on Kant. James Schmidt and Thomas Wartenburg offer a thorough account of Foucault's various encounters with Kant's discussion of the Enlightenment in their James Schmidt & Thomas Wartenburg, ed. M. Kelly, *Critique and Power: Recasting the Foucault/Habermas debate*, (Cambridge, Mass: The MIT Press) where they trace three different responses by Foucault to this issue.

and personal enterprise in which 'man' would escape from the immature use of reason. For Kant, immaturity consisted of following the authority of others when, in fact, our own reason was sufficient. As we saw, Foucault appreciated the sense of autonomy that comes when the link between ethics, in his sense of the word, and morality was weakened. So, while Foucault rejects the type of universalist morality that Kant proposes in the *Groundwork of the Metaphysics of Morals*, he nonetheless endorses the central role of autonomy precisely because he is suspicious of universal moral codes of the type Kant advocated.¹⁸ This is because Foucault's attitude towards autonomy shares with Kant a healthy scepticism concerning the claims of authority over reason or critique. Yet, the threats to autonomy that Foucault identifies come not from authority in Kant's sense, but from the threats posed by the modern operation of power. Foucault's characterisation of this ethos implicitly contains an appeal to autonomy. What this attitude entails, and what it shares in common with ancient ethics, is the necessity for a critical (autonomous) attitude towards the self that is both aware of the historical character of the self's traits and displays a willingness to rework them.¹⁹

As I have characterised it here, to be autonomous is to display certain mental abilities. This reading is in keeping with what Paul Patton has called a 'meta-capacity', the ability to use and develop a person's other capacities in the light of critical reflection.²⁰ As such, it is a second order capacity allowing subjects to reflect on and evaluate their first order beliefs or desires. As the name suggests, the meta-capacity to which Patton refers is that capacity which evaluates the other capacities, general purposes or choices that an agent has. Autonomy, in this sense, is something that is present or not present by virtue of forms of power and the subject's own psychical constitution and resembles self-direction rather than the self-realisation of our deepest purposes, as it is for Charles Taylor.²¹

Autonomy, for Foucault, is the ability to reflect on and direct one's choices and purposes in both an immediate and a long-term sense. This account is in keeping with his other philosophical commitments in that he sees autonomy as a product of a subject's capacities. Such a meta-capacity is

¹⁸ Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trs. H. J. Patton, (New York: Harper Torchbooks, 1964): p. 98.

¹⁹ The sense of autonomy outlined above is best described as personal autonomy. To inquire into personal autonomy is to determine what is, or is not necessary for someone to achieve self-direction in his or her life. Although there are similarities between political, moral and personal autonomy, the scope of the different senses is distinct. Nonetheless, personal autonomy functions in a political way in that it is a condition of political agency because of its role in maintaining political society.

²⁰ Paul Patton, 'Foucault's Subject of Power', in *The Later Foucault: Politics and Philosophy*, ed. J. Moss, (London: Sage, 1998).

²¹ Charles Taylor, 'What is Human Agency?', in *Human Agency and Language, Philosophical Papers Vol. I* (Cambridge: Cambridge University Press, 1992).

vulnerable to the operation of the type of social forces that Foucault describes under the heading of governmental power. The important thing about Foucault's discussion of governmental power is that it extends the understanding we have of the sort of social phenomena that threaten autonomy; it is not just naked force or internal neuroses, but a lack of authorship that extends right down to the bedrock of agency that can constrain autonomy. To be more precise, governing conduct in this way is a type of influence that involves altering agents' understanding of the various ways in which they may act. As such, it places limits on what a person can or cannot do by altering their perceptions of what it is possible to do. As Barry Allen has put it: 'The point of discipline is not to force people to do what you want, but to make them into the kind of people you want; not to make people do what you want them to do, but to make them want to do it, and to do it *as* you want them to, with the desired tools, efficiency, and order'.²² If Foucault's discussion of the operation of governmental power is correct, then what I will refer to below as the 'conditions' for autonomy will alter considerably. The government of individual choices means that the threats to autonomy are not only different from standard conceptions of constraint, but arguably more severe. It is more severe because the disappearance of the agent's control over their own identity and choices is lost due to a loss of control of the capacities that make up autonomy. As Foucault makes clear in *The History of Sexuality*, one of the features of this kind of loss of autonomy is that, by its very nature, it will appear hidden to the agent.²³ As such, it poses a threat of a different order than that of an external barrier, which is more readily recognisable.²⁴ We might characterise the presence of mental abilities as a necessary condition for autonomy. It is a necessary and not sufficient condition because, as we noted, there are various other constraints that prevent a person from using his or her mental abilities. In order for autonomy to be exercised a *set* of

²² Barry Allen, 'Foucault and Modern Political Philosophy', in *The Later Foucault: Politics and Philosophy*, ed. J. Moss, (London: Sage, 1998): p. 174.

²³ Michel Foucault, *The History of Sexuality*, Vol. I. trs. R. Hurley (London: Allen Lane, 1979) pp. 86-91.

²⁴ It should be apparent from the discussion above that the conception of autonomy that can be found in and developed from Foucault's work does not ignore the effects of the operation of power. Foucault's work analysed how power was able to 'co-opt' subjects. *Discipline and Punish* was Foucault's most systematic attempt to describe how power operated at this level. But he was also at pains to point out that the operation of power did not mean that subjects lost the power to act and to shape events. While there is not room to elaborate this claim here, Foucault's later work emphasised two things: first, that subjects do have agency and, second, that being able to reflect on this agency was morally and politically important. Foucault was definitely not a determinist about agency. I have elaborated these views in my 'Introduction' to *The Later Foucault: Politics and Philosophy*.

conditions has to be met. Without going into too much detail, the conditions of autonomy will include at least two other elements.²⁵

The first is an *adequacy of options*. The thought here is that a person is not autonomous unless they have a broad range of choices to make. A person whose only choices are between, for instance, starvation or enslavement is someone who is choice poor and therefore not autonomous. This sense of choice includes both short-term and long-term choices. One must be able to make everyday choices concerning how one orders daily life and long term choices such as the choice of a certain 'direction' or plan for one's overall goals, which will also, therefore, include a variety of options that are non-trivial.

Having options to choose between does not entail that any one set of options in particular must be the objects of choice. Foucault, of course, emphasised the heterogeneity of the goals and purposes that people valued and the importance of the need for individuals to create their own new options. But agreeing that there is a plurality of meaningful conceptions of what individuals might value is consistent with the claim that individuals should be able to choose between non-trivial alternatives. A society in which individuals are able to choose between and create options not need to pre-determine what these options are.

The last condition is *independence*. The difference between independence and adequacy of options is that while people may have many options from which to choose, if they are coerced into accepting or choosing one, then this represents a constraint on autonomy. Physical constraints provide the clearest example of threats to independence. Where a person is held captive or threatened with harm unless they make a particular choice, their independence is removed. The interesting twist that a Foucaultian account can bring to this condition is that there is both an internal and external sense of constraint that applies to independence. External constraints are things such as overt violence or threats of violence. Freedom from these types of constraints is what we usually associate with negative freedom. But internal constraints such as the type that was mentioned above — where government operates to control a subject's choices — is Foucault's chief contribution to the understanding of constraint.²⁶ To achieve independence,

²⁵ I should emphasise that the conception of autonomy that I am defending here is not equivalent to an endorsement of liberalism or any other political theory. While it is true that many types of liberal theory do value autonomy, so too do other varieties of political theory including libertarianism and some forms of socialism. I should also note that arguing for an absence of coercion and the presence of options is similarly consistent with various types of political theory.

²⁶ I here leave aside the question of what form of political organisation is required to fulfil these conditions. The conditions of autonomy specified above do not imply that

therefore, a subject must be free from obvious forms of external constraint and be free from the type of government of individuals that Foucault took such great pains to identify.²⁷

It is important to be clear about the value of autonomy as a normative principle with more than local application. Recall that a common objection to Foucault was that his account of power prevented him from providing criteria on which to base a normative position. Common as this objection is, it relies on a very unsophisticated account of power, which it will be helpful to pursue to see the source of the misunderstanding. When Foucault makes use of such terms as 'domination' and 'subjection' he is describing instances of power-over. Power-over is not in itself objectionable. If we define power-over as affecting the possibilities for action that are available to a subject, then instances of power-over need not involve domination. A person might affect the possibilities of action of another in positive ways by, for instance, giving advice, whereas domination occurs when a person negatively affects subjects' possibilities for action. Similarly, the description of the social field in terms of the ubiquitous presence of power includes the idea of the productive nature of power and the power agents have to alter events — power-to. Power-to is thus the ability that agents have to change or influence their surroundings. These two distinct but related terms are part of the same conception of power. They are not at odds with each other. Admittedly, there is confusion in Foucault's work over this question. This is partly a result of a lack of foregrounding of power-to in the middle work, a lack rectified in the later work.²⁸

A more carefully considered account of power also provides the clue to where one might begin to look for the justification of the normative values that a position such as Foucault's might countenance. That agents have the power-to do or become certain things is one of the factors that explain why

subjects must simply look to existing institutional structures to ensure these conditions.

²⁷ This tripartite definition of the conditions of autonomy is discussed by Joseph Raz, *The Morality of Freedom*, (Oxford: Oxford University Press, 1988): ch. 13. My account closely follows his. A similar framework was developed by Joel Feinberg, *Social Philosophy*, (Englewood Cliffs, NJ: Prentice-Hall, 1973). I am not suggesting here that achieving independence in the sense I have specified is to escape power. Achieving independence is escaping from a particular form of power, power-over as domination, and not escaping power completely as Habermas would have us do. Agents who act independently of constrain are still exercising power, but they are not subject to objectionable types of power-over.

²⁸ This leaves Nancy Fraser's often cited critique in a weak position. For, while there is definitely a rhetorical confusion in Foucault, it is not at the deep level that Fraser maintains, not, that is, at the conceptual level. I discuss the issue of foregrounding power-to in the later work in my 'Introduction' to *The Later Foucault: Politics and Philosophy*. For an account of the point concerning domination and subjection see Paul Patton 'Taylor and Foucault on power and freedom', *Political Studies* xxxvii (2), 1989.

and how a strategy of power operates. But the power-to do something has more than a mere causal dimension, it also has its normative side as well. The normative dimension comes from an aspect of power-to that is seen as vital to what a moral and political agent should be able to do. The question of what this normative dimension to power might be is best approached from a 'thin' understanding of subjectivity, which defines subjects as having various capacities or forces that could be developed in various ways.²⁹ Leaving aside the question of which capacities a subject would develop and the choices that these would entail, the capacity to distinguish between different choices and capacities is important; in short, there will be a need for the capacity to distinguish between the worth of different choices. If we also assume that it is better, on the whole, to make choices that are independent, not only of the influence of others but from the further negative dimensions of power-over, then what we have here is a protean reliance on a capacity for autonomy.³⁰ There is, therefore, a means of distinguishing between objectionable instances of power and acceptable ones. But note that understanding the role of autonomy in this way only minimally prescribes the content of subjects' beliefs or identity. It is a necessary but not sufficient criterion for political agency and one which subjects benefit from regardless of their other beliefs.

But this move raises an interesting question: by introducing autonomy to satisfy those worried about normative claims, has a new conception of interests been introduced? Foucault was not, on the whole, a partisan of theories of objective interests because of the overly ahistorical character he associated with them and because of fears of the perhaps unwarranted paternalism involved. This is also surely the type of problem that makes anti-foundationalists nervous. For interests, in this sense, have a decidedly universal feel to them, which might invoke features of interpersonal

²⁹ Paul Patton develops the idea of a thin conception of subjectivity at some length. He writes: "The human material is invariably active, it is a 'substance' composed of forces or endowed with certain capacities. As such it must be understood in terms of power, where this term is understood in its primary sense of capacity to do or be certain things. This conception of the human material may therefore be supposed to amount to a 'thin' conception of the subject of thought and action: whatever else it may be, the human being is a subject endowed with certain capacities. It is a subject of power, but this power is only realised in and through the different bodily capacities and forms of subjectivity which define the biological and social varieties of human being". Patton, "Foucault's Subject...", pp. 65-6.

³⁰ Other defenders of Foucault against Fraser have focused on Foucault's rhetorical strategy to explain how he might be an egalitarian. James Johnson proposes that we see Foucault as proposing a rhetorical strategy of exaggeration which establishes a perspective from which one can assess forms of power. Although this does not seem to answer the question of how one might then develop a new political arrangement except by consensus James Johnson, 'Communication, Criticism and the Postmodern Consensus: an Unfashionable Interpretation of Michel Foucault', *Political Theory*, Vol. 25 No. 4.

comparison that do not respect human difference. However, such a dismissal is too hasty. Autonomy is a kind of interest, but it is compatible with Foucault's nominalism.

What, then, would be Foucault's objection to real interests of the kind, for instance, that Steven Lukes writes of?³¹ For Lukes, an action involves power when a person's real interests are significantly affected. This distinction between real and apparent interests is crucial for his contrast with one and two-dimensional models of power because it provides for an account of 'misguided' action. The problem for Lukes' position is the status of real interests. Lukes argues that we can use empirical studies to show what interests are.³² This might be done by contrasting how people act under normal (often oppressive) conditions and abnormal ones (in times of social upheaval for instance). Crudely put, Lukes' claim is that by observing the behaviour of agents in abnormal times we can see what they really want to do, what it is in their interests to do. We might observe, as does Lukes, that when faced with situations in which agents are threatened with some social situation which causes harm—through pollution, for instance—that their interests (in remaining healthy in this case) will be shown when they choose not to accept the situation.³³

Such a neat verification of interests is not something that has usually been attributed to Foucault or, indeed, to those who support any sort of anti-foundationalism. But such a position does not rule out all accounts of interests. If, for instance, we assume that the development of capacities in various ways in accordance with a life plan or conception of the good is something that agents will seek to do, then, all things being equal, whatever helps this development will be worthwhile. This is not to say that all development should be considered desirable. A subject might develop in ways that everyone, including herself, might find objectionable. She might, for instance, develop habits or traits that are destructive of her own well-being, as well as the well-being of others. This might occur for any number of reasons: external pressures, lack of judgement, ignorance, illusion or just sheer laziness. Some of these causes might be beyond the agent's control, some may not. From a practical point of view, however, we might say that being able to distinguish, rank and attempt to actualise the goals that one hopes to achieve and the consequences of pursuing them will aid an agent in pursuing her conception of the good. To then be able to act on whichever goal one has chosen is also an obvious advantage. Thus the possession of a certain

³¹ Steven Lukes, *Power: A Radical View*, (London: The Macmillan Press, 1976).

³² Lukes, *Power*, pp.46-50.

³³ *Ibid.*, pp.42-5.

amount of autonomy is clearly a help and not a hindrance on such a practical or instrumental level.³⁴

The conception of human beings as being better off if they are able to understand and choose between meaningful alternatives is at the centre of what Foucault thinks is important. What needs to be remembered when recalling the objections to his political thought is that autonomy was both consistent with his version of anti-humanism in that it was made possible by embedded subjects, and that his commitment to autonomy was at the centre of his normative thought. The two separate realms—a philosophically inspired reflection on subjectivity and the engaged critique from a thoroughly normative standpoint—come together in the later work on autonomy to provide a link between Foucault's nominalism and political justification.³⁵

³⁴ The discussion of autonomy above has implicitly contained an assumption about autonomy being compatible with a similar autonomy for all. There is not the space here to defend this claim. But given such an assumption, there are all sorts of side constraints that might apply to a person's autonomy. But, generally speaking, we might say that there is a presumption that limiting the autonomy of others is, *prima facie*, undesirable. However, limiting autonomy for another value of equal or greater importance does not seem intuitively implausible. While I do not want to raise the issue of the respective ordering of different values here, one can see how as political values one might plausibly limit the other. The freedoms involved in being autonomous may well come from achieving an equality of condition which itself imposes restrictions on other freedoms.

³⁵ I leave aside the question of why autonomy is not more sought after. Is the evidence of people consciously limiting their autonomy a counter argument to autonomy being in people's interests? There may be all sorts of reasons why people might choose to put themselves in positions where autonomy is lessened. No one who supports a theory of power as government could suppose that not choosing to act autonomously was always a straightforward decision. Voting for a government that practices fiscal restraint, which may include the cutting of essential services otherwise valued, because one has accepted a false argument about economic crisis, would be such a case. Accepting a lower position in the workplace, which might harm one's life prospects because one believed it was all one was good for, might be another case. Such instances alert us to the ways in which people might be deceived about their choices such that they act in ways which limit something that they would otherwise consider important.

A further reason is that people might choose some other value over autonomy. Take the case where I accept a work contract that will restrict me to a particular set of tasks whose requirements are very narrow and unfulfilling. Such a decision might be justified in my eyes because I value the cause of the people that I am working for, or, because I believe that by taking such a job that I am increasing my children's chance of an education.

IV: The Significance of Autonomy and the Left Conservative Debate

To return to our starting point, which was the impasse created by the left libertarian dilemma symbolised by Butler, the chief problem was that it lacked a positive dimension and more than local applicability. I want to address both of these points in turn.

Autonomy can play a variety of roles in political theory. The role that I assign to it here is that of a normative yardstick against which we might evaluate the performance of governments or other institutions. Although one can envisage more substantive roles for autonomy, showing that it can be used as a normative benchmark indicates the positive dimension to Foucault's work, which has far reaching consequences. First, to understand the conditions of autonomy in this way is to appreciate that more than just freedom *from* some constraint is required in order to achieve autonomy. There are *positive* requirements that must be satisfied. Politically, these requirements are more significant than it may at first appear. Ensuring that subjects have the appropriate mental abilities is no small task, as it might involve developing extensive public education programs. Notwithstanding the ways in which the value of autonomy might be constrained by other political values, the consequences of adopting autonomy as a way of evaluating forms of power surely demands a politics that consists in more than just ensuring that certain types of power-over others are minimised. What it suggests is a form of politics that actually *enables* rather than merely clears the critical ground by performing an endless series of genealogies that conclude with the reminder that no one can tell us who we are. For this conception to be satisfied there has to be both a lack of external constraint for these conditions to be met *and* it requires that subjects have the capability to act in an autonomous way. Issues concerning poverty and powerlessness thus become intimately linked with satisfying autonomy. If individuals are without basic resources, such as adequate health care, then this might prevent them being autonomous according to the account above. Similarly, not having the opportunity to participate in political processes may also severely constrain autonomy. It would also mean that the range of constraints that Foucault identifies, such as different types of government of subjects, would also have to be addressed.

Additionally, this sort of analysis of autonomy and power allows what I will call 'transversal' truth claims. Transversal here means a truth claim that applies across particular strategies of power. This might take a number of forms. Autonomy, seen as a normative criterion for assessing different practices and configurations of power, might be one such transversal claim. There could be other capabilities that do this as well, such as literacy. Importantly, a norm of autonomy might be valued by heterogeneous groups

and individuals for quite different reasons. Groups with divergent worldviews might value autonomy for similar practical reasons. They may notice that autonomy is valuable for a range of conceptions of the good. But note that by claiming that autonomy is transversal one does not have to support a detailed and thick conception of human nature. This conception of autonomy does not have to depend for its support on a realist type claim that there are timeless ahistorical truths concerning human nature that are at the basis of autonomy. The basis of this claim is not a form of metaphysical realism, but the experience of differently situated cultures and people. This claim needs greater unpacking than I can give it here, but methodologically it is enough for now to note that transversal claims about autonomy do not have to be connected with conceptions of 'essential' human nature. Also note that essentialism, where it is used as a term that describes timeless ahistorical features of people, is only contingently connected to universalism; one might be an essentialist of difference. Take, for instance, the biological race theories of the 19th century, which claimed that different races had different biologically-based features. Here we have an essentialist claim, but one that is an essentialism of difference.

Politically, what this means is that within a Foucaultian framework one is not confined to objecting to a purely local instance of power. While all empirical political work will begin on this level, the knowledge gained or claims made might transverse local power strategies. Hence there is the possibility of objecting to forms of power on a transversal basis that are not confined within, for instance, national boundaries, as Foucault himself expressly allows.³⁶ So, the claim that genealogy reduces the effectiveness of political theory by severing the ties of the local from the general is not borne out once we accept the transversal nature of certain types of normative truth claims. Nor should we think of these positive and transversal claims as forms of the good; they are better conceived of as conditions of agency.

No doubt it could be said, with some justice, that the preceding account of autonomy, positive political theory and transversalism is a long way from what Foucault actually said about the role and nature of politics. While Foucault's work is full of allusions to normative ideas he does not develop these scattered comments in any systematic way. Perhaps this is what prevents some of his interpreters from coming up with anything more than a preference for negative freedom over non-freedom — but I doubt it. As I mentioned at the beginning, the transversalism and positive dimension to Foucault's work can, in fact, be taken as an expression of the positive side of the enlightenment ethos that he says he admires; a positive side that has been

³⁶ Michel Foucault, 'The Subject and Power', ed. H. L. Dreyfus, & P. Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, (Hertfordshire: Harvester Wheatsheaf, 1982): p. 221.

ignored in favour of the negative dimension, despite the impressive consensus on the dangers of universalism. In the discussion of the enlightenment he is quite explicit in claiming that what he thinks is possible is the growth of capabilities and the growth of autonomy — not just the identification and removal of certain forms of constraints, although this is certainly important. There are positive and enabling activities and processes to be performed. This is part of the enlightenment ethos, but it is also surely part of what a progressive program would aim to incorporate. Indeed, in the frequently quoted passage (below) Foucault rejects the universalism that I have been characterising as ahistorical and unaware of its limits, and asks that the enlightenment ethos take the form of a possible transgression. Foucault writes:

But if the Kantian question was knowing what limits knowledge has to renounce transgressing, it seems to be that the critical question today has to [be?]turned back into a positive one: in what is given to us as universal, necessary, obligatory, what place is occupied by whatever is singular, contingent, and the product of arbitrary constraints? The point, in brief, is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible transgression.³⁷

I would argue that transgression here should be seen not just as a denial of a form of governmental power, but as a transgression that can be seen as both positive and transversal in the senses I have been describing. Seeing things in this way allows us to steer a course between the false opposition of an ahistorical universalism and a restricted localism.

Finally, the failure by Foucault interpreters and some of the participants in the Left Conservative debate to observe these kinds of distinctions, and thus to opt for typically negative conclusions about what the left should do, raises the question of how they should be categorised. The lack of positive, enabling and transversal elements in what Butler and some Foucault interpreters end up with is really a very poor return on what is often a body of thought with radical roots. Given the challenges that face the left today surely outlining an alternative to prevailing politics is the most appropriate way of getting in touch with the useful part of a progressive tradition that has rightly seen its task as alleviating oppression and empowering people, whereas there is now a minimalism to Foucault-influenced left thought. In this sense, some of the participants in the Left Conservative debate should be careful whom they label conservative.

³⁷ Foucault, 'Enlightenment...', p.45.

Acknowledgments

Thanks are due to Catherine Mills for her comments on an earlier version of this paper and Chris Cordner for helpful discussions of many of these issues. I would also like to thank Todd May for his criticisms of this essay. Versions of this paper were presented at the Society for European Philosophy Conference, University of Cork, Ireland, September 11-14, 2002; and at a one day seminar 'The Later Foucault: Biopolitics and Ethics, Philosophy Department', Australian National University, August 9th, 2002.