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## ARTICLE

# ‘The Subject and Power’ – Four Decades Later: Tracing Foucault’s Evolving Concept of Subjectivation

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**ABSTRACT.** Michel Foucault’s essay ‘The Subject and Power’ has seen four decades. It is the most quoted of Foucault’s shorter texts and exerts a persistent influence across the social sciences and humanities. The essay merges two main trajectories of Foucault’s research in the 1970s: his genealogies of legal-disciplinary power and his studies of pastoral power and governance. This article connects these two trajectories to Althusser’s thesis on the ideological state apparatuses, demonstrating affinities between Althusser’s thesis and Foucault’s diagnosis of the welfare state as a ‘matrix’ of individualising and totalising power. The article suggests that Foucault’s essay straddles between two different concepts of subjectivation. First, one encounters the citizen ‘internally subjugated’ by disciplinary and pastoral power, whereas, at the end, we find a ‘flat’ subject of governance; a form of power which intervenes only in the environment in which individuals make their rational, self-fashioning choices. The implication of Foucault’s newfound concept of governance is a weakening of the link between subjectivation and the formation of the state, which also meant that the state’s role in reproducing capitalism receded into the background of Foucauldian scholarship. Finally, the article suggests extending Foucault’s analytical ‘matrix’ to current techniques of subjectivation associated with the advent of big data and artificial intelligence, which buttress the expansive technique of predictive profiling.

**Keywords:** Foucault, Althusser, state ideology, subjectivation, pastoral power, capitalist economy

## INTRODUCTION

About four decades have passed since Michel Foucault’s essay ‘The Subject and Power’ was published in *Critical Inquiry*.<sup>1</sup> In this famous essay, Foucault declares that the subject is produced both by self-knowledge and by subjection to others. He further suggests that

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<sup>1</sup> Michel Foucault, “The Subject and Power,” *Critical Inquiry* 8:4 (1982), 777-795.

the modern state has inherited the technology of pastoral power and defines government as 'the conduct of conduct'. With 27,685 citations, the essay is the most cited of Foucault's shorter texts (Google Scholar count 20<sup>th</sup> February 2024) and remains an indispensable reference in debates on subjectivity, governance, power, political identity, and more. The final version first appeared in January 1982 as an afterword to Paul Rabinow and Hubert Dreyfus' seminal book *Michel Foucault: Beyond Structuralism and Hermeneutics*<sup>2</sup> and then in the summer edition of *Critical Inquiry*.<sup>3</sup> In this context, the essay appears to present central themes from Foucault's work for an American audience. Paul Rabinow suggests that Foucault drafted significant portions of the essay during the mid-1970s.<sup>4</sup> Similarly, Arnold Davidson notes that 'there is compelling internal evidence that parts of [the essay] were written several years earlier'<sup>5</sup> but without providing this evidence. As such, the exact period in which Foucault wrote 'The Subject and Power' remains unclear. The essay continues to exert a persistent influence in the social sciences and humanities, including ritual theory,<sup>6</sup> analysis of governance,<sup>7</sup> discourse analysis,<sup>8</sup> postcolonial literature,<sup>9</sup> gender studies,<sup>10</sup> theories of power,<sup>11</sup> and research on religious movements,<sup>12</sup> and, as such, the text merits fresh scrutiny that can give it further context and, perhaps, uncover any as yet overlooked potentials for contemporary analysis.

The essay is perhaps most famous for its discussion of the notion of subjectivation. Foucault notably suggests that subjectivation is paradoxical since the very process that ensures the subject's subordination also allows her to achieve a self-conscious identity. Moreover, the essay is a condensation, I suggest, of two main trajectories from Foucault's research in the 1970s: his genealogies of juridico-disciplinary power, on the one hand, and his studies of pastoral power and governance, on the other. Against this backdrop, Foucault claims that the modern state combines two forms of power – one legal, administrative, and statistical, and the other individualising, centred on the specific individual's consciousness.

'The Subject and Power' also displays how Foucault, towards the end of the 1970s, made a shift in his conceptualization of subjectivation and power. Whereas the first part of the essay recapitulates his 1970s focus on the link between subjectivation and the state,

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<sup>2</sup> Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics*, ed. H. L. Dreyfuss and P. Rabinow (1982), 208-226.

<sup>3</sup> Foucault, "The Subject and Power," 777-795.

<sup>4</sup> Paul Rabinow, *Anthropos Today: Reflections on Modern Equipment* (2003), 52.

<sup>5</sup> Arnold Davidson, "In Praise of Counter-Conduct," *History of the Human Sciences* 24:4 (2011), 39 fn4.

<sup>6</sup> Catherine Bell, *Ritual Theory, Ritual Practice* (1992).

<sup>7</sup> Nikolas Rose and Peter Miller, "Political Power beyond the State: Problematics of Government," *The British Journal of Sociology* 43:2 (1992), 173-205.

<sup>8</sup> Norman Fairclough, *Language and Power* (2001).

<sup>9</sup> Bill Ashcroft, Gareth Griffiths and Helen Tiffin, *The Empire Writes Back: Theory and Practice in Post-Colonial Literatures* (2003).

<sup>10</sup> Judith Butler, *Undoing Gender* (2004).

<sup>11</sup> Steven Lukes, *Power: A Radical View* (2021).

<sup>12</sup> Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (2011).

this link disappears in the second part of Foucault's essay when he presents an 'analytics of governance'. In place of the 'war-model' Foucault used to analyse the social struggles around psychiatry, penal law, and discipline, he introduces a concept which is not at all warlike, namely government. This concept, I will demonstrate, resonates with Foucault's 1979 lectures, *The Birth of Biopolitics* (2008), where he analyses North American neoliberal thinking. There, Foucault discovers a mode of governance which is neither juridical nor disciplinary and instead acts on the environment in which subjects make their choices.

In effect, 'The Subject and Power' straddles between two different notions of subjectivation. In the essay's first part, one finds a subject caught up between the individualising and totalising power of the state. This subject is both a target of an intricate guidance of the soul and a juridico-administrative objectification as part of the population. The subject of governance, in the second part, is no longer tied to these subjectifying technologies but finds herself in a more open-ended environment of self-formation. Put differently, instead of *homo criminalis*, the object of disciplinary and confessional technology, we encounter *homo œconomicus*, the product of free, self-interested choices. The theme that runs through the two parts of Foucault's essay, I suggest, is the paradox of freedom in subjectivation, which echoes Louis Althusser's notion of interpellation, whereby the subject voluntarily submits to ideology.

In the first half of the 1970s, Foucault explored the link between state formation and subjectivation in dialogue with Marxist thought while also dislodging himself from Marxist vocabulary. Using this dialogue, I will highlight several points at which Foucault and Althusser intersect: the two poles of state power, a material view of ideology, and the divine voice of interpellation. Foucault, however, moved beyond Althusser's dual model of state power (repressive/ideological), offering much more historically sensitive analyses of how social groups struggle to influence state legislation and the state's responsibilities as an 'agent of moralization'. Compared to Althusser, Foucault described social struggle as occurring in far more fluid and mobile relations, and he transcended Althusser's theoretical model by laying out the dynamic interplay between *dispositifs*.

The article falls into four sections. The first section considers the first part of 'The Subject and Power', focusing on how the welfare state submits individuals to a matrix of power at once juridico-administrative and pastoral. The next section makes a series of connections to Althusser's thesis on ideological state apparatuses, demonstrating how Althusser's text resonates with key themes in Foucault's work from the 1970s. The third section traces Foucault's two main trajectories in the 1970s: his genealogy of penality and discipline and his genealogy of government and pastoral power. The fourth section discusses the second part of Foucault's essay, indicating affinities between Foucault's conception of governance and his analysis of neoliberal economics. This part of the essay shifts from 'the internal subjugation' of the welfare state matrix to 'governance' that dispenses with anthropological claims (as in *homo criminalis*) and introduces a 'flat', self-investing subject (as in *homo œconomicus*). Finally, the conclusion discusses how the link between subjectivation and the industrial-capitalist state, central to Foucault's 1970s work,

largely disappeared from his focus in the 1980s as well as from most subsequent Foucauldian scholarship. I return to Foucault's 'matrix' of individualising and totalising power, and I suggest applying this matrix to the recent rise of algorithmic decision-making and predictive profiling, discussing what mode of subjectivation these technologies confront us with.

### STATE POWER AND THE CITIZEN-SUBJECT

At the outset of the essay, Foucault presents his oft-cited, twofold concept of subjectivation, the process in which power and knowledge interlink to turn individuals into subjects:

There are two meanings of the word 'subject': subject to someone else by control and dependence; and tied to his own identity by a conscience or self-knowledge. Both meanings suggest a form of power which subjugates and makes subject to.<sup>13</sup>

According to this definition, subjectivation happens in social relations of dependency and control through which an individual submits to a particular truth about who she is. Thus subjected by others, the individual 'masters' her own subjection by constituting her identity and self-interrogation according to the truth imposed on her. Experts and other figures of authority visibly exert this power of subjectivation, but it also operates in our everyday social relations, where we routinely categorize each other as well as ourselves:

This form of power applies itself to immediate everyday life which categorizes the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognize and which others have to recognize in him. It is a form of power which makes individuals subjects.<sup>14</sup>

Given Foucault's philosophical anti-humanism, his notion of subjectivation eschews any idea of some 'human essence' that is constrained or annihilated in the subjectivation process. Rather, subjectivation, as Foucault conceives of it, is precisely what imbues the human subject with its 'essence', or self-identity, which both constrains and enables the subject to exert power. This means that individuals are not simply targets of a power which constrains them, since their enrolment into power relations qualifies them to become agents of power in their own right. Foucault makes this point repeatedly, for example in his 1976 lectures, *Society Must Be Defended*: 'Power is exercised through networks, and individuals do not simply circulate in those networks; they are in a position to both submit to and exercise this power'.<sup>15</sup> Critics of Foucault have sometimes overlooked the ambig-

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<sup>13</sup> Foucault, "The Subject and Power," 781.

<sup>14</sup> Ibid.

<sup>15</sup> Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-76* (2003), 29.

ity in subjectivation, which entails the simultaneous subordination to norms and the construction of a self-relationship. In practice, the two are not opposed but constitute two aspects of a single process. This twofold conception recalls Althusser's<sup>16</sup> central notion of 'interpellation', which recognized how subjugation to power is essential to becoming a subject. Subjectivation thus identifies the contradiction between power as normalizing and power as enabling, that is, between power as subjugating the individual to the social order and power as qualifying the subject as a social actor.

Although Foucault points to this fundamental ambivalence in the subject's self-constitution in submission to power, Judith Butler<sup>17</sup> observes that Foucault neglects to further theorize this ambiguity of subjectivation. Instead, he proceeds to re-conceptualize the power of the modern welfare state. Foucault thus advances his comments on subjectivation in the context of a broader argument on state power, launched against what he saw as theoretical models that are insufficient for grasping the link between subjectivation and state formation. Conventional legal theories concerned with legitimacy and institutional models focused on the state apparatus were unsuited to capturing state power in its mode of subjectivation or what Foucault terms 'individualising power'.<sup>18</sup> The modern state should not be viewed as an agency uninterested in citizens' subjectivity, 'ignoring what they are and even their very existence'<sup>19</sup>. On the contrary, the state constitutes 'a very sophisticated structure, in which individuals can be integrated, under one condition: that this individuality would be shaped in a new form and submitted to a set of very specific patterns'.<sup>20</sup> This is a tricky subjugation, as it dually targets citizens as a totality *and* qua their individuality, thereby transcending the juridical model of the citizen as a locus of formal rights and responsibilities.

This is where Foucault introduces the term 'pastoral power', noting that welfare state institutions are involved in subjectivation because they have inherited a particular modality of power from a Christian tradition long intertwined with juridical and administrative functions. Specifically, the guidance of conscience and its demand for individual truth produced through confessional techniques has proliferated in secular modalities in modern welfare institutions. Foucault argues that the modern state has multiplied the agencies that govern individuals qua their individuality, thus exerting 'a new form of pastoral power' including social work, medicine, psychiatry, and psychology.<sup>21</sup> This re-description of the state as an agent of pastoral power was guided by what Foucault described as 'certain conceptual needs'. He declares: 'We have to know the historical conditions which motivate our conceptualization'.<sup>22</sup> The historical condition in question is a welfare state

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<sup>16</sup> Louis Althusser, "Ideology and Ideological State Apparatuses" [1969], in *Lenin and Philosophy and Other Essays* (1971), 127-189.

<sup>17</sup> Judith Butler, *The Psychic Life of Power* (1997), 2.

<sup>18</sup> Foucault, "The Subject and Power," 778.

<sup>19</sup> *Ibid.*, 783.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*, 778.

established around two poles: a *totalising* pole constituted by population statistics and jurisprudence and an *individualising* pole constituted by techniques for guiding each citizen-subject's conscious self-conduct.<sup>23</sup> The complex integration of these two poles requires, in other words, that state power is re-conceptualized in the face of the present circumstances.

By recasting the modern state, Foucault is also responding to more tangible issues, such as the emergence of everyday struggles against subjectivation apparent at the time. Focusing attention on contemporary struggles of groups confronting the authorities in health, psychiatry, education, and the 'administration over the ways people live' (1982a: 780) can serve, he suggests, as a catalyst for analysing power. In sum, Foucault eschews the view of the state as a centre of legal-punitive power, offering an altogether different framework of analysis that foregrounds the link between the state and the production of subjectivities. In brief, rather than seeing the state as a sovereign legal agency, or 'a kind of political power which ignores individuals',<sup>24</sup> one must recognize how techniques and practices of pastoral power have multiplied within the welfare state.

### STATE IDEOLOGY OR DISCIPLINARY TECHNIQUES

Foucault's portrayal of the state as involved in subjectivation puts him in the close vicinity of Althusser's foundational 'Ideology and Ideological State Apparatuses' from 1969. My intention in comparing this text with 'The Subject and Power' is neither to demonstrate that Foucault's ideas were pre-established in Althusser's text, thereby creating an 'Althusserian Foucault', nor to reduce Althusser to a predecessor who prepared the ground for Foucault. Despite similarities, Althusser's concept of 'interpellation' is not equivalent to Foucault's 'subjectivation', just as 'apparatus' is not identical to '*dispositif*'. Nevertheless, I suggest that reading 'The Subject and Power' through the prism of its oblique dialogue with Althusser can enrich our understanding of the essay. Insofar as Foucault wrote parts of the essay in the mid-1970s, as Rabinow<sup>25</sup> and Davidson<sup>26</sup> suggest, the echoes of Althusser in the 'Subject and Power' should be unsurprising. The first part of the essay reads as a recapitulation of that 1970s work and the critical dialogues Foucault engaged in, especially with Althusser.<sup>27</sup> Such points of dialogue centred on how to move beyond models of the state as uniformly repressive, how to re-conceptualize ideology as immanent to practices, and how to grasp subjectivation as being achieved not simply by repression but by individuals' voluntary submission to ideology.

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<sup>23</sup> Foucault, "The Subject and Power," 784.

<sup>24</sup> *Ibid.*, 782.

<sup>25</sup> Paul Rabinow, *Anthropos Today: Reflections on Modern Equipment* (2003).

<sup>26</sup> Davidson, "In Praise of Counter-Conduct," 25-41.

<sup>27</sup> Étienne Balibar, "Foreword: Althusser and the Ideological State Apparatuses," in *On the Reproduction of Capitalism: Ideology and Ideological State Apparatuses*, Louis Althusser (2014), vii-xix; Bernard E. Harcourt, "Course Context," in *The Punitive Society. Lectures at the Collège de France 1972-1973* (2015), 265-310.

Althusser taught Foucault at the École Normale Supérieure in 1948–1949, and both were involved in revisionist discussions of Marxist theory. Étienne Balibar notes that Althusser and Foucault both participated in the structuralist movement, whose essential goal was ‘to conceptualize the constitution of the subject in place of “the constitutive subject” of the classic transcendental philosophies’.<sup>28</sup> Accordingly, the body became the principal focus of analysis, while both thinkers excluded interiority and alienation from their frameworks. Balibar cautions against pitting Foucault univocally against Marxism, as his relationship to it evolved through a complex process in which Althusser was constantly present. Foucault’s relationship with Althusser, Balibar observes, was ‘at once personal, intellectual and institutional, [and] did not by itself determine this evolution, but certainly helped determine it from first to last’.<sup>29</sup> In a seminal article, Warren Montag<sup>30</sup> (1995) argues that Althusser and Foucault both rejected idealism and idealist notions of ideology, eliminating any essence from the subject in order to examine its purely material production. Montag notes that ‘the most unforgivable question that Althusser and Foucault asked concerned the subject’, because they both ‘denied all that was distinctively human’.<sup>31</sup> Comparing ‘Ideology and Ideological State Apparatuses’ and *Discipline and Punish*, Montag suggests that these works were not as opposed and external to each other as widely believed. From a historical distance, one can instead view Althusser and Foucault ‘as reciprocal immanent causes, dynamic and inseparable’<sup>32</sup> because in the French intellectual context of the 1960s and 1970s, they were questioning many of the same notions.

Other commentators characterize Foucault’s relationship to Althusser as a constitutive negative dependency. Bernard Harcourt notes that Althusser’s distinction between the repressive state apparatus (RSA) and ideological state apparatuses (ISAs) gave Foucault a continuous theoretical contrast against which to write. Whereas Althusser assigned the function of penalty strictly to the RSA, Foucault traced the wavering development of law and punishment in a field of struggle between social groups. Discussing Foucault’s genealogy of penalty, Harcourt notes that Althusser’s twin apparatuses ‘do not offer Foucault the possibility of thinking about penalty or the prison outside of State repression’.<sup>33</sup> For Harcourt, Foucault breaks with Althusser by introducing a mobile conception of power, one that, unlike Althusser’s centralized, binary model of the state, eschews an a priori division between repressive and productive power. It is noteworthy, then, that Althusser always puts the ‘Repressive State Apparatus’ in the singular and in capital letters, as if it were a unified and centralized agency. Decisively transcending Althusser’s theoretical

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<sup>28</sup> Balibar, “Foreword: Althusser and the Ideological State Apparatuses,” xvi.

<sup>29</sup> “Foreword: Althusser and the Ideological State Apparatuses,” xi.

<sup>30</sup> Warren Montag, “‘The Soul is the Prison of the Body’: Althusser and Foucault, 1970–1975,” *Yale French Studies* 88 (1995), 53–77.

<sup>31</sup> Montag, “‘The Soul is the Prison of the Body’: Althusser and Foucault, 1970–1975,” 55–56.

<sup>32</sup> “‘The Soul is the Prison of the Body’: Althusser and Foucault, 1970–1975,” 56.

<sup>33</sup> Harcourt, “Course Context,” 272.



model, Foucault<sup>34</sup> analyses how moralization ('the ideological') intersects with penalty ('the repressive') in dynamic struggles between social groups.

Nevertheless, the differences between Althusser and Foucault have often been exaggerated, as their works intersect in significant ways, including their emphasis on Marx as offering a materialist and decentred view of history. Andrew Ryder thus argues that Foucault and Althusser both endorsed Marx's 'epistemological mutation of history' in their respective commentaries on Marx<sup>35</sup>. However, most importantly for our purposes, Althusser and Foucault shared the idea that subjectivation occurs when an individual freely submits to the prevailing ideology or power/knowledge. In Althusser's terms, interpellation *qua* individuality happens when ideology 'hails' an individual as a singular locus of free will. Althusser's thesis also displays affinities with Foucault's notion of pastoral power in that Althusser models ideological interpellation on divine authority.

### FREEDOM IN INTERPELLATION

The central problem in Althusser's influential essay 'Ideology and Ideological State Apparatuses' is the state's involvement in the reproduction of citizen-subjects who practice ideology. The essay anticipates the themes of the state's punitive and disciplinary power which Foucault developed in the 1970s, where he often directed implicit or explicit commentaries at Althusser. Althusser builds his essay on the contention that the survival of the capitalist economy requires not only that the material conditions of production be reproduced but also that the labour force voluntarily submits to ideology: 'It is in the forms and under the forms of ideological subjection that provision is made for the reproduction of the skills of labour power'.<sup>36</sup> Recall that, for Althusser, the state ensures ideological subjugation by means of its twin apparatuses, the RSA and the ISAs. Operating by means of force and sanctions, the RSA comprises the bureaucracy, the courts, the prisons, the police, and the armed forces, whereas the ISAs, which operate through ideology, include schools, churches, sports, and cultural institutions as well as non-state actors such as family, political parties, trade unions, and the mass media.<sup>37</sup> Althusser particularly wants to theorize the ISAs' role in reproducing citizen-subjects, as the capitalist economy cannot reproduce itself without the formation of subjects who are immersed in and freely practice ideology. Thus, the crucial problem is not the reproduction of labour power but *the reproduction of subjectivation* or the citizens' misrecognition of themselves in 'the ruling ideology'.<sup>38</sup>

Althusser insists that ideology only has a 'material existence' and hence must be dissociated from an ideational or spiritual realm because ideology is only present in and

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<sup>34</sup> Especially Michel Foucault, *The Punitive Society. Lectures at the Collège de France 1972–1973* (2015).

<sup>35</sup> Andrew Ryder, "Foucault and Althusser: Epistemological Differences with Political Effects," *Foucault Studies* 16 (2013), 134.

<sup>36</sup> Althusser, "Ideology and Ideological State Apparatuses," 133.

<sup>37</sup> "Ideology and Ideological State Apparatuses," 142-143.

<sup>38</sup> *Ibid.*, 133.

through material institutions, practices, and rituals.<sup>39</sup> Citizen-subjects engage in material practices governed by the rituals of ISAs, such as ‘a mass in a small church, a funeral, a minor match at a sports’ club, a school day, a political party meeting, etc.’.<sup>40</sup> Pierre Macherey explains that Althusser refused the conventional notion of ideology as illusionary representations that endow consciousness with certain dispositions; ‘an intermediate layer occupied by ideal representations located in the spirit’.<sup>41</sup> Similarly, Foucault eschewed the view of power as an order that descends from the mind into bodily actions, instead asserting the irreducible materiality of practices: ‘We should try to grasp subjectivity in its material instance as a constitution of subjects’.<sup>42</sup> Thus, as Foucault discovers, disciplinary power targets the human body by means of a host of minor techniques subjugating the body and its capacities to disciplinary norms. It is also noteworthy that Althusser’s twin state apparatuses broadly resemble the two poles of state-power laid out in ‘The Subject and Power’ – the juridico-disciplinary and the pastoral-governmental.

Most importantly, both Althusser’s ISAs and Foucault’s pastoral state institutions embody a form of power that interpellates the individual as subject. Ideology, writes Althusser, ‘interpellates concrete individuals as concrete subjects’,<sup>43</sup> whereas Foucault speaks of ‘a form of power which makes individuals subjects’.<sup>44</sup> These notions entail, first, that citizens are interpellated through (not against) their unique individuality and, second, that the interpellated person is maintained as a carrier of irreducible freedom. Hence, Althusser’s essay first introduced the paradox of freedom in subjectivation, i.e., the claim that subjugation requires the freedom of the interpellated.

The demand to submit freely *and* entirely is paradoxical, Althusser notes, because it reveals the double meaning of the word ‘subject’ – ‘a free subjectivity, author of and responsible for its actions’ as well as ‘a subjected being, who submits to a higher authority, and is therefore stripped of all freedom except that of freely accepting his submission’.<sup>45</sup> Jacques Bidet suggests that Althusser’s key contribution to the theory of ideology was indeed his identification of the paradox of interpellation, i.e., the demand to freely submit to one’s unfreedom. Althusser, writes Bidet, ‘set the stage for the paradox of a subject constituted as such through the injunction to conform to a law. A subject is only a subject at the cost of its voluntary submission’.<sup>46</sup> Althusser’s claim that freedom and individuality constitute ideology’s medium of interpellation resonates in Foucault’s declaration that pastoral power is ‘individualising’. Asserting that ideology not only functions through

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<sup>39</sup> “Ideology and Ideological State Apparatuses,” 166-169.

<sup>40</sup> *Ibid.*, 168.

<sup>41</sup> Pierre Macherey, “The Productive Subject,” *Viewpointmag.com*. <https://viewpointmag.com/2015/10/31/the-productive-subject/> (accessed 16th May, 2023).

<sup>42</sup> Michel Foucault, “Omnes et singulatim,” in *Power: Essential Works of Foucault, 1954-1984, Vol. 3* (2000), 97.

<sup>43</sup> “Ideology and Ideological State Apparatuses,” 173.

<sup>44</sup> “The Subject and Power,” 781.

<sup>45</sup> “Ideology and Ideological State Apparatuses,” 182.

<sup>46</sup> Jacques Bidet, “The Interpellated Subject: Beyond Althusser and Butler,” *Crisis and Critique* 2:2 (2015), 63.

repression but also productively shapes subjectivities, Althusser introduced themes central to 'The Subject and Power', especially power's productivity and the assumption of the governed subject's inviolable freedom.

For Althusser, freedom's immanent relation to interpellation stems from the fact that ideology speaks with something like a divine voice. Althusser suggests that ideology constitutes the individual as free, just as God created man with a free will to choose to do either good or evil: 'Interpellating the individual as subject means that he is free to obey or disobey the appeal, i.e. God's commandments'.<sup>47</sup> Just as the divine voice calls individuals by their names, recognizing them as subjects with a personal identity, so ideology interpellates individuals as distinguishable and irreplaceable. Butler suggests that, for Althusser, religion is not merely an 'example' of this but functions as *the template* for ideological interpellation in general. The voice of ideology constitutes the subject in a manner equivalent to divine authority's naming power in the Christian sacraments: 'I address myself to you [...] in order to tell you that God exists and that you are answerable to Him'.<sup>48</sup> It is noteworthy that Foucault echoes Althusser's religious analogy in 'The Subject and Power' when describing the state as 'a modern matrix of individualization, or a new form of pastoral power'.<sup>49</sup>

However, the fact that Althusser and Foucault both invoke Christianity to describe the mechanism of subjectivation should not lead us to neglect the divergence of their approaches. Importantly, for Althusser, the divine voice of ideology serves as a purely theoretical model in his universal conceptions of ideology and ideological interpellation. By contrast, Foucault only arrives at his notion of pastoral power as the technology of subjectivation in Western culture *par excellence* after detailed, genealogical explorations of the Christian tradition. Here, the difference between the philosopher and the genealogist comes to the fore.

Althusser's subject theory is another important place where his claim that subjects 'freely' come to practice ideology ceases to align with Foucault's declaration that power works upon free subjects. Althusser briefly recaptures Freud's theory of the unconscious and Lacan's mirror stage as explanations for the child's 'pre-appointment' to ideology, which he discussed in an earlier essay on Freud and Lacan.<sup>50</sup> On this account, the child is born into a world already saturated by ideology, mirroring itself in it while striving to form a coherent identity. Althusser writes: 'Lacan demonstrates the effectiveness of the Order, the Law, that has been lying in wait for each infant born since before his birth, and seizes him before his first cry, assigning to him his place and role, and hence his fixed destination'.<sup>51</sup>

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<sup>47</sup> "Ideology and Ideological State Apparatuses," 178.

<sup>48</sup> *Ibid.*, 177.

<sup>49</sup> "The Subject and Power," 783.

<sup>50</sup> Louis Althusser, "Freud and Lacan," *New Left Review* 55 (1969), 49-65.

<sup>51</sup> Althusser, "Freud and Lacan," 60-61.

Ideology is ‘eternal’ in the sense that individuals always and inevitably rely on ideology for their misrecognition of themselves as subjects. The Oedipus complex, Althusser writes, is ‘imposed by the Law of Culture on every involuntary, conscripted candidate to humanity’.<sup>52</sup> As such, the individual already has a subconscious attachment to ideology before she engages in any socio-historical practice. In fact, Althusser<sup>53</sup> insists that all societies require ideology to ensure social cohesion and coordination of action. These dictums on ideology display Althusser’s effort to give Marxist theory scientific validity by revising it in essentially philosophical terms. By contrast, Foucault dismissed the Marxist notion of ideology and the related premise, entertained by Althusser, that theory must step outside the unacknowledged common sense of everyday life, which obscures the reality of class antagonism. Even if he shared certain assumptions with his teacher, Foucault eschewed such universalizing theory-building, studying social struggles and techniques of subjectivation as emerging in singular, historical processes.

## TWO TRAJECTORIES OF STATE POWER

The key argument in ‘The Subject and Power’ – that the welfare state is a matrix of totalising and individualising power – integrates two major genealogies Foucault developed in the 1970s: the genealogy of juridical and disciplinary power from the early 1970s and that of the pastorate and governance in the late 1970s. The first trajectory includes *Penal Theories and Institutions* from 1971 to 1972, *The Punitive Society* from 1972 to 1973, *Truth and Juridical Forms* from 1973, and *Discipline and Punish* published in 1975. In these works, Foucault focuses on the relationship between the state’s punitive and moralizing functions and the reproduction of capitalist economy, themes close to Althusser. In continuous dialogue with the Marxist tradition, Foucault explores how, in the 18<sup>th</sup> and 19<sup>th</sup> centuries, the state’s disciplinary institutions expanded in response to industrialists’ concerns for protecting their wealth and securing production.

Using the composite juridico-disciplinary, I do not intend to merge law and discipline, since, for Foucault, the concept of discipline is distinct from law. Discipline generally refers to techniques of power which supplement or extend the domain of law and penalty. However, discipline and its norms are not isolated from law but dependent on it. Law and norm stand in a mutually supportive relationship since the law often underpins and authorizes disciplinary practices of normalization. Hence, Foucault notes that discipline constitutes an ‘infra-law’, a ‘counter-law’, and that it extends ‘the general forms defined by law to the infinitesimal level of individual lives’.<sup>54</sup> In concrete terms, Foucault’s genealogies show how privileged groups sought to both influence the legal system and foster disciplinary norms in their strategy to control the working classes. For instance, societies for moral betterment worked to spread good norms, but in some cases, the bourgeoisie

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<sup>52</sup> “Freud and Lacan,” 63.

<sup>53</sup> Louis Althusser, *For Marx* (2005).

<sup>54</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison* (1977), 222-223.

campaigns for outlawing moral infractions, such as vagabondage. In what I identify as Foucault's juridico-disciplinary trajectory, law and discipline hence develop in tandem.

The other genealogical trajectory in 'The Subject and Power' retraces the Christian pastorate and the modern notion of governance. This pastoral-governmental trajectory includes *Security, Territory, Population* from 1977 to 1978, *The Birth of Biopolitics* from 1978 to 1979, *Omnes et Singulatim* delivered in 1979, and *On the Government of the Living* from 1979 to 1980. In these works, Foucault rediscovers government as the 'conduct of conduct' in 17<sup>th</sup> and 18<sup>th</sup> century treatises on political rule but also explores the Christian linkage between obedience and the demand for truth, beginning with the first Christian institutions of the 2<sup>nd</sup> and 5<sup>th</sup> centuries B.C.E. The notion of government, understood as the continual guidance of the soul, forges a continuity between pastoral care of each member of the flock and the welfare state's secular governance of each citizen qua individuality. In 'The Subject and Power', Foucault's genealogies of juridico-disciplinary power and pastoral-governmental power intersect, and only against their background can one understand the claim that the state is a 'tricky combination' of individualising and totalising power.<sup>55</sup> These two trajectories hence merit a closer look.

## PUNISHMENT AND DISCIPLINE

In the first half of the 1970s, Foucault described how the state emerged as a 'moralizing agent' from social struggles to defend capitalist production, an analysis that brought him closer to the state's constitutive role in modern capitalism than at any other time. He explored the problem while often drawing on Marxist vocabulary even as he repeatedly and explicitly dislodged his analysis from that very vocabulary.

Within this trajectory launched in the 17<sup>th</sup> century, Foucault describes not only the birth of the correctional prison but the emergence of a broader strategy of control over the working classes, which Foucault initially terms 'moralization'<sup>56</sup> and later 'discipline'.<sup>57</sup> I will briefly home in on Foucault's 1972–1973 lectures *The Punitive Society*, a rich but less prominent forerunner to *Discipline and Punish* from 1975 (1977). These lectures provide the context in which Foucault most extensively explores how privileged groups mobilized the state's legal-punitive wing in their tactics for controlling the labouring classes. Foucault describes how from the 17<sup>th</sup> century onwards individuals deemed harmful to nascent capitalism for 'stealing' their own labour power from production, such as vagabonds, became targets of harsh condemnation and punishment. In the 18<sup>th</sup> and 19<sup>th</sup> centuries, commercial groups campaigned to make the state an 'agent of moralization' by enforcing new laws that expanded the reach of judicial power into the realm of workers' 'moral failings': disobedience, idleness, prodigality, and improvidence. In *The Punitive Society*,

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<sup>55</sup> "The Subject and Power," 782.

<sup>56</sup> Foucault, *The Punitive Society. Lectures at the Collège de France 1972–1973* (2015).

<sup>57</sup> Foucault, *Discipline and Punish: The Birth of the Prison* (1977).

one learns how the penal system is 'made by some for others',<sup>58</sup> meaning that the properly invented laws sanctioned by the state to protect their wealth and tie labourers to a regularized life of production, saving, and consumption.

The urgent need to target workers' moral failures was voiced by commercial groups such as merchants' and bankers' guilds, journeymen, and societies for moral improvement.<sup>59</sup> Foucault describes such non-state agents as pressure groups and innovators of moralizing techniques but is careful not to assign them any uniform ideology. As Foucault proceeds into the 19<sup>th</sup> century, the control tactics emerging under industrial capitalism gradually merge moralization and repression in 'a range of everyday constraints that focus on behaviour, manners, and habits, and the effect of which is not to sanction something like an infraction, but to act on individuals positively, to transform them morally'.<sup>60</sup> This strategy for eliminating working-class disobedience gradually involved juridical, medical, and psychological codifications.

Foucault's account of the evolving struggles around defining workers' irregularities as illegalisms and moral failures decisively transcends Althusser's binary model of the repressive/ideological. In contrast to Althusser, Foucault declares that the deployment of penal tactics 'is not just an ethical-juridical control, a State control to the advantage of a class'.<sup>61</sup> Foregrounding the shifting, moralized demarcations of tolerated illegalism versus illegality, Foucault eschews a Marxist conception of the state as a 'repressive machine'. Instead, he prefers to study processes of social dominance and the role of penalty therein not as theoretically schematized phenomena but as empirically discernible transformations.

Towards the mid-1970s, Foucault begins substituting 'discipline' for penalty and moralization, portraying a diffusion of disciplinary techniques across schooling, production, medicine, psychiatry, and social work. In spotlighting these techniques, Foucault focuses on much smaller units of analysis than Althusser's twin apparatuses, showing how they emerged from specific tactics and techniques. In this process, Foucault says, 'the labouring and lower classes become the point of application of the moralization of penalty. The State sees itself called upon to become the instrument of the moralization of these classes'.<sup>62</sup> At the end of Foucault's juridico-disciplinary trajectory, the contours of a modern, 'disciplinary society' come into full view. This is less a society in which one class exerts control over another and more one in which 'supervisory institutions' ceaselessly normalize individuals into the lifeform of industrial capitalism. Such incipient power/knowledge techniques as the criminal record, the individual health report, and the social case file lend concrete support to Foucault's claim in 'The Subject and Power' that the welfare state is a 'matrix' of totalising and individualising power.

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<sup>58</sup> Foucault, *The Punitive Society*, 24.

<sup>59</sup> *The Punitive Society*, 105-106.

<sup>60</sup> *Ibid.*, 110.

<sup>61</sup> *Ibid.*, 110.

<sup>62</sup> *Ibid.*, 108.

## THE PASTORAL-GOVERNMENTAL

It is tempting to read 'The Subject and Power' as revealing the welfare state's inheritance of pastoral power in secularized forms, such as confessional techniques in health care, psychiatry, crime prevention, and social work. In this reading, the shepherd's salvation of the flock is in continuity with the security of the population under political governance, with pastoral care re-emerging as the insurance of health in this life, the continual guidance of each citizen, and the pursuit of detailed knowledge on the population. Such a reading underlines the welfare state's involvement in producing subjectivity, as it interlinks confessional techniques with the objectifying knowledge of jurisprudence and statistics. Writing about the confessional, Foucault states: 'This form of power cannot be exercised without knowing the inside of people's minds, without exploring their souls, without making them reveal their innermost secrets. It implies a knowledge of conscience and an ability to direct it'.<sup>63</sup> Hence, to deploy juridico-disciplinary power, authorities must know about subjectivity: to counsel, the social worker must reveal who the client is, and, to judge, the court must know the offender's character. The welfare state comprises, as Foucault suggests, a comprehensive expertise that 'interpellates *qua* individuality', to use Althusser's words.

Pastoral guidance and confessional technology clearly play a crucial role in Foucault's genealogies of governmentality from the first centuries of European Christianity to the emergence of the modern state. However, if one reads 'The Subject and Power' as a recapitulation of Foucault's work in the late 1970s, while paying close attention to his comments on struggles around subjectivity, another heritage from the Christian tradition comes to the fore. Notably, in the essay Foucault mentions the 'struggles against the "government of individualization"' which unfold within the domains of sexuality, pedagogy, psychiatry, and medicine<sup>64</sup> against the effects of 'juridico-pastoral subjectivation'. Foucault specifies that they 'revolve around the question: Who are we? They are a refusal of these abstractions, of economic and ideological state violence, which ignore who we are individually, and also a refusal of a scientific or administrative inquisition which determines who one is'.<sup>65</sup>

Foucault's preferred term to denote such struggles is 'counter-conduct', a term he introduces in *Security, Territory, Population* when analysing belief-centred revolts against the Christian pastorate from the Middle Ages to the 16<sup>th</sup> century. As a base definition, Foucault designates counter-conduct as 'struggle against the procedures implemented for conducting others'.<sup>66</sup> Interestingly, 'The Subject and Power' draws a sweeping parallel between contemporary struggles 'against the government of individualization' and anti-pastoral counter-conducts that aspired towards an alternative (religious) subjectivity. This

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<sup>63</sup> "The Subject and Power," 783.

<sup>64</sup> Ibid., 780.

<sup>65</sup> Ibid., 780-782.

<sup>66</sup> Michel Foucault, *Security, Territory, Population: Lectures at the College de France 1977-78* (2007), 201.

link emerges as Foucault moves seamlessly from present-day struggles back to the Reformation:

I suspect that it is not the first time that our society has been confronted with this kind of struggle. All those movements which took place in the fifteenth and sixteenth centuries and which had the Reformation as their main expression and result should be analyzed as a great crisis of the Western experience of subjectivity and a revolt against the kind of religious and moral power which gave form, during the Middle Ages, to this subjectivity.<sup>67</sup>

The theme of counter-conduct versus pastoral power occupies several lectures in *Security, Territory, Population*,<sup>68</sup> with Foucault describing how diverse groups practiced religious insubordination and challenged authority while rearticulating the Christian tradition itself. Foucault notes that such counter-conduct can be found at a doctrinal level, in individual behaviour, and in organized groups.<sup>69</sup> These groups re-interpreted asceticism, the ideal of self-sacrifice, and spiritual guidance, and in so doing, 'certain themes of Christian theology or religious experience were utilized against these structures of power'.<sup>70</sup> Foucault emphasizes how religious counter-movements evolved in tandem with the pastoral government imposed by the Christian church. Consequently, Foucault describes the relationship between pastoral power and counter-conduct as an immanent relation:

The struggle was not conducted in the form of absolute exteriority, but rather in the form of the permanent use of tactical elements that are pertinent in the anti-pastoral struggle to the very extent that they are part, even in a marginal way, of the general horizon of Christianity.<sup>71</sup>

These movements at the church's margins challenged pastoral authority by readopting Christian doctrines, and some of these 'tactical elements' gradually invested the ecclesiastical institutions. Importantly, then, practices of counter-conduct inevitably carry political value. Arnold Davidson explains: 'Even apparently personal or individual forms of counter-conduct such as the return to Scripture or the adherence to a certain set of eschatological beliefs have a political dimension, that is, modify force relations between individuals, acting on the possibilities of action'.<sup>72</sup> This emphasis on the inherent politics of counter-conduct leads to a general thesis in 'The Subject and Power': struggles around subjectivity in the modern West can be linked to struggles around acceptance or refusal of Christian obedience.

At stake in 'The Subject and Power' is how to contest the subjugation of the juridico-pastoral state or, as Foucault declares, 'how to liberate us both from the state and from the

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<sup>67</sup> "The Subject and Power," 782.

<sup>68</sup> Foucault, *Security, Territory, Population*, 191-255.

<sup>69</sup> *Security, Territory, Population*, 204.

<sup>70</sup> *Ibid.*, 207.

<sup>71</sup> *Ibid.*, 125.

<sup>72</sup> "In Praise of Counter-Conduct," 29.



type of individualization which is linked to the state'.<sup>73</sup> By introducing the problem of 'liberation' from techniques of subjectivation linked to the state, Foucault emphasizes the twofold ethical and political scope of counter-conduct. 'The Subject and Power' suggests that state power is irreducible to a juridical framework focused on power's legitimacy and limits because in the modern welfare state the power of subjectivation 'passes through' subjects and their interrelationships. This insight elucidates why Foucault insists, in *The Hermeneutics of the Subject*, that elaborating an ethics of the self 'may be an urgent, fundamental, and politically indispensable task'.<sup>74</sup> If modern state power productively shapes subjects, it follows that 'there is no first or final point of resistance to political power other than in the relationship one has to oneself'.<sup>75</sup> Because the modern state is invested with dispersed, productive, and reversible power relations, the citizen-subject becomes a point of dispersion, intensification, or reversion of power. As such, for Foucault, power cannot be analysed isolated from ethics, understood as the self's relationship to the self.

Foucault's portrayal, in 'The Subject and Power', of the state as involved in subjectivation raises the problem of expert knowledge in the governance of individuals' conduct. In the context of the modern state, conduct is ambiguous because it is both an activity of ethico-political value and a target of scientific and administrative scrutiny. What Foucault cautions against is the dominance of science as the exclusive framework through which human conduct is made intelligible: 'When a regime of scientific veridiction provides the framework of intelligibility for conduct, this concept completely changes register, losing its ethical and political dimensions and becoming the object of scientific explanation'.<sup>76</sup> Pastoral power in its secular offsprings involves the scientific verification of psychology, psychiatry, and pedagogy with their character typifications and divisions of normality/abnormality, just as the security of the population involves health statistics and juridical knowledge.

The contemporary problem of subjectivity emerges from within this compact of state power and juridico-scientific knowledge. Insofar as the welfare state's expertise is intimately involved in the production of subjectivity, what kind of resistance would correlate with this individualising power? Confronting this problem, Foucault famously posits that no 'positive self' has to be liberated, since today's main challenge is to develop a 'politics of ourselves':

Maybe our problem now is to discover that the self is nothing else than the historical correlation of the technology built in our history. Maybe the problem is to change those technologies, and then, to get rid of the sacrifice which is linked to

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<sup>73</sup> "The Subject and Power," 785.

<sup>74</sup> Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France 1981–1982* (2005), 252.

<sup>75</sup> Foucault, *The Hermeneutics of the Subject* (2005), 252.

<sup>76</sup> "In Praise of Counter-Conduct," 36.

those technologies. And in this case, one of the main political problems nowadays would be, in the strict sense of the word, the politics of ourselves.<sup>77</sup>

Foucault's late work on self-conduct is an exploration of subjectivities very different from those linked to the technologies of pastoral power (with their quest to reveal inner truth) and of disciplinary power (with its anthropological characters like 'the criminal personality'). Given how central these truth producing technologies are to state governance, as 'The Subject and Power' emphasizes, the question guiding Foucault's subsequent work concerns the relationship one can establish with oneself within different truth orders. Hence, Edward McGushin points out a simultaneity between the loss in philosophy of the idea that the access to truth is linked to a care of the self and a political government which takes care of people by producing normal subjects. For McGushin, Foucault 'reveals the way that our contemporary situation is based on a historical neglect – the neglect of the spiritual model of truth and of care of the self'.<sup>78</sup> This neglect might be guiding Foucault's 1980 lectures, *On the Government of the Living*, which examine the truth regime in early Christianity while also tracing alternative constellations of self-conduct and truth production, such as *parrêsia* and *aphrodisia* in Greek antiquity. Against this backdrop, 'The Subject and Power' also occupies a transitory position between Foucault's studies of legal, disciplinary, and pastoral power in the 1970s and his work on liberal governance around 1979 and ancient self-techniques in the early 1980s.

### 'HOW IS POWER EXERCISED?'

Foucault wrote the essay's first part, 'Why Study Power? The Question of the Subject', in English, whereas the second part, 'How Is Power Exercised?', was translated from French. In this second part, the essay shifts to a denser conceptual vocabulary, offering a set of definitions regarding how power operates and how to study it. This is where Foucault famously defines power as 'actions upon other actions'.<sup>79</sup> Paul Patton hypothesizes that Foucault probably wrote the second part of the essay 'after Foucault's discovery of the rich theme of government and governmentality in 1978'.<sup>80</sup> Following Patton's hypothesis, one can relatively easily draw a series of connections between the second part of Foucault's essay and his governmentality lectures from 1978 and 1979.

Foucault begins the second part of his essay by explaining his preference for the question 'How is power exercised?' This 'little question', he notes, is 'flat and empirical' but will arouse distrust in people who view power as substance: 'does not their very distrust

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<sup>77</sup> Michel Foucault, "About the Beginning of the Hermeneutics of the Self," *Political Theory* 21:2 (1996), 222-223.

<sup>78</sup> Edward McGushin, "Foucault and the Problem of the Subject," *Philosophy & Social Criticism* 31:5-6 (2005), 642.

<sup>79</sup> "The Subject and Power," 798.

<sup>80</sup> Paul Patton, "Foucault on Power and Government," *Sociological Problems* 3:4 (2016), 59.  
<https://www.ceeol.com/search/journal-detail?id=760>

indicate a presupposition that power is something, which exists with three distinct qualities: its origin, its basic nature, and its manifestations?' Instead, Foucault takes a radical position: 'I would say that to begin the analysis with a "how" is to suggest that power as such does not exist'.<sup>81</sup> This approach to power reflects Foucault's substitution of universals, 'things that do not exist', with practices that refer to these universals as if they exist.<sup>82</sup> Foucault said in 'What is Critique?', a 1978 lecture, that he used concepts like 'knowledge' or 'power' to designate entities neither as they are in reality nor as universal or transcendental. For Foucault, such terms serve only the methodological function of opening up the historical archive for description: 'It is not a matter of identifying the general principles of reality through them, but of somehow pinpointing the analytical front'.<sup>83</sup> This statement cautions against such abstract conceptualization as Althusser's 'state ideology' and insists on empirically describing how power and knowledge operate in specific processes. Foucault continues: 'No one should ever think that there exists one knowledge or one power, or worse, knowledge or power which would operate in and of themselves. Knowledge and power are only an analytical grid'.<sup>84</sup> As the first part of 'The Subject and Power' shows, power and knowledge are indeed not universals but 'analytical grids' that reveal a very specific historical constellation, namely the welfare state's 'matrix' of individualising and totalising power.

Foucault's influential definition of government as 'the conduct of conduct' also appears to respond to 'certain conceptual needs'. Introducing this term, he recovers the meaning of government in its 16<sup>th</sup> century sense, which does not confine governance to political government but broadly designates the direction of individuals' or groups' conduct: "'Government" did not refer only to political structures or to the management of states,' writes Foucault, but also to 'the government of children, of souls, of communities, of families, of the sick'.<sup>85</sup> In *Security, Territory, Population*, Foucault had similarly reintroduced the notion of 16<sup>th</sup> century governance, where the 'general problem of government' arises with particular intensity.<sup>86</sup> There, Foucault described a major transition in Western Europe's political reasoning running from the princely territorial rule prevailing between medieval times and the 17<sup>th</sup> century to the rise of modern governance targeting the more complex reality of the population in the 18<sup>th</sup> century. Foucault echoes this transition in governmental reasoning in 'The Subject and Power', defining relationships of power as 'a mode of action which does not act directly and immediately on others. Instead, it acts upon their actions'.<sup>87</sup>

Foucault proceeds by listing a series of analytical principles for studying power. He declares, towards the end of 'The Subject and Power', that power relations 'do not merely

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<sup>81</sup> "The Subject and Power," 785-786.

<sup>82</sup> Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France 1978-1979* (2008), 20.

<sup>83</sup> Michel Foucault, "What is Critique?," in *The Politics of Truth*, ed. Sylvère Lotringer (2007), 60.

<sup>84</sup> Foucault, "What is Critique?," 60.

<sup>85</sup> "The Subject and Power," 790.

<sup>86</sup> *Security, Territory, Population*, 89.

<sup>87</sup> "The Subject and Power," 789.

constitute the “terminal” of more fundamental mechanisms<sup>88</sup> and that the state is a very complex system ‘endowed with multiple apparatuses’.<sup>89</sup> Foucault had shown why the state should not be viewed as unified in the late 1970s, which demonstrated how political governance is characterized by an interplay between the *dispositifs* of law, discipline, and security.<sup>90</sup> In response to critiques of Foucault’s alleged failure to analyse the state as an agent of power in its own right,<sup>91</sup> Foucault refused to do state theory, just ‘as one can and must forego an indigestible meal’.<sup>92</sup> Nevertheless, Foucault denied that he had not granted importance to the state and its power effects, since his studies of madness, clinical medicine, and discipline had always treated as a central problem ‘the gradual, piecemeal, but continuous takeover by the state of a number of practices’ or the ‘statification’ of a whole set of governmental techniques<sup>93</sup>. This recognition did not lead Foucault to theorizing the state in terms of a unified centre of political rule, and instead he insisted on a ‘decentred’ view of the state as traversed by a non-unifying set of mobile power relations.

In his 1982 essay, Foucault reiterates this approach: ‘The forms and the specific situations of the government of men by one another in a given society are multiple; they are superimposed, they cross, impose their own limits, sometimes cancel one another out, sometimes reinforce one another’.<sup>94</sup> Likewise, in the first two lectures of his 1978 course, Foucault describes the relationship between the *dispositifs* of law, discipline, and security as sometimes reinforcing and assimilating to each other and at other times challenging and infiltrating one another.<sup>95</sup> As the *dispositifs*’ heterogeneity precludes any notion of a centralized state agency imbued with a uniform ideology, governmental practices instead straddle between divergent governmental rationalities.

The final sections of ‘How Is Power Exercised’ centre on the question of strategy and its role in power relations. Foucault now emphasizes the centrality of freedom to modern governance, understood as action upon others’ actions. Patton perceptively notes that this understanding of power relations ‘is significantly different from Foucault’s earlier conception of power relations as a matter of conflict or struggle between opposing forces’.<sup>96</sup> Foucault famously explored ‘the civil war model’ in *Society Must Be Defended* (2003), but he had already introduced it as an analytical framework in *The Punitive Society* (2015). In the second part, Foucault now rejects this civil war model: ‘basically, power is less a confrontation between two adversaries or their mutual engagement than a question of “government”’.<sup>97</sup> He continues: ‘the relationship proper to power would therefore be sought

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<sup>88</sup> “The Subject and Power,” 782.

<sup>89</sup> *Ibid.* 792.

<sup>90</sup> *Security, Territory, Population*.

<sup>91</sup> Nicos A. Poulantzas, *State, Power, Socialism* (1978), 77.

<sup>92</sup> Foucault, *The Birth of Biopolitics* (2008), 76-77.

<sup>93</sup> *The Birth of Biopolitics* (2008), 77.

<sup>94</sup> “The Subject and Power,” 793.

<sup>95</sup> *Security, Territory, Population*, 8-12.

<sup>96</sup> Patton, “Foucault on Power and Government,” 71.

<sup>97</sup> “The Subject and Power,” 789.

not on the side of violence or of struggle [...] but, rather, in the area of that singular mode of action, neither warlike nor juridical, which is government'.<sup>98</sup> As Patton explains, Foucault's reorientation to power as government means, first, that those involved in power relations are reconceived of as 'agents endowed with a degree of freedom' and, second, that the subject presupposed is 'a subject of interests and rationality'.<sup>99</sup> These points link up with Foucault's 1979 lectures, *The Birth of Biopolitics* (2008), especially his analysis of American neoliberal economics.

During those lectures, Foucault examined the Chicago School, emphasizing how the liberal subject of interests, *homo oeconomicus*, was assumed to act as an entrepreneur of itself. Endowed with a capacity to make self-enhancing investments and calculate trade-offs, this subject itself serves as the most efficient allocator of resources. This is why neoliberal economists insist that government activity – in every domain from education to punishment – should be based on the rationality of the governed. Moreover, government must always allow itself to be corrected by the rational choices of the governed, as Foucault explains at the end of his 1979 course: 'It is a matter of modelling government [on] the rationality of individuals', insofar as 'the rationality of the governed must serve as the regulating principle for the rationality of government'.<sup>100</sup> The liberal assumption that rational actors serve as truth tellers in terms of government adequacy makes clear why government is essentially predicated on freedom. Insofar as the rational choices of free actors must inform governmental practice, freedom becomes 'a correlative' to government produced from the interplay between government and those governed.

Similarly, Foucault declares in 'The Subject and Power', 'there is no face-to-face confrontation of power and freedom, which are mutually exclusive (freedom disappears everywhere power is exercised), but a much more complicated interplay. In this game freedom may well appear as the condition for the exercise of power'.<sup>101</sup> The second half of the essay hence departs from Foucault's key themes in the 1970s, where he studied *dispositifs* of subjugation and control (discipline, punishment, sexuality) and points towards his work in the 1980s, which turned to reflexive self-conduct, not as a rediscovery of autonomous agency but as an exploration of how historical constellations of power/knowledge condition practices of self-formation.

In the second half of 'The Subject and Power', Foucault appears to have freed himself from his constitutive negative dependency on Althusser of the 1970s. Whereas Foucault's *dispositifs* in motion and dynamic interplay were likely a response to Althusser's state apparatuses, Foucault leaves this concept in the early 1980s. Notably, in a 1982 seminar, 'Technologies of the Self', he corrects his previous work, declaring that he had over-identified subjectivation with the production of 'docile bodies' in disciplinary processes (1988). Whereas Foucault's notions of discipline and pastoral power still displayed a concern

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<sup>98</sup> "The Subject and Power," 790.

<sup>99</sup> "Foucault on Power and Government," 72.

<sup>100</sup> *The Birth of Biopolitics*, 312.

<sup>101</sup> "The Subject and Power," 790.

with overcoming Althusser's psychoanalytical model, or what Foucault calls 'the psycho-sociological notion of authority',<sup>102</sup> the notion of governance is entirely free from such concerns. Above, I have demonstrated how Foucault's governmentality lectures from 1978 and 1979 resonate in the second half of 'The Subject and Power'. Notably for our discussion of subjectivation, the newfound concept of governance is rather foreign to Althusser's and Foucault's shared theme of individuals' fabrication through material practices. With governance, Foucault instead places an emphasis on the subject's rational calculation and self-fashioning. In a debated passage in *The Birth of Biopolitics*, Foucault describes American neoliberalism as a nascent form of governance that does not target individuals directly, since it is not standardizing, identificatory, or individualising:

what appears on the horizon of this kind of analysis is not at all the ideal or project of an exhaustively disciplinary society in which the legal network hemming in individuals is taken over and extended internally by, let's say, normative mechanisms. Nor is it a society in which a mechanism of general normalization and the exclusion of those who cannot be normalized is needed. On the horizon of this analysis we see instead the image, idea, or theme-program of a society in which....minority individuals and practices are tolerated, in which action is brought to bear on the rules of the game rather than on the players, and finally in which there is an environmental type of intervention instead of the internal subjugation of individuals.<sup>103</sup>

Initiated by Michael Behrent's (2009) claim regarding Foucault's brief, 'strategic endorsement' of neoliberalism, scholars have debated whether Foucault's analysis of American neoliberalism was critical, revealed fascination, or constituted an endorsement guided by political motivations. This is not the place to evaluate the different arguments of this debate. Relevant for our present concerns, however, is the argument that Foucault in neoliberal governance discovers a non-disciplinary approach which dispenses with the anthropological characters essential to the psy-disciplinary expertise of the welfare state. Foucault could appreciate economic neoliberalism, argues Behrent, because 'he appreciated the thinness of its anthropological claims,<sup>104</sup> and with neoliberals' proposals for how to govern 'problem subjects' like drug addicts or criminals, these figures would undergo 'an "anthropological erasure"'.<sup>105</sup>

In 'The Subject and Power', one first encounters the subject 'interpellated' by disciplinary and pastoral power, whereas, at the end, we find a 'flat' subject of liberal governance; a form of governance, 'in which there is an environmental type of intervention instead of

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<sup>102</sup> Michel Foucault, *Psychiatric Power: Lectures at the Collège de France 1973-1974* (2006), 40.

<sup>103</sup> *The Birth of Biopolitics*, 259-260.

<sup>104</sup> Michael Behrent, "Liberalism without Humanism: Michel Foucault and the free market creed 1976-1979," *Modern Intellectual History* 6:3 (2009), 568.

<sup>105</sup> Behrent, "Liberalism without Humanism: Michel Foucault and the free market creed 1976-1979," 566. Foucault being quoted by Behrent.

the internal subjugation of individuals'.<sup>106</sup> The price for Foucault's newfound framework for analysing governance is a weakening of the link between the subjugation of the subject and the formation of the state, which leads to something like an evacuation of the question of the state's role in reproducing capitalism.

## CONCLUDING REMARKS AND WAYS FORWARD

This article began by highlighting parallels between Althusser's seminal thesis on the 'recruitment' of subjects to state ideology and Foucault's 'The Subject and Power'. What Foucault terms 'individualising power' inevitably echoes Althusser's dictum that the ISAs 'interpellate individuals qua subjectivity'. However, whereas Althusser theorized ideology as material but maintained economic determination 'in the last instance', Foucault traced the miniscule penal and disciplinary techniques through which capitalist societies evolve. His rejection of reductive and universal historical models prevented Foucault from accepting a general doctrine of economic determination. Still, in 'The Subject and Power', a text almost entirely free from any reference to the economy, Foucault recognizes that subjectivation must be linked to 'mechanisms of exploitation', even if the economy is not ultimately determinant: 'It is certain that the mechanisms of subjection cannot be studied outside their relation to the mechanisms of exploitation and domination. But they do not merely constitute the "terminal" of more fundamental mechanisms'.<sup>107</sup>

This emphasis on the link between subjectivation and the reproduction of the economic order suggests some possible lines forward in 'The Subject and Power'. In much of the commentary literature, the focus on the state's involvement in sustaining capitalist relations, a parallel theme in Foucault's and Althusser's work from the 1970s, has slid into the background. Making an observation highly pertinent to this point, Jacques Bidet<sup>108</sup> notes that Foucault's discourse has often inspired particularistic social struggles. From the 1970s onwards, scholars and activists recognized themselves in Foucault's writings as they engaged in issues of gender, homosexuality, race, post-colonialism, and health yet largely divorced these questions from the problem of the state's role in industrial capitalism. In other words, inspired by the themes of subjectivation and power/knowledge, they critically analysed marginalization yet without connecting these themes to the capitalist economy:

All these groups have their motives, their forms and their own urgencies, which are derivable not from relations of production (even if they are inseparable from them), but from the diverse management of their body by social power: management of the sexed body, of the healthy body, of the mortal body.<sup>109</sup>

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<sup>106</sup> *The Birth of Biopolitics*, 259-260.

<sup>107</sup> "The Subject and Power," 782.

<sup>108</sup> Jacques Bidet, *Foucault with Marx* (2016), 169.

<sup>109</sup> Bidet, *Foucault with Marx*, 169.

From the end of the 1970s onwards, Foucault's academic work turns away from questions of social struggles and domination linked to capitalist production, as the second half of 'The Subject and Power' evinces. Michael Morris (2016) argues, in a general assessment of 'the collapse of critique' in Foucault's work, that

for Foucault, the liberation of the oppressed has become incoherent. The degradations that come from poverty, the limitations that come from ignorance, and the deformations that come from alienated labor have all disappeared from view. More generally, questions of economic injustice and structural reform have been shelved, and we are now free to attend to our sexual interiorities and boundaries...

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In this trajectory, Foucault paralleled other French intellectuals who, from the mid 1970s, distanced themselves from Maoist and Marxist thinking and moved towards more moderate or liberal viewpoints.<sup>111</sup> In the 1990s, Foucault's work on governmentality gained broader prominence as academics sought a new vocabulary with which to study neoliberal reforms of welfare states, especially among Anglophone academics, exploring how neoliberal governance works upon and through the aspirations of the governed.<sup>112</sup> At the same time, the theme of capitalist state formation became a rarity in Foucault studies,<sup>113</sup> even if some scholars focused on how 'governmental technologies' are involved in the reproduction of capitalist state forms.<sup>114</sup> In outline, governmentality scholars retained the political question of the governance of individuals but dislodged it from conventional notions of class, economy, and state apparatus.

Marxists have repeatedly criticised Foucault for neglecting the significance of the state in conditioning social relations. Nicos Poulantzas' claimed that Foucault underestimates the role of law, and he 'fails to understand the function of the repressive apparatuses (army, police, judicial system, etc.) as means of exercising physical violence that are located at the heart of the modern state'.<sup>115</sup> More recently, Slavoj Žižek (1999) has similarly criticised Foucault's analytical favouring of micro-powers over the state in a comparison of Foucault and Althusser. Žižek aptly notes that Foucault's counterpart to the ideological state apparatuses are disciplinary practices that always operate at the level of micro-power. In explaining the existence of sovereign power, writes Žižek, 'Foucault resorts to the extreme suspect rhetoric of complexity, evoking the intricate network of lateral links

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<sup>110</sup> Michael Morris, *Knowledge and Ideology: The Epistemology of Social and Political Critique* (2016), 94.

<sup>111</sup> Peter Dews, "The Nouvelle Philosophie and Foucault," *Economy and Society* 8:2 (1979), 127-171.

<sup>112</sup> E.g., Nikolas Rose and Peter Miller, "Political Power beyond the State: Problematics of Government," *The British Journal of Sociology* 43:2 (1992), 173-205; Thomas Lemke, "'The Birth of Bio-Politics': Michel Foucault's lecture at the Collège de France on neo-liberal governmentality," *Economy and Society* 30:2 (2001), 190-207.

<sup>113</sup> B. Jessop, "From Micro-Powers to Governmentality: Foucault's work on statehood, state formation, statecraft and state power," *Political Geography* 26:1 (2006), 34-40.

<sup>114</sup> For example Barbara Cruikshank, *The Will to Empower* (1999); Maurizio Lazzarato, *The Making of the Indebted Man* (2012); David Garland, "The Welfare State: A fundamental dimension of modern government," *European Journal of Sociology* 55:3 (2015), 327-364.

<sup>115</sup> Nicos A. Poulantzas, *State, Power, Socialism* (1978), 77.



[...] a clear case of patching up, since one can never arrive at Power this way'.<sup>116</sup> Whereas Foucault thus dissolves power into webs of micro-power whose effects and value cannot be ascertained, Althusser insists on the state apparatuses as power's material embodiment. For Žižek, Althusser's advantage is that he assumes that the mechanism of interpellation, in order to function, presupposes the state as the unavoidable reference point. As we have noted throughout this essay, Foucault does focus on the state in the 1970s in its relationship to subjectivation and the capitalist order. However, his genealogies eschew a pre-given binary model, a centrist view of power, and the premise of economic determinism. Using 'the civil war model', Foucault studied both penal techniques and social dominance, not as easily binarized phenomena but rather as empirically discernible transformations.

A first step in rearticulating Foucault's earlier focus on the state's role in sustaining present-day techno-capitalism would be to re-emphasize the link between techniques of subjectivation and the reproduction of the economic order. In particular, it would be necessary to consider two major developments in contemporary capitalism that have taken place since Foucault presented the state as a 'matrix of totalising and individualising power'. First, commercial actors have taken on increasingly important roles in shaping the web of rules, values, and restrictions that come to influence our attitudes and behaviours. Today, the 'matrix' includes a whole range of commercial actors who often determine the scope of acceptable behaviour, adjudicating and sanctioning those behaviours that they deem unacceptable. Key techniques for such interventions include the individual health profile, the credit score rating, and the consumer risk profile. These techniques interlink the 'totalising pole of power' (individuals objectified as data in health statistics, in consumer credit markets, and in loan defaults registries) with the 'individualising pole' (the demand that the individual recognizes the person produced by such statistics). This development calls for an analytical revision which extends Foucault's focus on the state to the domain of private corporations and their use of techniques of subjectivation.

The second major development is, of course, the advent of big data and artificial intelligence, which buttress the expansive technique of predictive profiling. While private companies in the 1990s capitalised on the state's systematisation of criminal records by selling consumer background reports on the market, we today witness the production of individuals as data points by machine-driven profiling and algorithmic decision-making. Patterns of user behaviour are detected and synthesised from huge data sets to generate predictive profiles, which can then be reapplied outside their original context in domains such as marketing, insurance, or employment screening. Traditional profiling used in the penal system, or in evaluations of a person's credit eligibility, relied upon predefined criteria for criminal proclivity or economic trustworthiness. Whereas disciplinary techniques subjectivated individuals through a pre-determined 'case identity,' present-day predictive profiles are derived from pattern recognition in our digital behaviour, generating a virtual identity which is continually assigned to individuals. Hence, John Cheney-Lippold

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<sup>116</sup> Slavoj Žižek, *The Ticklish Subject: The Absent Centre of Political Ontology* (1999), 66.

notes that ‘categories of identity are being inferred upon individuals based on their web use. Code and algorithm are the engines behind such inference’.<sup>117</sup> These algorithmic processes erase the particular subject, as it were, and differ from Foucault’s disciplinary and pastoral power. Nascent research into these processes can add fresh knowledge to the shared theme between Althusser and Foucault of the link between techniques of subjectivation and the capitalist economic order.

Algorithmic profiling does not aim to present a specific identity or to uncover an individual’s intrinsic characteristics, since the aim is to predict potential future behaviour of individuals that share certain commonalities. Profiles are constructed from surveyed internet history in conjunction with other digital data, including searches, purchases, ‘likes’, posts, ‘check-ins’, etc. From this analysis, a predictive profile arises which does not represent a real person but instead a potential future person, such as a potential consumer, a credit default risk, or a carrier of bad health. Predictive profiling relies on detecting patterns and correlations in people’s web-surfing behaviour. It does not entail a direct disciplinary subjectivation of an individual but instead infers a digital identity upon users through their continual interaction with categories such as gender, age, and consumption preferences that compose and re-compose their identity. As Richard Weiskopf explains: ‘Predictions are derived from patterns in past behavior or they are derived from similar patterns of “groups” or “neighbors.” Categorizations thus not only depend on individual actions, behaviors and histories, but on those of others who are similar to him or her’.<sup>118</sup> From such data-analysis, something like an aggregated individuality emerges since it represents no specific individual but rather a conglomerate of registered behavioural patterns.

Algorithmic profiling entails a mode of governance which reassembles the *dispositif* of security since profiling relies on statistics, predictions, and the continual testing of categories in relation to user behaviour and the detection of unexpected patterns between categories. Mathematical algorithmic profiling serves to ‘securitize’ business sectors like marketing, recruitment, insurance, banking, and more, insofar as it predicts how a given profile can be expected to act, hence determining its value or riskiness. Companies with the fitting name ‘people analytics’ have advanced the use of statistical commonality models to predictively profile a person in terms of gender, class, religion, race, etc. They produce what Cheney-Lippold (2011) has termed a ‘new algorithmic identity’, one that both de-essentialises identity and re-essentialises it as a statistically verified object. For example, when the algorithm operates on the category of gender, writes Cheney-Lippold, it ‘de-essentialises gender from its corporeal and societal forms and determinations while it

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<sup>117</sup> John Cheney-Lippold, “A New Algorithmic Identity: Soft Biopolitics and the Modulation of Control,” *Theory, Culture & Society* 28:6 (2011), 165.

<sup>118</sup> Richard Weiskopf, “Algorithmic Decision-Making, Spectrogenic Profiling, and Hyper-Facticity in the Age of Post-Truth,” *Le foucauldien* 6:1 (2020), 16.

also re-essentialises gender as a statistically-related, largely market research-driven category<sup>119</sup>. Importantly, he also notes that 'algorithms rarely, if ever, speak to the individual. Rather, individuals are seen by algorithm and surveillance networks as members of categories'.<sup>120</sup> The way that algorithmic identity works as a mechanism of subjectivation is to suggest streams of advertisements and web content to the user according to a perceived identity – a digital alter ego – which the user will confirm or modulate in their browsing choices. Perhaps, then, one could adapt Althusser's mechanism of interpellation to the present internet-user who is constantly faced with his digital alter-ego: 'hey, you, internet-user! Are you not the digital profile that we have created for you?'

Like other ideologies, 'the computational truth' generated by algorithms has come to constitute a naturalised, everyday consensus imbued with its own truths and normativity. Hence, Weiskopf<sup>121</sup> suggests viewing algorithmic profiling as a new mode of truth production whereby political and ethical debate is replaced by machine-driven calculations: 'I argue that (data-driven) profiling and algorithmic decision-making are new ways of producing truth by which "(wo)men govern themselves and others"'. And Weiskopf further asserts that algorithmic profiling 'governs behavior by circumventing reflexivity, by grounding government in computational truth rather than ethical-political debate, and ultimately by substituting ethical-political decisions by calculations'.<sup>122</sup> The growing reliance on algorithmic decision-making in marketing, finance, health, and policy-making could indeed be characterised as a substitution of ethics and politics by machine-driven calculations. Such calculations promise to ensure a more efficient allocation of resources and to avoid human biases and errors. On the horizon, then, is a social order which is self-sustaining, evolving through infinite circulations of machine-optimised life (centred on consumption and production), without the need for any 'outside' intervention in terms of political or ethical decisions. Perhaps, this order can be viewed as another modulation of the matrix of 'totalising power', i.e., legal, administrative, and statistical, and 'individualising power', i.e., guidance of each individual's consciousness. It is, then, at the intersection between the 'totalising', computational truths and our 'individualising' self-conduct in relation to our digital alter egos that corresponding forms of resistance and political inventiveness will arise.

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<sup>119</sup> Cheney-Lippold, "A New Algorithmic Identity: Soft Biopolitics and the Modulation of Control," 170.

<sup>120</sup> "A New Algorithmic Identity," 176.

<sup>121</sup> Weiskopf, "Algorithmic Decision-Making, Spectrogenic Profiling, and Hyper-Facticity in the Age of Post-Truth," 4.

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