READING THE STATE WRITING:
MICHEL FOUCAULT AND THE PRODUCTION
OF AMERICAN POLITICAL CULTURE

DISSERTATION

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ABSTRACT

In this dissertation, I seek to answer two critical questions. First, what transformations have occurred in American political culture such that, in 1798, when the U.S. Congress enacted one of the first pieces of health-related legislation the heart of the debate was whether providing for the health care of the citizenry was a legitimate object for governmental action, but when, 200 years later, Congress debates health care legislation the issue is no longer whether the state should take action but what action the state should take? Second, what form would a Foucauldian approach to this question take and what answers would such an approach produce? Accordingly, the dissertation has a two-fold focus: (1) an analysis of Michel Foucault’s methodologies of archaeology and genealogy and of his thought concerning discourse, power, and government; (2) a deployment of that analysis in an investigation of the production of American political culture since the founding of the American Republic in 1787-1788. In other words, the critical problem the dissertation addresses concerns the development and application of Foucauldian critical methodologies to the analysis of American political culture. Chapter One introduces both the investigation of Foucault’s thought about political culture and the critique of American political culture through an analysis of *Understanding AIDS*, a brochure the federal government sent to every household in the nation in 1988. The second chapter offers a close reading of Foucault’s genealogy of Western political culture in order to establish a (Foucauldian) theory of bio-political culture. Chapter Three
extends this investigation by reworking Foucault’s theory of discourse and by deploying
that theory in an archaeological analysis of the political discourse circulating during the
debate over the ratification of the U.S. Constitution. In the final chapter, I offer a
genealogical analysis of the emergence of American bio-political culture during the first
decades of the twentieth century, based upon Foucault’s concept of power and power-
knowledge relations. I conclude the dissertation by considering how the theory of
political culture and the methodology for reading political cultural discourses and
practices which I have developed might be used to analyze other state bio-political
campaigns.
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INTRODUCTION

In 1798, the U.S. Congress debated one of the first proposed pieces of health-related legislation—the Act for the Relief of Sick and Disabled Seamen—which would impose a twenty cent per month tax on the wages of seamen to establish a national fund to provide health care for seamen and to erect hospitals for their use. Though the bill was ultimately enacted and signed into law by President George Washington, it occasioned considerable debate in Congress, a debate that reveals a great deal about the political culture of the early American Republic.

At the heart of the debate was the question of whether providing for the health care of the citizenry was a legitimate object for governmental action, and especially action by the federal government. For opponents, the legislation marked an intrusion of the national government into the internal affairs of state governments. Rep. Joseph B. Varnum of Massachusetts, for example, confessed that “he did not know but that the United States have the power to make the proposed regulation; but he thought it was a business which more particularly concerned the Legislatures of the individual State” (Annals of Congress 1851, 1391). Similarly, Representative Samuel Sewall, also of Massachusetts opposed the bill because his state already had in place a system to care for the health of sailors. The problem was not with the states of New England, which furnished nearly two-thirds of the sailors serving on American ships, but rather with
states in the South which had no mechanism to provide for sailors who fell ill or were injured. Accordingly, the solution, in Sewall’s view, was not to have the federal government create a national system; instead, those states which had failed to address the needs of sailors ought to establish a system like that of the New England states. For Sewall, the provision of health care for sailors or any other American citizen was simply not the responsibility of the federal government. Proponents of the legislation countered that the problem was indeed a national one; sailors put into port cities all along the Atlantic seaboard and could easily find themselves sick or disabled in any state. So meeting this need was the responsibility of the federal government, not the state.

Further, the legislation was debated in terms of not only the appropriateness of federal action but also the objects of that action. Were sailors a unique class of American citizens who were incapable of caring for themselves and therefore in need of special assistance? Representative Edward Livingston of New York argued that sailors were indeed such a class: “A sailor . . . is concerned only for the present, and is incapable of thinking of, or inattentive to, future welfare; he is, therefore, a proper object for the care of Government, and whilst he can provide an asylum for infirmity or old age, by the sacrifices of a few gills of rum, he will not scruple to do it” (Annals of Congress 1798, 1388). By contrast, Representative Albert Gallatin of Pennsylvania contended that he “had not seen this distinction between them and other classes of citizens, and, therefore, believed them to be capable of taking care of themselves” (1392). For yet others, the issue was not whether sailors were a special class of citizens meriting governmental assistance, but whether government, federal or state, was responsible for providing for the health care of the American people. Sewall, for instance, maintained that this was a
matter of “public charity” (1386). Sailors ought not to be taxed for their health care, nor should government be involved; instead, “the laws of reason and charity called upon the public at large in support of unfortunate men of this description” (1386). Similarly, Varnum held that if sailors merited assistance, “the people at large . . . ought to be called upon to support them in distress; and if hospitals are to be supported for this purpose, the public ought to support them, and not the sailors themselves” or the national government (1391). And Gallatin argued that sailors ought “to be provided for in the same way in which other poor and sick and disabled persons are supported,” that is, through public charity (1392). So the debate over the Act for the Relief of Sick and Disabled Seamen suggests that, in the political culture of the early American Republic, the exercise of governmental power by the national state to care for the health of the people was thought to be questionable at best, unconstitutional at worst. In a sense, the question asked then was not how the government should be involved, but rather whether the government should be involved at all.

The political culture of America two hundred years later stands in stark contrast. Today, the question of whether the national government should provide health care for the American people has, for the most part, been answered in the affirmative. Now, the question is how the state should do so. Consider the panoply of state institutions and programs designed to prevent disease and promote health in the United States. An entire department of the executive branch is devoted to “Health and Human Services” (HHS), which includes the Public Health Service and the Centers for Disease Control, as well as the Health Care Financing Administration. Another arm of HHS, the National Institutes of Health, not only conducts bio-medical research, it also provides a substantial
percentage of the funding for such research in the private sector. The federal government provides health care for veterans in publicly funded VA hospitals, for the elderly through Medicare, and for the impoverished and disabled through Medicaid. Through the Social Security Administration, the federal government provides retirement benefits for most American workers and supports the dependents of deceased workers, as well as those too disabled to work. And the federal government’s Healthy People project, launched in 1979, establishes specific objectives for the prevention of disease and the promotion of health, and it coordinates the activities of a broad spectrum of governmental and non-governmental organizations. In fact, the current version of the project, *Healthy People 2010*, contains 467 objectives, and the Healthy People Consortium represents an alliance between 250 governmental and 350 non-governmental organizations. Such examples could be multiplied many times over: the response to AIDS, the war on drugs, the campaign to reduce teen pregnancy, efforts to reduce cigarette smoking and alcohol consumption, and on and on. The political culture of the United States has thus experienced a dramatic transformation over the past two centuries; it is now what Michel Foucault would call a bio-political culture.

In this dissertation, therefore, I investigate the transformation in the production of American political culture such that the health of the American population has become a central preoccupation of the state, and I elaborate a theory and methodology for the study of political culture. While such changes in American political culture have often been analyzed as the development of a “liberal” welfare state, I argue that, when examined in light of Michel Foucault’s thought about discourse, power, and government, these transformations are actually indicative of the emergence of a bio-political culture that
may be traced back to the founding of the American Republic in 1787-1788. In other words, such a Foucauldian analysis reveals that, since the ratification of the U.S. Constitution, American political culture has been characterized by an intensifying administrative management of the life of the American population, to the extent that much of life in America now falls under the purview of state bio-political control and regulation. Accordingly, the dissertation has a two-fold focus: (1) an analysis of the Foucauldian methodologies of archaeology and genealogy, and of his thought concerning discourse, power, and government; and (2) a deployment of that analysis in an investigation of the production of American political culture since the founding of the American Republic in 1787-1788. In other words, the critical problem the dissertation addresses concerns the development and application of Foucauldian critical methodologies to the analysis of the transformations of American political culture.

Chapter One introduces both the investigation of Foucault’s thought about bio-politics and the critique of American political culture I undertake in the dissertation. I first examine the production, content, and reception of *Understanding AIDS*, a brochure the federal government sent to every household in the nation in 1988, as a material element tactically deployed by the American state as part of a broader bio-political strategy designed to administratively manage the life of the U.S. population. I then turn to some of the critical problems entailed in such a study of state bio-political discourse, specifically: the theoretical difficulties raised by the definition of political culture, the relations between state, society, and the individual, as well as some of the methodological difficulties occasioned by the critique of state political cultural discourse. Here, I suggest that Foucault’s notion of power-knowledge relations offers a particularly cogent way out
of these difficulties. I argue that political culture should be defined, at least preliminarily, as the performative function of the power-knowledge relational matrix between state, society, and individual, through which power is exercised, knowledge produced, and the body both instrumentalized and subjectivated. I conclude the chapter by elucidating a series of theoretical and methodological principles for the critique of political culture, based on Foucault’s discussion in *Discipline and Punish* of “rules” for the study of the political cultural practices of punishment (1979, 23).

The second chapter offers a close reading of Foucault’s genealogy of Western political culture in order to establish a (Foucauldian) theory of bio-political culture. I first examine Foucault’s characterization of juridico-discursive power and bio-power as paradigmatic forms of power in the modern West, and I trace his genealogy of the emergence of bio-power in Western societies resulting from the problematizations of population and governmental practice. I then analyze Foucault’s description of the domain of bio-power as a matrix of three elements—sexuality, the family, and public health—each of which is strategically articulated on the others in order to maximize the governmental management of population. I conclude the chapter by explicating Foucault’s investigation of the exercise of bio-power in modern Western political cultures in terms of the complexly linked technologies of discipline—a specifying technology of subjectivation centered on the body of the individual—and of governmentality—a totalizing technology of subjectivation focused on the body of society.

Chapter Three extends the investigation of political culture by reworking Foucault’s theory of discourse and by deploying that theory in an archaeological analysis
of the political discourse circulating during the year-long national debate over the ratification of the U.S. Constitution. Despite Foucault’s claim in *The Archaeology of Knowledge* that statements are not speech acts, I argue that the statement, as the enunciative function of discourse, is nevertheless performative and therefore a discursive formation, as a dispersion of such statements, is performative in its operation. Further, I claim that discursive formations are autopoietic systems—that is, autonomous, self-producing, self-regulating systems. I then turn to the implications of understanding discursive formations, and political culture *qua* discursive formation, as autopoietic performative systems. Working with Niklas Luhmann’s ideas about the self-referentiality of social systems, I argue that political culture *qua* discursive formation is a self-referential system and that the state constitutes the self-description of a political culture which simultaneously reduces complexity in the system and increases the potential for the exercise of power within that system. I contend that ratification discourse produced the political culture of the “new” American Republic as a nascent bio-political culture and that the American state, as the self-description of that political culture, was first constituted as an incipient bio-political state.

In the final chapter, I offer a genealogical analysis of the emergence of American bio-political culture during the first decades of the twentieth century. I begin by analyzing Foucault’s concept of power and power-knowledge relations and his “use” of Nietzsche’s notion of the will to power. Here, I claim that bio-political culture ought to be theorized as an autopoietic performative system of discourse and power relations and that the power exercised by the state so constituted is a form of pastoral power through which the life of the population is administratively managed. I then deploy this theory of
bio-political culture in a genealogical investigation of medical, scientific, and political discourses circulating during the early twentieth century. I argue that the principle factor in the emergence of bio-political culture in the United States was the threat posed to the health of the American population by venereal diseases. The chapter ends with an examination of state bio-political practices operative during this period, in particular the activities of the Commission on Training Camp Activities during World War I, a far-reaching, multifaceted program designed not merely to ensure the fighting efficiency of the American Expeditionary Force but also to manage the lives of each and every American.

I conclude the dissertation by considering how the theory of political culture and the methodology for reading political cultural discourses and practices which I have developed in this dissertation might be used to analyze other state bio-political campaigns like the response to AIDS, the Healthy People project, the war on drugs, the war on terror, and so on.
CHAPTER 1

THE CRITIQUE OF POLITICAL CULTURE:

MICHEL FOUCAULT AND UNDERSTANDING AIDS

In late spring 1988, the federal government of the United States mailed an eight-page brochure, Understanding AIDS, to every household in the nation. The mailing was the largest government mailing in U.S. history and the first time the federal government had attempted to reach every citizen, via a direct mailing, with information regarding a public health problem. Altogether, 126,453,800 copies of the brochure, in English and Spanish, were printed on one machine at a Houston, Texas, printing firm, operating around the clock for six weeks straight; printing the brochure required some six million pounds of paper and eight tons of ink. After printing, the brochures were organized by postal carrier route and then shipped by rail to the nation’s 21 bulk mail distribution centers beginning on May 12, 1988. The U.S. Postal Service completed delivery on June 15, 1988. An estimated 87 million adult Americans read the brochure, a readership far exceeding that of Reader’s Digest, the next most widely read publication with a readership of 48.5 million. The entire project cost $25,544,853.¹

Understanding AIDS was the linchpin of a five-phase, three-year campaign by the federal government known as “America Responds to AIDS,” a slogan chosen, according
to its sponsors, to “promote feelings of pride, patriotism, and [to] reflect the American mosaic” (Booth 1987, 1410). Responding to AIDS was thereby rendered a national duty incumbent on each citizen, for such “feelings” were not only exploited by, but also promoted through, the government’s campaign. As a consequence, responding to AIDS in the manner prescribed by *Understanding AIDS* and other elements of the campaign became a mark of responsible citizenship. Indeed, as defined by the U.S. Centers for Disease Control (CDC), the federal agency charged with disease surveillance, prevention, and control, the purpose of *Understanding AIDS* was more than simply to communicate information. On the one hand, the brochure was designed to offer “understandable information” about “how AIDS is and is not transmitted” and to “stimulate informed discussions about AIDS within families, between sexual partners, and at all levels of society by presenting the facts and showing people how AIDS relates to their own lives” (CDC 1988b, 261). But on the other hand, since “behaviors, not identification with ‘risk groups,’ put people at risk,” the brochure was also intended “to encourage safe behaviors that can prevent HIV infection” (261). So *Understanding AIDS* was not simply a massive information campaign but also, and perhaps more significantly, a behavioral modification campaign. The federal government’s purpose in mailing the brochure to every household was thus to transform the lives of the American people, both individually and collectively.

As I will argue in this chapter, *Understanding AIDS* ought therefore to be read as a political cultural practice exemplifying the exercise of bio-power by the American state. In *The Will to Know*, Michel Foucault describes bio-power as the paradigmatic form of power exercised in modern Western political cultures; contemporary political cultures
are, therefore, to be critiqued as bio-political cultures. Bio-power, he explains, is a power over life which seeks “to foster life,” to produce, to multiply, and thereby, to govern and regulate life, both the life of the individual and the life of the population (1990, 138). It is, he says, “a power bent on generating forces, making them grow, and ordering them, rather than one dedicated to impeding them, making them submit, or destroying them” (136). In contemporary bio-political cultures, Foucault maintains, bio-power is exercised through two technologies: the “anatamo-politics of the human body,” a disciplinary technology of subjectivation centered on the body of the individual, and the “bio-politics of the population,” a regulatory technology of subjectivation focused on the body of society (139). I will elaborate the concept of bio-power and develop a Foucauldian theory of bio-political culture in much further depth in Chapter Two. For now, however, I suggest that Understanding AIDS is a compelling example of Foucault’s ideas. By mailing this brochure to every household in the nation, the American state engaged in a campaign to discipline and to regulate the nation’s population, a campaign designed to alter the way Americans thought about AIDS and the behaviors that put one at risk for AIDS, and thereby to modify the behavior of each and all so as to ensure a healthy and productive national population. Understanding AIDS was thus a material element tactically deployed by the state as part of a broader bio-political strategy designed to administratively manage the life of the U.S. population.

Hence, an analysis of Understanding AIDS as a political cultural practice effectively serves as an introduction to the investigation in this dissertation of Foucault’s theories of discourse, power, and government and of the Foucauldian methodologies of archaeology and genealogy, as well as the application of those theories and
methodologies to the critique of the production of American political culture. In this chapter, I will first examine the production, content, and reception of Understanding AIDS, an analysis which will demonstrate, preliminarily, a methodology for the critique of political cultural practices. I will then turn to a discussion of problems inherent in such a critique, specifically: the theoretical difficulties raised by the definition of political culture and the relations between state, society, and political culture. Here, I argue that Foucault’s concept of power-knowledge relations offers a productive solution to these difficulties. Finally, I will conclude by elucidating a series of theoretical and methodological principles for the critique of political culture.

The Production of Understanding AIDS

By the time U.S. Postal Service had completed delivery of Understanding AIDS in mid-June 1988, AIDS had been spreading through the American population for more than a decade. But the condition had been largely unnoticed by the medical and public health establishment until the first five cases were reported in the June 5, 1981, issue of the CDC’s Morbidity and Mortality Weekly Report. Seven years later, when Americans began receiving the brochure in their mailboxes, the number of Americans diagnosed with AIDS had risen to more than 65,000, with nearly 7,000 new cases diagnosed in the first six months of 1988 alone; roughly 37,000 patients had died of AIDS-related diseases. As the number of people suffering and dying from AIDS had increased, so, too, had the population known to be at risk for the disease. First diagnosed in homosexual men, then in intravenous drug users and Haitian immigrants, next in hemophiliacs and blood transfusion recipients, and, finally, in infants and heterosexuals, the pool of “at risk” individuals had widened to include, seemingly, every man, woman,
and child. And as the epidemic of the disease spread, so, too, had a secondary epidemic of fear and anxiety, with the public response to the disease at times bordering on panic and hysteria.

The July 1985 issue of Life magazine captured well the national mood in the years preceding Understanding AIDS. Emblazoned on the cover in bold, blood-red letters ran the headline: “NOW NO ONE IS SAFE FROM AIDS.” Below the headline were three photographs: on the left, a young, white woman staring pensively into the camera; on the right, a black male soldier standing at salute; and in the center, a white couple, the man holding a crying infant, the woman gripping his shoulder, both visibly apprehensive. “AIDS is an epidemic that may change the way America lives,” a sub-head read on page 12 above a brief article on “The New Victims” which warned, ominously, that “the AIDS minorities are beginning to infect the heterosexual, drug-free majority.” Beyond gloomy predictions and tragic human interest stories, however, the magazine had little to offer an AIDS-stricken nation other than to repeat calls by “[s]ome experts” that the federal government launch “a massive campaign to warn sexually active young people to take precautions—such as using condoms—against the disease.” And yet the government, the magazine noted, had been slow to take action. So by the time Understanding AIDS arrived in mailboxes across the country, the public widely regarded AIDS as an epidemic out of control, a threat to the general welfare of the nation which the federal government had done little to contain.5

The situation was a bit more complicated, however. Both the House Subcommittee on Health and the Environment chaired by Rep. Henry A. Waxman (D-California) and the House Subcommittee on Intergovernmental Relations and Human
Resources chaired by Rep. Ted Weiss (D-New York) had campaigned vigorously since early in the epidemic for increased federal funding for AIDS research and prevention programs. In fact, Waxman’s subcommittee convened the first ever congressional hearing on AIDS on April 13, 1982, less than a year after the first case reports were published, a hearing in which Waxman deplored what he termed “shortsighted Federal policies of disease control and prevention” (House 1982, 1). Such shortsightedness, he suggested, was the product of “pennywise and pound-foolish” cuts in the federal budget, as well as evidence of an anti-gay bias among public health policy-makers in the Reagan administration. “There is no doubt in my mind,” Waxman noted in his opening remarks, “that if the same disease had appeared among Americans of Norwegian descent, or among tennis players, rather than among gay males, the responses of both the Government and the medical community would have been different” (House 1982, 2). Over the next six years, some two dozen hearings in the House and in the Senate were convened on the subject of AIDS. And each time the federal budget came up for consideration, funding for AIDS—whether for research, treatment, care, or education—became a point of dispute between Congress and the administration, with Congress consistently appropriating funds above and beyond Reagan administration requests. So the legislative branch of the federal government could hardly be faulted for being either negligent or miserly in its response to the epidemic.

The executive branch was a different matter. From the beginning of the epidemic, the executive had been fractured between, on the one hand, lower-echelon public health experts and scientists who had aggressively pursued the basic tasks of epidemiology and fundamental medical research and, on the other hand, upper-echelon administration
officials who seemed reluctant to confront AIDS as a serious threat to the public health. Within a few weeks of the initial case reports of AIDS, for example, public health experts working with the CDC established a task force to investigate the epidemiology of the new epidemic (“Epidemiologic aspects” 1982). And on September 15, 1981, a little over three months after the first reports, scientists with the CDC and the National Institutes of Health met to discuss the science of the disease and to begin planning a research strategy for discovering the cause and, hopefully, a cure (DeWys 1982). But nearly two years would pass before the Public Health Service (PHS) issued official government recommendations for AIDS prevention in March 1983, recommendations focusing mainly on transmission through blood products, which then accounted for little more than one percent of reported cases (CDC 1983). Only one of the five specific recommendations concerned prevention of sexual transmission, the route responsible for the substantial majority of cases (then more than 70 percent). So the federal government’s first advice on AIDS prevention was not only a bit too late, it was rather too little as well.

The Reagan administration, however, consistently maintained that the government was doing everything possible to halt the epidemic. At a May 24, 1983, news conference, for instance, the nation’s top health official at the time, Dr. Edward N. Brandt, Jr., the Assistant Secretary for Health of the U.S. Department of Health and Human Services, declared AIDS the “No. 1 priority” of the Public Health Service (Russell 1983). “I personally do not think there is any reason for panic in the general population,” he calmly reassured a worried nation. The federal government, he maintained, was engaged in a “nonstop pursuit to identify the cause of AIDS so that
effective treatment and prevention measures can be developed and put in place.” And yet, a report by the non-partisan congressional Office of Technology Assessment (OTA) released in February 1985 was harshly critical of the administration’s commitment to fund the resources necessary to accomplish this objective. The OTA found “that while the Federal Government has designated AIDS our country’s number one health priority, increases in funding specifically for AIDS have come at the initiative of Congress, and PHS agencies have had difficulties in planning their AIDS-related activities because of uncertainties over budget and personnel allocations” (U.S. Congress 1985, 8). Further, the OTA charged that AIDS prevention activities had been particularly neglected. “So far,” the report stated, “efforts to prevent AIDS through education have received minimal funding, especially efforts targeted at the groups at highest risk.” In a sense, then, the OTA concluded that, some two years after ostensibly establishing AIDS as the highest priority, the federal government’s “non-stop pursuit” had barely even begun; the administration’s rhetoric was nothing more than window-dressing designed to disguise inaction.

This negative assessment was echoed in October 1986 by a report, Confronting AIDS, published by the Institute of Medicine, a division of the National Academy of Sciences, a private agency established by Congress to advise the government on scientific matters. The federal government, the Institute maintained, bore a “fundamental obligation for AIDS education” since it alone was “in a position to develop and coordinate a massive campaign” to halt the spread of the disease (1986, 11). Yet, like the OTA, the Institute concluded that the government had failed to meet this obligation. In particular, the Institute found “gaps in the efforts being directed against the AIDS
epidemic” by the federal government and “a lack of cohesiveness and strategic planning throughout the national effort” (32). And the Institute was especially critical of the federal government’s AIDS prevention and education efforts, which it denounced as being “woefully inadequate” (10). Consequently, the Institute advocated increasing government appropriations for AIDS to some $2 billion annually by the end of the decade, an amount to be split evenly between bio-medical research on AIDS and AIDS education and prevention programs. The Institute also recommended the creation of a National Commission on AIDS, charged with directing a concerted national response to the epidemic, and it urged the President to “take a strong leadership role in the effort against AIDS and HIV, designating control of AIDS as a major national goal . . .” (33) For the federal government to do anything less, the Institute warned, would be to invite “catastrophe” (1).

In its response to AIDS in the years prior to the distribution of *Understanding AIDS*, then, the American state was fractured between elements that saw the epidemic as a grave threat to the public health, and hence advocated increased government funding and an escalation in state intervention, and those elements that viewed AIDS as, to be sure, a serious health problem, but one that could be managed with available resources. And nowhere was this cleavage more evident than in the debate over state AIDS prevention policy at the highest levels of the Reagan administration. In the wake of the Institute of Medicine’s scathing report and under pressure from both the Congress and the public to take action on AIDS, the White House Domestic Policy Council convened a series of meetings in early 1987 to discuss the proper role of the federal government in responding to AIDS. On the one hand, Surgeon General C. Everett Koop advocated
aggressive and explicit AIDS education programs targeted at both high-risk groups and the population at large. “Education of those who risk infecting themselves or infecting other people is the only way we can stop the spread of AIDS,” Koop had argued in his *Surgeon General’s Report on Acquired Immune Deficiency Syndrome* (1986, 14). And in his opening statement at a news conference announcing the release of the report on October 22, 1986, he had commented that “until every adult and adolescent is informed and knowledgeable about this disease, our job of educating will not be done.” Koop’s proposal for AIDS education targeted at the nation’s youth proved to be especially controversial in the administration’s deliberations. “Education concerning AIDS must start at the lowest grade possible as part of any health and hygiene program . . . ,” he had urged in the report. “The threat of AIDS should be sufficient to permit a sex education curriculum with a heavy emphasis on prevention of AIDS and other sexually transmitted diseases” (31). Coming as they did from the Surgeon General of the United States, Koop’s recommendations were widely taken to be an authoritative endorsement of what had become known as “safe sex” AIDS education, which essentially amounted to the advice that condoms ought to be used for every act of intercourse, whether vaginal, anal, or oral, from “start to finish,” with any sexual partner who might possibly be infected with HIV. As a result, together with the Institute of Medicine’s similar recommendations for AIDS prevention in *Confronting AIDS*, published a month after Koop’s report was released, the *Surgeon’s General’s Report* was understood by many as a governmental legitimation of safe sex as the privileged discourse of AIDS education. But, of course, not everyone assented to this legitimation.
Indeed, when Koop pressured the Domestic Policy Council to adopt his approach during two meetings in January 1987, his proposal “set off a storm of anger” among those members of the administration who argued against what they termed his “values-free” approach to AIDS education, an approach which would, in their view, only serve to promote sexual promiscuity and thereby exacerbate the epidemic (Archibald 1987). According to this competing view, articulated most forcefully by Attorney General Edwin Meese, III, and Secretary of Education William J. Bennett, AIDS education ought to legitimate sexual abstinence, not safe sex, particularly when addressed to youth. As Bennett would subsequently argue in his own report, *AIDS and the Education of our Children: A Guide for Parents and Teachers*, the discourse of AIDS education ought to privilege morality, monogamy, and the family. If condoms were to be mentioned at all, Bennett argued, such mention “should occur in an appropriate moral context” and with the disclaimer that “[the use of condoms can reduce, but by no means eliminate, the risk of contracting AIDS]” (1987, 16, emphasis in the original). Accordingly, Bennett and others maintained, the message the federal government should communicate ought not to be that one can engage in sex safely, but rather that “if you have sex with a partner infected with AIDS, there is a chance you will get the virus and that you will die from it” (Bennett 1987, iv).

The conflict over the content of state AIDS education discourse would ultimately be resolved during a meeting of the Domestic Policy Council on February 11, 1987, at which Meese circulated a memorandum advocating a series of five guidelines designed to govern all federal AIDS prevention programs (Boffey 1987). The guidelines conceded that “prevention is the only effective AIDS control strategy at present” and, consequently,
“there should be an aggressive federal effort in AIDS education” (Bennett 1987, i). But the guidelines further stipulated two key limitations on the discourse of AIDS education: (1) “Any health information developed by the Federal Government that will be used for education should encourage responsible sexual behavior—based on fidelity, commitment, and maturity, placing sexuality within the context of marriage”; and (2), “Any health information provided by the Federal Government that might be used in schools should teach that children should not engage in sex, and should be used with the consent and the involvement of parents.” Meese’s proposed guidelines were subsequently adopted by the Council and approved by President Reagan. Thus, the debate appeared to be settled in favor of abstinence, not safe sex, as the privileged discourse of AIDS education. The federal government would engage in an aggressive AIDS education campaign as Koop advocated, but it would stress abstinence and affirm the primacy of heterosexual monogamy within marriage as the norm for sexual relations.

A month later, the Public Health Service released its first comprehensive “Information/Education Plan to Prevent and Control AIDS in the United States,” outlining a detailed agenda for a state AIDS education campaign targeting four specific groups: “The Public,” “School and College Aged Populations,” “Persons at Increased Risk or Infected,” and “Health Workers.” In his preface to the document, Secretary of Health and Human Services Otis R. Bowen commented that the plan was a “blueprint” for a “massive, effective campaign” which would be “consistent” with the administration’s AIDS education guidelines (Bowen 1987, 1). “The Department of Health and Human Services,” he concluded, “will apply these principles to the fullest extent” in the government’s endeavor to “win the battle against AIDS” (2). The plan’s
faithfulness to Reagan administration guidelines was especially apparent in the section titled, “Basic Elements of AIDS Information.” For example, the first principle listed under “How to Prevent Infection in Yourself and Others” was the following: “Infection through sexual contact can be avoided by practicing abstinence or having a mutually monogamous marriage/relationship with an uninfected person” (PHS 1987, 10). Further, the plan defined “responsible” sexual behavior as being “based on fidelity, commitment and maturity, placing human sexuality within the context of marriage and family life” (11). As for condoms, the plan endorsed fairly ambivalent language stating that the “use of condoms can reduce the risk of transmission of the AIDS virus” (10) But it warned that condoms are “effective only if . . . used properly” and that, even then, they “sometimes fail.” When condoms were used as a means of birth control, the plan noted, the failure rate could be as high as ten percent, thereby suggesting that condoms would likely fail at least as often to prevent the transmission of AIDS; abstinence, by contrast, was cited as “the only certain way to protect yourself or your partner” (10). Accordingly, the “School and College Aged” population, was to be told that, unlike using condoms, “saying no to sex and drugs can virtually eliminate the risk of AIDS” (11, emphasis in original). So the government’s plan to educate the American population about AIDS certainly did reflect the Reagan administration’s emphasis on abstinence and marriage.

In addition to establishing the specific content of the campaign, the plan also charted a lengthy series of “Action Steps” designed to achieve the campaign’s overall objective that “everyone must be aware of behavior that puts them at risk of infection” (PHS 1987, “Executive Summary,” n.p.). One of the steps proposed by the plan was, significantly, “Explore the effectiveness of direct mailing as an appropriate method of
providing AIDS information to the public” (PHS 1987, 18). The beginning date set for this step was listed retroactively as “2/87,” the same month the Domestic Policy Council established guidelines for state AIDS education discourse. Hence, from the moment of its conception, *Understanding AIDS* was the product of the cleavages which had fractured state AIDS policy to date. And in the year following the release of the PHS plan, the production of *Understanding AIDS* continued to be marked by resistance from the highest levels of the administration and by discord between the legislative and executive branches of the state. As had been the case from the very beginning of the epidemic, the executive was fractured between lower-echelon staff at the Public Health Service and the Centers for Disease Control, and upper-echelon officials at the White House and in the Department of Health and Human Services. Similarly, a recalcitrant administration continued to be confronted by Congressional demands for the federal government to take a more active, aggressive role in the effort to control the spread of AIDS. Yet by the spring of 1988, primarily as a consequence of the fracturing of state AIDS policy, the American state had produced the “direct mailing” first proposed by the PHS plan and had mailed the brochure to every household in the nation.

According to the official history of *Understanding AIDS* written by David Davis of the CDC’s National AIDS Information and Education Program, the CDC began working on the brochure as soon as it was initially proposed. As a first step, the CDC analyzed the “target population” of the campaign—that is, the entire American population—by conducting focus group discussions in ten cities across the nation, cities with different levels of prevalence of AIDS matched so as to ensure that the composition of the focus groups was similar in all ten cites (Davis 1991, 656). In addition, the CDC
held 31 “community meetings” in 28 cities to elicit feedback from a broad range of “people interested in AIDS.” And a series of “leadership forums” were organized involving hundreds of leaders of “constituency groups,” which included, Davis noted, “blacks, Hispanics, youth, women, health professionals, and members of the communications media” (656). The audience analysis revealed that the American population really didn’t know quite what to think about AIDS and was fairly skeptical of the information provided to date by the federal government. Consequently, any direct mailing on AIDS, the CDC concluded, would need to discuss the disease not only in “frank and unequivocal” language but also in fairly simple language (657). Indeed, the CDC initially sought to produce a brochure written at a fourth-grade reading level, but eventually settled on language at a seventh-grade level because of the necessity, given the subject matter, of using some technical language. Further, the audience analysis indicated that the brochure’s advice regarding prevention needed “to focus on behaviors, not risk groups” since, Davis explained, “[m]any people who engaged in homosexual acts or intravenous drug use did not consider themselves ‘gay’ or ‘drug addicts’ . . .” (657). But the focus on behaviors was itself complicated; whereas condom use “conflicted with the cultural norms” of certain elements of the population, monogamy and abstinence—from sex and/or drugs—conflicted with the norms of other elements. Notwithstanding the evident challenges facing any effort of a national mailing to be both informative and non-offensive, CDC staff began drafting a “prototype brochure,” which was then tested on additional focus groups and reviewed by “health educators and AIDS prevention specialists” (656). Based on this feedback, the brochure was substantially revised through a series of meetings with then-Director of the CDC, Dr. James O. Mason.
By the end of the summer of 1987, a final draft of the brochure was ready for review by administration officials. Not surprisingly, the brochure was remarkably consistent with the administration’s guidelines for AIDS education. According to a report in *Science*, which had obtained a copy of the draft brochure, parents were advised to discuss AIDS with their children in a manner that would “encourage them to share your family’s moral and religious values” (Booth 1987, 1410). Children were encouraged to say “No” to sex and drugs, and to “live by your family’s values.” As for the sexually active, the draft counseled them to enter into “a mutually faithful, single-partner relationship with an uninfected person, or at least be sure to reduce your risk by using a condom.” While the advice on condom use might have been considered a victory for advocates of safe sex, *Science* noted, it was a Pyrrhic victory since the word “condom” was used in the draft brochure but three times and lost “in the final tally to the phrase ‘mutually faithful, single-partner relationship.’” Significantly, the words “family” and “families” were used twelve times in the draft, while the words “homosexual” or “homosexuality” were never mentioned, despite the fact that gay men then constituted nearly three-quarters of reported AIDS cases. So given the relatively mild language of the draft brochure, one might have expected the administration to embrace it.

But that was not to be the case. In fact, many members of the administration objected to the very idea of a mass mailing. Gary Bauer, for instance, an assistant to the president for domestic policy and an influential member of the Domestic Policy Council, questioned the usefulness of the entire campaign: “What exactly is it that people don’t know? Is there a breathing American who doesn’t know that you get AIDS from sex or a dirty needle? If there is, he probably is not the kind of person who reads his mail” (qtd. 24
in Booth 1987). In the end, the decision of whether or not to mail the brochure was passed off to the newly-formed Presidential Commission on the HIV Epidemic. But at its first meeting on September 9, 1987, the Commission deferred making such a decision.

“We just felt like we weren’t ready to tackle the mailing yet,” W. Eugene Mayberry, the original chairman of the Commission, commented (qtd. in Booth 1987). The mass mailing first proposed by the PHS in March thus appeared to have been spiked, the apparent victim of a fractured state AIDS policy; lower-echelon staff had produced a brochure intended for a mass mailing, but upper-echelon officials had simply refused to mail it.

Paradoxically, however, Understanding AIDS might never have come into existence were it not for the fracturing of state AIDS policy between the executive and the legislative branches of the federal government. In the Supplemental Appropriations Act for fiscal 1987, enacted July 11, 1987, Congress had appropriated an additional $20 million to pay for the proposed AIDS mailing (Statutes at Large 1987a, 420). But simply appropriating money is not the same as mandating that those funds actually be spent, and so an administration hostile to a direct-mail AIDS education campaign could quite simply, and legally, do nothing. Congress supplied that mandate, however, in the Continuing Appropriations Act for fiscal 1988, enacted December 22, 1987, which stipulated that “the Director [of the CDC] shall cause to be distributed without necessary clearance of the content by any official, organization or office, an AIDS mailer to every American household by June 30, 1988, as [previously] approved and funded by the Congress” (Statutes at Large 1987b, 1329-265). The administration’s resistance to the mailing was thus countered by Congressional support for the campaign; whereas the
contradiction within the executive threatened to kill the direct mail campaign, the contradiction between the executive and the legislative effected the production and distribution of *Understanding AIDS*.

And yet, despite the clear intent of Congress’s language, the Director of the CDC at the time, Dr. James O. Mason, nonetheless did “involve top PHS and HHS organizational officials in the process,” specifically to allay potential concerns within the administration regarding the brochure’s “explicit language and the choice of a ‘sponsor’ (the government official who would endorse the brochure)” (Davis 1991, 657). The administration’s concerns about the first were “eased” by evidence from focus group research that “the public expected and preferred frank, unequivocal language” and, perhaps more importantly, by the unstated assurance that the discourse of the brochure would conform to the administration’s AIDS education guidelines (657). As for the latter, the question of who would sponsor the mailing, the CDC initially proposed four names: President Ronald Reagan, HHS Secretary Otis R. Bowen, Assistant Secretary for Health Robert E. Windom, and Surgeon General C. Everett Koop. Focus group testing indicated that both Reagan and Koop had high name recognition and were widely respected. But since Koop was actually a physician, he “was perceived to have higher credibility on medical issues” than any of the other potential sponsors (658). Ironically, then, Koop was chosen as the official sponsor of the governmental AIDS education campaign he had been among the first to propose, even though his initial proposal for such a campaign had been adamantly opposed within the administration.

After reviewing the pre-production layout of the brochure, by then titled *Understanding AIDS*, Koop suggested “some specific modifications to the text” (Davis
1991, 658). Although Koop’s modifications are left unexplained by Davis’s official history, such changes could not have been terribly substantive since it required only four days “to make and clear the changes generated by Dr. Koop” (658). In any event, the brochure, now bearing the imprimatur of the U.S. Surgeon General, was approved by CDC Director Mason on March 11, 1988, and sent off for printing. By then, more than a decade had passed since the virus that causes AIDS had first entered the American population, and seven years since the first case reports had been published. “At long last,” Rep. Henry A. Waxman would later tell the Washington Post, “there is information that the federal government will send to Americans about the epidemic. The administration that promised morning in America has kept the nation in the dark about AIDS” (qtd. in Boodman 1988). What information would be communicated to the American public and whether that information would lift the darkness are questions to which I now turn. The production of Understanding AIDS, fraught as it was with contradiction, would seem to indicate, however, that the content and reception of the brochure was not likely to please either advocates of a safe-sex AIDS education campaign, like Koop and Waxman, or proponents of an abstinence/sex-only-in-heterosexual-monogamy approach, like Bennett and Bauer.

The Content and Reception of Understanding AIDS

At a May 4, 1988, news conference unveiling the brochure, HHS Secretary Bowen remarked that Understanding AIDS was written “in plain, easy, straightforward language that is at about the 12- to 13-year-old reading level. It doesn’t mince words, yet it is in good taste. It stresses proper behavior, and it stresses values and responsibilities” (Associated Press 1988). Just what behavior, values, and responsibilities were deemed
appropriate in the age of AIDS is apparent even from a cursory reading of *Understanding AIDS*. First, the ideal subject of *Understanding AIDS* is self-governing and acts rationally on the basis of knowledge. From Surgeon General C. Everett Koop’s opening injunction, “Stopping AIDS is up to you, your family and your loved ones,” to the advice, “You are going to have to be careful about the person you become sexually involved with, making your own decision based on your own judgment,” to the closing assertion, “Knowledge and understanding are the best weapons we have against the disease,” the brochure posits a subject of knowledge who, having learned what is “right” behavior, does what is “right” (CDC 1988a, 1, 4, 7). Indeed, the CDC based the entire “America Responds to AIDS” campaign upon a theory of reasoned action according to which “behavioral change follows alterations in a person’s attitudes toward that behavior and alteration of the person’s perception of the social norms regarding the behavior” (Woods 1991, 617). This emphasis is reinforced by the brochure’s repeated affirmation that it is not one’s identity that puts one at risk of AIDS, but rather one’s behavior: “Who you are has nothing to do with whether you are in danger of being infected with the AIDS virus. What matters is what you do” (CDC 1988a, 2). The state may undertake to establish and communicate the “right” knowledge, but it is the individual subject who must behave rightly by incorporating that knowledge in a set of responsible bodily behaviors. Indeed, the knowledge imparted by *Understanding AIDS* is a knowledge that is to be practiced through the subjection of the body. And the subject constituted by *Understanding AIDS* is a subject who behaves rightly, and who behaves rightly by subjecting the body
according to that knowledge. As Koop remarks in his personal message to the reader, “I encourage you to practice responsible behavior based on understanding and strong personal values. This is what you can do to stop AIDS” (CDC 1988a, 1).

Further, the “responsible behavior” enjoined by Understanding AIDS is sexual behavior structured by hegemonic heterosexuality and drug-using, or rather non-drug-using, behavior modeled on the Reagan-era slogan, “Just Say No.”10 “There are two main ways you can get AIDS,” the brochure explains. “First, you can become infected by having sex—oral, anal or vaginal—with someone who is infected with the AIDS virus. Second, you can be infected by sharing drug needles and syringes” (CDC 1988a, 2). Moreover, as the brochure reminds readers repeatedly, “You can’t tell by looking if a person is infected” (CDC 1988a, 3, emphasis in original). Based on this knowledge of AIDS, then, the responsible subject behaves by practicing “safe behaviors,” which are defined according to three simple maxims: “Not having sex”; “Sex with one mutually faithful, uninfected partner”; and, “Not shooting drugs” (CDC 1988a, 3). By contrast, “risky behavior” is defined as: “Sharing drug needles and syringes”; “Anal sex, with or without a condom”; “Vaginal or oral sex with someone who shoots drugs or engages in anal sex”; “Sex with someone you don’t know well (a pickup or prostitute) or with someone you know has several sex partners”; and, “Unprotected sex (without a condom) with an infected person” (CDC 1988a, 3). And while the brochure claims that the risk of getting AIDS is not linked to membership in so-called “high-risk groups” but to “risky behavior,” the only social group cleared of risk is that of the “married.” “Married people,” the brochure affirms, “who are uninfected, faithful and don’t shoot drugs are not at risk” (CDC 1988a, 4).
The language here is important. “Married people” signifies one man and one woman whose personal relationship has been sanctioned by the state in the form of a marriage license; the further qualification that these “married people” are “faithful,” meaning this man and this woman have sexual relations only and always with each other, further defines “marriage” in terms of traditional heterosexual monogamy. The affirmation of monogamous heterosexuality is reflected, as well, in the brochure’s tortured ambivalence over sex outside of marriage: “For those who are sexually active and not limiting their sexual activity to one partner, condoms have been shown to help prevent the spread of sexually transmitted diseases. . . . Condoms are the best preventive measure against AIDS besides not having sex and practicing safe behavior” (CDC 1988a, 4). This last bit of advice—“not having sex and practicing safe behavior”—is revealing in its circularity, for it amounts to a definition of safe behavior as heterosexual monogamy and is thus an admonition either to become celibate or to join the ranks of the married. Safe sexual behavior is defined by the maxims, “Not having sex” and “Sex with one mutually faithful, uninfected partner.” But since “not having sex” was already included in the advice to the unmarried sexually active, the injunction to “practic[e] safe behavior” actually enjoins those who are sexually active outside of marriage to have sex only with “one mutually faithful, uninfected partner,” which, in this brochure, functions as a hallmark feature of “married people.” Apparently, the state’s advice to the unmarried sexually active is to become celibate, use a condom, or get married. Yet even the advice to use condoms is qualified: “But condoms are far from being foolproof. You have to use them properly. And you have to use them every time you have sex, from start to finish” (CDC 1988a, 4). The brochure then outlines three “guidelines” for the
“proper” use of condoms: “(1) Use condoms made of latex rubber”; “(2) A condom with a spermicide may provide additional protection”; and, “(3) Condom use is safer with a lubricant” (CDC 1988a, 4). Condoms are thus less “proper” than heterosexual monogamy, which, apparently, needs no such careful instructions. Stripped down to its most essential message, then, the construction of “proper” and “responsible” sexual behavior in *Understanding AIDS* is to marry someone of the opposite sex who is uninfected and to have sex only and always with that marital partner, a construction which affirms the “value” of traditional heterosexual monogamy.

*Understanding AIDS* further inscribes the paradigm of hegemonic heterosexuality through its abjection of homosexuality. Unlike the complete erasure of homosexuality which had characterized the earlier draft of the brochure, however, the word “homosexual” is used exactly twice in the *Understanding AIDS*, once in the statement that the “male homosexual population was the first in this country to feel the effects of the disease,” and again in the assertion that AIDS may be “spread by sexual intercourse whether you are male or female, heterosexual, bisexual or homosexual” (CDC 1988a, 2). The only other allusion to homosexuality occurs in the brochure’s discussion of the Public Health Service’s recommendation that “you be confidentially counseled and tested [for the AIDS virus] if you have had any sexually transmitted disease or shared needles; if you are a man who has had sex with another man; or if you have had sex with a prostitute, male or female” (CDC 1988a, 5). As for lesbianism, the term itself is never used and women having sex with women is never mentioned (though by metonymic displacement, the marginalization of homosexual men constitutes a doubled marginalization of homosexual women). To the extent, then, that *Understanding*
AIDS addresses mothers and parents, and, especially, those who “date” and those who are “married”—and that this “dating” is heterosexual dating is established by the spatial and, perhaps chronological, ranking of the section “Do Married People Get AIDS?” as a subheading under the section, “What About Dating?”—and to the extent that the brochure is so quietly careful on the subject of homosexuality, gay men and lesbians are, evidently, not the intended audience, an exclusion from the “you” of Understanding AIDS which discursively inscribes hegemonic heterosexuality as the norm.

The exclusion of homosexuality is furthered by the definition of marriage as heterosexual. Two uninfected gay men, or two uninfected lesbians, who are mutually faithful, are excluded from the ranks of “married people,” and are, consequently, suspect, in some way at risk for AIDS not because of their behavior—“what you do”—but because of their identity—“who you are”—and their membership in a social grouping other than monogamous heterosexuals. In this case, identity does entail risk by virtue of the fact that the identity at issue is homosexual; heterosexual identity apparently entails risk only as a result of certain behaviors. Yet the discussion of behavior also works to marginalize homosexuality through the use of the term “anal intercourse” and its classification as “risky behavior”: “Anal intercourse, with or without a condom, is risky. The rectum is easily injured during anal intercourse” (CDC 1988a, 2). While heterosexuals do practice anal intercourse, the use of the term itself almost universally signifies homosexuality, especially for the, evidently, heterosexual public to which Understanding AIDS was sent. According to the state, then, anal sex—read male homosexual sex—is always risky behavior, “with or without a condom,” and hence is never “proper” or “responsible.” The idea that two uninfected gay men could have
“mutually faithful” anal sex without a condom and be at no more risk of acquiring AIDS than “married people” is a possibility that is simply never entertained by *Understanding AIDS*. Indeed, such a notion cannot even be thought in this context without jeopardizing the construction of marriage as heterosexual monogamy. Thus, the normalized subject discursively produced through *Understanding AIDS* is heterosexual both in identity and behavior; proper behavior and correct values are always already heterosexual.

This subject behaves not only by being and acting heterosexually, but also by not using illicit drugs—that is, through sobriety. The third maxim of “safe behavior” is “Not shooting drugs,” a maxim that is further explained in a section of *Understanding AIDS* titled “The Problem of Drugs and AIDS.” “No one should shoot drugs,” the brochure maintains. “It can result in addiction, poor health, family disruption, emotional disturbances and death” (CDC 1988a, 6). Again, the language here is important. What is the “It” which leads to all these disastrous consequences? Apparently, “It” is not so much “shooting drugs” as it is “using drugs,” for the sentence immediately following advises, “Many drug users”—not drug shooters or intravenous drug users—“are addicted and need to enter a drug treatment program as quickly as possible” (CDC 1988a, 6). These three sentences comprise one paragraph whose unifying theme is not so much “don’t shoot drugs” as it is “don’t become addicted,” or even better “don’t use drugs.” And this “Just Say No” motif is further enhanced by the failure of *Understanding AIDS* to provide any advice for “drug users” other than to seek treatment and not to share “any of the equipment used to prepare and inject illegal drugs” (CDC 1988a, 6). This advice is analogous to the admonition to the sexually active either to become celibate or to get married and to have sex with one mutually faithful, uninfected partner, only in this case
those actively shooting drugs are to be faithful to their needle. But if “Not shooting
drugs” equates with “Not having sex,” and not sharing needles equates with “sex with
one mutually faithful, uninfe...
consequences, accepted public health procedures, practice, and the historic and cultural context of Judeo-Christian concepts of morality upon which our country grew and prospered” (Reisman n.d., 1). In addition, conservative Congressman Jim McCreary (R-Louisiana) and several other U.S. Representatives sent letters to their constituents warning them to keep their children away from the mailbox. “I just thought you should know that this brochure was coming so that you can make sure you take a look at it before it falls into the hands of your children,” McCreary wrote. “It contains some rather explicit sexual terms to which I wouldn’t want children to be subjected. And to a certain extent, the brochure carries with it the implication that permissive or abnormal sexual activity is acceptable, if one takes certain precautions. . .” (“Conservatives” 1988). And Gary Bauer, President Reagan’s domestic policy advisor, reiterated his earlier opposition by questioning whether such a mass mailing was a wise expenditure of taxpayer money. “A lot of money is going to be spent reaching people who are not at high risk,” he commented. “I question whether a 60-year-old couple in Topeka, Kansas, needs to be informed to avoid sharing dirty needles or engaging in anal intercourse” (Raymond 1988, 2513). Perhaps not surprisingly, then, those within the administration and Congress who had opposed the production of an AIDS mailing continued their opposition after the brochure was mailed, and this despite the brochure’s affirmation of values like abstinence, heterosexual monogamy, and sobriety.

The response of the American public at large, however, was harder to gauge. On the one hand, the mailing appeared to trouble only a small number of Americans and actually to be welcomed by many. According to the Centers for Disease Control, only a few hundred complaints about the brochure had been received by early July 1988
(Lambert 1988). And a random telephone survey conducted nationally by Barbara Gerbert and Bryan Maguire of the University of California, San Francisco, during the six weeks after the brochure was mailed, found that 84 percent of those surveyed “were glad to get this brochure,” while only two percent said they thought parts of the brochure were offensive (1989, 131). In addition, the mailing unleashed a flurry of calls to AIDS hotlines around the nation. In the first 18 days after the mailing began, more than 100,000 extra calls were made to the CDC’s national AIDS hotline; the average daily volume of calls more than doubled to about 10,000 (Lambert 1988) “The response has been exceedingly positive,” CDC Director Mason told the New York Times. “It’s gratifying that people are reading it, finding it useful and keeping it around the house as a reference document. They tell us it’s something they can discuss with their teen-agers” (Lambert 1988).

And yet, a closer look at the response to Understanding AIDS as represented by polling data, especially the government’s own National Health Interview Survey, reveals a different perspective. For example, Gerbert and Maguire found that 59 percent of those polled remembered receiving the brochure in the mail. “Of those who remembered receiving it,” the study noted, “13 percent did not read it at all, 21 percent read half of it or less, and 68 percent read most of the brochure” (Gerbert 1989, 131). While these numbers may seem encouraging, it is worth noting that only 25 percent of those who remembered receiving the brochure took the brief, six-question quiz on its last page, which may indicate that those who claimed to have read all or almost all of Understanding AIDS hadn’t read it all that closely. Further, despite the brochure’s stated objective of “stimulat[ing] informed discussions about AIDS” (CDC 1988b, 261),
Gerbert and Maguire observed that only 43 percent of those who read it had actually discussed the brochure with another person (131). The National Health Interview Survey conducted in July 1988 yielded similar findings (Dawson 1988b). Almost two-thirds of those surveyed remembered receiving the brochure in the mail; 58 percent of these individuals said they had read all or almost all of it, 21 percent said they had read half or less than half of it, and the remainder said they hadn’t read it at all. Less than half of those who claimed to have read Understanding AIDS said they read it carefully, while a third said they had merely skimmed through it. Only 29 percent of the children in these households had read the brochure. When asked whether they had discussed the brochure with anyone in their family, only 37 percent responded affirmatively. Fully 62 percent of those surveyed said they hadn’t discussed the brochure with any of their children aged 10- to 17-years, despite the fact that an identical percentage acknowledged previously discussing AIDS with their children. As for the dramatic increase in calls to AIDS hotlines, most, it turned out, concerned the same type of questions that had been asked prior to the mailing. “We really didn’t see a change in the type of questions people were asking,” commented Carol Humphries, director of the government’s national AIDS hotline. “The questions seem to be the same” (Price 1988).

Not only were the questions the same, so, too, the level of general knowledge about AIDS remained remarkably consistent. In fact, a comparison of the National Health Interview Survey’s monthly polling data for the year following the mailing indicates that Understanding AIDS made little impact on the public’s knowledge of, and attitudes about, AIDS. In May 1988, when only eight percent of those polled remembered receiving Understanding AIDS, more than half (53 percent) thought it very
likely or somewhat likely that AIDS could be acquired by kissing, a behavior the brochure emphatically denied could transmit AIDS (Dawson 1988a). In December 1988, six months after the mailing, exactly the same percentage thought kissing could transmit AIDS; a year after the mailing, the percentage had increased slightly to 54 percent (Hardy and Dawson 1989, and Dawson 1990, respectively). A similar trend, or rather lack of trend, can be found for other questions designed to test knowledge about AIDS transmission. For example, prior to the mailing 92 percent considered the statement, “Any person with the AIDS virus can pass it on to someone else during sexual intercourse,” definitely true or probably true, and 95 percent thought it very likely or somewhat likely that sharing needles with someone with AIDS could transmit the virus. By December, those numbers had increased slightly to 95 percent and 97 percent, respectively, a finding that remained fairly constant a year after the mailing. And the failure of Understanding AIDS to make a significant impact on AIDS knowledge becomes even more apparent through an examination of changes in a misinformation index for knowledge about “how AIDS is and is not transmitted” (CDC 1988b, 261). In May 1988, 28 percent of those polled were misinformed about AIDS transmission; six months after the mailing, the same percentage (28 percent) were misinformed; a year after the mailing, the percentage of those misinformed had declined slightly to 27 percent. Thus, regardless of how many people actually read the brochure, or how closely they read it, or whether they discussed it with anyone else, the evidence indicates that Understanding AIDS had virtually no impact on public knowledge and attitudes about AIDS transmission, a specific focus of the brochure.
As for the government’s advice regarding prevention, the brochure’s record was equally dismal. In May 1988, 90 percent of those surveyed thought that “[t]wo people who do not have the AIDS virus having sex only with each other” was a very effective or somewhat effective method for preventing sexual transmission, a finding that remained constant throughout the next year. In addition, the brochure’s advice that, next to becoming celibate or getting married, condoms offered the best means of preventing sexual transmission of AIDS, seemed to make only a slight difference in the public’s knowledge and attitudes about condoms. In May 1988, 82 percent thought using a condom was a very effective or somewhat effective means of AIDS prevention; by December, the number had risen to 84 percent; and a year after the mailing, the public’s attitude about condoms stood at 85 percent. An examination of the misinformation index regarding knowledge of AIDS prevention is equally revealing. Prior to the mailing, 24 percent were misinformed about AIDS prevention methods; six months later, the percentage had slightly declined to 23 percent, a level of misinformation which remained constant a year after the mailing. So, again, while the numbers do indicate that the American public, for the most part, remembered receiving the brochure and read some of it, the response was hardly the “exceedingly positive” one Dr. Mason had effused over. As noted earlier, Understanding AIDS was designed to inform the public about “how AIDS is and is not transmitted,” to “encourage safe behaviors that can prevent HIV infection,” and to “stimulate informed discussions about AIDS within families, between sexual partners, and at all levels of society by presenting the facts and showing people how AIDS relates to their own lives” (CDC 1988b, 261). And yet, the evidence that knowledge and attitudes about AIDS changed so little as a result of the mailing, that so
few Americans read the brochure closely, and that fewer yet talked about it with other adults, let alone with their own children, indicates that *Understanding AIDS* had largely failed to achieve its objectives.

**Michel Foucault and the Critique of Political Culture**

The disparity between the state’s objectives in mailing *Understanding AIDS* and their evident failure begs the question of why such a massive government effort, which met with so little in the way of tangible results, would not only be hailed by public health officials like Dr. Mason of the CDC but also, more than three years after the mailing and despite the government’s own evidence to the contrary, still be defended as “a successful, cost-effective way to increase awareness, focus public attention, and distribute basic information about AIDS” (Davis 1991, 661). This problem is analogous to that described by Michel Foucault in *Discipline and Punish* concerning the failure of the prison. As with the failure of *Understanding AIDS*, so, too, the failure of the prison to deter crime begs the question of why it continues to be defended as the “penalty *par excellence*” in Western societies (Foucault 1979, 231). But, Foucault suggests, perhaps this isn’t the most important question to address, “perhaps one should reverse the problem and ask oneself what is served by the failure of the prison” (272). Posed in this manner, he argues, the problem of the failure of the prison indicates that “the prison, and no doubt punishment in general, is not intended to eliminate offences, but rather to distinguish them, to distribute them, to use them; that it is not so much that they render docile those who are liable to transgress the law, but that they tend to assimilate the transgression of the laws in a general tactics of subjection” (272). Similarly, instead of asking, as I have just done, why *Understanding AIDS* continued to be defended despite its evident failure,
perhaps the problem should be reversed by investigating what is served by the failure of *Understanding AIDS* and, indeed, of the entire “America Responds to AIDS” campaign. The brief parallel I have sketched here between Foucault’s critique of the failure of the prison and a possible critical response to the failure of *Understanding AIDS*, and of the state’s AIDS education campaigns in general, indicate that such campaigns are not so much intended to prevent the spread of AIDS, but rather to regulate the distribution and use of AIDS knowledge and to incorporate AIDS education and prevention into “a general tactics of subjection” which reinforces the normalization of heterosexuality and the abjection of homosexuality and drug use. Paradoxically, while these campaigns might be said to have failed in terms of AIDS education, or at best to have reinforced already existing knowledge and attitudes, they were nevertheless successful as “tactics of subjection” which regulate the dissemination of AIDS knowledge and produce a biopolitical subject with the “proper behavior” and the correct “values and responsibilities.” Moreover, the parallel between the failure of the prison and the failure of *Understanding AIDS* suggests a further parallel in that AIDS prevention, like punishment, ought to be investigated as an exemplary instance of political culture. In other words, as I will argue in the remainder of this chapter, *Understanding AIDS* is best critiqued as a political cultural practice through which power is exercised, knowledge produced, and the body both instrumentalized and subjectivated.17

But if *Understanding AIDS* is to be critiqued as a political cultural practice, what then is political culture and how should such political cultural practices be analyzed? All too often, the meanings of terms like “politics,” “culture,” and, in this case, “political culture” are taken to be virtually self-evident and, consequently, to need no further
definition. As a result, “political culture” can be taken to mean almost anything, which is the same as to say that it means next to nothing. And the analysis of political cultural practices is thereby undermined by such conceptual imprecision. So it is crucial, at the inception of a study of political culture such as this, to define the term “political culture” and to stipulate some general guidelines for the analysis of political cultural practices.

Not surprisingly, however, political culture is a much contested category in both the social sciences and the field of cultural studies. As John R. Gibbens notes, the study of political culture is complicated by the “plurality and incommensurability [of the] conceptual definition[s]” of political culture deployed in the social sciences (1989, 3). For some, he explains, the analysis of political culture takes the form of “[p]sychological accounts which stress the individual’s orientation to political objects”; others offer more “[c]omprehensive sociological accounts which include both individual orientations and behavior which carries orientations” (3). Yet other studies emphasize either “[o]bjective definitions which define culture in terms of the consensual or dominant values and norms embedded in society” or “[h]euristic definitions [which] provide hypothetical or ideal type constructs employed to explain partial phenomena, such as authoritarian or cynical beliefs and behaviour” (3). Despite their seeming incongruity, all these approaches share a similar concern with explaining the political in terms of a notion of culture which is essentially individualistic and psychological. Indeed, Lucian W. Pye suggests that “the concept of political culture was developed in response to the need to bridge a growing gap in the behavioral approach between the level of microanalysis, based on the psychological interpretations of the individual’s political behavior, and the level of
macroanalysis, based on the variables common to political sociology” (1968, 218).

Accordingly, Pye defines political culture as

the set of attitudes, beliefs, and sentiments which give order and meaning
to a political process and which provide the underlying assumptions and
rules that govern behavior in the political system. It encompasses both the
political ideals and the operating norms of a polity. Political culture is
thus the manifestation in aggregate form of the psychological and
subjective dimensions of politics. A political culture is the product of both
the collective history of a political system and the life histories of the
members of that system, and thus it is rooted equally in public events and
private experiences. (218)

As syncretic as Pye’s definition is, its very generality undermines its analytical utility.

Pye himself notes that, because the term “political culture,” as he defines it, “is capable of
evoking quick intuitive understanding, so that people often feel that without further and
explicit definition they can appreciate its meaning and freely use it.” such analyses risk
employing the term “as a ‘missing link’ to fill in anything that cannot be explained” by
more traditional methods of political analysis (224). Within the social sciences,
consequently, the critique of political culture remains caught between the Scylla of
incommensurability and the Charybdis of tautology.

In the field of cultural studies, the investigation of political culture is
problematized by definitions of culture which restrict its domain to that of the intellectual
and the aesthetic, and hence as separate from, though implicated in, the domain of
politics. Raymond Williams’s discussion of culture in Keywords is noteworthy in this
regard. For Williams, culture can be defined as either “a general process of intellectual, spiritual and aesthetic development,” “a particular way of life, whether of a people, a period, a group, or humanity in general,” or “the works and practices of intellectual and especially artistic activity” (1983, 90). Culture thus means “music, literature, painting and sculpture, theatre and film” (80). The editors of the Cultural Studies anthology similarly limit culture to the aesthetic and the intellectual when they suggest that culture may be understood “both as a way of life—encompassing ideas, attitudes, languages, practices, institutions, and structures of power—and a whole range of cultural practices: artistic forms, texts, canons, architecture, mass-produced commodities, and so forth” (Nelson, Treichler, and Grossberg 1992, 5). In contrast to these more conventional approaches to culture and cultural studies, Tony Bennett argues in his essay, “Putting Policy into Cultural Studies,” that “institutional and, more broadly, policy and governmental conditions and processes should be thought of as constitutive of different forms and fields of culture…” (1992, 25). Definitions of culture like those of Williams and others ignore the emergence since the early 19th century of new fields of social management in which culture is figured forth as both the object and the instrument of government: its object or target insofar as the term refers to the morals, manners, and ways of life of subordinate social strata; its instrument insofar as it is culture in its more restricted sense—the domain of artistic and intellectual activities—that is to supply the means of a governmental intervention in and regulation of culture as the domain of morals, manners, codes of conduct, etc. (26)
Culture ought therefore to be conceived, Bennett proposes, as “a historically specific set of institutionally embedded relations of government in which the forms of thought and conduct of extended populations are targeted for transformation—in part via the extension through the social body of the forms, techniques, and regimens of aesthetic and intellectual culture” (26). As insightful as Bennett’s discussion is, however, his analysis is still constrained by the “more restricted sense” of culture, for governmental policy enters into the study of culture principally as it interacts with “aesthetic and intellectual culture,” as in the case, to cite Bennett’s prime example, of the public museum. Hence, for cultural studies, not only is culture all too often addressed primarily in terms of the aesthetic and the intellectual but the political and the culture of the political all too often do not figure as objects of cultural study in and of themselves.

The thought of Michel Foucault offers a way out of this morass of conceptual difficulties. While he never explicitly defines political culture, nor does he ever use the actual term, Foucault’s analyses of power-knowledge relations suggest a definition of political culture which is both simple and precise. To put a Foucauldian edge to Ockham’s razor, political culture may be initially defined as the performative function of the power-knowledge relational matrix between state, society, and individual, through which, as I noted above, power is exercised, knowledge produced, and the body both instrumentalized and subjected. In other words, political culture is the instrumentality by which these power-knowledge relations performatively function. And through the performativity of political culture, these power-knowledge relations operate in a manner such that the state is neither super-structural nor the ultimate determiner of society and of the individual; nor is society simply an aggregation of individuals over which and
through which the state exercises its sovereign authority; nor is the individual merely the passive subject molded by the forces of state and society. To the contrary, these three elements always already performatively function through political culture to constitute and determine each other. The state may govern society and the individual, but so too may society shape the state and the individual, and the individual likewise affect state and society. On the one hand, then, the analysis of political culture takes the form of a critique of the material and discursive practices of the state which form and transform the domain of power-knowledge relations that operate between state, society, and individual. But on the other hand, the investigation of political culture similarly entails a critique of the material and discursive practices of society, as well as those of individuals and groups of individuals, that also form and transform these relations. So political culture is not so much, as Pye defines it, a set of attitudes and beliefs which structure the political order; nor is political culture, as the editors of the *Cultural Studies* anthology would characterize it, just a way of (political) life influenced by intellectual and aesthetic culture. Rather, political culture is the performatively functioning of the power-knowledge relations between state, society, and individual, and it is to be studied through a critique of the practices through which, and by means of which, this function performs.

I will develop my analysis of the performativity of political culture in more depth in Chapter Three. For now, I would like to conclude my discussion in this chapter by elucidating four preliminary methodological guidelines for the critique of political culture and its practices, based on Foucault’s discussion in *Discipline and Punish* of “four general rules” for his investigation of the political cultural practices of punishment (1979, 23). First, a Foucauldian critique regards political cultural practices as “complex social
function[s]” (1979, 23). Rather than focusing solely on the “‘repressive’ effects” of cultural practices in society, Foucault suggests, the critique of political culture must “situate [such practices] in a whole series of their possible positive effects” (23). A study of punishment, for example, must rid itself “of the illusion that penalty is above all (if not exclusively) a means of reducing crime...” (24). Regarding punishment “as a complex social function,” for Foucault, means studying penal systems “as social phenomena that cannot be accounted for by the juridical structure of society alone, nor by its fundamental ethical choices”; instead, such practices must be situated in their “field of operation, in which the punishment of crime is not the sole element” (24). Similarly, Understanding AIDS, regarded as “a complex social function,” ought not to be examined solely as a public health measure designed to control the spread of AIDS; it should be read as a specific political cultural practice that reflects and reinforces the norms of self-governance, heterosexuality, and sobriety. AIDS prevention practices like Understanding AIDS must not be seen as “simply ‘negative’ mechanisms that make it possible to repress, to prevent, to exclude, to eliminate”; rather, they are to be situated in their “field of operation” by being “linked to a whole series of positive and useful effects which it is their task to support” (Foucault 1979, 24). Indeed, as Foucault argues in The Will to Know and elsewhere, power is less repressive than it is productive, and the repressive effects of power serve more to mask power’s productivity (of knowledge, the body, subjectivity) than to constitute the hallmarks of power’s essential nature. Consequently, focusing a study of political cultural practices, whether of punishment or of the U.S. government’s efforts to control the spread of AIDS, on what and how power represses entails a misreading of power which can only further mask what and how
power produces even as it represses; rather, the critique of political cultural practices must trace the “positive and useful effects” which it is the task of such practices to support.

Second, a Foucauldian critical methodology maintains that political cultural practices must be regarded “as political tactic[s],” not as mere effects of larger social processes; they are not merely “consequences of legislation” or “indicators of social structures” (1979, 23). Instead, as Foucault indicates, such practices are to be understood “as techniques possessing their own specificity in the more general field of other ways of exercising power” (23). Foucault’s point here is to realign the study of political culture so that technologies of power are not seen as “instruments of violence or ideology” (26), but as “tactics” strategically deployed in a field of power-knowledge relations, tactics with their own material effects which cannot be characterized in terms of the repression of violence or the coercion of ideology. As such, the tactics of AIDS prevention, like those of punishment, constitute what Foucault calls a “political technology of the body,” a technology which is “diffuse, rarely formulated in continuous, systematic discourse” and which “implements a disparate set of tools or methods” (26). Such technologies, he claims, cannot be simplistically “localized in a particular type of institution or state apparatus”; rather, political culture, considered as a field of power-knowledge relations between the state, society, and the individual, performs by means of a “micro-physics of power” in which power “is conceived not as a property, but as a strategy” operating in “a network of relations, constantly in tension” (26). And if power is not so much exercised through repression as it is through productivity, then power may be said to invest subjects. Power, Foucault writes, “is transmitted by them and through them; it exerts
pressure upon them, just as they themselves, in their struggle against it, resist the grip it has on them” (27). As he further explains, this means that power relations “go right down into the depths of society”; the micro-physics of power “define innumerable points of confrontation, focuses of instability, each of which has its own risks of conflict, of struggles, and of an at least temporary inversion of power relations” (27). Thus, any given political cultural practice—for example, *Understanding AIDS*—regarded as a tactic of power, ought not to be studied in isolation, nor to be read as somehow symptomatic of social conditions; rather, the critique of political cultural practices necessarily entails the investigation of the complex power-knowledge relations permeating a political cultural field strategically saturated with a multiplicity of political tactics, each with “their own specificity,” which overlap, reinforce, compete with, contest, possibly reverse, but always transform, one another. *Understanding AIDS*, then, must be understood as but one political tactic, with its own specificity, situated in a field of power-knowledge relations suffused with other political tactics, each with their own specificities. And the brochure itself, as I discussed above, is the product of competing tactics, each with its own specificity.

Third, Foucault contends that power and knowledge must be regarded as being deeply and profoundly imbricated with each other. Consequently, from a Foucauldian perspective, the critique of political cultural practices must “see whether there is not some common matrix or whether they do not . . . derive from a single process of ‘epistemologico-juridical’ formation” (1979, 23). Just as “power produces knowledge (and not simply by encouraging it because it serves power or by applying it because it is useful),” Foucault observes, so, too, knowledge produces power. “[T]here is no power
relation without the correlative constitution of a field of knowledge,” he maintains, “nor any knowledge that does not presuppose and constitute at the same time power relations” (27). One of the consequences of this conceptualization of power-knowledge relations is the inversion of the epistemological model based on “the primacy of the subject” (28). Knowledge is not produced by a subject free of the “injunctions,” “demands,” and “interests” of power; rather, he says, “the subject who knows, the objects to be known and the modalities of knowledge must be regarded as so many effects of these fundamental implications of power-knowledge and their historical transformations” (27-28). Hence, the critique of political culture entails the rejection of both the model of power based on the opposition between violence and ideology and the model of knowledge derived from the binary opposition of an interested/disinterested subject. Instead, the critique of political culture is concerned more with the investigation of a “political ‘anatomy’” understood in Foucault’s terms as “a set of material elements and techniques that serve as weapons, relays, communication routes and supports for the power and knowledge relations that invest human bodies and subjugate them by turning them into objects of knowledge” (28). AIDS discourses like Understanding AIDS are thus not produced by disinterested scientists and public health officials, but by subjects invested and constituted by a field of power-knowledge relations. Medical/scientific knowledge about AIDS and the power technologies of AIDS prevention interrelate, overlap, and exert effects on each other; the exercise of state power to control AIDS presupposes and helps to constitute the field of AIDS knowledge, and knowledge about
AIDS presupposes and helps to constitute the power technologies of AIDS prevention. The analysis of the political cultural practices of AIDS prevention, accordingly, must also take the form of a political anatomy of AIDS.

Lastly, the critique of political cultural practices must regard the body as thoroughly invested by power-knowledge relations. Whether considering punishment or AIDS prevention, “it is always the body that is at issue – the body and its forces, their utility and their docility, their distribution and their submission” (Foucault 1979, 25). The body, Foucault explains, is “directly involved in a political field; power relations have an immediate hold upon it; they invest it, mark it, train it, torture it, force it to carry out tasks, to perform ceremonies, to emit signs” (25). The body, in other words, serves as the nexus—the nodal point—for relations of power and knowledge. Power-knowledge is articulated on, through, and by the body. On the one hand, Foucault suggests, this politicization of the body is associated with the economics of the body, for “it is largely as a force of production that the body is invested with relations of power and domination” (26). On the other hand, the political economy of the body constitutes not only a “productive body and a subjected body,” it also gives rise, he claims, to a “soul” (26, 29). For Foucault, the “soul” is neither “an illusion” nor “an ideological effect”; rather, the soul “exists, it has a reality, it is produced permanently around, on, within the body by the functioning” of power-knowledge (29). Whether called “psyche, subjectivity, personality, [or] consciousness,” this “real, non-corporal soul . . . is the element in which are articulated the effects of a certain type of power and the reference of a certain type of knowledge, the machinery by which the power relations give rise to a possible corpus of knowledge, and knowledge extends and reinforces the effects of this power” (29).
Political culture is therefore to be critiqued as a function of power-knowledge relations between state, society, and individual which—on, through, and by the body—constitutes a subject; political cultural practices are thus power-knowledge technologies of subjectivation. Consequently, the critique of political culture must investigate not only the “political investment” of the body by power-knowledge relations, but also how, and in what form, power-knowledge constitutes a soul, a subject, which is both “the effect and instrument of a political anatomy” (30). And the analysis of AIDS prevention practices like *Understanding AIDS* must likewise not only examine how the body is invested thereby with power-knowledge relations, but also the way in which a political cultural subject is constituted by those relations and functions as both “effect and instrument” of the political anatomy of AIDS.

I propose to deploy this critical methodology in my investigation of the production of American political culture in this dissertation. But before I take up that inquiry, it is important to develop in greater depth the Foucauldian theory of political culture I have thus far sketched in a preliminary fashion in this chapter, for the critique of American political culture, as I will explain in the next chapter, must be positioned within the genealogical framework of modern Western political culture. Accordingly, in Chapter Two I offer a close reading of Foucault’s genealogy of modern Western political culture in order to develop a theory of bio-political culture which may be deployed as a generalizable model for my own critique of the production of American political culture over the past two centuries. Similarly, it is also important to develop the preliminary critical methodology I outlined above in more depth by examining more closely
Foucault’s theories of discourse, power, and government. I will analyze his genealogy of government in the West in Chapter Two, discourse in Chapter Three, and power in Chapter Four.
NOTES

1 These details are derived from Davis 1991.

2 All citations to publications of the Centers for Disease Control are listed in “References” either by author’s name or, when no author is specified, under “United States. Dept. of Health and Human Services. Public Health Service. Centers for Disease Control.” Citations to the latter are referred to in the text as “CDC.”

3 I prefer the original French title, *La Volenté de savior* to that of the English edition’s title, *An Introduction*, for two reasons: (1) the theoretical shift which marked the eight-year hiatus between the publications of *La Volenté de savior* and *L’Usage des plaisirs* and *Le Souci de soi* suggests that the first volume ought no longer be considered an “introduction” to the latter two volumes; and, (2) the original French title, accordingly, seems more consistent with the “essential aim” of this work, which Foucault described as “bring[ing] out the ‘will to knowledge’ that serves as both [the] support and [the] instrument” of “the ‘polymorphous techniques of power’” centered on sex and sexuality (1990, 11-12). The French title has been variously translated as *The Will to Knowledge* or *The Will to Know*. However, since the latter seems to be in wider usage, I refer to this text as *The Will to Know*.

4 These figures come from the June 20, 1988, “AIDS Weekly Surveillance Report” published by the AIDS Program of the Centers for Disease Control.


6 Throughout the 1980s, the federal government’s responsibility for health largely fell under the bureaucratic purview of the Department of Health and Human Services. Within this department, the administration of the nation’s health was further divided into four divisions: the Health Care Financing Administration, the Public Health Service, the National Center for Health Services Research and Health Care Technology Assessment, and the National Institutes of Health. While to some extent all four divisions dealt with AIDS, the Public Health Service and the National Institutes of Health were the principal executive branch institutions involved with the epidemic; the former was primarily responsible for disease prevention and control and the latter for bio-medical research. The Centers for Disease Control is an arm of the Public Health Service. Congressional oversight of these agencies lay with, in the House of Representatives, the Subcommittee on Health and the Environment and the Subcommittee on Intergovernmental Relations and Human Resources, and in the Senate, the Committee on Labor and Human Resources.
All citations to publications of the Public Health Service are listed in “References” either by author’s name or, when no author is specified, under “United States. Dept. of Health and Human Services. Public Health Service.” Citations to the latter are referred to in the text as “PHS.”

Although the erasure of homosexuality in the draft brochure might be seen as consistent with the CDC’s aim to focus on behaviors, not risk groups, the deployment of the phrase “mutually faithful, single-partner relationship” is ambiguously problematic in that it codes for identity and behavior equally. See my discussion of the handling of homosexuality in the final version of Understanding AIDS on pages 31 to 33 of this chapter.

The theory of reasoned action, developed by I. Ajzen and Martin Fishbein, theorizes that human behavior is the product of a rational decision based upon an individual’s attitude toward that behavior and its outcomes, the social norms associated with that behavior, and the relation between attitudinal and normative considerations. See Ajzen and Fishbein (1980) for a thorough discussion of the theory and Fishbein and Middlestadt (1989) for an analysis of the applicability of this theory to AIDS prevention.

I use the term, “hegemonic heterosexuality,” to refer to the structuring force which heterosexuality, as a discursive and material practice, exerts on the domain of power-knowledge relations. My use of this term is informed by Adrienne Rich’s investigation of “compulsory heterosexuality” (1986), Monique Wittig’s analysis of the “heterosexual contract” (1992), and Judith Butler’s further development of Rich’s and Wittig’s ideas in her concept of the “heterosexual matrix” (1990).

It is worth noting that, despite the brochure’s claim that it is not “who you are” but “what you do” which entails risk, this convoluted reference to homosexuality is phrased not in terms of behavior—if you have had sex with another man—but in terms of identity—if you are a man who has had sex with another man.

Although the idea of implementing needle-exchange programs as an element of AIDS prevention campaigns was occasionally mentioned in AIDS prevention discourse at the time, it was extremely controversial and widely denounced. Not surprisingly, Understanding AIDS never mentions needle-exchange as a “safe” means to using intravenous drugs. Also, rinsing with bleach is no longer considered a reliable method of sanitizing needles.

The National Health Interview Survey (NHIS) is an on-going, cross-sectional household survey conducted monthly by the U.S. Bureau of the Census. The Survey first included a set of supplemental questions regarding AIDS in August 1987. A revised set of questions was used beginning in May 1988, and the exact same set of AIDS-related questions was asked until the questionnaire was again revised in 1990.
While 43 percent of respondents discussing the brochure might appear to be a significant response rate to any mass mailing, governmental or otherwise, several factors need to be considered. First, the public’s heightened attention to AIDS, fanned by several years of intensifying media reporting, the controversies over AIDS in schools, testing, etc., plus the unprecedented nature of the government’s mailing, would tend to produce a higher response rate than might be expected for other direct mailings. Further, NHIS data suggest the mailing had little impact on the number of Americans who discussed AIDS with others. In May 1988, 66 percent of those surveyed responded affirmatively when asked, “Have you ever discussed AIDS with a friend or relative?” In June, the percentage rose slightly to 68 percent, a two percent increase likely prompted by receiving *Understanding AIDS*. But by July the percentage had dropped back to 66 percent and in the months following continued to decline until, by December, it had leveled off at 62 percent. Lastly, NHIS data indicate that the 43 percent who said they discussed the brochure roughly parallels the percentage of Americans who, in any given month, might discuss AIDS. In May, 45 percent said they had discussed AIDS with a friend or relative during the previous month; in June, the percentage rose to 49 percent; by July, it had dropped to 42 percent. Thus, *Understanding AIDS* proved to be, at best, only minimally effective at “stimulat[ing] informed discussion about AIDS . . . at all levels of society” (CDC 1988b, 261).

The NHIS asked twelve questions regarding transmission. In one question, respondents were asked whether they thought the statement, “Any person with the AIDS virus can pass it on to someone else during sexual intercourse,” was “definitely true,” “probably true,” “probably false,” or “definitely false.” The other eleven questions asked, “How likely do you think it is that a person will get AIDS or the AIDS virus infection from—Living near a hospital or home for AIDS patients,” “Working near someone with the AIDS virus,” “Eating in a restaurant where the cook has the AIDS virus,” etc. Possible responses to this set of questions were “very likely,” “somewhat likely,” “somewhat unlikely,” “very unlikely,” “definitely not possible,” and “don’t know.” The misinformation index is generated by totaling and averaging the percentages of respondents who gave wrong answers (as defined by *Understanding AIDS*) to these questions. For example, those who said it was very likely or somewhat likely that a person living near a hospital or home for AIDS patients will get AIDS gave wrong responses, while those who said such a notion was somewhat unlikely, very unlikely, or definitely not possible, gave correct responses. Those responding, “don’t know,” were considered misinformed and were thus included with those giving wrong answers in compiling the misinformation index. Of course, those responding, “somewhat unlikely,” were, to a lesser degree, also misinformed; however, these respondents were not included with those giving wrong answers.

The NHIS asked five questions about prevention: “Here are some methods people use to prevent getting the AIDS virus through sexual activity. How effective is—Using a diaphragm,” “Using a condom,” “Using a spermicidal jelly, foam, or cream,” “Having a
vasectomy,” “Two people who do not have the AIDS virus having sex only with each other.” Those giving wrong answers as defined by *Understanding AIDS* and those responding, “don’t know how effective,” were considered misinformed.

17 Judith Butler usefully explains the term *subjectivation* (in French, *assujettissement*) as denoting “both the becoming of the subject and the process of subjection—one inhabits the figure of autonomy only by becoming subject to a power, a subjection which implies a radical dependency. For Foucault, this process of subjectivation takes place centrally through the body” (1997, 83).
CHAPTER 2

LIFE, POPULATION, GOVERNMENT:

TOWARD A FOUCAULDIAN THEORY OF BIO-POLITICAL CULTURE

This is the Generation of that great LEVIATHAN, or rather (to speak more reverently) of that Mortall God, to which wee owe under the Immortal God, our peace and defence.

—Thomas Hobbes, Leviathan

We must eschew the model of Leviathan in the study of power.

—Michel Foucault, “Two Lectures”

For Thomas Hobbes, as for so many other political theorists of the early modern period, governments are instituted for two primary purposes: to defend against foreign invasion and to maintain domestic tranquility. “The finall Cause, End, or Designe of men, (who naturally love Liberty, and Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in Commonwealths,)” Hobbes writes, “is the foresight of their own preservation, and of a more contented life thereby” (1996, 117). This condition of peace and harmony, of security both within and without, is achieved through a governmental capacity of the state “to defend them from the invasion of Forraigners, and the injuries of one another” (120). But for the state to succeed in this end, he maintains, there must be some “visible Power to keep them in
awe, and tye them by feare of punishment to the performance of their Covenants” (117). Without “the terrour of some Power,” without “the Sword,” the state is doomed to failure, and civil society destined to revert to “that miserable condition of Warre” in which human life is “solitary, poore, nasty, brutish, and short” (117, 89). And the method by which such a “Common Power” is to be established is for the “men” of society “to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will,” so as to unite “the Multitude…in one Person,” who “is called SOVERAIGNE, and [is] said to have Soveraigne Power; and every one besides, his SUBJECT” (120-121). The “Soveraigne” alone, Hobbes continues, “hath the use of so much Power and Strength conferred on him, that by terror thereof, he is inabled to conforme the wills of them all, to Peace at home, and mutual ayd against their enemies abroad” (121). For Hobbes, then, “Peace and Common Defence” are to be secured only by a “Soveraigne” state wielding “the Sword,” the power to inflict death upon those who would threaten invasion from without or violence from within (121).

For Michel Foucault, as well, “the Sword” represents the essential hallmark of a form of power which, for centuries, had ensured peace and justice. “For a long time,” he remarks in *The Will to Know*, “one of the characteristic privileges of sovereign power was the right to decide life and death” (1990, 135). Whether considered as “an absolute and unconditional” right of sovereignty or in the more “relative and limited” modern sense of a “right of rejoinder,” the right to decide life and death was exercised “dyssymmetrical[ly]” in that the sovereign exercised the “right of life only by exercising [the] right to kill” (135-36). The power of the sovereign—whether king or state—over
the subjects of sovereignty was thus more a power to inflict death than a power to promote life; sovereignty was articulated as a “right to take life or let live,” not to foster life, and its “symbol . . . was the sword” (136). Hence, sovereignty was performed as a form of power Foucault terms “juridico-discursive,” a power of death which operated primarily by means of deduction—“a subtraction mechanism, a right to appropriate a portion of the wealth, a tax of the products, goods and services, labor and blood, levied on the subjects”—and as a right of seizure—“of things, time, bodies, and ultimately life itself” (82, 136). Juridico-discursive power is thus, for Foucault, Hobbesian both in the rationality of power and in the mechanisms by which it is performed.

But, Foucault argues, the performance of power in Western political cultures has experienced “a very profound transformation” since Hobbes wrote his *Leviathan* in 1651 (1990, 136). No longer does power perform primarily as a power to inflict death but rather as a power to promote and to nourish life. Unlike juridico-discursive power, Foucault claims, power in contemporary Western political cultures functions as “a power bent on generating forces, making them grow, and ordering them, rather than one dedicated to impeding them, making them submit, or destroying them” (136). And instead of life being merely peripheral to the performance of power, something the sovereign state simply allows to exist—“the right to . . . let live”—life is now the focal point of the performance of power, something power nurtures and cultivates. Over the course of the last three centuries, Hobbesian juridico-discursive power has been “carefully supplanted” by this very different form of power, which Foucault calls “bio-power,” a power over life articulated through “the administration of bodies and the calculated management of life” (136-40). Indeed, Western political cultures crossed the
“threshold of modernity,” he observes, when the focus of the state shifted from “legal
subjects” over whom sovereignty is exercised, to “living beings” whose lives, both at the
micro-level of the individual body and at the macro-level of the social body, must be
administratively managed (142-3). Consequently, an analysis of power that strives to be
consistent with “the concrete and historical framework of its operation . . . must break
free of . . . the theoretical privilege of law and sovereignty” and “must eschew the model
of Leviathan” (1990, 90, and 1980d, 102). Such an investigation must take the form of a
critique of political cultural practices which adheres to the four methodological
guidelines I elucidated in Chapter One, namely: (1) political cultural practices are to be
regarded as complex social functions which are more productive than repressive and (2)
are to be analyzed as specific techniques and tactics strategically deployed in a social
field permeated by a multiplicity of such practices; hence, (3) political culture is to be
conceived as a performative matrix of power-knowledge relations between state, society,
and individual, and (4) is to be critiqued as the performative function of those relations
which constitutes—on, through, and by the body—a subject which is both the end and the
means of that political culture.

Foucault’s model of bio-power and bio-politics offers a particularly cogent
cultural analytic for a critique of American political culture because the political culture
of America, as I will argue in this dissertation, has been thoroughly bio-politicized over
the two centuries since the founding of the American Republic. As a result, much of
American life now falls under the purview of state bio-political management. From the
regulation of births and infant and maternal mortality to the disposition of child-rearing
practices, from the management of diet and fitness to the superintendence of the elderly
and the infirm, from the oversight of the workplace to the direction of business practices, and more, life in America is governmentally administered at the level both of the individual and of society. Further, as I suggested in Chapter One, state AIDS prevention practices like *Understanding AIDS* are exemplary instances of state bio-political management, the product of a bio-politicization of American political culture which may be traced back to the founding of the American Republic. Therefore, the critique of contemporary American political culture which I undertake in this dissertation necessarily entails a genealogical investigation attentive to “the concrete and historical operation” of power in American political culture.

But the critique of American political culture must itself be situated within the genealogical framework of modern Western political cultures, from which American political culture emerged and of which it is a part. As many scholars of American political culture have noted, the so-called Founding Fathers of the new American Republic were steeped in the legacy of European political thought. Bernard Bailyn, for example, observes that the leaders of the American Revolution “had at their fingertips, and made use of, a large portion of the inheritance of Western culture” (1992, 23). In defense of their revolution, Bailyn notes, the American colonists cited extensively from political theorists dating back to classical Greece and Rome—Plato and Aristotle, Cicero and Tacitus, to name but a few—as well as more modern writers like Hobbes and Locke, Montesquieu and Rousseau, Grotius and Pufendorf, Burlamaqui and Vattel. Similarly, Forrest MacDonald points out that the Framers of the Constitution, having “a large body of political theory at their disposal,” liberally quoted and paraphrased the likes of Hume, Locke, Montesquieu, Bolingbroke, Blackstone, and a host of other political and legal
theorists (1985, 7). Hence, to critique the political culture of contemporary America, one must first examine the genealogy of the political culture of America; but before tracing that genealogy, one must first investigate the genealogy of Western political cultures.

Accordingly, this chapter surveys Michel Foucault’s genealogical investigation of power as it has been performed in modern Western political cultures over the last three centuries. My point here is not so much to critique Foucault. Rather, I seek to synthesize a Foucauldian theory of bio-political culture out of the somewhat fragmented corpus of books, essays, lectures, and interviews published during the last decade of his life. Such a theory helps to answer a number of compelling questions raised by the so-called American experiment, an art of government conceived at the height of the emergence of bio-power in Western political cultures. For example, what was the political culture of the American Republic established by the ratification of the U.S. Constitution in 1789? And how has American political culture, and the performance of power within and through that political culture, been transformed over the past two centuries such that contemporary American political culture must now be understood as a bio-political culture? In order to address these questions in the remaining chapters of the dissertation, I examine in this chapter, first, Foucault’s analyses of the nature of juridico-discursive power and bio-power as forms of political power in modern Western political cultures, as well as his genealogy of the bio-political transformation of Western political cultures since the seventeenth century as the result of the problematizations of population and governmental practice. Second, I explore Foucault’s inquiry into population as the domain of bio-power and his articulation of that domain as a matrix of sexuality, family, and public health. Third, I investigate Foucault’s elaboration of the bio-power
technologies operative in bio-political cultures: discipline, a technology of subjectivation centered on the body of the individual, and governmentality, a technology of subjectivation focused on the relations of state, society, and individual. I conclude by abstracting from these discussions a general Foucauldian theory of bio-political culture which I will then develop in more depth in the remainder of the dissertation and deploy in my critique of the production of American political culture.

From Juridico-Discursive Power to Bio-Power:

The Bio-Political Transformation of Western Political Cultures

If we may accept for the moment that bio-power did, in fact, emerge out of juridico-discursive power, from what then did juridico-discursive power emerge and what is the nature of this form of power which seems to persist in modern political discourse despite the ascendency of bio-power? Foucault suggests that juridico-discursive power, with its emphases on law and sovereignty and its characteristic institutions of monarchy and the territorial state, emerged in opposition to, and as a solution to the problems posed by, the “multiplicity of prior powers” which characterized the political cultures of feudal Europe: “dense, entangled, conflicting powers, powers tied to the direct or indirect dominion over the land, to the possession of arms, to serfdom, to bonds of suzerainty and vassalage” (1990, 86). Juridico-discursive power prevailed over this “myriad of clashing forces” because it functioned to mediate the conflicting “heterogeneous claims” of these forces by introducing a “principle of right”—law—and a “unitary regime”—the sovereign state—operating “through mechanisms of interdiction and sanction”—the apparatus of the state (87). Law, sovereignty, and the state were thereby intricately and complexly linked to one another, forming a constellation of power which may be
described as “juridical”—in that such power was exercised, to a large degree, through
those apparatuses of the sovereign state involved with the rule of law—and
“discursive”—in that this form of power was codified in, and articulated through, the
discourse of law. A “fundamental historical trait of Western monarchies,” Foucault
observes, is that “they were constructed as systems of law, they expressed themselves
through theories of law, and they made their mechanisms of power work in the form of
law” (1990, 87). Hence the term: juridico-discursive power. Both as it was practiced in
the monarchic states of the early modern period in the sixteenth and seventeenth centuries
and, perhaps especially, as it continues to be conceived in much of contemporary political
discourse, juridico-discursive power, for Foucault, may be characterized by five
axiomatic properties.

- “The negative relation” – The relation juridico-discursive power
  establishes between law and the objects of law, Foucault maintains, is
  always one of negation: “rejection, exclusion, refusal, blockage,
  concealment, or mask” (1990, 83). Juridico-discursive power is
  articulated as “a power to say no” (85). Accordingly, the “paradox of its
effectiveness,” as Foucault describes it, is that “it is incapable of doing
anything, except to render what it dominates incapable of doing anything
either, except for what this power allows it to do” (85). In other words,
juridico-discursive power is effective only at checking and restraining,
through the force of law, the subjects of sovereignty.

- “The insistence of the rule” – The function of juridico-discursive power,
  Foucault suggests, is essentially to lay down the rule of law and,
consequently, the “pure form of power resides in the function of the legislator” (1990, 83). Juridico-discursive power operates by establishing a series of binary exclusions—legal and illegal, “licit and illicit, permitted and forbidden”—thereby “prescrib[ing] an ‘order’” which functions “at the same time as a form of intelligibility” (83). Thus, thoughts, beliefs, attitudes, actions, behaviors, all are only and always intelligible to the degree they are “deciphered on the basis of [their] relation to the law” (83). Moreover, Foucault notes, all “the modes of domination, submission, and subjugation are ultimately reduced to an effect of obedience” to the rule of law (85).

- **“The cycle of prohibition”** – Juridico-discursive power, Foucault explains, invariably takes the form of a series of “Thou shalt nots” which build on one another, creating a cycle of intensifying prohibition: “thou shalt not go near, thou shalt not touch, thou shalt not consume, thou shalt not experience pleasure, thou shalt not speak, thou shalt not show thyself; ultimately thou shalt not exist, except in darkness and secrecy” (1990, 84). Just as the insistence of the rule imposes a grid of intelligibility, so, too, the cycle of prohibition establishes a grid of visibility. That which conforms to the rule of law is both intelligible and visible; that which does not is suppressed, rendered both unintelligible and invisible. The cycle of prohibition thus operates according to the rule, “do not appear if you do not want to disappear,” and it thereby effectuates an always-already
proscription on the illicit, the forbidden, through mechanisms of suppression.

- **“The logic of censorship”** – Juridico-discursive power, Foucault observes, “interdicts” that which it prohibits by means of a censorship which simultaneously “affirm[s] that such a thing is not permitted, prevent[s] it from being said, den[ies] that it exists” (1990, 84). Hence, the suppression of the prohibited entails a logic of censorship such that “the inexistent, the illicit, and the inexpressible [are linked] in such a way that each is at the same time the principle and the effect of the others” (84). In other words, that which is forbidden is also that which ought not to be spoken; and that which is not to be spoken is forbidden because it ought not even exist; and since it ought not exist, it ought neither be spoken nor performed, nor even thought, felt, or desired. Juridico-discursive power, Foucault claims, thereby exerts “the paradoxical logic of a law that might be expressed as an injunction of nonexistence, nonmanifestation, and silence” (84).

- **“The uniformity of the apparatus”** – The performance of juridico-discursive power, Foucault indicates, is always and everywhere the same: negation, prohibition, censorship through the rule of law. “From top to bottom,” he comments, “in its over-all decisions and its capillary interventions alike, whatever the devices or institutions on which it relies, it acts in a uniform and comprehensive manner . . .” (1990, 84). Juridico-discursive power is always and only exercised in terms of law and obedience to law; the subject constituted by juridico-discursive power is
thus always already the obedient subject of sovereignty. Accordingly, whenever and wherever power is performed, it is uniformly exercised in the form of “the law of transgression and punishment, with its interplay of licit and illicit” (85). However power is “schematized”—whether in terms of monarch-subject, parent-child, master-disciple—it is always represented in a “juridical form,” and its effects are always defined in terms of obedience: on the one side, a “legislative power,” on the other, “an obedient subject” (85).

These five properties characterize a form of power which has endured for centuries in the West. And the persistence of juridico-discursive power is most evident, for Foucault, in the theorization of power deployed in much of contemporary political discourse, which has “remained caught within this system,” captivated by “the spell of monarchy” (1990, 88). The importance accorded to the problems “of right and violence, law and illegality, freedom and will, and especially the state and sovereignty,” he claims, indicates the survival of juridico-discursive discourse in contemporary analyses of modern political cultures (1990, 89). In a sense, Foucault explains, the juridico-discursive discourse of rights and of sovereignty operates as “an ideology and an organising principle” masking the performance of power in modern political cultures (1980d, 105). The right of liberty, for example, is ideologically deployed to legitimate the pervasion of social control mechanisms in modern society, from random drug testing, to omnipresent surveillance cameras, to the amassing of detailed information about every citizen by both governments and corporations, and more.³ Yet paradoxically perhaps given its hold over political thought, juridico-discursive power is itself “poor in
resources, sparing of it methods, monotonous in the tactics it utilizes, incapable of
invention, and seemingly doomed always to repeat itself” (1990, 85). Capable only of
negation, prohibition, and censorship through the rule of law, juridico-discursive power
historically proved to be an inefficient mechanism for the performance of power in
modern capitalist political cultures which, Foucault claims, have been permeated by
“quite new mechanisms of power” characteristic of a wholly different form of power—
bio-power (1990, 89). Consequently, analyses of political culture which continue to
theorize power in terms of the juridico-discursive are inconsistent with the actual
performance of power in modern political cultures. Rather than conceiving of power in
terms of juridico-discursive power, Foucault argues, the critique of political culture ought
rather to theorize power in terms of the form of power actually performed through that
political culture.

Thus, if it is to be consistent with “the concrete and historical framework of [the]
operation” of power in the modern West, the critique of political culture needs to deploy
a theory of power as bio-power. Unlike juridico-discursive power, Foucault suggests,
bio-power performs not “by right but by technique, not by law but by normalization, not
by punishment but by control, methods that are employed on all levels and in forms that
go beyond the state and its apparatus” (1990, 89). Accordingly, I would argue that, from
a Foucauldian perspective, bio-power may best be characterized by contrasting it, term by
term, with the five axiomatic properties of juridico-discursive power outlined above.

- The affirmative relation – Unlike the negative relation of juridico-
discursive power, bio-power is articulated as a power of affirmation, a
power to say yes. Bio-power does not operate so much to repress, to
exclude, to conceal, to arrest, but rather to express, to include, to reveal, to release. And if bio-power does have the effect of exclusion, marginalization, or oppression, it achieves this effect not so much through negation as through affirmation. Consider, by way of example, Foucault’s argument regarding the deployment of sexuality as an element of class oppression during the eighteenth and nineteenth centuries. Foucault suggests that what was at stake here was not so much “the repression of the sex of the classes to be exploited,” the “limitation of the pleasures of others by what have traditionally been called the ‘ruling class,’” but rather “a political ordering of life, [achieved] not through an enslavement of others, but through an affirmation of self” (1990, 122-123). Hence, the class exploitation of sexuality operated not so much through a negation of proletarian sexuality but rather by means of an affirmation of bourgeois sexuality. A similar argument might be made regarding oppression articulated along the lines of gender, race, or sexuality: gender oppression entails not simply a negation of the feminine, but rather an affirmation of the masculine; racial oppression necessitates not merely the denigration of blackness and other “colors,” but rather an exaltation of whiteness; and sexual oppression requires not just the reprobation of the “perverse,” but rather the glorification of procreative heterosexuality. Bio-power thus engenders an affirmative relation between power and the objects of power.

- The normalization of the rule – Whereas juridico-discursive power functions through the force of law and is typified in the person of the
sovereign legislator, bio-power functions through the force of the norm and is typified in the person of the bureaucrat. In a political culture characterized by the administrative management of life, Foucault explains, a juridical system “centered primarily around deduction . . . and death” becomes “increasingly incapable of coding power, of serving as its system of representation” (1990, 89). Instead, he suggests, bio-power, as a power over life, “needs continuous regulatory and corrective mechanisms” which serve “to qualify, measure, appraise, and hierarchize” (144). Rather than judging the thoughts, desires, and acts of the subject according to the binary of obedience/disobedience, bio-power regulates and corrects thoughts, desires, and acts according their deviations from the norm; hence, the rule of bio-power is not binary but multiple, not juridical but regulative, not punitive but corrective. Bio-power thus regulates the life of the subject through normalization, law itself is instrumentalized as but one mechanism of power among many, and the regulative bureaucratic apparatus of the state supplants the juridical. Further, while bio-power is always strategically calculated to achieve specific goals and objectives, Foucault maintains that it does so in a manner that is both “intentional and nonsubjective” (94). In other words, there is no sovereign individual, no single legislative author, who may be said to have originated those goals and objectives. Instead, there are only bureaucrats, faceless functionaries who implement policies designed to achieve goals and objectives which are themselves generated within the anonymity of bureaucracy.
Accordingly, bio-power functions strategically, albeit nonsubjectively, through tactics of normalization.4

- The cycle of production – Contrary to the prohibitory nature of juridico-discursive power, bio-power functions through a cycle of production. Rather than a series of “Thou shalt nots” which build on one another, bio-power engenders an intensifying series of “Thou shalts”: not “Thou shalt not consume nor experience pleasure nor speak nor show thyself,” but rather, “Thou shalt consume,” “Thou shalt experience pleasure,” “Speak and show thyself.” Consequently, bio-power is a power of production, not of prohibition or suppression. As “a power bent on generating forces, making them grow, and ordering them,” bio-power functions, Foucault claims, “to ensure, sustain, and multiply life” (1990, 136, 138). And instead of suppressing resistance to power through the force of law, bio-power works to engender and instrumentalize resistance. Indeed, in a biopolitical regime, resistance is always already immanent to power.5 As a result, Foucault explains, bio-power is dependent upon “a multiplicity of points of resistance,” which “play the role of adversary, target, support, or handle in power relations” (95). These “points, knots, or focuses of resistance are spread over time and space at varying densities, at times mobilizing groups or individuals in a definitive way, inflaming certain points of the body, certain moments in life, certain types of behavior” (96). In effect, bio-power calls forth resistance, producing cleavages and contradictions which are then instrumentalized to promote life itself. And
if the performance of bio-power is “intentional and nonsubjective,” this is because what power produces is produced through resistance and contradiction; the strategic goals and objectives of bio-power are the product of lines of force produced through contradiction and hence are not the result of any one individual’s intention. Ironically, then, whereas juridico-discursive power prohibits through obedience, bio-power produces through resistance.

- The logic of confession – While juridico-discursive power interdicts that which it prohibits by means of a logic of censorship, bio-power promotes that which it produces by means of a logic of confession. Bio-power does not impose silence; rather, it incites discourse and thereby produces knowledge and “truth,” or what might better be termed “bio-knowledge.” Hence the variety of mechanisms deployed to elicit bio-knowledge both about individuals and the population as a whole; from police interrogations to medical examinations, from government census data to public opinion surveys, from Congressional hearings to Presidential commissions, bio-power operates according to the inexorable logic of confession. As Foucault observes in his 1980 course summary at the Collège de France, in modern Western political cultures the government of individuals requires “acts of truth” by the individual, acts which not only oblige each individual to tell the truth but also “that he tell the truth about himself, his faults, his desires, the state of his soul, and so on” (1994b, 81). These acts of truth constitute the individual as a citizen-subject whose life
is to be administratively managed by the bio-political state. Moreover, the logic of confession has so permeated modern political cultures, Foucault claims, that “man,” contra Aristotle, is not so much a political animal, but a “confessing animal” (1990, 59). Bio-power thus imposes an obligation of confession, an obligation which has become so pervasive, so ubiquitous, that the citizen-subject constituted by bio-power is hardly aware that he or she has, almost literally, been called forth as a citizen-subject through this logic of confession.7

- The multiformity of the apparatus – As opposed to the uniform exercise of juridico-discursive power in terms of law and obedience, bio-power is performed through a multiplicity of tactics and strategies, and hence cannot be localized in any one type of state apparatus, form of law, or hegemonic domination. Bio-power, as a form of power, is relational in nature, a matrix of “unbalanced, heterogeneous, unstable, and tense force relations” which produce, as I noted above, cleavages and contradictions which are themselves instrumentalized to constitute “a complex strategical situation in a particular society” (1990, 93). Bio-power is thus not performed by the one but by the many. As Foucault observes, bio-power “is exercised from innumerable points, in the interplay of nonegalitarian and mobile relations” of force and is not confined to “superstructural positions” (94). In other words, power is not simply performed from the top down, as the rule of rulers over the ruled; rather, “power comes from below” (94). Contrary to the ruler/ruled binary, the ruled in effect rule
themselves through the instrumentality of rulers; or rather, all are alike ruled and ruler. The apparatus of the state, the codification of law, and the manifold of hegemonic dominations are thus to be understood as “institutional crystallizations” or “terminal forms of power” which congeal according to the strategic situation of society, but which also shift and alter over time as that situation changes (93, 92).

Bio-power is therefore an affirmative and productive power over life, with life defined, in Foucault’s terms, as “the basic needs, man’s concrete essence, the realization of his potential, a plenitude of the possible” (1990, 145). Accordingly, bio-power entails the administrative management of the body, both of the individual and of society, and subsumes everything from the basic necessities of individual existence—food, water, shelter, and more—to the actualization of the potential of humanity’s possibilities as a species. To achieve this grand intention, bio-power is performed through mechanisms of normalization and techniques of confession in a multiplicity of ever-changing tactics and strategies operative at all levels of the social body, proliferating “political technologies” and “investing the body, health, modes of subsistence and habitation, living conditions, the whole space of existence” (143-144, emphasis added). And, Foucault suggests, over the past three centuries bio-power has displaced juridico-discursive power as the paradigmatic form of power in modern Western political cultures.

This displacement of juridico-discursive power by bio-power, and the resulting bio-political transformation of Western political cultures since the seventeenth century, was closely correlated with the problems associated with governing a collectivity of human beings understood no longer as subjects of a sovereign state but as a population.
“Governments perceived that they were not dealing simply with subjects, or even with a ‘people,’” Foucault argues, “but with a ‘population,’ with its specific phenomena and its peculiar variables: birth and death rates, life expectancy, fertility, state of health, frequency of illnesses, patterns of diet and habitation” (1990, 25). The shift from “subjects” to “population” was intricately linked to the rise of capitalism and the need to ensure the availability of an adequate, and adequately healthy, population of workers.

The political economy of capitalism—that is, capitalism as a mode of production—would not have been possible in a political culture where the fundamental function of power was to prohibit, to effect an always-already proscription of life. Instead, Foucault contends, capitalism required a form of power “capable of optimizing forces, aptitudes, and life in general without at the same time making them more difficult to govern” (141). That form of power was, of course, bio-power, a power centered on life and the system of human life which, through a multiplicity of tactics and strategies, made possible the “adjustment of the accumulation of men to that of capital, the joining of the growth of human groups to the expansion of productive forces and the differential allocation of profit” (141).

Thus, if juridico-discursive power emerged as a means to ameliorate and adjudicate the competing claims of feudalism, thereby ensuring “pax et justitia” (87), then bio-power may be said to have emerged as the means by which the health of populations and the viability of modern capitalist political economies was guaranteed.

Furthermore, the fundamental role of population in the bio-political transformation of Western political cultures was associated with another historically crucial development in the emergence of bio-power: “the problematic of government” (1991, 87). As Foucault explains in his 1978 lecture on “Governmentality,” the
problematization of government—“How to govern oneself, how to be governed, how to
govern others, by whom the people will accept being governed, how to become the best
possible governor”—was the consequence of both the decline of the political culture of feudalism, which led to the centralization of state power and the emergence of the modern nation state, and the subversion of religious authority in the wake of the Protestant Reformation, which brought into question the ethical and teleological legitimation of government and of the performance of governmental power (1991, 87). The resulting multifaceted problematization of government effected a shift away from juridico-discursive power to bio-power, which Foucault characterizes in this lecture as a shift in the practice of government from juridical sovereignty to “the art of government.”

In his lecture on governmentality, Foucault traces the genealogy of the biopolitical transformation of Western political cultures by examining competing discourses on governmental practice which circulated throughout Europe from the sixteenth to the eighteenth centuries in the wake of the corollary problematizations of population and of government linked to the collapse of feudalism, the rise of capitalism, and the impact of the Reformation. In particular, he contrasts Niccolò Machiavelli’s *The Prince*, written in 1532, with one of the earliest anti-Machiavellian texts, Guillaume de La Perrière’s *Miroir Politique*, written in 1567 (1991, 88). As Foucault explains, for anti-Machiavellians like La Perrière, the scandal of *The Prince* was that it was grounded on the principle that “the prince stood in a relation of singularity and externality, and thus of transcendence, to his principality” (89-90). Accordingly, the link between prince and principality was “synthetic,” lacking an authentic bond between ruler and ruled, and therefore was “fragile and continually under threat,” both by external enemies who would strive to overthrow
the prince and seize his principality, and by his own subjects who would have no motive to regard his rule as legitimate (90). Hence, the sole reason for the prince to exercise sovereign power was to maintain that power. In such a political culture, Foucault comments, “the objective of the exercise of power is to reinforce, strengthen and protect the principality . . .” (90). In a sense, then, Machiavelli’s concern in *The Prince* was primarily to impart the knowledge necessary for a prince to maintain his rule. By contrast, La Perrière’s *Miroir Politique* was not so much concerned with simply rejecting Machiavelli’s legitimation of governmental authority in terms of the interest of the prince, but rather with articulating, as Foucault explains, “a kind of rationality which was intrinsic to the art of government, without subordinating it to the problematic of the prince and of his relationship to the principality of which he is lord and master” (89). While the bio-political art of government as expounded in *Miroir Politique* is “at a raw and early stage” of development, Foucault suggests that La Perrière’s text nevertheless anticipated several important elements in the emergence of bio-power and the bio-political transformation of Western political cultures.

First, Foucault argues that La Perrière’s use of terms like “governor” and “governing” signals a shift in the modality of exercising power. La Perrière defines governor in a fairly typical manner as “monarch, emperor, king, prince, lord, magistrate, prelate, judge and the like” (qtd. in Foucault 1991, 90). As Foucault observes, however, La Perrière deploys the term “governing” in terms not solely of the state but also of “a household, souls, children, a province, a convent, a religious order, a family” (90). This multiplicity of modes for the performance of governmental power contrasts sharply with Machiavelli’s text in which the question of governance is restricted solely to
the relation of the prince to his principality. In La Perrière’s text, however, “the practices of government,” Foucault notes, comprise a multiplicity of modes “among which the prince’s relation to his state is only one particular mode” (91). And yet all these different modes of government are still held to be immanent to the state. “It is within the state,” Foucault comments, “that the father will rule the family, the superior the convent, etc.” (91). These two factors—the multiplicity of governmental modes and their immanence to the state—indicate that one of the essential tasks of the art of government is “to establish a continuity, in both an upwards and a downwards direction,” in the practices of government (91). As Foucault explains, upwards continuity suggests that “a person who wishes to govern the state well must first learn how to govern himself, his goods and his patrimony, after which he will be successful in governing the state” (91), whereas downwards continuity implies that “when a state is well run, the head of the family will know how to look after his family, his goods and his patrimony, which means that individuals will, in turn, behave as they should” (92). Contrary to the juridico-discursive power of sovereignty, which maintains “an essential discontinuity between . . . the power of the prince and any other form of power,” the type of power articulated by the art of government maintains an essential continuity between the multiplicity of modes of exercising power (91). And, as Foucault suggests, the “central term of this continuity is the government of the family, termed economy” (92). Thus, one of the essential objectives of the bio-political art of government, as it is developed by La Perrière and others, is the integration of economy—the government of the family—into the government of the state. In Foucault’s words: “To govern a state will therefore mean to apply economy, to set up an economy at the level of the entire state, which means
exercising towards its inhabitants, and the wealth and behaviour of each and all, a form of surveillance and control as attentive as that of the head of a family over his household and his goods” (92). Accordingly, one element in the bio-political transformation of Western political cultures is that, instead of the juridical exercise of sovereignty over subjects, the performance of state power, patterned on the model of the family, comes to be understood as the administrative management of the household of a population.

Second, Foucault notes that La Perrière’s definition of government as “the right disposition of things, arranged so as to lead to a convenient end” indicates a shift in the object of power (qtd. in Foucault 1991, 93). If government is the “right disposition of things,” Foucault asks, then what does La Perrière mean by “things”? Again, the comparison with Machiavelli’s text is suggestive. Working with the “juridical principle” that “sovereignty is not exercised on things, but above all on a territory and consequently on the subjects who inhabit it,” Foucault remarks, the object of power, for Machiavelli, is first and foremost the territory of a principality (93). The population which inhabits that territory is merely a subordinate object of power, and such elements as the wealth, health, and fertility of the prince’s subjects are, Foucault states, “mere variables by comparison with territory itself, which is the very foundation of principality and sovereignty” (93). But in La Perrière’s text the object of governmental power is not territory, but things. Foucault explicates La Perrière’s meaning as follows:

The things with which in this sense government is to be concerned are in fact men, but men in their relations, their links, their imbrication with those other things which are wealth, resources, means of subsistence, the territory with its specific qualities, climate, irrigation, fertility, etc.; men in
their relation to that other kind of things, customs, habits, ways of acting and thinking, etc.; lastly, men in their relation to that other kind of things, accidents and misfortunes such as famine, epidemics, death, etc. (93)

La Perrière and other theorists of the emerging bio-political art of government illustrate the relationship between government and the object of governmental power by means of the metaphors of a ship and a family. According to Foucault’s reading of La Perrière, governing a ship means more than supervising sailors and charting courses; it also includes being responsible for “the boat and its cargo,” “reckon[ing] with winds, rocks and storms,” and “establishing a relation between the sailors who are to be taken care of and the ship which is to be taken care of, and the cargo which is to be brought safely to port, and all those eventualities like winds, rocks, storms and so on” (93-94). Similarly, to govern a family means more than “safeguarding the family property”; rather, it concerns “the individuals that compose the family,” their births and deaths, their wealth and health (94). In short, the object of power articulated by the art of government is the very opposite of what it was under juridical sovereignty; the object of power is first and foremost the population of a state, and the territory of a state is merely one variable among many. Consequently, a second element in the bio-political transformation of Western political cultures is that the object of power is no longer, first, territory and, then, subjects, but rather, first, population and, then, a multiplicity of variables, including territory, which might impact the life of that population.

Third, Foucault points out that La Perrière’s definition of government as “the right disposition of things, arranged so as to lead to a convenient end” also marks a shift in the teleology of power. In Machiavelli, the goal of the prince was to maintain his
principality, and, consequently, the end of power is the performance of power. The question of legitimacy was peripheral for Machiavelli; any and every means necessary for the maintenance of power were to be regarded as legitimate. The concern of The Prince is not so much one of legitimacy as of efficacy: which means would prove to be the most efficacious in achieving the end of safeguarding the prince’s principality. Subsequent theorists of juridical sovereignty, however, found the question of legitimacy not so easy to dismiss, especially given the emphasis placed on natural law or on contract theory as the basis of governmental authority. For them, Foucault observes, the “sovereign must always, if he is to be a good sovereign, have as his aim, ‘the common welfare and the salvation of all’” (1991, 94). Foucault quotes Samuel von Pufendorf from the late seventeenth century in this regard: “Sovereign authority is conferred upon them [the rulers] only in order to allow them to use it to attain or conserve what is of public utility” (94). The teleology of sovereignty in terms of “the common welfare” and “public utility” is nevertheless a tautological legitimation. Foucault comments, “If we look closely at the real content that jurists and theologians give to it, we can see that ‘the common good’ refers to a state of affairs where all the subjects without exception obey the laws, accomplish the tasks expected of them, practise the trade to which they are assigned, and respect the established order so far as this order conforms to the laws imposed by God on nature and men” (94-95). In other words, the teleology of juridical sovereignty is “circular” and hence the legitimation, tautological: “the end of sovereignty is the exercise of sovereignty” (95).

In La Perrière’s Miroir Politique, by contrast, the teleology of government consists not in achieving a common good defined in terms of sovereignty but in leading
to an end which is said to be “convenient” for the “things” to be governed. “This implies,” Foucault claims, “a plurality of specific aims: for instance, government will have to ensure that the greatest possible quantity of wealth is produced, that the people are provided with sufficient means of subsistence, that the population is enabled to multiply, etc.” (95). In other words, the teleology of government is immanent to the object of governmental power—the population. And these ends are to be realized through the “right disposition of things.” Contrary to juridical sovereignty, under which the means used to achieve the end of obedience to law was law itself, with the bio-political art of government, Foucault explains, “things” are disposed through “a range of multiform tactics,” which is to say, by “employing tactics rather than laws, and even of using laws themselves as tactics – to arrange things in such a way that, through a certain number of means, such and such ends may be achieved” (95). As a result, a third element in the bio-political transformation of Western political culture is that the end of power is no longer the obedience of subjects but the viability of a population, and power is performed not so much through law as through a series of tactics strategically deployed so as to ensure a healthy and prosperous population.

Lastly, Foucault observes that the qualities of a “good governor,” which La Perrière identifies as “patience, wisdom and diligence,” denote a shift in the ethics of power (96). Here again, the notion of legitimacy marks a difference between Machiavelli, natural law and contract theorists, and La Perrière. In this case, however, the issue is one of ethical legitimacy, not effectual legitimacy: when governmental authority is considered to be good, not which means are appropriate for which ends. For Machiavelli, a good prince is simply one who is able to stay in power through whatever
means necessary; while for the natural law theorists, a good sovereign is one who lawfully obtains the obedience and submission of his subjects. But for La Perrière, a good governor is one who is, first of all, patient, which, according to Foucault, La Perrière explains by citing “the example of the king of bees, the bumble-bee, who, he says, rules the bee-hive without needing a sting”(96).14 The lesson of the king of the bees, for La Perrière, is that the good governor does not need the Sword—the sting—in order to perform power. Instead of wrath, a good governor needs patience, and instead of exercising his rule through coercive force, he needs wisdom and diligence. La Perrière’s concept of wisdom, Foucault says, ought not to be understood here “in the traditional sense as knowledge of divine and human laws, . . . but rather as the knowledge of things, of the objectives that can and should be attained, and the disposition of things required to reach them” (96).15 And Foucault indicates that diligence is to be defined in terms of “the principle that a governor should only govern in such a way that he thinks and acts as though he were in the service of those who are governed” (96).16 Once again, the bio-political art of government stands the ethics of juridical sovereignty on its head. Whereas juridical sovereignty locates ethical legitimacy in the transcendence of the prince, for Machiavelli, or the laws of nature, for natural law and contract theorists, La Perrière finds the ethical legitimacy of the art of government in the nature of that which is governed, the object of power, which is the population of the state. Therefore, a fourth element in the bio-political transformation of Western political culture is that the interest served by government is no longer the interest of the governor, but the interest of the governed, and the performance of governmental power is now legitimated in terms of the population and its specific needs.
These four shifts in the modality, object, teleology, and ethics of power, as anticipated by La Perrière’s *Miroir Politique*, characterize the essential elements of the emergence of bio-power and the bio-political transformation of Western political cultures during the seventeenth and eighteenth centuries. But according to Foucault, this process was not effectually completed until a further three-fold shift occurred: the conceptualization of government “outside of the juridical framework of sovereignty, . . . the final elimination of the model of the family[,] and the recentring of the notion of economy” (1991, 99). The art of government first crystallized in the seventeenth century, Foucault observes, around the themes of reason of state and mercantilism. But because reason of state continued to exercise power through the mechanisms of juridical sovereignty and to rely on the model of the family as a template for government, the art of government legitimated by reason of state served more to impede the process of bio-politicization than to further it.¹⁷ For Foucault, the history of mercantilism well illustrates this phenomenon. Mercantilism, he explains, represents “the first sanctioned efforts [*sic*] to apply this art of government at the level of political practices and knowledge of the state” (1991, 97). And yet mercantilism “blocked and arrested” the development of the art of government because it was essentially thought and practiced in terms of juridical sovereignty (98). For example, Foucault notes that mercantilism was primarily designed as an effort to increase the wealth of the sovereign state, not that of the population of the state, and the means it used to achieve that end were always articulated in terms of law. Consequently, the bio-political transformation of Western political culture was constrained by the continued performance of governmental power through the mechanisms of juridical sovereignty.
Similarly, the model of the family proved to be a flawed template for such a massive, coordinated effort to augment the might of the sovereign state (98). An “economy of enrichment still based on a model of the family,” Foucault remarks, “was unlikely to be able to respond adequately to the importance of territorial possessions and royal finance” (98). On the one hand, the model of the family was an appropriate metaphor for juridical sovereignty since the Sovereign—whether king or state—could be likened to the father who exercised his paternal authority over the household of his subjects. On the other hand, however, the family was an inappropriate metaphor for an art of government conceived in terms of reason of state and mercantilism because such an art of government sought to use the resources of the state—natural resources as well as human resources—to enrich the state, whereas the father, as manager of the household, sought to enrich and benefit the family, both synchronically and diachronically.18

The key to unlocking the art of government from the prison of both juridical sovereignty and the model of the family was, perhaps not surprisingly, the emergence of population as a problem for governmental practice. Foucault observes that “the demographic expansion of the eighteenth century, connected with an increasing abundance of money, which in turn was linked to the expansion of agricultural production” combined to produce a situation where population, and the economy of population, posed a problem of government for which juridical sovereignty and the model of the family proved to be woefully inadequate (1991, 99). Further, population was also the key to shifting the notion of the economy away from the idea of economy as a science of household management to the recognition of the economy as a domain in and of itself, the object of the scientific discourses of economics and political economy.
According to Foucault, the then-newly developing field of statistics proved to be instrumental to this three-fold process effecting the transformation of Western political cultures. First conceived in the seventeenth century as political arithmetic and deployed as a technique of the art of government practiced by reason of state and mercantilism, statistics exposed population as a phenomenon with it own characteristics. In other words, by demonstrating that population had “its own rate of deaths and diseases, its cycles of scarcity,” that it was subject to “a range of intrinsic, aggregate effects . . . such as epidemics, endemic levels of mortality, ascending spirals of labour and wealth,” and that “through its shifts, customs, activities, etc., population has specific economic effects,” statistics constituted population as a problem of government which could be “thought, reflected and calculated outside of the juridical framework of sovereignty” (99). Statistics also thereby enabled “the isolation of that area of reality [called] the economy” as an object amenable to state management (99). Finally, and perhaps most importantly for Foucault, by establishing the family as “an element internal to population,” statistics eliminated the family as a model of government and instituted it as a “privileged instrument for the government of the population” (99, 100). By the end of the eighteenth century, then, with the shifts in the modality, object, teleology, and ethics of power, the displacement of juridical sovereignty, the instrumentalization of the family, and the recognition of the economy as a unique domain, population becomes the focus of governmental power and, hence, the bio-political transformation of Western political cultures is largely accomplished. As a result, bio-power is now the paradigmatic form of power performed in Western bio-political cultures.
The Domain of Bio-Power:

Sexuality, Family, Public Health

Population not only functioned as the key term in the emergence of bio-power during the seventeenth and eighteenth centuries; it also continues to serve as the fundamental problem for government in modern Western bio-political cultures, like that of the United States. Population operates at once as the object, the instrumentality, and the legitimation of governmental power, and, consequently, as the quintessential domain of bio-power.\(^{20}\) As the object: governmental power always and everywhere targets the population of a nation. Whether the issue at hand be that of education or the economy, of foreign policy or national security, of criminal justice or urban development, of agriculture or transportation, of health care or the environment, the performance of governmental power is directed at the population. The population of the United States, for example, is encouraged by the state to consume certain foods—high in dietary fiber—and not others—high in cholesterol and fat; or it is directed toward certain behaviors—watching educational and family-oriented programs on television—and not others—watching violent and sexually-oriented programs; or it is enlisted to support military actions in distant countries—Vietnam, Grenada, Iraq, Bosnia, Kosovo, Afghanistan—and to promote domestic tranquility—fight crime, oppose illegal immigration, end spousal and child abuse; and the list could go on. As the instrumentality: governmental power not only acts \textit{on} population, but also \textit{through} population. Consider the case of taxation. The power to tax operates \textit{on} population in the sense that the population is the source of revenue and, hence, it is the population as a collectivity of individuals and corporations which is taxed. But the power to tax also operates \textit{through} the population in that taxation
is used as an instrument for accomplishing other governmental objectives besides raising revenue: alcohol and tobacco are taxed not only as a means of raising revenue but also as a means of regulating the consumption of these products and thereby as a means of managing the health problems caused by that consumption\textsuperscript{21}; gasoline is taxed, again, as a means of regulating its consumption, as well as a means of funding the management of the transportation infrastructure of the nation; the home mortgage deduction serves as a means of encouraging home ownership; and so on. As the legitimation: the performance of governmental power is legitimated through an appeal to the welfare of the population. Governmental action is legitimated as “good” to the extent that it promotes the general welfare, “bad” to the extent that it diminishes that welfare. Foreign policy, for instance, is good when it defends the “national interest”—the security of the population—bad when it betrays that interest. Economic policy is good when it fosters growth and expansion—the wealth of the population—bad when it results in stagnation and recession. And, of course, health policy is good when it prevents disease and improves the quality of life—the health of the population—bad when it fails to do so. So then, population is the object, the instrumentality, and the legitimation of bio-power and therefore must be understood, in a general sense, as the domain of bio-power. But from a Foucauldian perspective, I would argue, population as the domain of bio-power ought to be conceived more specifically as comprising three particular and intricately linked elements: sexuality, the family, and public health.

According to Foucault, sexuality constitutes the central element in the domain of bio-power. “At the heart of this economic and political problem of population was sex,” he contends: “it was necessary to analyze the birthrate, the age of marriage, the legitimate
and illegitimate births, the precocity and frequency of sexual relations, the ways of making them fertile or sterile, the effects of unmarried life or of the prohibitions, the impact of contraceptive practices” (1990, 25-26). While it had always been a concern of governmental policy to ensure the security of a nation by augmenting the wealth and might of the state, the bio-political transformation of political culture shifted the focus of this concern, Foucault explains, from “the number and uprightness of its citizens” and “their marriage rules and family organization” to a preoccupation with “the manner in which each individual made use of his sex” (26). The sexuality of each and all thus emerged as a problem for governmental practice, which meant that the sexual behaviors of the citizenry became an object of state interest and regulation. “Between the state and the individual,” Foucault observes, “sex became an issue, and a public issue no less; a whole web of discourses, special knowledges, analyses, and injunctions settled on it” (26). In bio-political cultures, consequently, sexuality serves the most strategically significant element of the domain of bio-power. Sexuality, he says, is “endowed with the greatest instrumentality: useful for the greatest number of maneuvers and capable of serving as a point of support, as a linchpin, for the most varied strategies” (103). Foucault identifies four such “strategic unities” around which the bio-political instrumentalization of sexuality coalesced:

- “A hystericization of women’s bodies” – Considering that women uniquely bear the biological burden of gestation, it is hardly surprising that the female body and female sexuality became a nexus for the strategic articulation of bio-power. The bio-political instrumentalization of sexuality, vis-à-vis women’s bodies, Foucault remarks, developed through
a “threefold process”: (1) the female body was discursively constituted “as being thoroughly saturated with sexuality,” and, consequently, female sexuality became a focal point for the regulatory control of population; (2) based upon a “pathology intrinsic” to the female body—menstruation, gestation, the various so-called hysterias taken be etiologically immanent to the female anatomy—women’s bodies were “integrated into the sphere of medical practice” and hence became a concern for public health policy; and, (3) the female body was strategically positioned in political culture such that it was organically linked to the collectivity of society—“whose regulated fecundity it was supposed to ensure”—the family unit—“of which it had to be a substantial and functional element”—and the posterity of both society and family through the production of offspring—“which it produced and had to guarantee, by virtue of a biologico-moral responsibility lasting through the entire period of the children’s education” (1990, 104) Through this threefold process, then, the female body, and thereby female sexuality, were incorporated into the domain of bio-power. Hence the promotion of the cult of domesticity in the nineteenth century which restricted women from the public sphere of business and politics because of the alleged delicacy and fragility of feminine sensibilities, the war on prostitution with its double standard accepting male promiscuity and affirming female chastity (i.e., men will be men but women should be . . . virgins), and more.
• “A pedagogization of children’s sex” – Whereas women were discursively constituted as being thoroughly permeated with sexuality, children were paradoxically constituted as not yet sexually mature yet sexually precocious all the same. Foucault suggests that the sexualization of children was the result of two fundamental assumptions about the sexuality of children: (1) “practically all children indulge or are prone to indulge in sexual activity,” and (2) since such sexual activity was “at the same time ‘natural’ and ‘contrary to nature,’” it represented a threat to the “physical and moral, individual and collective” welfare of the population (1990, 104). Consequently, the sexuality of children had to be pedagogically tamed and restrained—by “[p]arents, families, educators, doctors, and eventually psychologists”—until the entry into adulthood when such sexual activity could be inserted into the regulatory mechanisms strategically calculated for the management of the life of the population. Thereby, the sexuality of children, too, was absorbed into the domain of bio-power in the form of the crusade against masturbation, programs of sexual education in the schools, the movement to eliminate teenage pregnancy, and the like.

• “A socialization of procreative behavior” – Given the concern to regulate the fecundity of the population, sexuality was socialized in terms of procreation. Monogamous reproductive heterosexuality constituted the norm against which all other forms of sexuality were measured, for the monogamous heterosexual couple served as the most efficient means to
control both the sexuality of women (on whom the present fecundity of the population depended) and the sexuality of children (through whom the future fecundity of the population was to be secured). By contrast, sexuality outside the bounds of reproductive heterosexual monogamy represented a procreative threat to the population. Procreative sexual behavior, Foucault contends, was thus socialized, rendered the norm, in economic terms: “via all the incitements and restrictions, the ‘social’ and fiscal measures brought to bear on the fertility of couples”; in political terms: “achieved through the ‘responsibilization’ of couples with regard to the social body as a whole”; and in medical terms: “carried out by attributing a pathogenic value—for the individual and the species—to birth-control practices” (1990, 104-105). The sexuality of the monogamous heterosexual couple, accordingly, was also assimilated into the domain of bio-power through family planning campaigns, the effort to minimize maternal and infant mortality, the promotion of pre-natal and obstetrical care, and so on.

- “A psychiatrization of perverse pleasure” – The normalization of procreative sexuality rendered all forms of non-procreative sexuality abnormal, perverse. And the advent of psychiatry and sexology, and perhaps especially the legacy of Freud, transformed the conceptualization of sexuality; no longer was sex to be thought solely in terms of the moral and the religious, rather sex was also constituted as a scientific and medical phenomenon. Under the tutelage of psychiatry, Foucault
comments, “the sexual instinct was isolated as a separate biological and psychical instinct” and sex was etiologically associated with a whole host of medical disorders (1990, 105). Moreover, the psychiatrization of sexuality necessitated “a clinical analysis” of the various pathologies associated with sexuality, which gave rise, in the late nineteenth century, to the category of the homosexual and what Foucault calls “all those minor perverts”: “Krafft-Ebing’s zoophiles and zooerasts, Rohleder’s automonosexualists; and later, mixoscopophiles, gynecomasts, presbyophiles, sexoesthetic inverts, and dyspareunist women” (105, 43). Further, the normalization of procreative sexuality and the pathologization of non-procreative sexuality metastasized beyond the realm of the sexual to the extent that sexuality was essentially linked to the whole spectrum of human behavior, whether normal or pathological. From hysteria, melancholia, anorexia, and more, to all the endless variety of obsessions, compulsions, and phobias, sexuality was found to be at the root of a manifold of neuroses. And through the logic of the Oedipus complex, the very development of personality itself was said to be mediated by the invisible hand of sexuality. In the wake of this psychiatric colonization of the self in the name of sexuality, “a corrective technology was sought for those anomalies” thought to be etiologically linked with sexuality, whether in the form of Freudian psychoanalysis, behavioral modification therapies, gestalt therapy, transactional analysis, or a myriad of other therapeutic remedies (105).
The amalgamation of the pervert with the hysterical woman, the sexually precocious child, and the procreative couple, fills out the constitution of sexuality as the primary element of the domain of bio-power in Western societies. In bio-political cultures, therefore, sexuality functions, in Foucault’s terms, as “an especially dense transfer point” for power/knowledge relations between the state and the population, at the level of both the social body and the body of each and every individual (1990, 103).

These four “strategic unites” comprise what Foucault identifies as “the deployment of sexuality” in Western societies, a deployment “which was superimposed” upon the pre-existing “deployment of alliance,” that “system of marriage, of fixation and development of kinship ties, of transmission of names and possessions” which had codified sexual relations prior to the emergence of bio-power (1990, 106). Consistent with the paradigm of juridico-discursive power, the deployment of alliance was characterized by the axiomatic properties of juridico-discursive power—the negative relation, the insistence of the rule, the cycle of prohibition, the logic of censorship, and the uniformity of the apparatus—and its objective was to reproduce the structure of juridical sovereignty and to guarantee thereby the equilibrium of the social order. By contrast, as an element of the domain of bio-power the deployment of sexuality, Foucault argues, is structured according to the properties of bio-power. Like bio-power, for example, sexuality is deployed through a multiplicity of tactics and strategies—“according to mobile, polymorphous, and contingent techniques”—which permeate society in order to correct and to regulate the behaviors of each and all through the meticulous mechanisms of normalization—“a continual extension of areas and forms of control” (106). Further, just as bio-power targets the body, both at the level of the
individual and at the level of the population, so, too, the deployment of sexuality focuses on the body as both the locus of sexuality—“the sensations of the body, the quality of pleasures, and the nature of impressions”—and as the agency of a collective sexual economy—“the body that produces and consumes” (106-107). Consequently, the raison d’être of the deployment of sexuality is entirely bio-political. As an essential element of the domain of bio-power, the teleology of the deployment of sexuality is not circular nor tautological (an end in and of itself) but rather a means to an end, the production and administrative management of life: “proliferating, innovating, annexing, creating, and penetrating bodies in an increasingly detailed way” and “controlling populations in an increasingly comprehensive way” (107). And the vehicle through which the deployment of sexuality is implemented in modern Western political cultures is the family. By means of the family, Foucault explains, the deployment of sexuality was superimposed upon the deployment of alliance in such a way that the two interpenetrated one another. The family, he observes, “conveys the law and the juridical dimension in the deployment of sexuality” and “the economy of pleasures and the intensity of sensations in the regime of alliance” (108). In addition, through the family the strategic unities of sexuality—the hystericalization of the female body, the pedagogization of childhood sexuality, the socialization of procreativity, and the psychiatrization of the non-procreative—are articulated in terms of two axes which likewise interpenetrate: “the husband-wife axis and the parents-children axis” (108). The family is thus the “crystal” through which the deployment of sexuality is both refracted and reflected in bio-political cultures (111).
The interpenetration of the deployment of sexuality and the deployment of alliance through the family, or what might be better described as the bio-political instrumentalization of the family which rendered it both “an agency of control and a point of sexual saturation,” took place in two successive stages, a process Foucault analyzes in terms of class (1990, 120). According to his analysis, the bio-political instrumentalization of the family began with the upper and middle classes of Western societies. “[I]t was in the ‘bourgeois’ or ‘aristocratic’ family that the sexuality of children and adolescents was first problematized, and feminine sexuality medicalized,” Foucault observes; “it was the first to be alerted to the potential pathology of sex, the urgent need to keep it under close watch and to devise a rational technology of correction. It was this family that first became a locus for the psychiatration of sex” (120).

Consider Foucault’s example of the hysterical woman, a figure which first emerged not in the form of the working-class woman toiling for long hours in the mills and factories, but rather in the form of the wives and daughters of the wealthy capitalist and the well-off merchant, whose very idleness posed a problem in and of itself. Inhabiting both “the outer edge of the ‘world,’ in which she always had to appear as a value”—as an emblem of virtue, as a marriageable commodity—“and of the family, where she was assigned a new destiny charged with conjugal and parental obligations”—as the warrant of the purity of the husband-wife union and the viability of the father-mother union—the “‘idle’ woman” became “the ‘nervous’ woman, the woman afflicted with ‘vapors,’” and, hence, the “anchorage point” for the hystericization of the female body (121). Similarly, Foucault observes that the pedagogization of childhood sexuality was not articulated through the figure of the plebian youth, the waifs and strays of the proletariat, but rather
in the form of “the schoolboy” of the upper classes “surrounded by domestic servants, tutors, and governesses, who was in danger of compromising not so much his physical strength as his intellectual capacity, his moral fiber, and the obligation to preserve a healthy line of descent for his family and his social class” (121).

But if the bio-political instrumentalization of the family began with the aristocracy and the bourgeoisie, it did not end there, for the deployment of sexuality gradually transformed working class families as well. The discovery and assimilation, in the late eighteenth century, of working-class birth control techniques by the upper classes was a first step in this process. But perhaps more importantly, the so-called nuclear family, constituted as the social norm, Foucault contends, “came to be regarded, sometime around the eighteen-thirties, as an indispensable instrument of political control and economic regulation for the subjugation of the urban proletariat” (122). By the end of the nineteenth century, as the family came to be regarded as the repository of both racial purity and national security, and hence was to be protected from the taint of perversity, the bio-political instrumentalization of the family, “elaborated in its more complex and intense forms, by and for the privileged classes, spread through the entire social body” (122). Thus, the family comes to function as yet another crucial element in the domain of bio-power and the family emerges as a further nexus for power/knowledge relations between state, society, and individual.

The bio-political instrumentalization of sexuality and of the family entails a further element of the domain of bio-power: the medicalization of the social body in the name of public health. The bio-political instrumentalization of medicine has its roots, like the other elements of the domain of bio-power, in the problem of population which
emerged with particular force in the eighteenth century. The management of population “required, among other things,” Foucault remarks, “a health policy capable of diminishing infant mortality, preventing epidemics, and bringing down the rates of endemic diseases, of intervening in living conditions in order to alter them and impose standards on them (whether this involved nutrition, housing, or urban planning) and of ensuring adequate medical facilities and service” (1994c, 71). According to Foucault, the elaboration of such a health policy in the eighteenth century devolved upon “an ensemble of multiple regulations and institutions which . . . take the generic name of ‘police’” (1980a, 170). At the time, the term “police” did not have as its primary meaning the more contemporary notion of a state institution responsible for law enforcement; rather, police signified “the ensemble of mechanisms serving to ensure order, the properly channeled growth of wealth and the conditions of preservation of health ‘in general’” (170). Thus, the police is to be understood as an early bio-power tactic of the state strategically deployed to effect the bio-political management of the life of the population. In other words, through the mechanism of police activity, the state first began to articulate a set of policies calculated to ensure the health, wealth, and security of the population as a whole. No longer focused solely on the episodic control of epidemics, governmental health policy now permeates the entire social body—the healthy and the sick, the young and the old, the rich and the poor, all fall under the sway of the public health police power of the state. And medicine, or perhaps more accurately, public health, thereby emerges as “an instance of social control,” a further element in the domain of bio-power (175).
The long history of the great plagues of Europe is nevertheless inscribed into the bio-political instrumentalization of medicine to the extent that the “control of urban space,” the focal point of so many epidemic outbreaks, continues to serve as a primary locus for public health concerns. The physical space of the city and the architecture of that space—“[t]he disposition of various quarters, their humidity and exposure, the ventilation of the city as a whole, its sewage and drainage systems, the siting of abattoirs and cemeteries, the density of the population”—comes to be viewed as the greatest environmental threat to the health of the population and, consequently, begins to function as “a medicalisable object” (175). The public health police power of the state thus begins to take charge of those urban environments thought to be “the privileged breeding-grounds of disease,” such as prisons and poor houses, ships and harbour installations, even hospitals (176). Moreover, Foucault explains that medicine, under the rubric of public health, undertakes a pedagogical role in society, “teaching individuals the basic rules of hygiene which they must respect for the sake of their own health and that of others: hygiene of food and habitat, exhortations to seek treatment in case of illness” (176). And, over the course of the eighteenth and nineteenth centuries, a “‘medico-administrative’” public health knowledge “begins to develop concerning society, its health and sickness, its conditions of life, housing and habits,” and a “politico-medical” public health power begins to be exercised over “a population hedged in by a whole series of prescriptions relating not only to disease but to general forms of existence and behaviour (food and drink, sexuality and fecundity, clothing and the layout of living
space)” (176). Public health thus serves as yet another nodal point in power/knowledge relations between state, society, and individual, ensuring the administrative management of the life of each and all.

These three elements—sexuality, the family, public health—thus comprise the domain of bio-power. But these elements ought not to be regarded as autonomous components operating independently of one another; rather, sexuality, the family, and public health are intricately linked through a series of tactical relays strategically calculated to secure the bio-political management of the population. I have already discussed the imbrication of sexuality and the family—the sexualization of the family and the familialization of sexuality. The medicalization of sexuality and of the family for the sake of public health is yet a further example of this phenomenon. By the end of the nineteenth century, Foucault observes, medicine had, on the one hand, “made a forceful entry into the pleasures of the couple: it created an entire organic, functional, or mental pathology arising out of ‘incomplete’ sexual practices; it carefully classified all forms of related pleasures; it incorporated them into the notions of ‘development’ and instinctual ‘disturbance’; and it undertook to manage them” (1990, 41). Accordingly, sexuality, or rather medicalized sexuality, had become a concern for public health. On the other hand, the family, or rather the sexualized family, was itself medicalized in the interest of public health. The conjunction of the problem of children—“their number at birth and the relation of births to mortalities”—with that of childhood—“of survival to adulthood, the physical and economic conditions for this survival, the necessary and sufficient amount of investment for the period of child development to become useful”—rendered the family both the object and the instrument of medicalization (1980a, 172, 173). As a
result, Foucault contends, the family was made the object of medicalization to the extent that it was “invested by a whole series of obligations imposed on parents and children alike: obligations of a physical kind (care, contact, hygiene, cleanliness, attentive proximity), suckling of children by their mothers, clean clothing, physical exercise to ensure the proper development of the organism” (172). And the family became the instrument of medicalization, he claims, to the extent that it functioned as “the first and the most important instance for the medicalisation (sic) of individuals” (174).

Consequently, the family comes to function as the link between the health of the individual body and the health of the social body, thereby enabling “a ‘private’ ethic of good health as the reciprocal duty of parents and children to be articulated on to a collective system of hygiene and scientific technique of cure made available to individual and family demand by a professional corps of doctors qualified and, as it were, recommended by the State” (174). Hence, the family, in the interest of public health, is rendered not only a sexualized family, but a “medicalised and medicalising family” as well (175). The domain of bio-power must therefore be understood as a constellation of elements—sexuality, the family, public health—each of which is bio-politically instrumentalized and strategically articulated on the others in order to maximize the administrative management of population.

**The Technologies of Bio-Power:**

**Discipline and Governmentality**

In a number of essays, lectures, and interviews Foucault argues that the study of power must not simply address the questions, “What is power?” and “Who wields power over whom?,” but must also engage the question, “How is power performed?” Simply
to restrict the critique of power to the questions of the What? and Who? of power is to treat power as Power, a substance which some hold and others do not. Attending to the question of How?, on the other hand, implies that power as Power does not exist, that power does not exist until it is performed, and that it is the performance of power—the how—which constitutes the what and the who. As Foucault comments, “Power exists only when it is put into action . . .” (1983, 219). Hence, if one is to study power, one must interrogate the how of power by examining the technologies by which power is performed, all those techniques and mechanisms, tactics and strategies, employed to perform power. And the critique of political culture as the performative function of the power-knowledge relations between state, society, and individual implies that one must not simply analyze the nature of power—the what—and its domain—the who—but one must also analyze the performance of power in a given political culture—the how.

Further, the technologies by which power is performed must be understood as technologies of subjectivation. Power constitutes individuals as subjects through the technologies deployed by power. And the individual is not only the object on which power technologies are applied but also the instrumentality by means of which power technologies are performed. “The individual is an effect,” Foucault observes, “and at the same time, or precisely to the extent to which it is that effect, it is the element of its articulation. The individual which power has constituted is at the same time its vehicle” (1980d, 98). Consequently, the elaboration of a Foucauldian theory of bio-political culture which I undertake in this chapter entails a further inquiry into the power technologies of subjectivation deployed in bio-political cultures.
According to Foucault, bio-power, the paradigmatic form of power in modern Western bio-political cultures, is performed by means of two technologies of power-knowledge: discipline and governmentality. These two technologies function as “poles,” he argues, which are complexly “linked together by a whole intermediary cluster of relations” and through which bio-power is performed (1990, 139). One pole, discipline, is centered on the regimentation of the body of the individual: “its disciplining, the optimization of its capabilities, the extortion of its forces, the parallel increase of its usefulness and its docility, its integration into systems of efficient and economic controls.” Discipline thus serves as a technology of the “anatamo-politics of the human body.” The other pole, governmentality, is focused on the regulation of the body of the population, or what Foucault describes as “the species body, the body imbued with the mechanics of life and serving as the basis of the biological processes: propagation, births and mortality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary.” Governmentality thus serves as a technology of the “bio-politics of the population.” These two poles constitute the “bipolar technology” through which bio-power performs in bio-political cultures, a complex of tactics and strategies, mechanisms and techniques, which are at once “anatomic and biological, individualizing and specifying, directed toward the performances of the body, with attention to the processes of life.” Accordingly, bio-power, operating in the domain of population understood as a matrix of sexuality, the family, and public health, performs through the bipolar technologies of discipline and governmentality as a power over each and all, meticulously administering the individual body and extensively managing the social body.
Discipline and the Anatamo-Politics of the Body

As Foucault explains in *Discipline and Punish*, discipline both “produces subjected and practised bodies” and “‘makes’ individuals” (1979, 138, 170). Hence, discipline is a technology of subjectivation operative at the level of the individual body. Contrary to the *ascending* subjectivation characteristic of juridical sovereignty, however, discipline operates as a *descending* technology of subjectivation. Juridico-discursive power individualizes through the process of subjectivation to a greater extent, Foucault explains, “where sovereignty is exercised and in the higher echelons of power. The more one possesses power or privilege, the more one is marked as an individual, by rituals, written accounts or visual reproduction” (192). Bio-power, on the other hand, functioning through a disciplinary technology attentive to the dust of life and the minutiae of bodily behavior, individualizes through the process of subjectivation more in a descending direction, at the extremities of power. “[A]s power becomes more anonymous and more functional,” he says, “those on whom it is exercised tend to be more strongly individualized; [the disciplinary technology of bio-power] is exercised by surveillance rather than ceremonies, by observation rather than commemorative accounts, by comparative measures that have the ‘norm’ as reference rather than by genealogies giving ancestors as points of reference; by ‘gaps’ rather than by deeds” (193). And through a series of inter-related techniques, discipline thereby produces an individuated subject “endowed with four characteristics,” which Foucault labels “cellular,” “organic,” “genetic,” and “combinatory” (167).

- **Cellular** – Discipline operates through an architectural technique which regulates the distribution of individuals in space. According to Foucault,
the spatial governance of the body operates on the principles of
closure—“the specification of a place heterogeneous to all others and
closed in upon itself” and partitioning—the division of space “into as
many sections as there are bodies or elements to be distributed” (1979,
141 and 143). This “analytical space” is organized in order to maximize
the knowledge, mastery, and use of disciplined bodies and, consequently,
these enclosed and partitioned spaces serve as functional sites, each of
which is coded for a particular use (143). The functional enclosure and
partitioning of bodies is further reinforced by the principle of rank,
Foucault observes, such that the elements of disciplinary space become
“interchangeable,” each defined by their position within that space as well
as by their differentiation from other elements (145). “Discipline is an art
of rank,” he comments, “a technique for the transformation of
arrangements. It individualizes bodies by a location that does not give
them a fixed position, but distributes them and circulates them in a
network of relations” (146). The subject constituted by discipline is thus
“cellular” in that discipline operates through the architectural technique of
the table. Discipline, Foucault says, establishes living tables “which
transform the confused, useless or dangerous multitudes into ordered
multicities” (148). The individual is thereby subjectivated as a cellular
individual; each individual is ordered by being localized within a specific
cell in the living table which defines his or her space and which is related
through ranking with each and every other cell in the table.
Organic – Discipline also deploys an anatomical technique, Foucault maintains, which codes activity according to the “natural machinery of bodies” (1979, 156). The coding of activity involves the partitioning of time into ever shorter segments, a quantitative measuring of time which serves to assure the qualitative use of time. The disciplinary regulation of time, broken down into “quarter hours,” “minutes,” and “seconds,” constitutes “a totally useful time” which, coupled with the temporal elaboration of activity, establishes an “anatamo-chronological schema of behaviour” (150 and 152). As a result, Foucault says, the activity of the body is correlated with “the slightest gesture” in order to achieve a condition of “efficiency and speed” (152). And discipline further imposes what Foucault calls an “instrumental coding of the body” through the anatomical technique of the maneuver by defining and regulating the articulation of the body with the objects it uses (153). “Over the whole surface of contact between the body and the object it handles,” he remarks, “power is introduced, fastening them to one another. It constitutes a body-weapon, body-tool, body-machine complex” (153). Through the exhaustive use of time—the extraction from time of “ever more available moments and, from each moment, ever more useful forces”—discipline constitutes the individualized body as an organic body, naturalized to specific functions, “susceptible to specified operations, which have their order, their stages, their internal conditions, their constituent elements” (154 and 155). The individual is thus also subjectivated as an organic
individual; each individual is conditioned as an organism with bodily processes natural to it and the functioning of which hence must be attuned to those natural processes.

- **Genetic** – Discipline further functions, Foucault claims, by means of a mechanical technique for “adding up and capitalizing time” (1979, 157). Whereas discipline produces an organic individual through the regulative partitioning of time, it produces a genetic individual through the “seriation” of duration (160). This mechanism, he explains, operates by dividing duration into a series of “successive or parallel segments” which are then organized according to “an analytical plan” that combines simple elements into ever more complex ones (157 and 158). The segmented durations are then finalized with an examination which assures the mastery of the particular skill or knowledge in question. And each series is placed within a series of series which defines each individual’s level or rank. “The ‘seriation’ of successive activities,” Foucault argues, “makes possible a whole investment of duration by power. . . . Temporal dispersal is brought together to produce a profit, thus mastering a duration that would otherwise elude one’s grasp. Power is articulated directly onto time; it assures its control and guarantees its use” (160). Discipline constitutes genetic individuals through the mechanical technique of exercise which “imposes on the body tasks that are both repetitive and different but always graduated” (161). Exercise bends the behavior of the individual toward “a terminal state” which ensures the utmost mechanical
efficiency of time and space, of the body of the individual as a mechanism. The individual is accordingly also subjectivated as a genetic individual; each individual is mechanically trained to be efficient, industrious, and beneficial to society.

- **Combinatory** – Discipline, lastly, acts through an economic technique, Foucault contends, which maximizes efficiency “by the concerted articulation” of its “elementary parts” (1979, 164). The body is thus disciplined not only spatially and temporally, but also in relation to other bodies. Discipline functionally reduces the body, Foucault observes, to a spatial “element that may be placed, moved, articulated on others” and, consequently, constitutes it as “a part of a multi-segmentary machine” (164). The spatial articulation of bodies is correlated as well with a temporal articulation. “The time of each must be adjusted to the time of the others,” Foucault comments, “in such a way that the maximum quantity of forces may be extracted from each and combined with the optimum result” (164-165). And this combinatory articulation of bodies is subject to “a precise system of command” such that each specific order or injunction “does not need to be explained or formulated” but triggers “the required behaviour” automatically and immediately (166). Discipline constitutes individuals as combinatory individuals through the economic technique of tactics: “the art of constructing, with located bodies, coded activities and trained aptitudes, mechanisms in which the product of the various forces is increased by their calculated combination” (167). The
individual hence is further subjectivated as a combinatory individual; each individual is tactically related to every other individual to maximize the economic productivity of each and all.

Thus, discipline must be understood as a bio-power technology of subjectivation which “trains” bodies in order to produce “trained” individuals. The technology of discipline, Foucault explains, “‘trains’ the moving, confused, useless multitudes of bodies and forces into a multiplicity of individual elements – small, separate cells, organic autonomousities, genetic identities and continuities, combinatory segments” (1979, 170). Such training functions through the mechanisms of hierarchical observation and normalizing judgment, which are combined and deployed through the technique of the examination. Discipline, Foucault observes, “coerces by means of observation” and hence operates on the principle of visibility (170). Those on whom power exerts its effects are rendered visible through the performance of disciplinary power, a power which, by contrast, operates discreetly and invisibly. “The perfect disciplinary apparatus,” he remarks, “would make it possible for a single gaze to see everything constantly” (173). Ever under the surveillance of an all-seeing disciplinary gaze, the disciplined individual is progressively objectified and, in the process, increasingly individualized in his or her own particularity. The disciplinary gaze, however, operates hierarchically, which makes possible the multiplication of levels of observation and the distribution of surveillance throughout the social field. Discipline thus constitutes an “uninterrupted network,” an “‘integrated’ system,” a matrix of power-knowledge relations, a disciplinary political culture (174, 176). At every level and every point, the effects of disciplinary power are induced; there are no unsupervised supervisors, all are
alike under surveillance. Hierarchical observation, Foucault observes, organizes “a multiple, automatic and anonymous power” such that the disciplinary network “‘holds’ the whole together and traverses it in its entirety with effects of power that derive from one another” (176-177). The bio-power technology of discipline thus performs to subjectivate the individual through a pervasive system of surveillance which exerts its effect to the greatest extent when it is the least visible.

Discipline is, further, a meticulous technology of bio-power which operates according to a normalizing judgment. Every aspect of life, every nuance of individuality falls within the purview of a disciplinary power which permeates the entire social body. “It was a question,” Foucault comments regarding the deployment of disciplinary technology through the political cultural practice of punishment, “both of making the slightest departures from correct behaviour subject to punishment, and of giving a punitive function to the apparently indifferent element of the disciplinary apparatus: so that, if necessary, everything might serve to punish the slightest thing; each subject find himself caught in a punishable, punishing universality” (1979, 178). Normalizing judgment exercises the effects of disciplinary power over the “whole indefinite domain of the non-conforming” which it seeks to correct through the technique of exercise, “intensified, multiplied forms of training, several times repeated” (178-179). And it imposes a “micro-economy” which differentiates, and hence judges, not so much acts as individuals; acts are defined by their place in the spectrum of good and bad, but individuals are judged according to their departures from the norm and to the extent that this non-conformity has been corrected through exercises imposed by a disciplinary regime. So while, on the one hand, “the power of normalization” may produce
“homogeneity,” it is the very homogeneity of the norm which “individualizes by making it possible to measure gaps, to determine levels, to fix specialities and to render the differences useful by fitting them one to another” (184). Through normalization, discipline subjectivates individuals by “fixing” them; and fix both in the sense that the individual is securely located within a grid of power-knowledge relations and in the sense that individual non-conformities are repaired, corrected, by being restored to the norm.

Hierarchical observation and normalizing judgment are combined in the technique of the examination, which is essential to the performance of discipline as a bio-power technology of subjectivation. According to Foucault, the examination imposes on individuals a “compulsory visibility” which “assures the hold of the power that is exercised over them” (1979, 187). The very fact that the individual is under constant surveillance by a disciplinary gaze, and hence always already visible, “maintains the disciplined individual in his subjection” (187). Further, the examination locates individuals within a field of documentation. “The examination that places individuals in a field of surveillance,” Foucault observes, “also situates them in a network of writing; it engages them in a whole mass of documents that capture and fix them” (189). The disciplinary documentation of individuality not only renders the individual “a describable, analysable object,” he claims, it also makes possible, by means of a cumulative comparison of documented individuals, “the measurement of overall phenomena, the description of groups, the characterization of collective facts, the calculation of the gaps between individuals, their distribution in a given ‘population”’ (190). Lastly, the documentary apparatus of the examination establishes the individual as a “case,” both an object of knowledge and a subject of power. As a documented case, the
individual is not only “trained or corrected, classified, normalized, excluded, etc.,” he or she is also “described, judged, measured, compared with others, in [his or her] very individuality” (191). Hence, Foucault concludes, the examination effects “the fixing, at once ritual and ‘scientific,’ of individual differences, as the pinning down of each individual in his own particularity . . .”; the individual thereby “receives as his status his own individuality, . . . he is linked by his status to the features, the measurements, the gaps, the ‘marks’ that characterize him and make him a ‘case’” (192). By means of the examination, therefore, the bio-power technology of discipline subjectivates the individual as a unique individual, and yet an individual whose uniqueness is established by the relation between that individual and the collectivity of individuals that compose a population. Through the technique of the examination the mechanisms of hierarchical observation and normalizing judgement are tactically correlated to produce a disciplined individual who behaves, in a sense, as he or she was trained to behave.

As it was first elaborated in the seventeenth and eighteenth century, the bio-power technology of discipline focused primarily on specific institutions within society: schools, prisons, factories, the military, hospitals, etc. But over the course of time, Foucault explains, discipline began to saturate the entire social body as a network “cover[ing] an ever larger surface and occupying above all a less and less marginal position” and society itself was transformed into what he terms a “disciplinary society” (1979, 209). The gradual permeation of society by disciplinary technology is marked by two figures: the plague-stricken town and the panoptic institution. During the seventeenth century, in an effort to combat the epidemic spread of plague, European governments imposed a series of orders, disciplinary in nature, designed to contain outbreaks of plague to their points of
origin in specific towns and cities. These disciplinary mechanisms established, Foucault observes, an “enclosed, segmented space, observed at every point, in which the individuals are inserted in a fixed place, in which the slightest movements are supervised, in which all events are recorded, in which an uninterrupted work of writing links the centre and periphery, in which power is exercised without division, according to a continuous hierarchical figure, in which each individual is constantly located, examined and distributed among the living beings, the sick and the dead” (197). The disorder of plague is confronted with a disciplinary order calculated for the regulation of “the smallest details of everyday life through the mediation of the complete hierarchy that assured the capillary functioning of power” (198). As an initial stage in the disciplinary transformation of Western societies, disciplinary power thus permeated the social structure of plague-stricken urban spaces.

But plagues, in the seventeenth century at least, were exceptions to the rule of the ordinary course of life, and the disciplinary mechanisms deployed to contain plagues represented emergency measures instituted during extraordinary situations. The panoptic institution, by contrast, represents what Foucault terms “a generalizable model” of discipline (1979, 205). As conceived by Jeremy Bentham in the late eighteenth century, the Panopticon is “the architectural figure” of the disciplinary technology of bio-power (200). Designed so as to induce “a state of conscious and permanent visibility that assures the automatic functioning of power,” Foucault explains, Bentham’s Panopticon is “the diagram of a mechanism of power reduced to its ideal form” (201, 205). In the panoptic disciplinary schema, he writes, the individual “who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he
makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection” (202-203). Contrary to the “exceptional disciplinary model” of the plague-stricken town, the Panopticon serves as a “generalizable model” of a bio-power disciplinary technology of subjectivation which produces trained individuals who behave, as it were, automatically as they are trained to behave, in order “to strengthen the social forces – to increase production, to develop the economy, spread education, raise the level of public morality; to increase and multiply” (207-208). And “the formation of a disciplinary society” can be seen in this transition “from the enclosed disciplines, a sort of social ‘quarantine[,]’ to an indefinitely generalizable mechanism of ‘panopticism’” (216). Modern, Western bio-political cultures are, accordingly, cultures thoroughly invested with the bio-power technology of discipline, a technology of power which subjectivates individuals as individuals. As Foucault remarks:

Our society is not one of spectacle, but of surveillance; under the surface of images, one invests bodies in depth; behind the great abstraction of exchange, there continues the meticulous, concrete training of useful forces; the circuits of communication are the supports of an accumulation and a centralization of knowledge; the play of signs defines the anchorages of power; it is not that the beautiful totality of the individual is amputated, repressed, altered by our social order, it is rather that the individual is carefully fabricated in it, according to a whole technique of forces and bodies. (217)
Governmentality and the Bio-Politics of Population

If discipline is the bio-power technology of subjectivation which operates at the level of the individual body, then governmentality may be said to be the bio-power technology of subjectivation operative at the level of the social body. But whereas discipline is a technology of bio-power attuned to the minutiae of bodily behavior and hence, Foucault suggests, cannot be “localized in the relations between the state and its citizens,” governmentality must be understood as a technology centered on exactly that relationship (1979, 27). In his 1978 lecture at the Collège de France on governmentality, Foucault offers a three-fold definition of governmentality. First, governmentality is a structural “ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics” through which a specific form of power—in this lecture referred to as “government” but elsewhere as bio-power—is performed in modern Western political cultures (1991, 102). Second, governmentality is the “tendency” in the practice of government over the past three centuries in the West that has led to the “pre-eminence” of this form of power and which has resulted in a “series of specific governmental apparatuses” and a “complex of saviors” uniquely suited to the performance of bio-power (102-103). And, third, governmentality is the “process” by means of which the state itself has been progressively “governmentalized,” that is, rendered “the only real space for political struggle and contestation” (103). In a sense, then, this tripartite definition embraces both the bio-political transformation of Western political culture, which I have discussed previously in this chapter, and the corollary emergence of bio-power as the paradigmatic form of power performed in bio-political cultures. But governmentality must also be understood as a technology of power.
operative in bio-political cultures. As Foucault further remarks in this lecture, governmentality is not simply a historical process or tendency, nor is it merely the structure of government which has thereby resulted; rather, governmentality comprises as well those “tactics of government” which are “at once both internal and external to the state” and which regulate “the continual definition and redefinition of what is within the competence of the state and what is not . . .” (103). And, as he explains in a 1982 lecture at the University of Vermont, governmentality is also the instrumentality—the “contact”—by means of which “the technologies of domination of others” intersect with “the technologies of the self” (1988, 18-19). Accordingly, governmentality must be understood to be a regulative bio-power technology of subjectivation which is both individualizing and totalizing, a technology which regulates the activity of the state, the relation between state and citizen, and the citizen as an individualized member of a totalized society governed by the state.

For Foucault, then, the governmentalization of the state means that it is both a “political form of power” and a “political structure” through which power performs (1983, 213). As a result, he argues, in modern Western political cultures “power relations have been progressively governmentalized, that is to say, elaborated, rationalized, and centralized in the form of, or under the auspices of, state institutions” (1983, 224). The power of the state thus performs as “both an individualizing and a totalizing form of power” since it involves the integration, “in the same political structures of individualization techniques, and of totalization procedures” (1983, 213). And foremost among the techniques and procedures which characterize governmentalized state power is the technique of pastorship. Indeed, according to Foucault, the relationship
governmentality establishes between state, society, and citizen is fundamentally pastoral. Like a shepherd tending his flock or a pastor leading his church, the state governs citizens, both collectively as a society and singly as individuals, through the performance of what Foucault variously calls “pastorship” or “pastoral power.” Although pastoral power has a long history in the development of Western societies, Foucault locates its birthplace outside the West, “in the ancient Oriental societies” (1981, 227). He observes that in ancient Egypt, for example, the Pharaoh “received the herdsman’s crook on his coronation day” (1981, 227). Likewise, the ruler of Babylonia was regarded as the “shepherd of men” (1981, 227). And in Assyria, the king was hailed as the “Illustrious companion of pastures, Thou who carest for thy land and feedest it, shepherd of all abundance” (1981, 228). But the association between shepherd and ruler, and the flock and the ruled, Foucault contends, was most fully developed in the Hebrew society of ancient Israel. Moses was a shepherd, who encountered God in the burning bush when he had gone in search of a stray sheep; so, too, was David, whose rule served as the archetype for kingship in ancient Israel. And God, of course, was regarded as the ultimate Shepherd of his people: “Thou ledest thy people like a flock by the hand of Moses and Aaron” (Psalm 77:20).27 Ancient Hebrew society was thus, in a sense, a pastoralized society.

Foucault identifies four “themes typical of pastoral power” in Hebrew society. First, he observes that “[t]he shepherd wields power over a flock rather than over a land” (1981, 228). The existence of the shepherd was nomadic, moving from pasture to pasture in search of the best land for the flock to graze; the land itself was incidental. So, too, the rule of the king, as the earthly shepherd of God’s flock, extended not so much over the
territory of ancient Judea as over the people who inhabited that territory; the land itself was a gift from God to his people, an inheritance they could lose should they stray from the fold. Second, Foucault remarks that “[t]he shepherd gathers together, guides, and leads his flock” (229). The flock owes its existence, as a flock, to the leadership of the shepherd; the shepherd gathers together “dispersed individuals” whom he maintains as a flock; should the shepherd suddenly disappear, the flock would begin to scatter and would revert to a state of dispersion. The presence and action of the shepherd-king, as well, constitutes “dispersed individuals” as one people; should the king fail as shepherd, the people would fail to cohere as a nation.

Third, Foucault comments that “[t]he shepherd’s role is to ensure the salvation of his flock” (1981, 229). But the salvation of the flock is more than “a matter of saving them all, all together,” he explains; it is also “a matter of constant, individualised, and final kindness” (229). The flock is saved through the individualizing and totalizing salvific action of the shepherd. Consider the so-called Shepherd’s Psalm in which God is the shepherd of each individual—“The Lord is my shepherd”—as well as the shepherd of his people (Psalm 23:1). The pastoral power God exercises over his people operates on both an individualized and a totalized level, attentive to the specific needs of each individual within the totality of the flock; God saves the flock by saving each individual member of that flock. Similarly, the king as shepherd must be attentive to the condition of each individual, as well as the condition of the people as a totality, and he cares for those who cannot care for themselves—the poor, the sick, the aged. Fourth, Foucault notes that shepherding is an ethical imperative. “Everything the shepherd does is geared to the good of his flock,” he says; the flock is the shepherd’s entire concern, and a
“constant concern” (230). The good shepherd knows the condition of each member of the flock; he knows which pastures are the best in which seasons; he knows how to protect them from external enemies and from harming themselves or one another. The good shepherd watches over his flock constantly and in detail; even when they are asleep, the shepherd maintains constant vigilance. And the same, again, may be said of the shepherd-king. In the Hebrew tradition, therefore, pastorship “implies individual attention paid to each member of the flock” (230). From its very inception, therefore, pastorship was thus a power technique which was both individualizing and totalizing.

But while the birth of pastoral power may be traced to ancient Hebrew society, its maturity is to be found in Christianity, which translated the shepherd-flock leadership motif into the church office of pastor. In the stead of the Good Shepherd, Jesus Christ, the pastor shepherds the flock of Christ, the Church. Pastors, the Apostle Peter writes, are to “[f]eed the flock of God . . . , taking oversight thereof,” for “when the chief Shepherd shall appear, [they] shall receive a crown of glory that fadeth not away” (1 Peter 5:2, 4). According to Foucault, however, the Christian appropriation of pastorship effected several transformations in the Hebrew form of pastoral power.

- Whereas in Hebrew society “the shepherd was to assume responsibility for the destiny of the whole flock and of each and every sheep,” Foucault observes that in Christianity the pastor must not only assume responsibility for the flock under his charge, he must also “render an account—not only of each sheep, but of all their actions, all the good or evil they are liable to do, all that happens to them” (1981, 236). Since the pastor is, in a sense, subordinate to Christ, a sort of acting shepherd
pastoring the flock in Christ’s absence, he must give an account to the
Chief Shepherd when he returns. The pastor is himself pastored by God;
hence, the regime of pastoral power is relational and all are alike pastored.

- According to the Hebrew model, the sheep followed the shepherd simply
  because he was the shepherd. In the Christian model, however, obedience
  becomes a virtue, “an end in itself,” Foucault remarks, and “the shepherd-
sheep relationship” is constituted “as one of individual and complete
dependence” (1981, 237). Obedience to the will of the pastor “is a
permanent state” in Christianity, he claims; “the sheep must permanently
submit to their pastor” (237). As the anonymous author of the New
Testament epistle to the Hebrews exhorts, “Obey them that have the rule
over you, and submit yourselves: for they watch for your souls, as they
that must give account…” (13:17). Thus, pastoral power imposes an
ethical obligation of obedience on those who are pastored. And this is not
an obedience secured by the coercion of law; rather, obedience is a
voluntary and willful act by the individual believer in Christ, a expression
not of fear but of love for God.28

- Since the pastor must render account for his pastorship, and since the
individual Christian is under an obligation of permanent submission to the
pastor, Christian pastorship considerably intensifies and extends the
relation of knowledge between shepherd and sheep. As shepherd,
Foucault comments, the pastor must know the particular “material needs
of each member of his flock,” he must have specific knowledge of “what
each of them does—[their] public sins”—and he must know exactly “what goes on in the soul of each one” (1981, 238). The necessity for a totalizing and individualizing knowledge gave rise to what Foucault calls a “truth regime” based upon two techniques: “exomologēsis and exagoreusis” (1994b, 81). The Christian term exomologēsis is derived from the classical Greek verb exomologeomai, which means to confess, to admit, or to acknowledge (Liddell and Scott 1940, 597). In Christian usage, as Foucault explains, exomologēsis “designates an act meant to reveal both a truth and the subject’s adherence to that truth; to do the exomologēsis of one’s beliefs is not merely to affirm what one believes but to affirm the fact of that belief; it is to make the act of affirmation an object of affirmation, and hence to authenticate it either for oneself or with regard to others” (1994b, 81-82). The term exagoreusis is derived from the classical Greek word exagoreuō, which means to tell out or to make known (Liddell and Scott 1940, 580). According to Foucault, the Christian usage of the term indicates “the mode of dependence with respect to the elder or teacher, the way of conducting the examination of one’s own conscience, and the obligation to describe one’s mental impulses in a formulation that aims to be exhaustive” (1994b, 83). Christian pastoral power thus imposes an further ethical obligation of confession upon each individual Christian, a confession which produces the effect of total obedience, absolute submission.
Christianity further altered the shepherd-sheep relationship in terms of the salvation it effectuated and the role of the shepherd in achieving that salvation. In the Hebrew tradition, the shepherd’s salvific action alone secured the salvation of the sheep; in Christianity, the relationship is fundamentally altered. Foucault remarks, “All those Christian techniques of examination, confession, guidance, obedience, have an aim: to get individuals to work at their own ‘mortification’ in this world” (1981, 239). Mortification did not involve the death of the individual so much as it did the individual putting to death the sinful self in the form of the desires of the flesh and the deeds of the body. The Apostle Paul writes, “Mortify therefore your members which are upon the earth; fornication, uncleanness, inordinate affection, evil concupiscence, and covetousness, which is idolatry” (Colossians 3:5). And he promises that “if ye through the Spirit do mortify the deeds of the body, ye shall live” (Romans 8:13). Christian mortification, through the discipline of the body, Foucault observes, establishes “a kind of relation of oneself to oneself” calculated to ensure one’s salvation (1981, 239). Consequently, pastoral power renders each individual responsible for his or her own behavior, thoughts, desires; each individual Christian is responsible to work out his or her own salvation through the bodily discipline of mortification. In a sense, then, the pastor is responsible to God to lead the church under his charge, both individually and collectively, in the paths of righteousness, but each believer is individually responsible to God to walk in those paths.
In summary, pastorship, as it has evolved over centuries, functions as a technique of power which is both individualizing and totalizing, which secures the subjectivation of each individual within the totality of the collectivity of other individuals similarly subjectivated, and which achieves this subjectivation through mechanisms of confession and bodily discipline. As Foucault remarks, pastorship is a technique of power “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” (1983, 212).

Not surprisingly, the technique of pastorship was well suited to appropriation by the state as an aspect of the bio-power technology of governmentality. While the state is generally regarded as a totalizing structure which “ignores individuals, looking only at the interests of the totality or . . . of a class or a group among the citizens,” Foucault observes, the governmentalization of pastorship rendered the state a “matrix of individualization” as well (1983, 213, 215). Of course, the governmentalization of pastorship modified pastoral power considerably. In the first place, Foucault suggests that the teleology of the pastoral function was secularized. Whereas in the Christian tradition the objective of pastoral power was the spiritual salvation of each and all, governmentalized pastoral power has as its objective a more material salvation. Thus, as Foucault explains, “the word salvation takes on different meanings: health, well-being (that is, sufficient wealth, standard of living), security, protection against accidents” (215). Further, not only was the aim of pastorship diversified, he notes, but the means of exercising pastoral power were also multiplied. Pastoral power is no longer centralized in the person of the shepherd or pastor, but is performed through a multiplicity of
instruments, from the panoply of state apparatuses to a host of private organizations, as well as through the institutions of the family, medicine, and the public schools. And, Foucault comments, “the multiplication of the aims and agents of pastoral power focused the development of knowledge of man around two roles: one, globalizing and quantitative, concerning the population; the other, analytical, concerning the individual” (215). As a result of these modifications, pastoral power was subsumed by the state such that pastorship functions as a technique of governmentality, individualizing citizens, totalizing society, and regulating the relation of state, society, and citizen.

But just as the governmentalization of pastorship altered pastoral power, so, too, it effected changes in the rationality of state power, a process which advanced the governmentalization of the state. According to Foucault, this process involved the elaboration, in the seventeenth and eighteenth centuries, of the doctrine of reason of state and of the technique of the police, and the deployment, beginning in the late eighteenth century, of liberalism as an ongoing critique of state power. “The doctrine of reason of state,” Foucault explains, “attempted to define how the principles and methods of state government differed, say, from the way God governed the world, the father his family, or a superior his community” (1981, 242). Reason of state was an art of government—“a technique conforming to certain rules”—whereby government is considered rational “on the condition that it observes the nature of what is governed, that is, the state itself” (Foucault 1988b, 149). As Foucault argues, reason of state thus represented a break with the Christian tradition which held that government is just to the extent that it respected “a whole system of laws: human, natural, and divine” (149). It also indicated a break with Machiavelli’s analysis of government. If, for Machiavelli, the problem of government
was one of determining how the prince might best retain his principality, “the problem
posed by reason of state is that of the very existence and nature of the state itself”
(Foucault 1981, 244). Thus, the aim of the art of government, as defined by reason of
state, was not to justify the performance of governmental power by an appeal to divine or
natural law, nor was it simply to enable the prince to retain his principality, rather the aim
of the art of government, Foucault contends, was “to reinforce the state itself” (1981,
245). Given this aim, a thorough knowledge of the state was necessary. “Government is
only possible if the strength of the state is known; it can thus be sustained,” Foucault
comments. “The state’s capacity, and the means to enlarge it, must be known. The
strength and capacity of the other states must also be known” (1981, 245). But if the end
of government is to reinforce the state based upon a knowledge of the state, and the state
vis-à-vis other states, then what of the individual citizens of the state? Quite simply,
Foucault explains, for reason of state “the individual becomes pertinent for the state
insofar as he can do something for the strength of the state” (1988b, 152). Consequently,
reason of state also signaled a shift in the relation between state and citizen. No longer to
be regarded solely as a legal subject whose primary obligation to the state is to obey the
laws of the state, the individual is now considered a significant element of the state’s
capacity whose life must be administratively managed in such a way as to strengthen that
capacity.

The relation between the state and the individual established by reason of state
was given “a concrete form” in the technique of the police (Foucault 1988b, 153). The
police, Foucault explains, isn’t so much “an institution or mechanism functioning within
the state, but a governmental technology peculiar to the state [which defines the]
domains, techniques, targets where the state intervenes” (1981, 246). Foucault analyzes police technology by examining three texts which present the police, first, as a utopian project, then as an administrative practice, and finally as an academic discipline. In Louis Turquet de Mayenne’s utopian La Monarchie aristo-démocratique, published in 1611, the executive power of the state consists of four branches: the army, which is to defend the state against external enemies; justice, responsible for enforcing the law against internal enemies; the Exchequer, which sees to taxation; and the police, charged with enhancing the civic virtue of the people and thereby strengthening the state. To achieve the police’s objective, Turquet proposes that four police boards be established in each province to administer the affairs of the people. The first board, Foucault observes, focused on “the positive, active, productive aspects of life,” was to be concerned with the education of the youth and the occupations of adults; while the second, focused on the more “negative aspects of life,” was to see to the care of “the poor (widows, orphans, the aged) requiring help; the unemployed; those whose activities required financial aid (no interest was to be charged); public health: diseases, epidemics; and accidents such as fire and flood” (1981, 247). The other two boards were concerned with trade and property: the third “specialize[d] in commodities and manufacturers’ goods,” hence controlling both production and exchange; the fourth was to manage the state’s “demesne,” which included not only the territory of the state, but “private property, legacies, donations, sales,” as well as “manorial rights, roads, rivers, public buildings, and so on” (Foucault 1988b, 155). The police was thus to be totalizing in its scope, administering all aspects
of the life of the state’s population. In Turquet’s utopian police state, the target of governmental activity was individuals “as working, trading, living beings,” whose lives must be administratively managed for the benefit of the state (Foucault 1988b, 156).

While Turquet’s project was never fully implemented, it does represent a school of thought regarding the state which became increasingly prevalent in Europe during the seventeenth and eighteenth centuries. In France and Germany, especially, the technique of police began to function as part of the administrative apparatus of the state. Nicolas Delamare’s *Traité de la police* offers what Foucault terms a “systematic encyclopedia” of the responsibilities of the police in France in the early eighteenth century, organized according to eleven categories: “(1) religion; (2) morals; (3) health; (4) supplies; (5) roads, highways, town buildings; (6) public safety; (7) the liberal arts (roughly speaking, arts and sciences); (8) trade; (9) factories; (10) manservants and labourers; (11) the poor” (1988b, 156, and 1981, 249). As in Turquet’s schema, the police are responsible for everything having to do with the relationship between state and citizen, apart from the military, law enforcement, and taxation. Unlike Turquet, however, who understood the purpose of the police in terms of civic virtue, Foucault notes that Delamare conceives the end of the police to be the “happiness”—the maximization of both health and wealth—of the people. “The sole purpose of the police,” Delamare claims, “is to lead man to the utmost happiness to be enjoyed in this life” (qtd. in Foucault 1981, 250). But happiness is not simply the effect of good government; rather, Foucault writes, it is “a requirement for the survival and development of the state” (Foucault 1988b, 158). Consequently, the
object of the police, as it was actually practiced, was understood to be “individuals with all their social relations” administered in such a way as to achieve their “happiness,” and thereby to enhance the strength of the state (Foucault 1988b, 158).

But the police was more than a utopian scheme or an administrative practice, it was also an academic discipline known in the eighteenth century as Polizeywissenschaft. And the most important textbook of this discipline, according to Foucault, was Johann H.G. von Justi’s *Grundsätze der Policeywissenschaft*, published in three editions in 1756, 1759, and 1782, and in a French translation in 1769. More than Turquet or Delamare, von Justi emphasizes the individual as a member of a population. Foucault comments, “He sees all the physical or economical elements of the state as constituting an environment on which population depends and which conversely depends on population” (1988b, 160). Hence, for von Justi, the object of the police is not simply the individual, but the individual as a part of a population. And the function of the state, Foucault explains, is now conceived as “essentially to take care of men as a population” (1988b, 160). Further, according to Foucault, von Justi makes an important distinction, only implicit in Turquet and Delamare, between “die Politik”—“the negative task of the state” understood as the use of “the law against internal enemies and the army against the external ones”—and “die Polizei,” which governs “not by the law but by a specific, a permanent, and a positive intervention in the behavior of individuals” (1988b, 159). The police, consequently, represents the positive task of the state vis-à-vis the population: “to foster both citizens’ lives and the state’s strength” (Foucault 1981, 252). And this, Foucault maintains, constitutes “the aim of the modern art of government, or state rationality: viz., to develop those elements constitutive of individuals’ lives in such a way
that their development also fosters that of the strength of the state” (1981, 252). Thus, reason of state, with its emphasis on the strength of the state as the end of state power, and the police, which functioned to regulate the life of the individual as a member of the population capable of enhancing the state’s strength, indicate the extent to which the state begins increasingly to manage the lives of individuals, as well as the importance population assumes as a problem of government.

The governmentalization of the state, or what might also be regarded as the pastoralization of the state, is furthered by the deployment of liberalism as a critique of state power. In a sense, while reason of state and the police do signify a new relation between the state and the individual, they nevertheless also represent an inversion of the salvific relation of pastorship. As I’ve discussed, in its Hebrew and, especially, its Christian form, pastorship functioned for the salvation of the flock; the shepherd/pastor tended the flock for the flock’s benefit. But under reason of state and the police, pastorship functioned for the salvation of the state; the state managed its population in order to increase the state’s strength. That the people were happy and well taken care of was more of a by-product, a means to an end and not an end in itself. Liberalism corrects this inversion. For Foucault, liberalism is not to be analyzed as a political theory or ideology, but rather as “a practice,” “a method of rationalizing the exercise of government” (1994a, 74). Whereas reason of state rationalizes government in terms of “the existence and strengthening of the state [as] an end capable of both justifying a growing governmentality and of regulating its development,” Foucault explains, liberalism counters that the state “cannot be its own end” (74). Similarly, he notes, the police functioned according to the principle: “One is not paying enough attention, too
many things escape one’s control, too many areas lack regulation and supervision, there’s not enough order and administration. In short, one is governing too little” (74). By contrast, Foucault continues, liberalism adheres to the principle: “‘One always governs too much’—or, at any rate, one always must suspect that one governs too much” (74). This suspicion of government implies a prior question as to why government is necessary in the first place. Liberalism answers this fundamental question in terms of society, understood as the collective population of individuals and their social relations.

Government is necessary for the sake of society and for the individuals who compose society. Hence, liberalism operates as a critique of governmental power based on the notion that government is justified only to the extent society is benefited thereby. As Foucault observes:

Liberal thought starts not from the existence of the state, seeing in the government the means for attaining that end it would be for itself, but rather from society, which is in a complex relation of exteriority and interiority with respect to the state. Society as both a precondition and a final end, is what enables one to no longer ask the question: How can one govern as much as possible and at the least possible cost? Instead, the question becomes: Why must one govern? In other words, what makes it necessary for there to be a government, and what ends should it pursue with regard to society in order to justify its existence? (75)

Consequently, liberalism restores the salvific relation of pastorship; the state governs not for its own benefit, but in the interest of society. Governmental action is to be regulated
according to the principle that the state serves the people, and not vice-versa. And if the strength of the state is thereby enhanced, this is, again, more of a by-product, a means to an end.

Foucault’s argument concerning liberalism may be further illustrated by a brief analysis of texts by two “founding fathers” of liberalism: Jeremy Bentham and John Stuart Mill. Bentham’s opening discussion of the principle of utility in *An Introduction to the Principles of Morals and Legislation*, which may justly be regarded as a seminal text for liberalism, well illustrates the extent to which liberalism rationalizes government in terms of the interests of the individual and society, and not the state. For Bentham, all human action, whether that of “a private individual,” “the community” (i.e., society), or a “measure of government,” is rationalized according to the principle of utility, which he defines as “that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question” (1988, 2). Utility, he writes, is “that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness . . . or . . . to prevent the happening of mischief, pain, evil, or unhappiness” (2). Accordingly, any governmental action—“a measure of government”—“may be said to be conformable to or dictated by the principle of utility, when in like manner the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it” (3). But since, for Bentham, the community is nothing but “a fictitious body, composed of the individual persons who are considered as constituting as it were its members,” the interest of the community must be understood as the “sum of the interests of the several members who compose it” (3). Consequently, that which is in the
interest of the individual is in the interest of the community, but not necessarily vice-versa; the interest of the community cannot dictate the interest of the individual since it is but “a fictitious body” only representing the “sum of the interests” of the individuals who compose that body. Hence, government is justified, in Bentham’s terms, to the extent that it functions in the interest of the individual and of the society which represents the collective interests of all the individuals who compose it. “The business of government,” Bentham says, “is to promote the happiness of the society . . .” (70).

While Bentham’s text may be regarded as representing an incipient stage of liberalism, the same ideas may be found in the more mature liberalism of John Stuart Mill. In his essay “On Liberty,” for example, Mill argues that the performance of governmental power ought to be regulated by the principle “that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (1991b, 14). Similarly, in “Considerations on Representative Government,” Mill suggests that the choice of the best form of government “for any given country” should be directed by the criterion: “what are the distinctive characteristics of the form of government best fitted to promote the interests of any given society” (1991a, 217). Whether the capacity of the state is thereby enhanced is simply not a primary consideration for Mill. Accordingly, for both Bentham and Mill liberalism operates as an ongoing critique of state power, or rather as a regulative mechanism which ensures the pastoralization of the state.
Thus, governmentality is a technology of bio-power which is essentially pastoral in its performance. The governmentalization of pastorship and the correlative pastoralization of the state have several far-reaching ramifications. In the first place, as has been already suggested, the pastoral performance of state bio-power is now legitimated, and consequently regulated, by the degree to which governmental action benefits society, which is to say the population in general and the individual in particular. The people don’t serve the state’s interest, as in the case of both juridical sovereignty and reason of state; rather, the state serves the people’s interest, or at least the state is thought to be functioning properly when it does so. Further, governmentality entails the generation of bio-knowledge, both knowledge of the population as a whole and knowledge of the individual as a part of that population. In order for the state to perform power in the interest of the population—to pastor the population—the state must know the population thoroughly and extensively. Hence, the massive increase in governmental bureaucracies designed to elicit knowledge of the population, its vital statistics, labor and business practices, consumption and investment habits, and more. Lastly, based upon such bio-knowledge, the state performs its pastoral power by mounting large-scale campaigns calculated to lead the population to “salvation”—understood as an ever-increasing cycle of health, wealth, and security—and to incite individuals to act, to live, in such a way as to improve their lives. In this regard, the use of the tax code to encourage home ownership, the manipulation of interest rates to spur both investment and consumption, the war on drugs, the crusade against tobacco, and the campaign against the spread of AIDS are but a few instances of the performance of state pastoral power operative at the level of both the individual and the population. Governmentality,
then, is the bio-power technology of subjectivation, pastoral in its performance, which is focused on the relation between state, society, and citizen, totalizing society, individualizing the citizen, and regulating the relation between the state, a totalized society, and the individualized citizen. As Foucault comments:

The main characteristic of our modern rationality in this perspective is neither the constitution of the state, the coldest of all cold monsters, nor the rise of bourgeois individualism. I won’t even say that it is a constant effort to integrate individuals into the political totality. I think that the main characteristic of our political rationality is the fact that this integration of the individuals in a community or in a totality results from a constant correlation between an increasing individualization and the reinforcement of this totality. (1988b, 161-62)

By way of conclusion, it seems appropriate, especially given the length of this chapter, to recapitulate the main points of my discussion and to abstract a more concise statement of the Foucauldian theory of bio-political culture I have elaborated thus far. As I discussed in Chapter One, political culture is the performative function of the power-knowledge relational matrix between state, society, and individual. Hence, the genealogy of Western political cultures, including that of the United States, must be understood in terms of a fundamental transformation in the practice of power—the modality of power, the object of power, the teleology of power, and the ethics of power—a transformation which must be understood as a shift from juridico-discursive power to bio-power, or, in other words, as the bio-politicization of political culture. Juridico-discursive power
operates as law of negation, through a cycle of prohibition, according to a logic of censorship, and in a uniform manner in all its applications. Bio-power, by contrast, is a power of affirmation performed by means of normalization, according to a cycle of production and a logic of confession, and through multiple and varying tactics and strategies. Juridico-discursive power is a power of death—negating, prohibiting, censoring, suppressing; whereas bio-power is a power of life—affirming, producing, inciting, proliferating.

As a consequence of the correlative problematizations of population and governmental practice, bio-power has emerged, since the seventeenth century, as the paradigmatic form of power in Western political cultures. The expansion of population during the seventeenth and eighteenth centuries, and the consequent problems which it posed in terms of health, wealth, and security, created a situation for which the territorial state of juridical sovereignty was ill-suited. The collapse of feudalism and the crisis of governmental rationality occasioned by the Reformation, and subsequently furthered by the Enlightenment, only served to exacerbate the problematic of population. The problem for governmental practice was no longer how to seize power and retain it, nor was it how the performance of governmental power ought to be legitimated through an appeal to divine or natural law. Rather, the problem posed to government by population was how to govern a nation so that the people would be healthy, productive, and prosperous and thereby to secure the strength and security of the state as a means to that end. Hence, the issue in modern Western bio-political cultures is no longer sovereign politics—how the sovereign state could best rule over its subjects—but rather, bio-politics—how the bio-political state could best administratively manage its population.
Further, the domain of power in modern bio-political cultures is no longer simply
territory, conceived as a composite of the land and the subjects who inhabit the land, but
rather population, understood as a complex of sexuality, the family, and public health,
each of which is instrumentalized and strategically articulated on one another in order to
maximize the administrative management of the population. In the domain of bio-power,
sexuality is structured as a matrix formed by the taming of the female body and hence
female sexuality, the training of childhood sexuality, the normalization of procreative
heterosexuality, and the abjection of all forms of non-procreative sexual desires and
behavior. The family, then, serves as the vehicle through which sexuality is articulated in
the domain of bio-power in order to regulate the sexuality of each and all. And public
health is deployed in the domain of bio-power as an agency of social control, thereby
policing both sexuality and the family in the interest of the collective welfare of the
population. Sexuality, the family, and public health thus operate as nodal points in the
field of power-knowledge relations which characterize bio-political cultures and which
are articulated through the performance of political cultural practices to administer the
bodies of individuals and to manage the body of society.

Finally, the performance of bio-power in modern bio-political cultures operates
through the complexly linked technologies of discipline—a technology of subjectivation
centered on the body of the individual subject—and governmentality—a technology of
subjectivation focused on the relations of state, society, and the citizen-subject.
Discipline, on the one hand, constitutes an individuated subject who may be characterized
as cellular—in that each individual is localized within a network of similarly individuated
subjects—organic—each individual is conditioned according to the natural properties of
the body—genetic—each individual is trained as an efficient mechanism—and combinatory—each individual is tactically related to every other individual to maximize the productivity of each and all. Further, discipline subjectivates individuals through the mechanisms of hierarchical observation and normalizing judgment, which are strategically articulated in terms of each other through the technique of the examination to subjectivate a unique individual who has been disciplined to desire, think, and behave as he or she was trained. Governmentality, on the other hand, regulates the activity of the state, the relation between the state and the citizen-subject, and the citizen-subject as an individual member of a totalized society. Through the technique of pastorship, the performance of state power is tactically regulated by, and legitimated through, the interest both of individualized citizen-subjects and the totalized society. Moreover, the performance of state bio-power produces a meticulous and extensive bio-knowledge of both localized individuals and the totalized collectivity of individuals. This bio-knowledge, in turn, engenders bio-political cultural practices, in the form of governmental campaigns, strategically designed to administratively manage the life—understood in the broadest sense of the term as everything ranging from the basic necessities of existence to the actualization of human potential—of both the individual and society. Modern Western political cultures, like that of the United States, are thus bio-political cultures through which the relations of bio-power and bio-knowledge perform, subjectivating individuals and governmentalizing state and society, in order to ensure the health, wealth, and security of each and all.

While the Foucauldian theory of bio-political culture I have developed in this chapter is, admittedly, fairly general, since it is not specific to a particular bio-political
culture, I intend to extend and to refine that theory in the remainder of the dissertation. In
the next chapter, I turn to Foucault’s theory of discourse and his methodology of
archaeology and to the political discourse circulating in American political culture from
the time the Continental Congress submitted the Constitution to the approval of the
American people on September 27, 1787, to the September 13, 1788, resolution adopted
by the Continental Congress declaring the Constitution ratified and thereby “founding”
the new American Republic.
NOTES

1 See also Foucault’s discussion in “Two Lectures” in which he remarks: “We must not forget that the re-vitalisation of Roman Law in the twelfth century was the major event around which, and on whose basis, the juridical edifice which had collapsed after the fall of the Roman Empire was reconstructed. This resurrection of Roman Law had in effect a technical and constitutive role to play in the establishment of the authoritarian, administrative, and, in the final analysis, absolute power of the monarchy” (1980d, 94).

2 While Foucault’s point of application in elucidating these properties in The Will to Know is sex, they should not be understood as having applicability only with regard to sexuality, but as aspects of juridico-discursive power in general. See, for example, Foucault’s discussion in “Powers and Strategies” (1980b, 139-141).

3 In “Two Lectures,” Foucault observes, “Modern society, then, from the nineteenth century up to our own day, has been characterised on the one hand, by a legislation, a discourse, an organisation based on public right, whose principle of articulation is the social body and delegative status of each citizen; and, on the other hand, by a closely linked grid of disciplinary coercions whose purpose is in fact to assure the cohesion of this same social body” (1980d, 106).

4 I discuss normalization more fully in my exploration of discipline as a bio-power technology of subjectivation. See pages 102-104.

5 In an interview conducted five months before his death, Foucault explained that the relational nature of power necessarily entails “the possibility of resistance, for if there were no possibility of resistance—of violent resistance, of escape, of ruse, of strategies that reverse the situation—there would be no relations of power” (1987, 12). Accordingly, bio-power does not preclude agency but rather produces agency.

6 The long form of the Census 2000, completed by roughly one in six Americans, is an excellent example of the production of bio-knowledge. Through this mechanism, the American state comes to know not only the individual’s name, age, gender, and race/ethnicity but also that person’s marital status, educational achievement, physical condition, employment, mode of transportation to and from work, income, and more. The bio-knowledge thereby gleaned from individual Americans is then statistically extrapolated to establish a comprehensive bio-knowledge of the population as a whole. (Bureau of the Census 2000 and Rosenbaum 2000)

7 I discuss confession as confession more fully as an element of the bio-power technology of governmentality. See pages 120-21.
Though he would never be considered a proponent of the psychological theories of Abraham H. Maslow, Foucault’s definition of life is remarkably consistent with Maslow’s classification of humans needs. Maslow proposed that human behavior was motivated by a hierarchy of needs which begins with physiological needs, ranges through needs for safety, for belongingness and love, and for esteem, and culminates in self-actualization needs (1954, 80-92).

In the discussion which follows, I rely on Foucault’s analysis of *The Prince* and *Miroir Politique*. As I’ve indicated, my purpose in this chapter is not to critique Foucault, but rather to systematize a Foucauldian theory of bio-political culture. Consequently, my purpose in this section of the chapter is not to call into question his interpretation of these texts. Nevertheless, my own reading of both texts leads me to concur with Foucault’s analysis. Also, when Foucault quotes from La Perrière’s text, I follow his wording. The version of *Miroir Politique* I read is a copy of an English translation published in 1598, titled *The Mirrour of Policie*. In the endnotes which follow, I include the passages from the English translation which correspond to Foucault’s quotes from the original French version. The page numbers cited for the English passages are those handwritten in the upper right corner of each two-page leaf by the original owner of this manuscript, Anthony Walkley. In addition, I have modernized the spelling of quotes from this text.

“Every Monarch, Emperor, King, Prince, Lord, Magistrate, Prelate, Judge, and such like may be called Governors” (La Perrière 1598, 26-27).

“Government, is a right disposition of such things as are committed to the charge of any man, to bring them to a meet end; as all the moral Philosophers and Divines have described it” (La Perrière 1598, 26).

The corresponding term in the English translation is “meet” (see note 11).

“There is necessarily required of every Governor of a kingdom or commonwealth, Wisdom, Patience, and Diligence . . .” (La Perrière 1598, 27).

“Every Governor in like manner ought to be endowed with patience, by the example even of the King of the Bees, who hath no sting, wherein Nature does mystically show, that Kings and Governors of commonwealths ought to use greater clemency than severity, and more equity than rigor, towards their subjects . . .” (La Perrière 1598, 27).

La Perrière states that a governor ought to be wise, “for like as a Pilot through his own folly may easily be [the] cause of shipwreck, so every Governor of a commonwealth or city, may by his indiscretion be the occasion of the overthrow of his subjects” (27). (Note: the insertion of “the” in this quote was handwritten in the original manuscript. I indicate this insertion according to the modern practice of using brackets.)
La Perrière explains the need for diligence thusly: “Besides, a Governor ought to be
diligent: and if a careful Housekeeper (who will deserve the name of a good Husband)
ought in his private family to be himself first up, and last in bed, how much more diligent
ought a Governor of a City to be, where there are many houses, & a King over his
kingdom, where there are many Cities?” (27).

I explore reason of state more fully in my discussion of the bio-power technology of
governmentality. See pages 116-17.

This is especially clear in La Perrière’s *Mirrour of Policie*, which appears to be a
consolidation of perhaps two texts by La Perrière. (This might help to explain why
Foucault describes *Miroir Politique* as “disappointingly thin in comparison with
Machiavell[‘s text]” (1991, 90), while *The Mirrour of Policie* is some 146 two-paged
leaves). The first section of *Mirrour of Policie*, paginated 1 to 56, is clearly an English
translation of *Miroir Politique*, but the next section, paginated 56 to 146, is a refutation of
Plato’s *Republic* and, to a lesser extent, Aristotle’s *Politics*. At the beginning of this
second section, La Perrière addresses the reader to explain that, since “the Platonicall
Commonwealth . . . did minister matter of sedition in regard of the community of goods,
wives, and children[,] we have hereinto inserted this which followeth” (1598, 56). In this
section of the text, the family is central to La Perrière’s refutation of Plato and Aristotle,
and his elucidation of the characteristics of a good commonwealth. Throughout this
discussion, the husband/father is always depicted as laboring for the good of his family
and his household, not himself. And the husband/father is to benefit the family both
synchronously, in the present, and diachronically, building on the heritage of the past
with a view to the posterity of the future.

See Porter 1986 for an incisive history of statistics.

In his essay on governmentality, Foucault observes that population is now both the
means and the end of governmental action: “In contrast to sovereignty, government has
as its purpose not the act of government itself, but the welfare of the population, the
improvement of its condition, the increase of its wealth, longevity, health, etc.: and the
means that the government uses to attain these ends are themselves immanent to the
population; it is the population itself on which government will act either directly through
large-scale campaigns, or indirectly through techniques that will make possible, without
the full awareness of the people, the stimulation of birth rates, the directing of the flow of
population into certain regions or activities, etc.” (1991, 100).

See CDC 2000 for one fairly recent example of this phenomenon. Here, the federal
Centers for Disease Control advocates “[h]igher alcohol prices and improved
enforcement of minimum legal drinking age requirements” not only as “strategies to
reduce alcohol consumption by youth” but also as a means “to reduce risky sexual
behavior and its adverse medical and social consequences.”
22 Of course, as Debra Moddelmog pointed out in a marginal note in an earlier draft of this chapter, Foucault’s argument is complicated in American political culture, where certain bodies have been encouraged to procreate while others are often regulated so as not to procreate. She mentions, in this regard, the sterilization of American Indian women in the twentieth century and the numerous immigration laws designed to prevent certain people from moving to the United States. I intend to address this “complication” as part of my discussion of the bio-political transformation of American political culture in Chapter Four, especially as it relates to the late-nineteenth and early-twentieth century controversy over “race perpetuation.”

23 I treat Foucault’s analysis of the police more fully in my discussion of the bio-power technology of governmentality. See pages 117-21.

24 See, for example, Foucault 1980d, 92-93; 1983, 216-219; and 1988a, 103-104.

25 Foucault cites the military hospital as an example of the functional use of analytical space. Faced with the task not only to control the spread of disease, but also to exercise “military control over deserters, fiscal control over commodities, administrative control” over both patients and treatments, the distribution of space in the military hospital gradually articulated “an administrative and political space. . . upon a therapeutic space.” As a result, discipline gave birth to a “medically useful space” which “tended to individualize bodies, diseases, symptoms, lives and deaths.” (1979, 144).

26 Daniel Defoe’s A Journal of the Plague Year (1992) offers an insightful literary portrayal of the impact of the plague on one city, London, in 1665, and of the disciplinary measures deployed to contain and control the plague. See also Brandwein (1992) for a Foucauldian analysis of Defoe’s text.

27 All quotations from the Bible in this section of Chapter Two are taken from the King James Version. I rely on this particular translation because, since its publication in England in 1611 and at least until the middle of the twentieth century, the King James Version has been widely regarded in Protestant, English-speaking Christendom, and especially in America, as the definitive translation of the Bible. It is noteworthy that the first Bible published in America was Robert Aitken’s edition of the King James Version published in 1782 with the approval and recommendation of the Continental Congress (First American Bible 1968).

28 Interestingly, sheep which have learned over generations to remain within unfenced boundaries are known as “hefted” sheep. Similarly, the exercise of pastoral power tends to produce “hefted” individuals who behave as they ought to behave; in this sense, the governmental technique of pastorship reinforces the effect of discipline.

29 Again, it is worth noting that, through the pastoral technique of mortification, the bipolar technologies of discipline and governmentality intersect at the level of the body.
“WE THE PEOPLE . . . DO ORDAIN AND ESTABLISH”:
DISCOURSE AND THE RATIFICATION OF THE U.S. CONSTITUTION, 1787-1788

On the morning of Monday, September 17, 1787, the forty-two remaining delegates to the Constitutional Convention met for the last time to conclude what Convention President George Washington later described in his diary as “the momentous work which had been executed” over the previous four months (Farrand 1966, 3: 81). After the newly engrossed Constitution was read, Benjamin Franklin, the venerable elder statesman of American politics, urged the delegates (in a speech read for him by fellow Pennsylvanian James Wilson) to put aside their differences by unanimously agreeing to and signing the document. He, too, had his reservations about certain aspects of the proposed Constitution. But after long experience “of being obliged by better information or fuller considerations, to change opinions even on important subjects, which [he] once thought right, but found to be otherwise,” he had learned “to doubt [his] own judgment, and to pay more respect to the judgment of others” (2: 642). And so he agreed to the Constitution “with all its faults, if they are such,” because he had come to believe that “a general Government” was essential for the survival of the nation and because he doubted that “any other Convention that we can obtain may be able to make a better Constitution”
(2: 642). Noting that much of “the strength & efficiency of any Government in procuring and securing happiness to the people” depends as much upon “the general opinion of the goodness of the Government” as it does upon that of “the wisdom and integrity of its Governors,” Franklin beseeched the delegates to act “heartily and unanimously” to recommend the Constitution now, and in the future to work for its sound administration (2: 643). “On the whole, Sir,” he concluded, “I cannot help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility—and to make manifest our unanimity, put his name to this instrument” (2: 643).

Franklin’s remarks were clearly aimed at those delegates who, like himself, were inclined to sign despite their reservations, but even more so at those whose continued opposition to the Constitution had surfaced once again during the protracted session two days before at which the language of the document was finalized—men like Edmund Randolph and George Mason of Virginia, and Elbridge Gerry of Massachusetts. To win over such opponents, Franklin proposed language suggested to him by Gouverneur Morris of Pennsylvania which would allow dissenters to sign as witnesses to the unanimous consent of the states, thereby enabling them to oppose the Constitution but to support the decision of the Convention to “recommend” the Constitution to the Continental Congress. Nevertheless, Franklin’s plan won over few holdouts. James McHenry of Maryland, for example, found the speech “plain, insinuating persuasive,” and in the end signed despite his reservations (Farrand 1966, 2: 649). But Randolph, Mason, and Gerry refused to sign. Presenting the American people with the alternative “of accepting or rejecting [the Constitution] in toto,” Randolph warned, would likely
result in “anarchy & civil convulsions” (2: 646). Gerry agreed, expressing “fears that a
Civil war may result from the present crisis of the U.S.” (2: 646-647). In the end,
however, Franklin’s motion carried and the Convention, voting by states, unanimously
consented to submit the Constitution to the Continental Congress and to recommend its
ratification. As the delegates, sans the three dissenters, rose to sign, Franklin pointed to
the sun painted on the back of President Washington’s chair and commented, “I have . . .
often and often in the course of the Session, and the vicissitudes of my hopes and fears as
to this issue, looked at that behind the President without being able to tell whether it was
rising or setting: But now at length I have the happiness to know that it is a rising and not
a setting Sun” (2: 648).

In effect, most narratives of the production of American political culture orbit
about Franklin’s rising sun. Some analyses, concerned as they are with unearthing the
obscure origins of American political culture and with consecrating the continuity of
American politics, trace the roots of American political culture back through the dark
mists of colonial America’s European legacy and forward to the dawn of a uniquely
American political order, an order consummated in the text of the Constitution. And so
out of the long night of colonization, revolution, and confederacy rises the sun of the
Constitution in all its radiant glory. The widely, and justly, celebrated works of Bernard
Bailyn (1970, 1992), Gordon Wood (1969), and Forrest McDonald (1958, 1985), all
work according to this teleological analytic.¹ For all three, the Constitution represents the
apex of more than a century of continuously evolving political thought. While such
approaches do not ignore discontinuity, they nevertheless privilege the continuity of the
production of American political culture. For them, the Constitution is the telos in which all prior political thought, in all its continuity and discontinuity, finds its fulfillment, and the Constitutional Convention is the meridian of its resplendent consummation.

For yet others, however, Franklin’s rising sun represents not an end but a beginning, the dawning not just of a new day but of a new age. Such narratives treat the Constitutional Convention as the transcendent origin of modern American political culture and, consequently, seek to ascertain the originary intent of a collective political consciousness known as “the Founding Fathers.” Though the school of original intent has a long history in the annals of Constitutional hermeneutics, few have articulated the scheme more clearly, and more controversially, than Reagan administration Attorney General Edwin Meese, III, in a 1985 address to the Federalist Society in Washington, D.C. “The period surrounding the creation of the Constitution is not a dark and mythical realm,” Meese claimed, nor is the Constitution “buried in the mists of time.” To the contrary, “We know a tremendous amount of the history of its genesis . . . . We know how the Founding Fathers lived, and much of what they read, thought, and believed” (1986, 36-37). Accordingly, Meese proposed “a jurisprudence of original intention” in which the “text and intention of the Constitution must be understood to constitute the banks within which constitutional interpretation must flow” (38). For this school, therefore, the blazing sun of the Constitution is the guiding star for all subsequent political thought, and the Founding Fathers of the Constitutional Convention are those who, Apollo-like in their divinity, convey the rising sun to its apogee where it enlightens all augurs adept at deciphering their “intent.”
Both approaches, despite their different emphases, share a number of salient features. In the first place, both tend to privilege the discourse of the Constitutional Convention and relegate the discourse of the ratification period to the status of a mere sequel in which the conflicts and themes of the Convention are played out on a larger scale. Thus, ratification is seen, at worse, as but a rubber-stamping of the work of the Convention or, at best, as an affirmation of the Convention’s glorious act of creation. In either case, ratification all too often becomes a mere “Amen” to the Convention’s “Let there be.” But what both these approaches to the production of American political culture fail to recognize sufficiently is that, without ratification, the Constitution was a dead letter, politically impotent, discursively infelicitous. It was the ratification by the American people, through their delegates to the state ratifying conventions, who breathed life into the inanimate frame of the Convention’s Constitution. And so the critique of the production of American political culture, if it privileges anything, ought to focus on the ratification discourse that brought the Constitution to life, thereby initiating a new political order in the United States.

Further, such approaches conveniently ignore the significance of the fact that the Convention conducted its work behind closed doors, under a covenant of secrecy which extended long past the Convention’s end. Indeed, the last act of the delegates was to seal the records of the Convention and to commend them to George Washington’s safe-keeping until such time as the new government should decide to open those records. For decades after the ratification of the Constitution, consequently, the deliberations of the Convention remained shrouded behind a veil of silence. All that was made available to the public in September 1787 was the text of the Constitution itself, the resolution of the
Convention recommending the Constitution to the Continental Congress, and
Washington’s letter of transmittal to Congress. So the public knew little of the work of
the Convention. But the American people themselves produced an immense corpus of
political discourse in the year following the Convention. In fact, from the time the
Continental Congress submitted the Constitution to the approval of the people of the
thirteen states on September 27, 1787, to the September 13, 1788, resolution adopted by
Congress declaring the Constitution ratified, political discourse proliferated in America
with an intensity rivaled only by the years leading up to the Revolution of 1776. The
Documentary History of the Ratification of the Constitution, widely acknowledged as a
definitive scholarly source for ratification discourse, evidences this proliferation,
spanning as it does more than 7500 pages. So again, to privilege the discourse of the
Convention is to place a premium on discourse that had been censored at the time of the
ratification and to discount the discourse that actually circulated and through which
American political culture was produced.

Essentially, both approaches, however insightful such analyses may prove to be,
fail to treat ratification discourse as an event, in the immediacy of its occurrence. As
Michel Foucault remarks in The Archaeology of Knowledge, discourse ought to be
“treated as and when it occurs . . . in that punctuality in which it appears, and in that
temporal dispersion that enables it to be repeated, known, forgotten, transformed, utterly
erased, and hidden” (1972, 25). And because these approaches tend not to analyze
discourse as event, they also all too often privilege the continuity of American political
culture, from its seemingly immaculate conception as scattered colonies in the 17th
century to its apotheosis as the supreme world power in the 21st century. Indeed, when
placed in tandem, the two approaches produce a view of the production of American political culture as a seamless web of signification and as a coming-to-consciousness of a new breed of human—Homo Americanus. As a result, both approaches are frequently marked by that “mass of notions” which, Foucault claims, “diversifies the theme of continuity” (21). Both, for example, are marked by the notion of “tradition,” which establishes a diachronic unity of discourse in order “to isolate the new against a background of permanence, and to transfer its merit to originality, to genius, to the decisions proper to individuals” (21). Both also are marked by the notion of “spirit,” which establishes a synchronic unity of discourse and thereby “allows the sovereignty of collective consciousness to emerge as the principle of unity and explanation” (22).

Further, both approaches evidence the desire for “a secret origin . . . that is never itself present in any history” and from which “all beginnings can never be more than recommencements or occultation” (25). And both mystify discourse with “a ‘not-said’, an incorporeal discourse, a voice as silent as breath, a writing that is merely the hollow of its own mark” (25). Consequently, not only should the critique of the production of American political culture analyze ratification discourse as a field of discursive events, it must also focus on ratification discourse as the discourse which produced that political culture.

For Foucault, such a “pure description of discursive events” would be an archaeological inquiry attending to “the totality of all effective statements (whether spoken or written), in their dispersion as events and in the occurrence that is proper to them,” and asking of that field the question, “how is it that one particular statement appeared rather than another?” (1972, 27 italics in original). This archaeology would
analyze the field of discourse in order to “grasp the statement in the exact specificity of its occurrence; [to] determine its conditions of existence, [to] fix at least its limits, [to] establish its correlations with other statements that may be connected with it, and [to] show what other forms of statement it excludes” (28). And the aim of such an inquiry, he explains, would be to open up “the unities that form within” that discursive formation, rather than to impose upon it a predetermined form of unity, *a posteriori* (27). These unities, which Foucault later in the *Archaeology* terms the positivity of a discourse, are thus autochthonous to the field of discourse and they constitute the historical *a priori* of a discursive formation—“the group of rules that characterize a discursive practice” and establish “the conditions of emergence for statements, the law of their coexistence with others, the specific form of their mode of being, the principles according to which they survive, become transformed, and disappear” (127). The historical *a priori* does not locate the continuity of a discursive positivity in the progress of an atemporal consciousness, nor does it fix the ahistorical source of that positivity; rather, the historical *a priori*, immanent as it is to the field of discourse, is “the system of a temporal dispersion” and is itself “transformable” (127). The historical *a priori* thus characterizes the transhistorical unity of a discursive formation, without reference to a sovereign subject or a transcendent origin.

So then, the archaeological investigation of the production of American political culture would not seek to analyze ratification discourse as the working out of earlier political thought by, for example, explaining the Constitution as the fulfillment, or the repudiation, of ideas promulgated by the discourse of the Declaration of Independence or that of Whig political theory. Nor would this archaeology examine ratification discourse
in terms of subsequent developments in American political culture like, for instance, the conflict between the Federalists and the anti-Federalists which dominated American politics in the 1790s (indeed, some opponents of the ratification of the Constitution declared their fealty to federalism and attacked the Constitution as an anti-federal document).\(^5\) Nor would this archaeology privilege certain texts venerated by later historians and political theorists, such as the *Federalist*, to the detriment of other texts that circulated far more widely in American society during the ratification period, like James Wilson’s October 6, 1787, speech defending the Constitution or Elbridge Gerry’s November 3\(^{rd}\) letter in dissent. To the contrary, the archaeology of American political culture would attend to the totality of statements dispersed within the field of ratification discourse according to the degree to which those statements proved to be effective in their occurrence as events in the time and space they circulated.\(^6\) It would seek to describe those statements in the specificity of their occurrence, to ascertain their limits, and to understand why each appeared, to the exclusion of what others. It would examine each statement in terms of its relations—whether of agreement, concurrence, contradiction, or some other relation—with other statements circulating in the same field of discourse. And it would work to bring out those unities that are autochthonous to that field of discourse and thereby to establish the historical *a priori* of American political culture. The archaeology of American political culture would, in short, analyze ratification discourse as a discursive formation in order to elucidate the system of rules that determines its conditions of existence and regulates its practice.

At the time he wrote the *Archaeology*, of course, Foucault had restricted his analyses to those discursive formations practiced within the disciplines of the so-called
“sciences of man.” But in the closing pages of the *Archaeology*, Foucault speculates about archaeologies of a different sort. Chief among these alternative archaeologies, at least for my purposes in this dissertation, is an archaeology of political knowledge which “would try to show whether the political behaviour of a society, a group, or a class is not shot through with a particular, describable discursive practice” (1972, 194). The purpose of such an archaeology, he notes, would not be to elucidate the political theories of that society in order to expose the episteme of the period; nor would it be to determine the moment at which a certain type of political consciousness coalesces; nor would it be to trace the origins of that system of knowledge. To the contrary, Foucault explains, the archaeology of political knowledge “would try to explain the formation of a discursive practice and a body of [political] knowledge that are expressed in behavior and strategies, which give rise to a theory of society, and which operate the interference and mutual transformation of that behavior and strategies” (195).

Foucault’s language here is important, so I want to explicate his argument carefully at this point, for it anticipates a theory of political culture *qua* discursive formation that I will develop more fully in this chapter. The archaeology of political knowledge, first, analyzes political discourse as a discursive practice that produces political knowledge. As Foucault comments, “[T]here is no knowledge without a particular discursive practice; and any discursive practice may be defined by the knowledge that it forms” (1972, 183). Political knowledge, in other words, is formed and characterized by the discursive practice that produces it. Further, archaeology elucidates the production of this knowledge by describing the rules of formation which regulate that discursive practice. More specifically, as I will discuss in further detail later in the
chapter, this entails analyzing “the element in politics that can become an object of
enunciation, the forms that this enunciation may take, the concepts that are employed in
it, and the strategic choices that are made in it” (194). Second, this discursive practice
and the knowledge produced by it constitutes political culture as a discursive formation.
Consider the three relative clauses Foucault uses to modify “a discursive practice and a
body of [political] knowledge”: (1) “that are expressed in behavior and strategies,” (2)
“which give rise to a theory of society,” (3) “and which operate the interference and
mutual transformation of that behavior and strategies” (195). To be sure, this discursive
practice gives rise to a system of knowledge that Foucault here terms “a theory of
society.” But this discursive practice and the “theory of society” it produces is not
passive, abstract, or merely theoretical; to the contrary, it is active, concrete, and material.
It is a performative discursive practice that is “expressed,” that “operates.” It produces
political action—“behavior and strategies”—and performs not only the formation of that
action but also its transformation. In other words, political culture qua discursive
formation both produces and regulates the performance of political action.

Political culture is, as I suggested in Chapter One, the performative function of
the power-knowledge relations between state, society, and individual, and the knowledge
that is articulated in those relations is the product of a discursive practice. Consequently,
political culture, I argue, ought to be analyzed, through an archaeological inquiry, as a
discursive formation of performative statements, that is, as an autopoietic system—an
autonomous, self-producing, self-regulating system—of discursive performatives. Accordingly, in this chapter I will reconstruct Foucault’s theory of discourse as
delineated in the *Archaeology* in light of speech act theory and autopoietic systems
theory. I will argue that, despite Foucault’s claim in the *Archaeology* that statements are not speech acts, the statement, as the enunciative function of discourse, is nevertheless performative, and that a discursive formation, as a dispersion of such statements, is therefore performative in its operation. Further, I will argue that, as a regularity of performative statements, a discursive formation is produced as an autopoietic system through rules of formation that are autochthonous to that system and that govern its performative operation. Hence, political culture *qua* discursive formation is both performative and autopoietic. In addition, I will deploy this analytic in an archaeological investigation of the production of American political culture during the ratification period (1787-1788) in order to elucidate the historical *a priori* of American political culture. This analysis will show that the political culture of the “new” American Republic was a nascent bio-political culture and that the modern American state was first “ordain[ed] and establish[ed]” as an incipient bio-political state.

**Performativity and the Historical *a priori* of American Political Culture**

The analysis of political culture as a performative and autopoietic discursive formation, entails the task of establishing, at the outset, the identity of such a discursive formation. What is meant by the term *discursive formation*? In what sense is a discursive formation also a discursive practice? What does it mean for a discursive practice to be performative? to be autopoietic? And what, for that matter, does the term *discourse* itself mean? At the heart of all these questions lies the identity of the statement, for discursive formations are uniquely characterized as a systematic dispersion of statements. Indeed, Foucault’s initial heuristic definition of a discursive formation is expressed in just these terms:
Whenever one can describe, between a number of statements, such a system of dispersion, whenever, between objects, types of statement, concepts, or thematic choices, one can define a regularity (an order, correlations, positions and functionings, transformations), we will say, for the sake of convenience, that we are dealing with a *discursive formation*. (1972, 38)

What, then, is a statement? Foucault clearly does not intend merely the standard meaning of the French word *énoncé*, “utterance,” a term that embraces both the form and the content of what is uttered, nor does he have in mind the typical dictionary definition of the English word *statement*, “a formal embodiment in language of facts or opinions.” And Foucault’s preliminary structural definition of the statement as an atomic unit of discourse—“an ultimate, undecomposable element that can be isolated and introduced into a set of relations with other elements”—proves to be less than helpful, since this only begs the question of what that unit consists (1972, 80). Foucault rejects the assertion that a statement is a proposition. “No one heard” and “It is true that no one heard,” he points out, are one and the same proposition, logically, but are two different statements. Likewise, he discards the equivalence of sentences and statements, for while a sentence may be considered a statement, there are statements that cannot be considered, grammatically, to be sentences. For example, the columnar arrangement of the conjugation of a verb is a statement but not a sentence; and the same is true of charts, graphs, tables, and so on. Further, Foucault declaims the correspondence between statements and speech acts, even though both may be considered ways of doing things
with words (à la J.L. Austin). Complex statements, he suggests, may be decomposed into a number of simpler statements without those component statements losing their status as autonomous statements, whereas a speech act may not have other speech acts as its constituent elements. Thus, Foucault claims in the *Archaeology*, statements and speech acts do not stand in a “bi-univocal relation” with each other.

Yet a decade after the *Archaeology* was published, Foucault retracted his analysis in this regard after an exchange with the American speech act theorist John R. Searle. According to Hubert L. Dreyfus and Paul Rabinow, who report this exchange in *Michel Foucault: Beyond Structuralism and Hermeneutics*, Searle had argued to Foucault that the performance of one speech act may involve the performance of another. Indeed, as J.L. Austin himself originally noted, the performative speech act, “I bet that he did not do it,” includes the constative speech act, “He did not do it” (1975, 134-135). So the distinction Foucault made in the *Archaeology* does not hold, and therefore the statement and the speech act do have a reciprocal relationship. Foucault conceded as much in his reply to Searle: “As to the analysis of speech acts, I am in complete agreement with your remarks. I was wrong in saying that statements were not speech acts, but in doing so I wanted to underline the fact that I saw them under a different angle than yours” (Dreyfus and Rabinow 1983, 46 n. 1). Yet Foucault’s response itself raises questions. In what sense does Foucault see the relationship between statements and speech acts “under a different angle than” Searle? How are statements and speech acts the same yet different?

Dreyfus and Rabinow suggest that the distinction lies in the nature of the speech acts at issue. Austin and Searle, they note, are concerned with “everyday” and “ordinary” speech acts like “The cat is on the mat” or “Please shut the door” (1983, 47). But
Foucault, they say, is interested in “serious speech acts,” those that gain “autonomy by passing some sort of institutional test” (1983, 48). But this distinction does not bear scrutiny. Gary Gutting, for example, points out that “Foucault explicitly says that archaeology is concerned with the *savoir* underlying ‘les opinions de tous les jours’ (everyday opinions)” (1989, 241 n. 10). Further, Austin does view the speech acts he investigates as being serious, for he rejects speech acts performed “by an actor on the stage, or . . . introduced in a poem, or spoken in soliloquy” as being “parasitic” and “etiolations of language” precisely because they are not used “seriously” (1975, 22). Indeed, Austin holds that seriousness is essential for the felicitous performance of a speech act, even though “performative utterances, felicitous or not, are to be understood as issued in ordinary circumstances” (1975, 22). So while Dreyfus and Rabinow are correct that the statement is conditioned by institutional verification, to distinguish between the Foucauldian statement and the Austinian speech act on the basis of seriousness is not to make a valid distinction according to the usage of the terms by Foucault, Austin, and Searle.

So, again, in what sense is a statement different from yet similar to a speech act? from what “different angle” does Foucault view this relation? A key to understanding Foucault’s distinction may be found in the two other references to speech act theory in the *Archaeology*. When Foucault “fix[es] the vocabulary” halfway through the text, he defines the terms *linguistic performance* as “any group of signs produced on the basis of a natural (or artificial) language” and *formulation* as “the individual (or possibly collective) act that reveals, on any material and according to a particular form, that group of signs” (1972, 107). A statement, by contrast, is “the modality of existence proper to
that group of signs,” a modality that functions not so much by imparting meaning to a 
linguistic performance but rather by enabling the act of formulation to “reveal” that 
performance (107). Significantly, he relates a formulation to a speech act by observing 
that “the formulation is an event that can always be located by its spatio-temporal 
coordinates, which can always be related to an author, and which may constitute in itself 
a specific act (a ‘performative’ act, as the British analysts call it)” (107). Hence, a 
formulation is a performative speech act in Austin’s sense (having an author and 
conditioned by its context and reception). Later, Foucault makes a distinction between 
linking linguistic performances at the level of the statement and linking them at the 
sentence level by grammatical links, the proposition level by logical links, or “the 
*formulation* level by psychological links (either the identity of the forms of 
consciousness, the constancy of the mentalities, or the repetition of a project)” (115). So 
a statement, while not strictly an Austinian performative speech act, is nevertheless 
performative. And these comments suggest that for Foucault the distinction between 
statement and speech act has more to do with the conditions of a performative act—the 
relations between performance, subject, and context—than it does with seriousness.

For both Austin and Searle, the performative speech act is conditioned by its 
performer, its context, and its auditors. Austin, for example, stipulates the “necessary 
conditions” for a felicitous performative as “an accepted conventional procedure having 
a conventional effect” performed by “the particular persons and circumstances . . . 
appropriate for the invocation of the particular procedure invoked” (1975, 14-15). 
Further, the procedure for the performative “must be executed by all participants both 
correctly and . . . completely,” and those participants must have the correct thought,
feelings, and intentions and “must actually so conduct themselves subsequently” (1975, 15). Similarly, for Searle, the performative speech act is an act of communication conditioned by the speaker’s and hearers’ mastery of “the set of rules we call rules of language,” which enables the hearers to recognize “the intentions of the speakers in the performances of the speech acts” (1977, 208). For Foucault, by contrast, the statement is not conditioned by the intentions of either speaker or hearer, nor by the context. No doubt, Foucault’s critique of the speech act would be similar to that of Jacques Derrida: “Through the values of ‘conventional procedure,’ ‘correctness,’ and ‘completeness,’ which occur in [Austin’s] definition, we necessarily find once more those of an exhaustively definable context, of a free consciousness present to the totality of the operation, and of absolutely meaningful speech . . . master of itself” (1988, 15).10 Moreover, for Foucault, the statement is not, as speech acts are for Austin and Searle, an act of communication, the transmission of meaning through language. Indeed, Foucault insists early on in the *Archaeology* that “a statement is always an event that neither the language (*langue*) nor the meaning can quite exhaust” (1972, 28). So the statement is like a speech act only in the sense that it is performative, that, as Austin originally defined the term *performative*, “the issuing of the utterance is the performing of an action” (1975, 6). Or, as Derrida says of the Austinian performative, the statement “produces or transforms a situation, it effects” (1988, 13). Thus, Foucault views the correspondence between statement and speech act very much from “a different angle” than Searle. Like a speech act, the statement is performative; but unlike a speech act, the
statement is a non-subjective performative event, not conditioned so much by the context of speaker and audience but by the domain of enunciation and the rules of formation that regulate a discursive practice.

The statement, therefore, is not a unit, nor is it a structural element. Rather, the statement is a performative function; it is, to use Foucault’s term, the enunciative function of discourse. The statement, he says, “is a function of existence that properly belongs to signs and on the basis of which one may then decide, through analysis or intuition, whether or not they ‘make sense,’ according to what rule they follow one another or are juxtaposed, of what they are a sign, and what sort of act is carried out by their formulation” (1972, 86-87). Like a mathematical function (such as f(y)=x²) through which any given value of x will yield a specific value for y, thereby constituting the slope of a line in space, the statement is a function of enunciation that may be put into operation in a group of signs to yield a regularized effect.11 In other words, what a group of signs states is stated because the statement is a “special mode of existence . . . which enables such groups of signs to exist”; and if that group of signs has any regularity, it is because the statement “enables these rules or forms to become manifest” (Foucault 1972, 88). Or again, to use Austin’s terms, the act accomplished by a speech act—whether locutionary, illocutionary, or perlocutionary—is performed through the function of the statement. So if a speech act “has a meaning,” if it exerts “a certain force in saying something,” or if it achieves “certain effects by saying something,” it does so due to the performative functionality of the statement (Austin 1975, 121). In effect, then, the statement is discursive performativity.
How that performativity functions and what the performance of that function produces is regulated at the level of the discursive formation, which may be said to be simply a systematic dispersion of statements but which is, more definitively, “the general enunciative system that governs a group of verbal performances” (Foucault 1972, 116). Further, a discursive formation may be considered a discursive practice because “it is a body of anonymous, historical rules, always determined in the time and space that have defined a given period, and for a given social, economic, geographical, or linguistic era, the conditions of operation of the enunciative function” of the statement (117). So a discursive formation as a system of statements is a discursive practice because it constitutes a set of rules that regulates the practice of the performativity of statements through enunciative events in a given time and space. Discursive formations are, therefore, always performative; consequently, a discursive formation is to be understood as the regular, practiced performativity of discourse. And what then is discourse—whether political, scientific, medical, literary, and so on—but “a group of statements in so far as they belong to the same discursive formation” (117). Hence, discourse, too, is performative because what constitutes a given discourse is the regularized performance of statements through enunciative events. Accordingly, discourse exerts a force through the function of the statement that may be said to be, in the Austinian sense, illocutionary: “performance of an act in saying something as opposed to performance of an act of saying something” (Austin 1975, 99-100). Discourse doesn’t just say something, it also does something; discourse performs.

So the analysis of discourse as a field of discursive events (for example, ratification discourse) concerns not so much the meaning of discourse—its form and
content, as it were—but rather the performative productivity of a discursive practice—its operation. And thus any given discursive event is not to be analyzed according to the true/false binary but, again following Austin, that of felicitous/infelicitous. Or, in Foucauldian terms, the existence of a discursive event is to be analyzed according to the performative effectivity of its practice, that is, what a discursive practice produces and how this production performatively operates. This, of course, implies that a discursive practice may fail to perform, that the performativity of the statement may prove to be infelicitous, ineffective, nonproductive. And this suggests, as well, that discursive formations comprise not only “the totality of all effective statements” but also the “distribution of gaps, voids, absences, limits, divisions” within that totality, ruptures that enable change and transformation to occur within discursive formations (Foucault 1972, 27 and 119).\(^\text{12}\)

Unlike a speech act, however, which is conditioned by the performer, the context, and the audience of the performance of the act, the performativity of the statement, as the enunciative function of discourse, is conditioned by its historical \textit{a priori}: an enunciative system—composed of a referential, an enunciative modality, an enunciative network, and a strategic materiality—regulating the formation and transformation of objects, subjects, concepts, and strategies (I will explain these terms in substantial detail in the pages that follow).\(^\text{13}\) In other words, statements performatively produce the objects, subjects, concepts, and strategies of a discursive formation, and that performative productivity is regulated by the referential, enunciative modality, enunciative network, and strategic materiality of that discursive formation. If, then, discursive performativity (i.e., the statement) is to be analyzed in terms of the enunciative system conditioning that
performativity, it is essential to examine, in some detail, each of the components of the enunciative system and the operation of that system in the field of ratification discourse. For it is only by conducting such an investigation that one is able to describe the historical *a priori* of American political culture *qua* discursive formation.\textsuperscript{14}

*Referential and Objects*

The performativity of the statement is conditioned by its referential—the group of rules that governs the production and differentiation of the objects of discourse. According to Foucault, the referential is not analogous to the relation between signifier and signified, nor to that between a name and that which the name designates, nor to that between the sentence and its meaning or the proposition and its referent. Instead, the referential of a statement comprises those rules for the formation of objects that form and transform the objects of discourse such that discourse can speak meaningfully and, in a sense, truly about those objects. The referential, Foucault explains, consists of “rules of existence for the objects that are named, designated, or described within [discourse], and for the relations that are affirmed or denied in it” (1972, 91). The objects of discourse are thus constituted through the referential of the statement “by relating them to the body of rules that enable them to form as objects of a discourse and thus constitute the conditions of their historical appearance” (48). This regulative system governs the discursive relations established between surfaces of emergence—“fields of initial differentiation” where discourse “finds a way of limiting its domain, of defining what it is talking about, of giving it the status of an object” (41)—authorities of delimitation—institutional authorities in society according to which the objects of discourse are “delimited, designated, named, and established” (42)—and grids of specification—“the systems
according to which the different [objects of discourse] are divided, contrasted, related, regrouped, classified, derived from one another” (42). Through the referential, accordingly, a statement performatively operates at the enunciative level of discourse to constitute the objects of discourse; or, in other words, the performativity of the statement makes it possible for discourse not merely to speak about certain objects but also to produce the objects of which it speaks. Thus, a statement is performatively effective to the extent that its referential (1) effectuates the production and differentiation of objects and of the discursive relations determining the formation of objects and (2) enables that discursive practice to be found meaningful and to be valued as true, that is, to be taken seriously.

So what, then, is the referential of ratification discourse? If one examines, as a first approach to this problem, the objects of discourse circulating in the field of ratification discourse, one is impressed by both the proliferation and the rarefaction of those objects. On the one hand, the most obvious object of ratification discourse was the proposed Constitution itself and whether or not it should be ratified. But this resulted in a proliferation of other objects taking the form of disputes over specific provisions in the text of the Constitution, quarrels over whether or not the Constitutional Convention exceeded its mandate from the Continental Congress, disagreements about the effects and ramifications of ratifying or not ratifying, debates over the fundamental principles of politics and governmental practice, squabbles about the motives and interests of those who supported and those who opposed ratification, and much, much more. And yet, on the other hand, this proliferation of objects of discourse was rarefied to yield a fairly limited set of objects. For example, the writings of anti-ratificationists like Brutus,
Centinel, Elbridge Gerry, Federal Farmer, and George Mason demonstrate remarkably similar reservations about the Constitution: that it undermines the sovereignty of the states, abolishes trial by jury, permits standing armies in times of peace, allows direct taxation of individual citizens, fails to secure full, fair, and equal representation, mixes the legislative, judicial, and executive powers in the Senate, lacks a bill of rights, and so on. Pro-ratificationists like A Citizen of America, Landholder, Publius, and James Wilson defend the Constitution by addressing the same series of concerns. Similarly, The Ratifications of the New Fœderal Constituti on Together with the Amendments Proposed by the Several States, published in early September 1788, exhibits considerable consistency both in terms of the principles of governmental practice animating each state’s ratifying convention and the amendments proposed to remedy alleged defects in the Constitution (Bailyn 1993, 2:536-74). Consequently, the question, “What is the referential of ratification discourse?” must be addressed by determining how ratification discourse effectuated the production and differentiation of the objects of that discourse such that only a fairly limited set of those objects were taken seriously.

Again, this requires an examination of the discursive relations “between the surfaces on which [the objects of ratification discourse] appear, on which they can be delimited, on which they can be analysed and specified,” and by which ratification discourse itself was able to rarefy the proliferation of discursive objects (Foucault 1972, 47). As I’ve suggested, the text of the proposed Constitution operated in the field of ratification discourse as a rule of rarefaction. Both pro-ratificationists and anti-ratificationists made constant reference to the Constitution; only those objects offered to discourse by the text of the Constitution could be taken seriously by that discourse. In
some cases, this involved specific provisions in the text. For example, the necessary and proper clause of Article I, Section 8—“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”—served as a surface on which a series of discursive objects emerged, including the powers of taxation, the supremacy of federal sovereignty over state sovereignty, and the potential use of standing armies to enforce federal laws. In other cases, however, the absence of specific provisions operated to form and transform the objects of ratification discourse. Most notably, the absence of a bill of rights occasioned considerable discourse concerning the role of a free press, the sanctity of religious liberty, the privacy of individuals, freedom of assembly, trial by jury, habeas corpus, and more. Consequently, the text of the Constitution served as both a surface of emergence, an authority of delimitation, and a grid of specification.

But the Constitution was only the most conspicuous element of the referential of ratification discourse. Less obvious was the body of the people—the “We the People” of the Constitution’s Preamble—which served as a surface on which objects emerged, were delimited, and were specified. Consider where the objects of ratification discourse emerged: the domain of the print media (where the people debated ratification in newspapers, pamphlets, and broadsides) and the domain of the state ratifying conventions (where the people, through their elected delegates, deliberated and ultimately ratified the Constitution). By subjecting the Constitution to ratification by the people, not the states, the Continental Congress, in effect, established the American people as an element of the referential of ratification discourse governing the production and differentiation of
discursive objects. “We the People” thus operated as a field of “initial differentiation” in which ratification discourse found “a way of limiting its domain, of defining what it [was] talking about, of giving it the status of an object” (Foucault 1972, 41); it performed as an authority of delimitation whereby the objects of ratification discourse were “delimited, designated, named, and established” (42); and it functioned as a grid of specification “according to which the different [objects of discourse were] divided, contrasted, related, regrouped, classified, derived from one another” (42).

The two examples I cited above—the presence of the necessary and proper clause and the absence of a bill of rights—are both indicative of the extent to which the people constituted an element of the referential of ratification discourse. The necessary and proper clause was attacked and defended based upon the impact such a grant of power would have upon the people. For instance, Brutus criticized this clause—together with the language of Article VI establishing the Constitution, “the Laws of the United States,” and “all Treaties made . . . under the Authority of the United States” as “the supreme Law of the Land”—because it would create a virtually omnipotent national government, vested with unlimited power to control all aspects of life:

“The powers of the general legislature extend to every case that is of the least importance—there is nothing valuable to human nature, nothing dear to freemen, but what is within its power. It has authority to make laws which will affect the lives, the liberty, and property of every man in the United States; nor can the constitution of any state, in any way prevent or impede the full and complete execution of every power given.” (1985, 110)
By contrast, Landholder defended this open-ended grant of power as being essential to a government created by the people for the people: “It would not be difficult to shew that every power given to the legislature is necessary for national defense and justice, and to protect the rights of the people who create this authority for their own advantage . . . . A people cannot long retain their freedom, whose government is incapable of protecting them” (Bailyn 1993, 1:240-41). For both pro-ratificationists and anti-ratificationists, therefore, the necessary and proper clause became an object for discourse not only by its presence in the Constitution but also with reference to “We the People.”

Similarly, the absence of a bill of rights was supported and opposed in terms of the people. James Wilson, on the one hand, argued that when the people established state constitutions, they did so on the principle that “every thing which is not reserved is given”; but when, through their ratification of the U.S. Constitution, the people delegate power to the federal government, they do so based on the maxim that “every thing which is not given is reserved.” Accordingly, a bill of rights was simply not necessary: “it would have been superfluous and absurd to have stipulated with a fœderal body of our own creation, that we should enjoy those privileges, of which we are not divested either by the intention or the act, that has brought that body into existence” (Bailyn 1993, 1:64). Publius took Wilson’s argument one step further by warning that a bill of rights would “not only [be] unnecessary in the proposed Constitution but would even be dangerous,” since it “would contain various exceptions to powers which are not granted; and, on this very account, would afford a colorable pretext to claim more than were granted” (1987, 476). On the other hand, however, Federal Farmer rejected Wilson’s formula as “a mere matter of opinion.” Contra Wilson, Farmer contended, “the general presumption being,
that men who govern, will, in doubtful cases, construe laws and constitutions most favourably for encreasing their own powers[,] all wise and prudent people, in forming constitutions, have drawn the line, and carefully described the powers parted with and the powers reserved” (Bailyn 1993, 1:277). Likewise, Brutus dismissed Wilson’s “mode of reasoning [as] rather specious than solid”: “The powers, rights, and authority, granted to the general government by this constitution, are as complete, with respect to every object to which they extend, as that of any state government . . . . There is the same reason, therefore, that the exercise of power, in this case, should be restrained within proper limits [by a bill of rights], as in that of the state governments” (1985, 119). Again, though pro- and anti-ratificationists differed over the necessity of a bill of rights, this could only become an object of ratification discourse both by its absence from the Constitution and through an appeal to “We the People.”

Thus, the text of the Constitution and the body of the people, and the discursive relations between each, comprised the referential of ratification discourse. As the referential, then, each of these, both separately and in combination, performatively regulated the production and differentiation of the objects of ratification discourse, thereby enabling the practice of that discourse to be accorded a status as meaningful and true, to be taken seriously.

*Enunciative Modality and Subjects*

The performativity of the statement is conditioned as well by its enunciative modality—the group of rules that governs the constitution and distribution of the subjects of discourse. But the Foucauldian enunciating subject is not, as is the case for the speech act, determinative of discourse; rather, discourse determines the subject. And the subject
produced by a discursive practice is not merely the grammatical subject of the statement, the speaking “I”; nor is it the historical individual who spoke or wrote, the author.16 To the contrary, the subject of the enunciative function of discourse, Foucault writes, is “a particular, vacant place that may in fact be filled by different individuals” (1972, 95). This space, this enunciating position within discourse, is not stable, however, “defined once and for all”; instead, the identity of the enunciating subject varies from statement to statement, from text to text (95). For example, Foucault observes, the enunciating subject of a mathematical treatise is not the same (1) “in the preface in which one explains why this treatise was written” as it is (2) in the body of the treatise in the proposition “Two quantities equal to a third quantity are equal to each other,” as it is (3) in the sentence, “We have already shown that . . .” (94). So the performative effectivity of the statement is conditioned to the degree that “the position of the subject can be assigned” for any given statement, and the analysis of the statement involves “determining what position can and must be occupied by any individual if he is to be the subject of it” (95-96). This entails establishing who is authorized by a discourse to speak within that discourse: What are the characteristics of this enunciating subject? what is that subject’s status? from whence does that status derive? Such an inquiry requires ascertaining the “system of differentiation and relations . . . with other individuals or other groups that also possess their own status” and the “characteristics that define [the subject’s] functioning in relation to society as a whole” (50-51). Further, the enunciating subject must be located within the institutional site or sites of the discourse “from which this discourse derives its legitimate source and point of application (its specific objects and instruments of verification)” (51). Lastly, the position of the enunciating subject is defined by the
relation the discourse establishes between the subject and the objects of discourse, as well as by the modes of discourse, or styles of speaking and writing, legitimated by that discourse (cf. Foucault 1972, 52-53 and 92-94). In a sense, then, the performative effectivity of the statement is conditioned by the who, the where, and the how of the enunciating subject constituted by a discursive practice.

If one begins the analysis of the enunciative modality of ratification discourse by asking who is speaking, where, and how, one finds not only individuals speaking and writing in their own names (which is exclusively the case within the domain of the state ratifying conventions) but also a plethora of individuals writing under pseudonyms (which only occurred within the domain of the print media). Indeed, some of the more influential texts circulating in the field of ratification discourse were published pseudonymously, like those I mentioned above: Brutus, Federal Farmer, Landholder, and Publius. Historians have devoted considerable scholarship to determining the “true” identity of these authors. But an archaeological investigation of ratification discourse rejects such a concern for two reasons. First, as I noted above, the enunciating subject is not the historical, flesh-and-blood individual who authors a text; rather, it is an enunciative position within discourse, “a dimension that characterizes a whole formulation *qua* statement” (Foucault 1972, 95). Second, an archaeological approach treats discourse as event, in the immediacy of its occurrence, which means, for example, that the *Federalist* essays, published and circulated under the pseudonym “Publius,” are to read as the work of Publius, and not of Alexander Hamilton, James Madison, and John Jay. Thus, one must not inquire after the “true” identities of these pseudonymous authors; instead, one must investigate how the use of pseudonyms characterized the
position that can and must be occupied by any individual if he is to be the subject of it” (96). And since the statement is the performative function of discourse “that properly belongs to signs and on the basis of which one may then decide . . . of what they are a sign, and what sort of act is carried out by their formulation (oral or written),” then one must examine how the performativity of discourse is conditioned by the enunciative modality of pseudonymity (86-87).

The types of pseudonyms used in ratification discourse suggest how pseudonymity characterized the position of the enunciative subject of this discourse. Some pseudonyms were used to align the enunciating subject with famous statesmen in ancient Roman, and in a few cases Greek, history, including Brutus, the founder of the Roman republic who overthrew the last king of Rome; Publius, who consolidated republican government in Rome after Brutus; Cato, whether for Cato the Elder or Cato the Younger, both of whom were known for their virtue and their faithfulness to republican ideals; and Solon, Junior, for the renowned Athenian legislator and reformer. Others were pseudonyms used to connote political ideals—An Old Whig, Federal Farmer, A Democratic Federalist, The Republican, A Columbian Patriot—or service in the American Revolution—An Officer in the Late Continental Army and An Old State Soldier. Yet others were used to indicate a role or function in society: Landholder and Plough Jogger, Centinel and The Impartial Examiner, A Freeman and A Countryman, Civis and Civis Rusticus. And some were used simply to affirm identification with the nation itself: An American Citizen, A Citizen of America, An American, Americanus, or simply, America. This analysis indicates that pseudonymity functioned to constitute and to distribute the multiplicity of positions the enunciating subject occupied in the field of
ratification discourse by characterizing those positions in terms of political ideologies and attributes held to be universal and essential for all Americans as a people, whether democracy, federalism, or republicanism, or being a property owner, a farmer, or simply a citizen. Hence, “We the People” operated in ratification discourse as both an element of its referential and an aspect of its enunciative modality (which is hardly surprising since enunciative modality comprises not only the status of the enunciating subject and the site of enunciation but also the relations between the subjects and objects of enunciation). In a sense, anyone of “We the People” might fill the space of the enunciating subject, provided he (and with but few exceptions, it was always a he) exhibited, on the one hand, fealty to certain political ideologies legitimated by the practice of ratification discourse and, on the other hand, attributes of incorporation within the body politic of the American people. And this is the case whether one writes or speaks in one’s own name or through a pseudonym, and whether that discourse is located within the domain of the print media or the domain of the state ratifying conventions. However, as I will point out subsequently, “We the People” was also constituted by a series of exclusions from the body of “We the People,” especially African Americans, Native Americans, and women.

Just what political ideologies and attributes would characterize the enunciating subject of ratification discourse were first evidenced in George Washington’s September 17, 1787, letter to the Continental Congress submitting the Constitution for its approval (Bailyn 1993, 1:965-66). First, the enunciating subject authorized by ratification discourse must exhibit a commitment to the unity of the American people in some form of national government. “The friends of our country,” Washington observed, both know
and desire that the powers and functions of government “should be fully and effectually vested in the general government of the Union.” Similarly, “the greatest interest of every true American [is] the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence.” Second, the enunciating subject must affirm that the national unity of America was to be achieved by balancing the “independent sovereignty of each” state with “the interest and safety of all” citizens. On the one hand, Washington asserted, though in America the people were to be regarded as sovereign, “[i]ndividuals entering into society, must give up a share of liberty to preserve the rest.” On the other hand, the states, too, must part with a share of their sovereignty, for “had [each state’s] interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others.” Third, if the “lasting welfare” and the “freedom and happiness” of the people were to be achieved, the decision whether or not to ratify the Constitution must be deliberated in “a spirit of amity” and with “mutual deference and concession.” Thus, the ideologies of the national unity of the American people, the sovereignty of the states, the liberty of the people, and the attributes of civility and reason in political discourse performed as elements of the enunciative modality governing the constitution and distribution of the subjects of ratification discourse.

Of course, George Washington was writing as an advocate of ratification, so one might conclude that such characteristics were unique to pro-ratificationists. But both pro- and anti-ratificationists alike exhibited these characteristics. For example, A Citizen of America, a proponent of ratification, emphasized the importance of civility and reason in debating the Constitution, noting that America was unique in that it was being founded as an “empire of reason”: “In the formation of such a government, it is not only the right,
but the indispensable duty of every citizen to examine the principles of it . . . and its effects upon human happiness” (Bailyn 1993, 1:129-30). Or again, “Americans must cease to contend, to fear, and to hate, before they can realize the benefits of independence and government” (1:163). Similarly, Publius observed that since “it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection or choice,” the decision to ratify the Constitution, or not, “. . . should be directed by a judicious estimate of our true interests, unperplexed and unbiased by considerations not connected with the public good” (1987, 87). Only the “evidence of truth” should dictate that decision, not “[a]mbition, avarice, personal animosity, party opposition, and many other motives not more laudable than these” (Publius 1987, 89 and 88). But anti-ratificationists as well called for civility and reason. Cato, for instance, urged “caution and prudence”: “Deliberate, therefore, on this new national government with coolness; analize it with criticism; and reflect on it with candour” (Bailyn 1993, 1:32 and 33). And Richard Henry Lee called for “mature deliberation” and “cool, collected, full, and fair discussion of this all-important subject,” for “[g]ood government is not the work of a short time, or of sudden thought” (Bailyn 1993, 1:465). To be sure, both pro- and anti-ratificationists violated this rule of reasonable decorum—as was the case when Centinel once denounced James Wilson and “many of his coadutors” in the Constitutional Convention as “false detestable patriots” who would lead the nation “into the jaws of despotism and ruin” (Bailyn 1993, 1:91); or when an anonymous source leaked to the press George Mason’s privately circulated “Objections to the Constitution,” framing it as a “clandestine” attempt to manipulate
public debate that “appear[ed] to be calculated more to alarm the fears of the people, than to answer any good or valuable purpose” (Bailyn 1993, 1: 345 and 349). But such deviations from the rule, as violations of the rule, served only to reinforce the regularity of that rule. Further, to the degree to which these attributes conditioned the effective performance of statements, the unreasonable or uncivil practice of ratification discourse would tend to render such discourse ineffective in its performativity. So civility and reason were qualifications for occupying the space of the enunciating subject, and hence they performed as an element of the enunciative modality of ratification discourse.

The same may be observed regarding the affirmation of the national unity of the American people and a respect for both state sovereignty and individual liberty as legitimating characteristics of the enunciating subject of ratification discourse and thus as elements of its enunciative modality. While pro-ratificationists and anti-ratificationists may have differed, at times vehemently, over the meanings of the national unity, state sovereignty, and individual liberty, they uniformly appealed to, and expressed support for, these notions in their arguments for and against ratification. This may best be illustrated by the debate over the question of whether or not the proposed Constitution represented an unwarranted consolidation of the states into one national government. For example, the pro-ratificationist A Citizen of America admitted that the “first object of the constitution is to unite the states into one compact society, for the purpose of government” (Bailyn 1993, 1:144). This being the case, the question then became whether the “common defence and interest” of each state and of the nation as a whole would be better secured through such a consolidation (1:145). “I firmly believe,” Citizen declared, “that the life, liberty and property of every man, and the peace and
independence of each state, will be more fully secured under such a constitution of federal government, than they will be under a constitution with more limited powers; and infinitely more safe, than under our boasted distinct sovereignties” (1:146). Similarly, Landholder contended that a “government capable of controlling the whole, and bringing its force to a point is one of the prerequisites for national liberty . . . . If we mean to have our natural rights and properties protected, we must first create a power which is able to do it” (1:329-330). Again, the question then became whether the proposed Constitution, by uniting the nation through consolidation, would undermine state sovereignty and destroy individual liberty in the process. Landholder responded to this question by observing, “No alteration in the state governments, is even proposed, but they are to remain identically the same as they now are” (1:237). Further, since the members of the U.S. Senate were to be chosen by state legislatures and those of the House of Representatives by the people of each state, state sovereignty would be preserved, for “[s]tate representation and government is the very basis of the congressional power proposed” (1:237). And this would provide a “double security for the rights of the people,” Landholder explained. “Your liberties are pledged to you by your own state, and by the power of the whole empire” (1:237). Thus, for both A Citizen of America and Landholder, consolidation was warranted precisely because it would best ensure national unity, state sovereignty, and individual liberty.

Just as pro-ratificationists defended the consolidation of the states by appealing to these principles, so, too, anti-ratificationists used them to legitimize their arguments against consolidation. The Federal Farmer, for instance, observed that the “plan of government now proposed is evidently calculated to change, in time, our condition as a
people. Instead of being thirteen republics, under a federal head, it is clearly designed to make us one consolidated government” (Bailyn 1993, 1:248). Yet simply allowing the states to remain as “[d]istinct republics connected under a federal head,” as was the case under the Articles of Confederation, was not a viable solution, from Farmer’s perspective, for the “sovereignty of the nation, without coercive and efficient powers to collect the strength of it, cannot always be depended on to answer the purposes of government” (1:252 and 253). Accordingly, Federal Farmer affirmed national unity by favoring a partial consolidation which would unite “the states as to certain national objects” but would “leave them severally distinct independent republics, as to internal police generally” (1:252).19 Such a consolidation, he argued, was “the only one that can secure the freedom and happiness of this people” (1:253) But while the proposed Constitution appeared to endorse a partial consolidation, it did so only “with a view to collect all powers ultimately, in the United States into one entire government, . . . powers nearly, if not altogether, complete and unlimited, over the purse and the sword” (1:253 and 256). Ultimately, Farmer warned, the national government would not be able to “carry all the powers proposed to be lodged in it into effect, without calling to its aid a military force, which must very soon destroy all elective governments in the country, produce anarchy, or establish despotism,” thereby annihilating national unity, state sovereignty, and individual liberty (1:258).

Brutus, as well, framed his argument against consolidation in these terms. Because the national government would “possess absolute and uncontrollable power, legislative, executive and judicial, with respect to every object to which it extends,” the consolidation of the states would be a complete one which would result in “the
destruction of liberty” and would lead the federal legislature “ultimately to subvert the state authority” (Brutus 1985, 110, 111, 113). Moreover, the national government was not “so constructed as to have the confidence, respect, and affection of the people” necessary for a free government that “must depend upon the support of its citizens” (115). Instead, “the government will be nerveless and inefficient, and no way will be left to render it otherwise, but by establishing an armed force to execute the laws at the point of the bayonet—a government of all other the most to be dreaded” (116). Thus, for both Federal Farmer and Brutus, consolidation was not warranted precisely because it would fail to ensure national unity, state sovereignty, and individual liberty.

So the political ideologies of national unity, state sovereignty, and individual liberty and the attributes of civility and reason performed, both singly and together, as elements of the enunciative modality of ratification discourse governing the constitution and distribution of the subjects of that discourse. As a result, the position of the enunciating subject could be occupied legitimately only to the extent that the individual who spoke or wrote exhibited these characteristics. And this position was not stable, but variable, for one could exhibit the same qualifying characteristics and yet argue for or against ratifying the Constitution. Moreover, how any given individual occupied the space of the enunciating subject varied considerably. One might occupy that space by privileging state sovereignty or individual liberty over national unity; another by favoring national unity over either. Similarly, one might, or might not, find it entirely reasonable and civil to accuse an opponent of being a false patriot or of operating under false pretenses, but all alike would appeal to the attributes of reason and civility as legitimating characteristics of their discourse.

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Enunciative Network and Concepts

The performativity of the statement is conditioned also by its enunciative network—the group of rules that governs the emergence and dissemination of concepts. The statement cannot perform, Foucault observes, “in isolation”; rather, the statement performs within a network of other statements: “A statement always has borders peopled by other statements” (1972, 97). But this network is not the context of a statement, whether situational or verbal; instead, the enunciative network of statements bordering any given statement is that which makes a context possible. Foucault points out that context is invariably variable, that the effects of context are always already determined by something else, and that this something else is the enunciative network which provides a statement “with a particular context, a specific representative content” (98). The enunciative network conditions the performativity of the statement, and thereby regulates the emergence and dissemination of concepts, to the extent that each statement is “surrounded by a field of coexistences, effects of series and succession, a distribution of functions and roles” (99). First, the performativity of the statement is conditioned by a field of coexistences that contains several distinct, interrelated planes: a plane of presence consisting of “all statements formulated elsewhere and taken up in a discourse,” both “those that are criticized, discussed, and judged” and “those that are rejected or excluded”; a plane of concomitance comprising statements belonging to different discursive formations but “which are active among the statements” under study because they function as “analogical confirmation,” “a general principle,” “premises,” “models,” or “a higher authority”; and a plane of memory containing statements no longer validated as true but with which may be established “relations of filiation, genesis, transformation,
continuity, and historical discontinuity” (57-58). Second, the performativity of the statement is conditioned by the effects of series and succession including the “orderings of enunciative events” like “the order of inferences,” “the order of descriptions,” and “the order of . . . descriptive accounts”; the “types of dependence” such as “hypothesis/verification, assertion/critique, general law/particular application”; and the “rhetorical schemata according to which groups of statements may be combined” (56-57, italics omitted). Lastly, the performativity of the statement is conditioned by the distribution of functions and roles taking the form of “procedures of intervention that may be legitimately applied to statements,” such as transcription, translation, transference, systematization, and so on (58-59, italics omitted). This intricate enunciative network constitutes what Foucault describes as the preconceptual level of a discursive formation regulating the emergence of concepts and their dissemination in that discourse. The preconceptual level of discourse, he says, is the domain that “allows the emergence of the discursive regularities and constraints that have made possible the heterogeneous multiplicity of concepts” (63). Thus, the performativity of the statement is conditioned also by a preconceptual enunciative network which governs the relations between statements and thereby regulates the emergence and dissemination of concepts.

The field of ratification discourse is rich with a profusion of concepts that both pro- and anti-ratificationists muster in their arguments for and against ratification. Even a brief catalog indicates the “heterogeneous multiplicity of concepts” disseminated in ratification discourse: concepts of sovereignty—both the sovereignty of the state and the sovereignty of the people; concepts having to do with the identity of government—democratic and republican, aristocratic and monarchic; concepts regarding the structure
of government—the separation of powers and bicameralism, factions and parties; concepts relating to the operation of government—representation, elections, majority rule, the consent of the governed, and energy and efficiency; concepts pertaining to the powers of government—legislation and taxation, the administration of justice and the maintenance of peace, the promotion of the common good and the preservation of individual rights; concepts regulating who would be incorporated into the body of “We the People”—men not women, and whites not African Americans or Native Americans; as well as more abstract concepts—liberty and freedom, bondage and slavery, law and security, wealth and property, virtue and human nature. However, an archaeological analysis does not seek to explain the diverse meanings of these concepts; instead, it aims to describe the enunciative network of coexistences, series and succession, functions and roles, whereby these concepts emerge and disseminate in ratification discourse. This entails examining not so much the concepts themselves but rather the relations between those concepts. For example, one might analyze how a given concept confirmed or denied another, or how one concept reformulated another, or how a concept from a different discursive formation operated as a principle of validation or refutation. In a sense, then, an archaeological analysis investigates not so much the form and content of concepts as it does the performance of concepts.

The question of whether the government proposed to be established through the ratification of the Constitution conformed to principles of republican government is an interesting case study in this regard, for it illustrates the performative operation of the enunciative network in the field of ratification discourse. Indeed, this question was one of the key disputes in the debate over ratification. For example, the dissenting members
of the Pennsylvania ratifying convention cited this issue as their first reason for opposing ratification; “WE DISSENT, first, because it is the opinion of the most celebrated writers on government, and confirmed by uniform experience, that a very extensive territory cannot be governed on the principles of freedom, otherwise than by a confederation of republics, possessing all the powers of internal government; but united in the management of their general, and foreign concerns” (Bailyn 1993, 1:535). Since the proposed government was not consistent with republican government, in their view, it would “eventually and speedily issue in the supremacy of despotism” (Bailyn 1993, 1:552). Similarly, when Publius turned from his discussion of the inadequacy of the government established by the Articles of Confederation to take up “a candid survey” of the government proposed by the Constitutional Convention, he noted, “The first question that offers itself is whether the general form and aspect of the government be strictly republican . . . . If the plan of the convention, therefore, be found to depart from the republican character, its advocates must abandon it as no longer defensible” (1987, 254). Consequently, the decision to ratify or not hinged, for both pro- and anti-ratificationists, on the concept of republican government as a litmus test for the legitimacy of the Constitution.

Two fundamental elements of the field of coexistences regulating the emergence and dissemination of concepts in ratification discourse are evident in the language of the dissenting members of the Pennsylvania convention: “the opinion of the most celebrated writers on government” and the “uniform experience” of government. First and foremost among those writers was Montesquieu, who argued in the Spirit of Laws, published in 1748, that republican government could only be effective in a nation with a small
Montesquieu’s concept of a small republic was cited by writers as varied as Brutus, Cato, Centinel, A Citizen of America, and Publius. For some, especially anti-ratificationists, his concept constituted a higher authority, if not the highest authority, signifying the dangers of extending republican government to the national level. Cato, for example, cited Montesquieu’s writings as having established “axioms in the science of politics . . . as irrefragable as any in Euclid.” And he warned that, should Americans ignore the axioms of Montesquieu, it would confront “impracticability in the just exercise of republican government since, from the vast extent of your territory, and the complications of interests, the science of government will become intricate and perplexed, and too misterious for you to understand, and observe; and by which you are to be conducted into a monarchy, either limited or despotic” (Bailyn 1993, 1:215-16). For Publius and other pro-ratificationists, Montesquieu’s concept of a limited republic served as but a model or general principle indicating that the ideal of republican government could be modified to meet the requirements of the American polity. Most of the states, he pointed out, already had territories exceeding Montesquieu’s ideal republic: “If therefore we take his ideas on this point as the criterion of truth, we shall be driven to the alternative either of taking refuge at once in the arms of monarchy, or of splitting ourselves into an infinity of little, jealous, clashing, tumultuous commonwealths . . . .” Instead, Publius argued, Montesquieu’s concept of a limited republic should be modified by supplementing it with his concept of a confederate republic “as the expedient for extending the sphere of popular government and reconciling the advantages of monarchy with those of republicanism” (1987, 120). The consolidated federal republic to be established by the ratification of the Constitution was
thus a translation and adaptation of Montesquieu’s ideal republic to the reality of the America experience. So the writings of Montesquieu, in particular, performed as a facet of both the plane of presence and the plane of memory governing the emergence and dissemination of concepts in ratification discourse.

The experience of republican governments throughout history and in America functioned as another element of the field of coexistences regulating the performativity of statements in ratification discourse. The republics of ancient Greece and Rome were often cited, as were more recent European republics like Holland and Venice, and even republican governments in states like Massachusetts and North Carolina. Of course, how the experience of republican governments was used varied considerably. Brutus, for instance, observed that the Greek and Roman republics “were of small extent” in their beginnings, but as they expanded their territories “their governments were changed from that of free governments to those of the most tyrannical that ever existed in the world” (1985, 113). So for Brutus, the experience of ancient Greece and Rome demonstrated the importance of restricting republican government to small territories. Cato came to much the same conclusion based on the experience of republican government in Massachusetts and North Carolina, where “the extremes are also too remote from the usual seat of government, and the laws therefore too feeble to afford protection to all its parts, and insure domestic tranquility without the aid of another principle [i.e., a standing army]” (Bailyn 1993, 1:216). By contrast, Publius observed that the history of republican government both in ancient Greece and Rome and in modern Europe, as well as the experience of republican government in the American states under the Articles of Confederation, “illustrates the tendency of federal bodies rather to anarchy among the
members than to tyranny in the head” (1987, 164, cf. 108). Accordingly, the type of confederate republic proposed by anti-ratificationists which would extend the jurisdiction of the national government only to the states and not to the individual citizens of those states, Publius argued, was “subversive of the order and ends of civil polity” (1987, 172). The emergence and dissemination of concepts was thereby regulated by the experience of republican governments in ancient and modern Europe, as a facet of the plane of memory, and of contemporary America, as a component of the plane of presence.

A further element of the field of coexistences was the concomitant discourses of commerce, property, and virtue. For example, Publius refers to the common notion (which he didn’t share) that commerce would pacify conflicts within the confederation of republics favored by some anti-ratificationists: “The genius of republics (say they) is pacific: the spirit of commerce has a tendency to soften the manners of men, and to extinguish those inflammable humors which have so often kindled into wars” (1987, 106). But the experience of republican government in ancient and modern Europe, Publius noted, demonstrated the fallacy of trusting to the alleged pacifying nature of commerce. Based upon the history of commercial republics, he asked, “what reason can we have to confide in those reveries which would seduce us into an expectation of peace and cordiality between the members of the present confederacy, in a state of separation? (1987, 108). (I should point out that Publius’s appeal to the experience of republican government to refute pacification by commerce indicates the interrelation between the planes of presence, concomitance, and memory.) Others appealed to the discourse of virtue or of an equal division of property in their defense of republicanism. The anti-ratificationist Centinel, for example, maintained that both virtue and equality of property
were essential to republican government: “A republican, or free government, can only exist where the body of the people are virtuous, and where property is pretty equally divided . . .” (Bailyn 1993, 1:56). By contrast, A Citizen of America held that only property, and not virtue, was essential: “The system of the great Montesquieu will ever be erroneous, till the words property or lands in fee simple are substituted for virtue, throughout his Spirit of Laws,” for “equality of property . . . is the very soul of a republic” (Bailyn 1993, 1:158). Hence the discourses of commerce, property, and virtue, as components of the plane of concomitance, also conditioned the performativity of statements, and thereby the emergence and dissemination of concepts, within the field of ratification discourse.

The effects of series and succession and the distribution of functions and roles were evident in the use of other concepts—like representation, the sovereignty of the people, and the consent of the governed—to confirm, to refute, or to reformulate Montesquieu’s conception of republican government. Consider why, for anti-ratificationists like Brutus, the size of the United States made a national republican government an impossibility, but for pro-ratificationists like Publius, it operated as a solution to problems inherent to the form of republican government itself. For Brutus, a republic was characterized as a representative government through which the consent of the governed operated to secure their freedom and happiness against the power and ambitions of their governors (1985, 114-16). “In a free republic,” he wrote, “although all laws are derived from the consent of the people, yet the people do not declare their consent by themselves in person, but by representatives, chosen by them, who are supposed to know the minds of their constituents, and to be possessed of integrity to
declare this mind.” For this scheme of republican government to succeed, Brutus held that several factors were essential. First, the system of election—that is, “the manner of the choice and the number chosen”—whereby the people choose their representatives “must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few.” Second, the people themselves must be unified as a people: “In a republic, the manners, sentiments, and interests of the people should be similar. If this be not the case, there will be a constant clashing of opinions; and the representatives of one part will be continually striving against those of the other.” Third, the government itself “must be so constructed as to have the confidence, respect, and affection of the people,” and this could only be achieved by subordinating the sovereignty of the state to the sovereignty of the people. “The confidence which the people have in their rulers, in a free republic,” Brutus observed, “arises from their knowing them, from their being responsible to them for their conduct, and from the power they have of displacing them when they misbehave . . . .”

On each count, Brutus argued, the size of the United States militated against the notion that it might be governed according to republican principles. One, it would be impossible, in a nation the size of America, for the people “to elect a representation, that will speak their sentiments, without their becoming so numerous as to be incapable of transacting public business” (Brutus 1985, 114-16). Two, the people of America were so diverse in their “manners, sentiments, and interests” that “a legislature, formed of representatives from the respective parts, would not only be too numerous to act with any care or decision, but would be composed of such heterogenous and discordant principles,
as would constantly be contending with each other.” And three, such a government could never enjoy the confidence of the people of the United States because “the people in general would be acquainted with very few of their rulers: the people at large would know little of their proceedings, and it would be extremely difficult to change them.” As a result, the “We the People” who ordained and established the government “will have no confidence in their legislature, suspect them of ambitious views, be jealous of every measure they adopt, and will not support the laws they pass.” So a national republican government in the United States, for Brutus and other anti-ratificationists, could only end in despotism because the size of the nation and the diversity of the people would undermine the consensual representation of “We the People” essential to such a government.25

Publius, as well, characterized a republic as “a government in which the scheme of representation” ensures that the sovereignty of “We the People” is reflected in the operations of the national government (1987, 126). “[W]e may define a republic to be, or at least may bestow that name on,” he wrote, “a government which derives all its power directly or indirectly from the great body of the people; and is administered by persons holding their offices during pleasure for a limited period, or during good behavior” (255). But while Publius agreed with anti-ratificationists like Brutus concerning the function and role of representation in republican governments, he differed with Brutus by concluding that, in a country the size of the United States, only a large national republic, not a confederacy of small republics, could protect the interests of the people against the encroachments of the state. For Publius, the problem with republican government was not the size of the territory that it could govern but rather the “violence of faction” that
would inevitably plague a republic of any size founded on the concepts of representation and popular sovereignty (122). 26 “It is impossible to read the history of the petty republics of Greece and Italy,” he noted, “without feeling sensations of horror and disgust at the distractions with which they were continually agitated, and at the rapid succession of revolutions by which they were kept in a state of perpetual vibration between the extremes of tyranny and anarchy” (118). He observed that the modern “science of politics” had introduced a number of innovations by means of which “the excellencies of republican government may be retained and its imperfections lessened or avoided,” including the separation of powers, an independent judiciary, and popular representation (119). But according to Publius, these measures would not be fully effective without “the ENLARGEMENT of the ORBIT within which” such innovations were to operate (119). But, of course, it was precisely this point to which anti-ratificationists like Brutus objected. Contra the anti-ratificationists, however, Publius argued that faction could not be eliminated simply by limiting the size of a republic in order to maintain a homogeneity of the people, for the “latent causes of faction are . . . sown in the nature of man” (124). Instead, it was necessary to involve “the spirit of party and faction in the necessary and ordinary operations of government,” and this could only be achieved by enlarging, not reducing, the size of the republic (124). “Extend the sphere,” Publius remarked, “and you take in a greater variety of parties and interests: you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other” (127). Thus, the consolidation of the republic at the national level was “a republican remedy for the diseases most incident to
republican government,” whereby the very heterogeneity of “We the People” would ensure not only the efficient operation of government but also the preservation of the sovereignty of the people (128).

The lines of argument developed by Brutus and Publius about the size and nature of republican government, and whether the national government to be established by the Constitution conformed to republican principles, demonstrate the extent to which the emergence and dissemination of concepts in ratification discourse was regulated by an intricate enunciative network comprising not only a field of coexistences but also the effects of series and succession and the distribution of functions and roles. As Foucault observes, “[W]hat makes it possible to delimit the group of concepts, disparate as they may be, that are specific to [a discursive formation], is the way in which these different elements are related to one another”; that is, the extent to which the field of coexistences, the effects of series and succession, and the distribution of functions and roles are imbricated with one another (1972, 59-60). For instance, Montesquieu’s concept of a republic and the experience of republican government function as facets of the planes of presence, concomitance, and memory in ratification discourse that make possible the orderings of enunciative events, the types of dependence, and the rhetorical schemata possible within that discourse, as well as the procedures of intervention that may be practiced in it. And as with the referential and enunciative modality of ratification discourse, “We the People” performed as a rule of the enunciative network governing what concepts emerged within ratification discourse and how those concepts were disseminated in that discursive formation.
Strategic Materiality and Strategies

The performativity of the statement is conditioned likewise by its strategic materiality—the group of rules that govern the formation and transformation of strategies. As Foucault points out, a statement is always expressed through a “material medium,” whether that medium takes the form of a book or an essay, a speech or an interview, a private letter or a public poster, a casual conversation or the testimony of a sworn witness (1972, 100). And thus every statement has “a substance, a support, a place, and a date” (101). Yet this material medium is not simply the medium through which a statement is communicated, nor again is it merely the context of that communication; rather, the materiality of the statement is a constituent element of its identity. In other words, the identity of the statement varies as its materiality varies. But this raises a number of important questions for Foucault regarding the materiality of statements. For example, does the volume or tone in which a statement is expressed modify the statement expressed? Does each recitation of a statement from memory by a stage performer constitute one and the same statement? Does a statement simultaneously recited by a group of people—say, the recitation of the Lord’s Prayer during a church service—represent one statement or a multiplicity of statements? In addressing these questions, Foucault makes an important distinction between an enunciation, the statement which is the function of an enunciation, and the status of each as event. An enunciation, he says, “takes place whenever a group of signs is emitted”; consequently, enunciation is “an unrepeatable event” and its materiality is fixed, in time and space, by the moment of the event of enunciation (101). A statement, by contrast, may be repeated and, hence, is not an event but rather the performative function of an enunciative event. The materiality
of the statement is therefore not subject so much to its “spatio-temporal localization” but rather to the “complex set of material institutions” according to which the function of the statement is performed (103). Thus, on the one hand, a statement repetitively recited by an actor on the stage or collectively recited by a congregation in a church is one and the same statement but a multiplicity of enunciative events. But on the other hand, the words spoken during a casual dinner conversation do not constitute the same statement when repeated by a witness testifying under oath in a courtroom. So the material identity of the statement is formed, and transformed, according to the system of rules regulating the strategic practices according to which that enunciative function performs.

As a result, the performative effectivity of the statement is conditioned by the strategies of systematization immanent to a discursive practice by which “points of diffraction” within discourse—say, two conflicting concepts—are first characterized as incompatible on one level but then as equivalent at another level and hence serve as “link points of systematization” (Foucault 1972, 65-66, italics removed). In addition, the statement is conditioned by the environment of discursive formations with which it interacts but which are external to the formation in which it functions. The interactions between one discursive formation and the environment of the “discursive constellation” within which it performs operates as a strategic “principle of determination that permits or excludes, with a given discourse, a certain number of statements” (66-67, italics removed). Further, the statement is conditioned by the strategic realm of interest and desire, both through the “non-discursive practices” that may exploit a discursive practice for a specific end and through the procedures of appropriation that legitimate such expropriation of discourse (67-68, italics removed). Accordingly, the performativity of
the statement is conditioned by the materiality of its enunciation and by the strategies of use such materiality enables. This strategic materiality governs “systematically different ways of treating objects of discourse (of delimiting them, regrouping or separating them, linking them together and making them derive from one another), of arranging forms of enunciation (of choosing them, placing them, constituting series, composing them into great rhetorical unities), of manipulating concepts (of giving them rules for their use, inserting them into regional coherences, and thus constituting conceptual architectures)” (69-70). Thus, the strategic materiality of the enunciative system establishes “themes or theories” that regulate how the objects, subjects, and concepts of a discursive formation are used in the practice of that discourse (64).

So the question that must be asked of the field of ratification discourse is, what is it that strategically regulates the use of objects, subjects, and concepts practiced within that discourse? By now, it should be fairly apparent that the people—“We the People”—functioned in ratification discourse as the principal element that imparted to that discourse, in Foucault’s terms, a “degree of coherence, rigour, and stability,” for the people operated as a rule in the referential, the enunciative modality, and the enunciative network of that discursive formation (64). In other words, in American political culture qua discursive formation during the ratification period the people performatively constituted the strategic materiality governing the use of objects, subjects, and concepts. In a sense, the people were the material institution that provided statements circulating in the field of ratification discourse with their material existence. As I have noted, ratification discourse primarily occurred in the domains of the print media and the state ratifying conventions, both of which operated as part of the environment of this
discursive formation and of its sphere of interest and desire. The print media and the ratifying conventions were thus the material institutions where the American people discoursed about the ratification of the Constitution. And since the Constitution was subject to ratification by the people, the body of the American people became an aspect of the materiality of ratification discourse. As a result, the people were materialized in the statements circulating in ratification discourse and the people functioned as its strategic materiality.

My analysis of ratification discourse above thus attests to the performativity of the people as the strategic materiality of that discourse. To emphasize this point more fully, I would like to revisit some of the examples I discussed in that analysis. First, the people operated as a strategy in the production and differentiation of the objects of ratification discourse. The language of the Constitution itself, as an object of discourse, affirmed that it was the creation of the American people: “We the People of the United States . . . do ordain and establish this constitution for the United States of America.” Further, the presence of the necessary and proper clause and the absence of a bill of rights became discursive objects only with reference to the people. The necessary and proper clause was attacked by anti-ratificationists because it would allow the national government to exercise power over all aspects of the life of the American people; but the same clause was supported by pro-ratificationists who reasoned that without such an unlimited grant of power the national government would be too feeble to protect the lives and the liberties of the people. So, too, the absence of the bill of rights was defended by pro-ratificationists because all powers not expressly invested in the national government were retained by the people who, through their ratifying acts, had ordained and established that
very government; yet anti-ratificationists argued that a bill of rights was all the more necessary since power, once parted with, tended to increase and multiply to the point where the state—the creation of the people—might turn against its creator unless it was expressly restrained by a bill of rights. Second, the enunciative modality of pseudonymity, as well, demonstrates the extent to which the people operated as a strategy governing the constitution and distribution of the subjects of ratification discourse. The use of pseudonyms strategically characterized the position of the enunciating subject either by formulating the subject as a member of “We the People” or by affirming political ideologies widely accepted by the people. Either way, one could only speak or write legitimately by demonstrating one’s incorporation into the body politic of the American people. And this was true whether one supported or opposed ratification, and even of those who discoursed in their own names or as citizens of a specific state; only those incorporated into “We the People” could occupy the space of the enunciating subject.

Third, the people functioned as a strategy regulating the emergence and dissemination of concepts in ratification discourse. The performance of the concept of republican government was strategically articulated with other concepts in terms of the body of the people. Both pro- and anti-ratificationists defined a republic as a form of government uniquely characterized by a system of representation whereby the interests of the people would be embodied in the structures of government. Whereas anti-ratificationists held that the heterogeneity of the American people precluded the establishment of a national republic, pro-ratificationists maintained that this same heterogeneity was the key factor that would ensure the efficient and stable operation of a
federal republican government. Again, whether one argued that the thirteen states could not properly be consolidated into a national republic or that only a national republic could preserve both the sovereignty of the state and the liberty of individual citizens, these arguments could be made effectively only by deploying the people as a strategy of systematization. Hence, the people performed as the strategic materiality through which ratification discourse, as a discursive formation, achieved “coherence, rigour, and stability.”

To recapitulate my argument thus far, the analysis of discursive events entails the analysis of discourse as practice, which involves attending to the historical a priori of that discursive formation, that is, the complex enunciative system conditioning the effective performance of statements: the referential, a regulative subsystem governing the production and differentiation of the objects of discourse; the enunciative modality, a regulative subsystem governing the constitution and distribution of the subjects of discourse; the enunciative network, a regulative subsystem governing the emergence and dissemination of concepts; and the strategic materiality, a regulative subsystem governing the formation and transformation of strategies as a result of which discourse is subject to use, to application, to circulation, as well as to appropriation, to subjugation, to domination. In the discursive formation of ratification discourse, the historical a priori comprises the text of the Constitution and the body of the people as the referential; fealty to the political ideologies of national unity, state sovereignty, the liberty of the people and the attributes of civility and reason as the enunciative modality; the relations between the analyses and the experience of government and the identity and interests of the body politic of the American people as the enunciative network; and the people themselves—
“We the People”—as the strategic materiality. In addition, as I will next argue, the enunciative system that governs the performance of a discursive practice like ratification discourse is autochthonous to that discursive formation and is an autopoietic system. In other words, a discursive formation of performative statements regulated by its referential, enunciative modality, enunciative network, and strategic materiality is an autonomous, self-producing, self-referential system.

**Autopoiesis and the Bio-Political Genesis of American Political Culture**

The theory of autopoiesis was first proposed by two Chilean biologists, Humberto R. Maturana and Francisco J. Varela, in the early 1970s to explain the essential characteristic constituting a system as a living system. Contrary to many biologists who considered reproduction to be the necessary characteristic of life, Maturana and Varela held that it was the organization of the system itself which typified a living system; life, they argued, “can only be characterized unambiguously by specifying the network of interactions of components which constitute a living system as a whole, that is, as a ‘unity’” (Varela, Maturana, and Uribe 1974, 187). All other biological features, such as respiration, reproduction, evolution, and so on, were held to be secondary to the constitution of this systemic organization, which they termed “autopoiesis.” Derived from the Greek words ἀυτός, “self,” and ποιεῖν, “to produce,” the term itself literally means “self-producing” and is defined in terms of the relations of production of components which, through that production, recursively constitute the system as a unity. Or, as Maturana and Varela define the term:

*An autopoietic [system] is a [system] organized (defined as a unity) as a network of processes of production (transformation and destruction) of*
components that produce the components which: (i) through their interactions and transformations continuously regenerate and realize the network of processes (relations) that produced them; and (ii) constitute it (the [system]) as a concrete unity in the space in which they (the components) exist by specifying the topological domain of its realization as such a network. (Maturana and Varela 1980, 78-79)²⁸

Maturana and Varela’s classic heuristic example of an autopoietic system is the cell, which through “a network of chemical reactions . . . produce[s] molecules” as the basic components of the system that recursively produce that network and constitute the cell as a “material unity” (Varela, Maturana, and Uribe 1974, 188). To Maturana and Varela, then, all living organisms, to the extent they are alive, are constituted as living systems by their autopoietic organization; that is, “autopoiesis is necessary and sufficient to characterize the organization of living systems” (1980, 82).

But this begs important questions: If living systems are always and only autopoietic systems, is the opposite true as well? are autopoietic systems always and only living systems? or can there be non-living autopoietic systems as well? For example, can society, perhaps considered as a collectivity of human biological organisms, be considered an autopoietic system? Similarly, is discourse an autopoietic system? If not, then discursive formations are, by definition, not autopoietic systems; and therefore, political culture qua discursive formation cannot be considered autopoietic either. The extension of the theory of autopoiesis to non-living systems has generated a good deal of controversy in the literature. Indeed, Maturana and Varela themselves were not able to come to any agreement on this point, though Maturana himself has held that social
systems are autopoietic.\textsuperscript{29} It is beyond the scope of this chapter to review the literature on this issue in any detail.\textsuperscript{30} However, it is worth noting that the theory of autopoiesis has found much greater acceptance, and it has been more broadly deployed, within the disciplines of social theory and legal studies than it has in the discipline of biology within which it was first articulated.\textsuperscript{31} In particular, Niklas Luhmann’s adoption of autopoiesis in his theory of social systems has been especially influential (1990a and 1995). Luhmann makes an important distinction between “a general theory of self-referential autopoietic systems” and three specific types of such systems: living systems, psychic systems, and social systems (1990a, 2). I find Luhmann’s argument compelling, and I will return to his ideas below in my consideration of the self-referentiality of discursive formations as autopoietic performative systems. For now, however, I would argue that if, following Luhmann, one abstracts a general theory of autopoiesis from Maturana and Varela’s theory of living systems as autopoietic systems, then discursive formations meet the criteria for autopoiesis; that is, discursive formations are non-living, autopoietic systems.

First, discursive formations fit Maturana and Varela’s definition of an autopoietic system. If discursive events—the performance of statements through enunciative events—are understood to be components and the enunciative system to be the organization which defines a systematic dispersion of discursive events as a unity (that is, as a discursive formation), then from my analysis of discursive formations in this chapter it should be quite evident that the enunciative system is, in the terms of Maturana and Varela’s definition, “a network of processes of production (transformation and destruction) of components [discursive events] that produces the components” of that
system (1980, 79). In the case of discursive formations, this “network of processes of production” is the complex of enunciative events in which specific statements perform specific functions. Or, to use Maturana and Varela’s heuristic example of the autopoietic cellular system, statements as discursive performatives are analogous to the chemical reactions that produce specific molecules as system components—that is, enunciative events. Thus, statements “realize” the network that produces them through the enunciative events in which and by which they are performed—their “interactions and transformations”—and they constitute the system as a “concrete unity” by performatively delimiting the boundaries of that system. In other words, the production of discursive events, through the performativity of statements, materializes the organization of the system as the structure of that system and constitutes the system as a unity.

Second, discursive formations satisfy Maturana and Varela’s six key criteria for the determination of unities as autopoietic systems: (1) As a unity, a discursive formation has “identifiable boundaries.” (2) The unity of a discursive formation comprises “constitutive elements of the unity”—discursive events—as components of that unity. (3) Discursive events, as components, have specific properties—statements are characterized by their referential, enunciative modality, enunciative network, and strategic materiality, and enunciative events are localized in space and time—that are able to enter into relations and determine, through those relations, the “interactions and transformations” of those discursive events. (4) The boundaries of a discursive formation, as a unity, are constituted by discursive events “through preferential neighborhood relations and interactions between” the performance of statements in enunciative events. (5) The discursive events delimiting the boundaries are produced by
the interactions of statements in enunciative events, both “by transformation of previously produced” statements and “by transformations and/or coupling of non-component elements that enter [the discursive formation] through its boundaries” (hence, discursive formations may incorporate statements from outside the system). And (6) all the components of the unity—from the discursive events constituting the boundaries of the discursive formation to those constituting the objects, subjects, concepts, and strategies of that formation—are produced by the system through the interactions of performative statements in enunciative events. (Varela, Maturana, and Uribe 1974, 192-193)

Third, discursive formations are characterized by the three necessary types of relations which Maturana and Varela claim to typify the organization of an autopoietic system: relations of constitution that determine the structure, and hence the boundaries, of the organization of the system; relations of specification that determine the identity of the components which, through their interactions, produce the system as a unity; and relations of order that determine the dynamics of production in the system by establishing relations between the production of components as well as relations between the relations of constitution, specification, and order (that is, relations of order regulate the recursive productivity of the system) (Maturana and Varela 1980, 88-93). In the case of discursive formations, the organization of the enunciative system is typified by relations of constitution: those relations between discursive events that constitute the boundaries of the formation and realize the structure of the formation as a discursive practice at a given time and space. The organization of the enunciative system is also typified by relations of specification: those relations between referential, enunciative modality, enunciative
network, and strategic materiality that stipulate the identity of the specific statements produced within the discursive formation and the objects, subjects, concepts, and strategies constituted by the performance of those statements in enunciative events. And the organization of the enunciative system is typified by relations of order: those relations that govern the relations between the relations of the production of discursive events and the relations between referential, enunciative modality, enunciative network, and strategic materiality of statements as enunciative events, thereby regulating the recursive self-production of the system as a unity.

Thus, discursive formations, and therefore political culture *qua* discursive formation, are autopoietic performative systems: autonomous, self-producing, self-referential systems. So what, then, are the implications of this for the theory of discourse I have developed thus far from Foucault’s *Archaeology* and for the analysis of political culture *qua* discursive formation? In the first place, as an autopoietic system a discursive formation is a composite unity of its organization and its structure. The organization and structure of a discursive formation are thus not identical. On the contrary, the organization of a discursive formation is constituted by the relations of production of system elements—discursive events—and the rules for the interactions of those elements and their transformations, whereas its structure is the realization (or materialization) of that organization in the actual relations between the specific discursive events that occur in a given space and at a given time. In other words, the autopoietic organization of a discursive formation is its historical *a priori*, whereas its structure is the discursive practice performed at any given moment. As a result, the identity of a political culture *qua* discursive formation is autochthonous to its organization as an autopoietic system.
This implies, moreover, that questions of origin and purpose are not particularly germane to the analysis of discursive formations as autopoietic systems. An autopoietic system does not come into existence gradually; it is either autopoietic or it is not; there are no intermediate forms of autopoiesis. Autopoietic systems are spontaneously generated by their recursive self-production. Accordingly, the analysis of a discursive formation, and of political culture *qua* discursive formation, is not concerned with tracing out an origin in the mists of history; rather, in Maturana and Varela’s words, “the question of the origin of an autopoietic system is a question about the conditions that must be satisfied” by the system for the generation of autopoiesis (1980, 93). Similarly, autopoietic systems are non-teleological systems, having no purpose other than maintenance of autopoiesis. So any change in a discursive formation, at the level of its structure, is always already subordinated to its autopoiesis. However, since one autopoietic system may serve as a constituent element of another (larger) system, any given system may be endowed with a purpose as a result of being a component of that larger system. Hence, purpose is more a question of the relation of the system to its environment than of the organization and structure of that system. Again, therefore, the analysis of political culture *qua* discursive formation does not address the issue of purpose from some transcendental, suprahistorical perspective but rather in the immediacy of the occurrence of discourse as event.

A further implication of the autopoiesis of discursive formations arises from this distinction between system and environment. As I have noted above, one of the essential features of an autopoietic system is that it is marked by a distinct boundary between the system and its environment, a boundary constituted not by the environment but by the
system itself. Hence, autopoiesis is organizationally predicated upon the difference between system and environment; that is, the identity of an autopoietic system is constituted by its difference from its environment. Moreover, autopoietic systems are autonomous vis-à-vis the environment. The environment does not determine or condition the system, nor vice-versa; rather, the system is self-determined, conditioned only by its organization as an autopoietic system. As Maturana observes, “whatever constraints must be satisfied” for the realization of autopoiesis is “determined by the properties of the components” of the system itself, not by anything in its environment (1981, 22). Thus, as I have detailed previously in this chapter, as an autopoietic system a discursive formation is conditioned by the enunciative performance of the statements which constitute that formation as a system, and these statements performatively demarcate the difference between that formation and its environment as the boundary of that system. However, this does not mean that an autopoietic system is indifferent to, or insulated from, its environment. To the contrary, autopoietic systems are, perhaps paradoxically, organizationally closed but structurally open with regard to their environment. This means that while the performance of an autopoietic system at the level of its autopoietic organization occurs without regard to its environment, its performance at the level of structure—its materialization in time and space—is open to what Maturana and Varela call “perturbations” by the environment (1980, 98-99, see also Maturana 1981, 26-27). Yet what in the environment perturbs the system and how that system responds to that perturbation is, again, determined by the organization of the system as an autopoietic system, not by its environment. Thus, a discursive formation, and political culture qua discursive formation, in its autopoietic organization is a self-determining, self-
conditioning unity which, in its autopoietic structure, is open to its environment—what Foucault describes as the discursive constellation of a formation. And again, what perturbs a discursive formation and how that formation is perturbed is conditioned solely by its organization as an autopoietic enunciative system.

The system-environment difference gives rise to yet another implication of the autopoiesis of discursive formations: autopoietic systems may become structurally coupled with their environment. In this regard, it is important to note that the environment of a system is not an amorphous void but is, rather, comprised by other systems which may themselves be autopoietic or, in Maturana and Varela’s terminology, allopoietic (not self-producing but other-producing, input-output systems). Structural coupling occurs when a sequence of environmental perturbations triggers a structural change in one system—a change always and only determined by the organization of that system—such that the performance of the system is a function of another system in the environment. The system remains autonomous since its autopoietic organization, and hence its identity, is not a function of the other system; only the structure of the system—its materialization in a particular spatio-temporal configuration—is coupled with the structure of the other system. In addition, the autonomy of the system is preserved because its response to the perturbation triggered by the other system, and whatever structural change that occurs as a result, is conditioned by the organization of the perturbed system, not that of the perturbing system in the environment. The product of such structural coupling is the generation of a new unity, a supra-system which may itself
be autopoietic in its organization. As Maturana and Varela observe, “An autopoietic system whose autopoiesis entails the autopoiesis of the coupled autopoietic unities which realize it, is an autopoietic system of a higher order” (1980, 109).

Consequently, any given discursive formation may be coupled with other discursive formations such that “the conduct of each one is a function of the conduct of the others” (Maturana and Varela 1980, 107). The Foucauldian archive of a given society is just such a unity; it is the autopoietic organization of a social system comprising multiple discursive formations, each of which is structurally coupled to the others but conditioned by its own autochthonous historical a priori. In the specific case of political culture qua discursive formation, the autopoietic political cultural system is structurally coupled with other systems like those of the economy, law, medicine, science, religion, education, the family, and so on, as well as the discursive formations of race, class, gender, and sexuality, all of which comprise the autopoietic social system known as “society.” And thus, as I have observed, the analysis of a specific discursive formation, and of political culture qua discursive formation, necessarily entails the investigation of the relations of that formation with others in its environment.

Finally, one of the most important implications of the autopoiesis of discursive formations derives from the notion that autopoietic systems are self-referential systems. In other words, an autopoietic system is capable of self-observation and of conditioning its performance based upon that self-observation. And it is at this point in the discussion that I want to return to Niklas Luhmann’s adoption of autopoiesis in his theory of social systems, for the self-referentiality of social systems is integral to his theory of society in general and of the political system in particular. As I have noted, Luhmann distinguishes
between three types of self-referential autopoietic systems: living systems, psychic systems, and social systems. The ramifications of this distinction are profound, for it suggests that social systems, which organize societies, and psychic systems, which organize human consciousness, are not living systems. Further, it indicates that social systems are not aggregations of individuals; to the contrary, the individual belongs to the environment of social systems. For Luhmann, social systems (like political culture, for example) are not subject systems; like Foucault, therefore, Luhmann rejects the subject as the foundation of a social system. Instead, Luhmann argues that social systems are non-subjective communication systems. “Social systems use communication as their particular mode of autopoietic reproduction,” he observes. “Their elements are communications that are recursively produced and reproduced by a network of communications and that cannot exist outside of such a network” (1990a, 3).

But what then does Luhmann mean by *communication* and how compatible is Luhmann’s theory of communication with Foucault’s theory of discourse? Luhmann’s analysis of communication is too lengthy and too involved to develop in much depth in this chapter, and so I will only note the following. First, he rejects the transmission model of communication—whereby information is transmitted from a sender to a receiver—because it is overly dependent on the ontology of the subject, it places undue importance on the rhetorical delivery of information (its form), and it establishes the identity of communication in its meaning (its content). Second, he refuses the definition of communication as a type of action (à la Jürgen Habermas) because, again, this entails a theory of the subject as actor and because the theory of communicative action fails to grasp communication in its totality by dwelling too much on the act of utterance at the
expense of other elements of the communicative event. Finally, he denies both the
stability of meaning and the transcendence of meaning; meaning is differential and if
communication conveys meaning, it is because communicative events constitute meaning
through a play of differences that is always immanent to the communicative system and
is not the product of the environment of that system. In these regards, Luhmann’s theory
of communication is fairly consistent with Foucault’s theory of discourse.

But Luhmann’s actual definition of communication would seem to complicate the
try to align (Luhmannian) communication with (Foucauldian) discourse. For
Luhmann, communication is the “synthesis of three selections, namely information,
utterance, and understanding (including misunderstanding)” (1990a, 3). On the one hand,
this would seem to conflict with Foucault’s assertion that discourse consists in the
performance of statements in enunciative events, events “that neither the language
(langue) nor the meaning can quite exhaust” (1972, 28). Indeed, part of the reason why
Foucault initially objected to the identity of the statement and the speech act is that the
statement is characterized by neither the information it contains nor the understanding it
gives rise to. On the other hand, however, a more careful analysis of Luhmann’s
terminology indicates that Luhmann and Foucault are not so far apart after all. A
selection, like the Foucauldian enunciative event, involves a change in the state of a
system; it is, Luhmann writes, “a subjectless event, an operation that is triggered by
establishing a difference” (1995, 32). The term utterance, furthermore, bears some
striking similarities with Foucault’s use of the term statement. Luhmann explains that, in
German, he would use the term mitteilung, a word that, like the French énoncé, comprises
both the form and the content of what is uttered (1990a, 17n3). An utterance, for

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Luhmann, is “nothing more than a selection proposal,” rather like the meaning of enunciation for Foucault. The parallels are similar with *information* and *understanding*; information is “an event that selects system states” and understanding is the acceptance (or nonacceptance) of that state through which the system is self-referentially regulated (Luhmann 1995, 67, 73). Finally, *synthesis* indicates that communication is a unity constituted by the differential relations of these three elements in a given communicative event. “Information, utterance, and understanding,” Luhmann comments, “are aspects that for the system cannot exist independently of the system; they are co-created within the process of communication” (1990a, 3). Consequently, Luhmann’s theory of communication aligns fairly well with Foucault’s theory of discourse; and one would not do too much violence to either to say that a discursive formation is a communicative system or that a communicative system is a discursive formation.

Having established the compatibility of (Luhmannian) communication and (Foucauldian) discourse, I can now return to my consideration of the self-referentiality of discursive formations as autopoietic performative systems. For Luhmann, there are three types of self-referentiality, “depending on which distinction determines the self” (1995, 442-43). First, all self-referential systems may be said to have “basal self-reference” when the determinative distinction is made between element and relation. “Basal self-reference,” Luhmann notes, “is the minimal form of self-reference, without which autopoietic reproduction of temporalized systems would be impossible” (443). In the theory of discursive formations as autopoietic performative systems which I have been developing thus far, basal self-reference concerns the distinction between discursive events, through which statements perform, and the relations of constitution, specification,
and order that constitute the structure, identity, and processes of production within the system. Second, autopoietic systems may be said to have “reflexivity” when the distinction under consideration is that of before/after (443). Self-referential systems are reflexive to the extent that such systems are always already processual systems; that is, the production of system elements and the operation of that system, Luhmann suggests, “must comply with the characteristics of belonging to a specific process, must be communication in a communicative process (communication about communication), observation in a process of observation (the observation of observation), and an application of power in a process of applying power (the application of power to the powerful)” (443). Accordingly, discursive formations, as autopoietic performative systems, are processual, reflexive systems able to regulate their own performative operation—“to guide and control themselves”—by introducing into the system the before/after distinction, a distinction which intensifies the recursive conditioning of the system (454). In other words, any given discursive event, through the performativity of the statement, conditions other discursive events within the system to the extent that that discursive event is recursively introduced into the system, a re-entry that selects the performance of another discursive event that may be said to operate “after” the event which occurred “before” (though this does not imply that the “before” event is the cause of the “after” event; processuality does not necessarily imply causality). Thus, reflexivity results from the recursive selectivity of the performative operation of statements in discursive events; and on the basis of this reflexivity, discursive formations are able to regulate and to direct their own performativity.
Third, self-referential systems are characterized by “reflection” when the distinction is that of system/environment; that is, reflection occurs when the difference between system and environment is introduced into the system as the basis of the unity and identity of the system (Luhmann 1995, 444; cf. 455). Reflection makes possible the self-observation and self-description of the system within the system. According to Luhmann, such systems may be said to operate rationally. And yet this rationality emerges through the self-referential operation of the system itself; there is no rationality behind system rationality; no sovereign, transcendental subject founds the unity and identity of the system. The system itself is the foundation of its rational operation; through reflection, the system itself constitutes its own unity and identity. As a result, system complexity is reduced through the simplifying operation of self-reflection; yet this self-simplification may itself become the basis for a further complexification of the system. Reflection is, paradoxically, both a simplifying and a complexifying operation; simplifying self-descriptions recursively enable an expansion of system complexity, which must then be reductively simplified anew, and so on. A discursive formation, through the self-referentiality of its autopoietic performativity, may thus be said to be “rational” to the extent that statements operate performatively to introduce the system/environment distinction within the formation, a distinction that takes the form of a self-description which both simplifies and complexifies the performance of a discursive practice.

So discursive formations are self-referential, autopoietic, performative systems. But what, then, are the implications of this for the analysis of political culture qua discursive formation? According to Luhmann, complex systems like political culture
“are incapable of grasping their own complexity fully” because such systems would then become hypercomplex and the operation of the system would break down (1990b, 118). Consequently, the autopoietic performance of a complex system is “structured reductively” through simplifying self-descriptions which “reconstruct the complexity of the system in such a way that they can be re-introduced into the system in a simplified form . . . and used as a guidance factor” for the self-regulation of the system (1990b, 118 and 121). In the self-referential system of political culture qua discursive formation the state serves as just such a simplifying self-description. Luhmann comments,

The state, then, is not a subsystem of the political system. It is not the public bureaucracy. It is not [merely] the legal fiction of a collective person to which decisions are attributed. It is the political system reintroduced into the political system as a point of reference for political action. (1990a, 166)

The state as the self-description of political culture enables the political system to operate to reduce system complexity by constituting the state as the unity and identity of the political system. However, political culture and the state are not identical; rather, the identity of the political culture is reintroduced into the system in the form of the state as the self-description of that political culture which guides the self-regulation of the political cultural system. As a result, Luhmann notes, “Politics is not determined as state but in reference to the state. The political is always, but not exclusively, oriented towards the state” (1990b, 123). Further, just as the state as the self-description of a political culture simplifies system complexity, so too it increases the system’s potential to regulate the exercise of political power. “Interpreted as state authority,” Luhmann
observes, “this power can legitimize itself as necessary” and the state “can be used to charge politics with meaning and, at the same time, to limit its use” (1990b, 123).

Consequently, the analysis of political culture qua discursive formation—that is, as an autopoietic system of discursive performativity—entails the analysis of not only the discursive events that produce a political culture but also the formation of the state as the self-description of that political culture which operates both to reduce system complexity and to regulate the performativity of the system.

Ratification discourse, therefore, is to be analyzed not only in terms of the enunciative system regulating the performativity of that discourse but also in terms of the state produced through the ratification of the U.S. Constitution as the self-description of the American political cultural system that governs the system’s self-regulation and the performance of power within that system. And this entails an examination, like Foucault’s analysis of La Perrière’s *Mirour politique*, of the “kind of rationality which was intrinsic to the [American] art of government” enunciated by the practice of ratification discourse (Foucault 1991, 89). As I noted in Chapter Two, the ratification of the Constitution and the consequent establishment of a new American state occurred at the height of the emergence of bio-power in Western political cultures, a transformation that Foucault describes as a shift in the modality, object, teleology, and ethics of state power from juridical sovereignty, concerned with the rule of a sovereign over subjects, to a bio-political art of government focused on the administrative management of the life of the population. So the question to be addressed at the close of this chapter concerns whether the political culture of America during the ratification period, and the American state constituted through ratification as the self-description of that political culture, was
characterized in terms of juridical sovereignty or as a bio-political culture. My analysis of the enunciative system of ratification discourse in this chapter suggests that it was more the latter than the former. In other words, the extent to which the people functioned as the principle element of that enunciative system indicates that the art of government articulated by ratification discourse, though still at a “raw and early stage,” was nevertheless a bio-political art of government (Foucault 1991, 90). To demonstrate this more fully, I would like to conclude by examining the American art of government as enunciated by ratification discourse.

In ratification discourse, the exercise of state power is understood not as the rule of a sovereign over subjects but as the rule of the people over themselves through the agency of the state. Both pro- and anti-ratificationists concur in locating the source and legitimacy of state power in the people of America. Publius, for example, noted that one of the deficiencies of the Articles of Confederation was that it had been ratified by the states, not the people, a defect the ratification of the U.S. Constitution would avoid by being subject to will of the people. “The fabric of American empire,” he observed, “ought to rest on the solid basis of THE CONSENT OF THE PEOPLE. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority” (1987, 184). Indeed, Publius held that the existing state governments and the proposed federal government were comparable in that both were “substantially dependent on the great body of the citizens of the United States”: “The federal and State governments are in fact but different agents and trustees of the people, constituted with different powers and designed for different purposes” (1987, 297). Brutus, likewise, maintained that the people “are the fountain of all power, to whom
alone it of right belongs to make or unmake constitutions, or forms of government, at their pleasure” (1985, 109). And Cato commented that in “democratic republics the people collectively are considered as the sovereign—all legislative, judicial, and executive power, is inherent in and derived from them” (Bailyn 1993, 1:38).

Similarly, the state ratifying conventions enunciated the people as the source of power and government as but the agency of the people’s power. The state of New York, for instance, grounded its ratification on the premise that “all power is originally vested in and consequently derived from the people . . .” (Bailyn 1993, 2:536). Maryland asserted that “all persons entrusted with the legislative or executive powers of government, are the trustees and servants of the public” (Bailyn 1993, 2:553). And Virginia and North Carolina expressed the same idea in identical language: “That all power is naturally vested in, and consequently derived from, the people; that magistrates therefore are their trustees, and agents, and at all times amenable to them” (Bailyn 1993, 2:559, 566). Thus, state power in the American art of government is always already derivative. In American political culture, the people are sovereign, not the state; the state is the agency for the people’s self-governance. As the self-description of American political culture, though it may seem paradoxical, the state is the people, and the people are the state.

Not only were the people the source of state power, they were also its object and end. Under the Articles of Confederation, the Continental Congress could only act on the body of the people indirectly, through the intermediary of the state governments. But the ratification of the U.S. Constitution would fundamentally alter the relationship between the central government, the states, and the people by establishing the people, not the
states, as the focus of state power. As I pointed out earlier in this chapter, this shift became a central point of contention in the debate over ratification, with anti-ratificationists opposing ratification because it constituted the people as the object of state power and pro-ratificationists supporting ratification for the same reason. The debate over the proposed government’s power of taxation illustrates the degree to which both pro- and anti-ratificationists, despite their disagreement, nevertheless concurred in recognizing that the national government would directly and immediately impact the lives of the American people. Of gravest concern to anti-ratificationists was the provision in Article I, Section 8 of the proposed Constitution—“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . . .”—granting the national government an unrestricted power of taxation, including the authority to directly tax individual citizens. The Federal Farmer observed that by this language “Congress shall have the power to tax immediately individuals, without the intervention of the state legislatures . . .” (Bailyn 1993, 1:274). The dissenting members of the Pennsylvania ratifying convention expressed similar concerns:

“The power of direct taxation applies to every individual, as congress, under this government, is expressly vested with the authority of laying a capitation or poll tax upon every person to any amount . . . . The power of direct taxation will further apply to every individual as congress may tax land, cattle, trades, occupations, &c. to any amount, and every object of internal taxation is of that nature, that however oppressive, the people will
have but this alternative, either to pay the tax, or let their property be
taken, for all resistance will be in vain. The standing army and select
militia would enforce the collection.” (Bailyn 1993, 1:547-48).35

But pro-ratificationists argued that the power of direct taxation was essential for
the effective operation of the national government. James Wilson, for instance, observed
that “when we consider it as the duty of that body to provide for the national safety, to
support the dignity of the union, and to discharge the debts contracted upon the collective
faith of the states for their common benefit, it must be acknowledged, that those upon
whom such important obligations are imposed, ought in justice and in policy to possess
every means requisite for a faithful performance of their trust,” including the ability to
directly tax individuals (Bailyn 1993, 1:67-68). A Citizen of America agreed, “[T]he
supreme head of the states must have power, competent to the purposes of our union, or it
will be, as it now is, a useless body, a mere expense, without any advantage” (Bailyn

And what was true of the power of taxation was equally true of the other powers
of national government, especially for pro-ratificationists. As Publius remarked, “[I]f we
are in earnest about giving the Union energy and duration we must abandon the vain
project of legislating upon the States in their collective capacities; we must extend the
The shift in the object of power from the states to the people of the states would not result
in the tyranny of military force, as the anti-ratificationists warned. Indeed, Landholder
maintained that the people were already oppressed “for want of a power which can
protect commerce, encourage business, and create a ready demand for the productions of
your farms” (Bailyn 1993, 1:332). Further, Publius suggested that extending the power of the national government to the lives of individual citizens would only enhance the relationship between the people and the state and thereby ground it on a more consensual basis: “the more the operations of national authority are intermingled in the ordinary exercise of government, the more the citizens are accustomed to meet with it in the common occurrences of their political life, the more it is familiarized to their sight and to their feelings, the further it enters into those objects which touch the most sensible chords and put in motion the most active springs of the human heart, the greater will be the probability that it will conciliate the respect and attachment of the community” (1987, 202-203). Hence, though pro- and anti-ratificationists differed over whether it was proper for the power of the national government to be exercised immediately and directly on the people, all alike agreed that the state established through ratification would be so empowered.

Lastly, in the American art of government the exercise of state power was legitimate only when its purpose was to benefit the lives of the people. The preamble of the Constitution, for example, indicates that instituting a national government was justified solely by the good that would accrue thereby to the American people: “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general welfare and secure the Blessings of Liberty to ourselves and our Prosperity, do ordain and establish this Constitution for the United States of America.” The state ratifying conventions in Massachusetts and New Hampshire included this language to enunciate the end to be achieved by ratification (Bailyn 1993, 2:548, 550). Other ratifying
conventions declared that the new government would be legitimate only to the degree that it served the people. New York, for instance, held “that government is instituted by [the people] for their common interest, protection and security” and that “the enjoyment of life, liberty, and the pursuit of happiness are essential rights which every government ought to respect and preserve” (Bailyn 1993, 2:536). And North Carolina asserted that “Government ought to be instituted for the common benefit, protection and security of the people” (Bailyn 1993, 2:566).

Should the state fail to promote the life of the people, the people, as the legitimating source of the power of the state, could reclaim that power and use that power to transform the state. New York affirmed this in its ratification, “the powers of government may be reasserted by the people, whenever it shall become necessary to their happiness” (Bailyn 1993, 2:536). Similarly, Maryland asserted the power of the people to transform the state: “whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to object to, reform the old, or establish a new government” (Bailyn 1993, 2:553). So, too, Virginia: “We the Delegate of the people of Virginia . . . declare and make known that the powers granted under the Constitution, being derived from the people of the United States may be resumed by them whenever the same shall be perverted to their injury or oppression, and that every power not granted thereby remains with them and at their will” (Bailyn 1993, 2:557). Consequently, both the Constitution and the discourse of its ratification affirmed that the national state, as the
self-description of America political culture, regulated the performance of power always
and only with reference to the people; state power was therefore legitimated solely in
terms of the people and the needs and interests of the people.

The body of the American people thus operated as the source, the object, the end,
and the legitimation of governmental power in American political culture. Hence, the
American art of government enunciated by ratification discourse was therefore bio-
political at its inception, and the state constituted thereby as the self-description of the
American political cultural system was also bio-political in its founding. But several
caveats are in order by way of conclusion. First, I do not mean to imply that elements of
juridical sovereignty are not evident in ratification discourse. The discourses of
sovereignty, of the rule of law, of rights, and of liberty coexistence with the bio-political
discourses I have traced thus far. These discourses—those of juridical sovereignty and
those of bio-politics—exist as points of diffraction in the strategic materiality of
ratification discourse through which the performance of state power is regulated. And the
practice of the American art of government would be strategically articulated around
these discourses in the decades after ratification. In Chapter Four, I will continue the
investigation of the performance of state power and the strategic articulation of that
performativity between these points of diffraction in my analysis of the emergence of
bio-political culture in the early twentieth century. During this period, the power of the
state began to operate more and more immediately and directly upon the body—and
bodies—of the American people as a population. What was, in a sense, potential in the
discourse of ratification became actual in the practice of power by the state. The shift
from juridical sovereignty to bio-politics (that is, the displacement of juridico-discursive
power by bio-power) became complete as the power of the state was increasingly
performed in terms of the life and lives of the people of America.

Second, as I’ve noted a few times, the category of the people, though used as a
universal in ratification discourse, was in fact inflected by racial and gendered exclusions.
The three-fifths rule of Article I, Section 2 of the Constitution counting the population of
African slaves for the purposes of representation as but a fraction of the white population,
demonstrates the extent to which the people operated in American political culture as a
racially stratified people. So, too, does the exclusion of the indigenous people of
American from the body of the American people. The people enunciated in ratification
discourse were white people, not black or red people, and the performance of state power,
and the bio-political transformation of its performance, would continue to be infected by
race and racism. It will also be marked by the discourse of gender. In ratification
discourse, the people are male (and generally, propertied males); women were
disenfranchised from the body of the We the People who ordained and established the
Constitution. Like African Americans and Native Americans, American women were
thereby excluded from the people. But the emergence of bio-political culture in America,
as I will discuss in Chapter Four, will be strategically articulated in terms of race and
gender.

Lastly, in ratification discourse the people are not fully defined in bio-political
terms. To use Foucault’s terms, state bio-power does not operate simply in terms of the
people, but with the people as a population “with its specific phenomena and its peculiar
variables: birth and death rates, life expectancy, fertility, state of health, frequency of
illnesses, patterns of diet and habitation” (1990, 25). While the people may be the 
source, object, end, and legitimacy of state power in the American art of government 
enunciated by ratification discourse, the people are not yet perceived as a population. So 
the political culture enunciated by ratification discourse, and the state as the self-
description of that political culture, is but an incipient bio-political culture and the state a 
nascent bio-state. The bio-political transformation of American political culture will not 
be complete until the American state begins to operate directly and immediately on the 
people as population. As I will argue in Chapter Four, the emergence of bio-power in 
American political culture occurs as a shift in the practice of the art of government from 
the people to the population as the domain of state power comes to be increasingly 
characterized in terms of sexuality, the family, and public health.
NOTES

1 These works are generally regarded as modern masterpieces of American political cultural history and each is outstanding for the scholarly insights offered. Indeed, I have found these texts extremely helpful in my own study of American political culture. So while I would stand by my criticism of these scholars’ analyses, that criticism is tempered by my respect for their achievements.

2 See Rakove for a discussion of the problem of original intent in contemporary constitutional scholarship (1990, 3-22). Like the other works of American political cultural history I mention in this chapter, Rakove’s analysis of the ratification period is insightful and has aided my understanding of ratification discourse. However, his analysis is marked by, and flawed thereby in my opinion, the notion of a collective political consciousness, as well as his Madisonianism.

3 According to Farrand, “Washington in turn deposited these papers with the Department of State in 1796, where they remained untouched until Congress by a joint resolution in 1818 ordered them to be printed” (1966, 1: xi-xii). The official Journal of the Convention was published a year later. Thereafter, the private journals of a number of Convention delegates were published, the most famous of which is James Madison’s Notes of Debates in the Federal Convention of 1787 published posthumously in 1840.

4 Related to the concept of the historical a priori is that of the archive. Both are systems of rules regulating the formation and transformation of statements. However, the archive is situated at the level of “a society, a culture, or a civilization,” whereas the historical a priori is located at the level of the positivity of a particular discursive formation; the archive is therefore general, the historical a priori specific (1972, 130). The archaeological analysis of the archive uncovers the episteme of a general social formation: “the totality of relations that can be discovered, for a given period, between the sciences when one analyses them at the level of discursive regularities” (191). By contrast, the analysis of the historical a priori is directed at that system of regularities that governs a specific discursive practice. Consequently, my investigation of the production of American political culture is oriented, in this chapter, to uncovering the historical a priori of American political culture.

5 Accordingly, rather than refer to the supporters of the Constitution as Federalists and the opponents as anti-Federalists, I will use the terms pro-ratificationist and anti-ratificationist, respectively. However, this binary division of ratification discourse is itself problematic since it obscures the fact that some pro-ratificationists shared concerns about the Constitution voiced by anti-ratificationists, and vice-versa. Moreover, neither pro- nor anti-ratificationist positions were by any means unified, so to conceive either
side of the debate as having a single, coherent perspective on ratification is, again, to obscure the diversity of opinions circulating the field of ratification discourse.

6 In the Foucauldian archaeological analysis of ratification discourse I develop later in this chapter, I concentrate on the discourse that circulated publicly in newspapers, pamphlets, and broadsides rather than the discourse of the individual state ratifying conventions. This is consistent, I believe, with Foucault’s assertion throughout his work that discourse and power proceed from the bottom up, not from the top down. In addition, I have restricted my analysis to those texts that circulated most widely in the field of ratification discourse, as indicated by my examination of the circulation histories of these texts in the appendixes and editorial headnotes in Commentaries on the Constitution, volumes 13 to 18 of the Documentary History of the Ratification of the Constitution (Kaminski and Saladino 1981-1995).

7 Throughout this chapter, I use the term *qua* in the sense of “in so far as.” So “political culture *qua* discursive formation” means “political culture in so far as it is a discursive formation.”

8 Of course, political culture should also be analyzed, through a genealogical inquiry, in terms of relations of power and of power-knowledge relations. I will turn to these aspects of the critique of American political culture in Chapter Four.

9 See also Austin’s preliminary discussion of the performative in the first lecture of How to Do Things with Words.

10 I do not mean to imply any general agreement between Foucault and Derrida beyond the observation that their critiques of Austin’s speech act in this regard would likely be similar. Indeed, each has been critical of the other’s work, both in terms of texts and methods. See, for example, Derrida’s critique of Foucault’s *Folie et déraison* in “Cogito and the History of Madness” (1978), Foucault’s response in “My Body, This Paper, This Fire” (1998a), and Derrida’s counter-response in “‘To Do Justice to Freud’: The History of Madness in the Age of Psychoanalysis” (1994), as well as Derrida’s comment in Limited Inc (1988, 158 n. 12) about Foucault’s alleged remark to Jürgen Habermas characterizing Derrida’s writings as “obscurantisme terroriste.”

11 I derive this analogy from Gilles Deleuze’s discussion of the statement. “What counts,” Deleuze writes, “is the regularity of the statement: it represents not the average, but rather the whole statistical curve. In effect the statement is to be associated not with the transmission of particular elements presupposed by it but with the shape of the whole curve to which they are related, and more generally with the rules governing the particular field in which they are distributed and reproduced” (1988, 4).

12 On the role of rupture as the facilitator of discursive change and transformation, see Foucault (1972, 166-177).
According to Foucault, “The four directions in which [a discursive formation] is analysed (formation of objects, formation of the subjective positions, formation of concepts, formation of strategic choices) correspond to the four domains in which the enunciative function operates” (1972, 116). See as well Foucault’s discussion in “On the Archaeology of the Sciences: Response to the Epistemology Circle” (1998b), especially pages 320-321. I should also note that Foucault uses a variety of terms to refer to these “directions” and “domains.” In order to minimize confusion, I have standardized the terms I use for the elements of the enunciative system: referential, enunciative modality, enunciative network, and strategic materiality. These terms are partly Foucault’s and partly mine.

I should note at the outset, however, that my intention is not to provide a comprehensive archaeological description of ratification discourse. Instead, my aim in this regard is twofold: (1) to demonstrate how the Foucauldian theory of discourse I develop in this chapter might be practiced in an archaeological analysis of ratification discourse; and (2) to demonstrate the extent to which ratification discourse reveals the trace of the bio-political in the initial establishment of the American Republic. Also, I preserve the original orthography and punctuation in my quotations from texts that circulated during the debate over ratification.

Five states unconditionally ratified the Constitution and therefore did not propose any amendments: Connecticut, Delaware, Georgia, New Jersey, and Pennsylvania. The ratification by seven states—Maryland, Massachusetts, New Hampshire, New York, North Carolina, South Carolina, and Virginia—was, in varying degrees, conditional. (Rhode Island did not ratify the Constitution until much later, on May 29, 1790.) The ratification documents of these seven states included resolutions expressing concerns about the Constitution and proposed amendments designed to address those concerns. The resolutions and amendments of each of these state’s ratifying conventions were published soon after each convention ended, and all circulated widely in the form of newspaper reprints and pamphlets. The Ratifications was a collection of these resolutions and amendments published as a pamphlet just prior to the Continental Congress’s acceptance of the ratified federal Constitution and its subsequent dissolution. (cf. Bailyn 1993, 2:1137).

Foucault develops his analysis of the author more fully in the essay, “What is an Author?” (1998c).

For brief, though insightful, discussions of the use of pseudonyms in ratification discourse see McDonald (1985, 67-68) and Cornell (1999, 34-42).

19 Federal Farmer explains this distinction more specifically in the sentence following the one I cited in the text: “Let the general government consist of an executive, a judiciary and balanced legislature, and its powers extend exclusively to all foreign concerns, causes arising on the seas, to commerce, imports, armies, navies, Indian affairs, peace and war, and to a few internal concerns of the community; to the coin, post-offices, weights and measures, a general plan for the militia, to naturalization, and, perhaps to bankruptcies, leaving the internal police of the community, in other respects, exclusively to the state governments; as the administration of justice in all causes arising internally, the laying and collecting of internal taxes, and the forming of the militia according to a general plan prescribed” (Bailyn 1993, 1:252-53).

20 The English translation of the Archaeology contains a significant error in translation on page 96. The text should not state that the third characteristic of the statement is that “it can operate without the existence of an associated domain,” but rather that it cannot operate without that domain. See also Dreyfus and Rabinow (1983, 52 n. 3).

21 Foucault’s discussion in the Archaeology of the associated field of statements in the chapter on “The Enunciative Function” (98-99) and that of the forms of succession and coexistence and the procedures of intervention in the chapter on “The Formation of Concepts” (57-58) do not correlate well, though both are clearly elaborations of the enunciative network regulating the production of concepts. Hence, I treat the “forms of coexistence” (57) as a “field of coexistences” (99) comprised of interrelated planes of coexistence. For yet a different way of handling this problem see Deleuze’s analysis of the “three different realms of space which encircle any statement”: collateral space, correlative space, and complementary space (1988, 4-12).

22 This dispute was all the more important since Article IV, Section 4, of the proposed Constitution “guaranteed to every State in this Union a Republican Form of Government.” Consequently, ratifying a constitution that did not establish a republic at the national level as well would be oxymoronic at best, ruinous to state republican governments at worst.

23 Both pro- and anti-ratificationists cited numerous other “celebrated writers,” most notably John Locke and William Blackstone. But on the question of whether the new government conformed to republican principles, which I am examining as an exemplary case study of the operation of the enunciative network, Montesquieu was by far the most widely cited authority.

24 Pronoun reference in this sentence is confusing. But the sense is fairly clear once one parses out who is who: “The confidence which the people have in their rulers, in a free republic, arises from [the people] knowing [their rulers], from [the rulers’] being responsible to [the people] for [the rulers’] conduct, and from the power [the people] have of displacing [the rulers] when [the rulers] misbehave.”
Cato III develops a similar line of argument (see Bailyn 1993, 1:214-18).

Publius defines *faction* as “a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community” (1987, 123). Thus, Publius’s factions were Brutus’s “constant clashing of opinions” and “heterogenous and discordant principles.”

Maturana and Varela first published their theory of autopoiesis in 1972 in a monograph titled *De Maquinas y Seres Vivos*, which was subsequently published in English under the title *Autopoiesis: The Organization of the Living* (Maturana and Varela 1980). A more concise statement of the theory was also published in English in 1974 (Varela, Maturana, and Uribe 1974).

For consistency, I have used the word *system* to replace the word *machine* in the original. Maturana and Varela stopped using the word *machine* after the initial publication of their theory, preferring instead the terms *autopoietic organization* or *autopoietic system*. See also the definitions of autopoiesis in Varela, Maturana, and Uribe (1974, 188) and Maturana (1981, 21).

See Maturana and Varela (1980, 118) and Maturana (1980, xxiv-xxx).

For an overview of this problem, see chapter eight, “Autopoietic Organizations and Social Systems,” in Mingers (1995).

See, for example, Teubner and Febbrajo (1992), Zeleny and Hufford (1992), and Rasch and Wolfe (2000).

In this regard, see also Luhmann’s discussion of double contingency (1995, 103-136).

See Luhmann (1995, 137-175) for his discussion of this topic.

See my discussion on pages 194-195 above.

Brutus’s assessment of the impact of the power of taxation is worth quoting at length: “This power, exercised without limitation, will introduce itself into every corner of the city, and country—it will wait upon the ladies at their toilett, and will not leave them in any of their domestic concerns; it will accompany them to the ball, the play, and the assembly; it will go with them when they visit, and will, on all occasions, sit beside them in their carriages, nor will it desert them even at church; it will enter the house of every gentleman, watch over his cellar, wait upon his cook in the kitchen, follow the servants into the parlour, preside over the table, and note down all he eats or drinks; it will attend him to his bed-chamber, and watch him while he sleeps; it will take cognizance of the professional man in his office, or his study; it will watch the merchant in the counting-
house, or in his store; it will follow the mechanic to his shop, and in his work, and will haunt him in his family, and in his bed; it will be a constant companion of the industrious farmer in all his labour, it will be with him in the house, and in the field, observe the toil of his hands, and the sweat of his brow; it will penetrate into the most obscure cottage; and finally, it will light upon the head of every person in the United States. To all these different classes of people, and in all these circumstances, in which it will attend them, the language in which it will address them, will be GIVE! GIVE!” (1985, 141-42).

36 See also Publius’s argument that the national government “must carry its agency to the persons of the citizens” by addressing “itself immediately to the hopes and fears of individuals; and to attract to its support those passions which have the strongest influence upon the human heart” (1987, 154).
In September 1876, the first chairman of the Massachusetts Board of Health, Dr. Henry I. Bowditch, delivered a lengthy address on the status of “Public Hygiene in America” before the International Medical Congress meeting in Philadelphia. “Theoretically,” he remarked, “Public Hygiene is the most important matter any community can discuss, for upon it, in its perfection, depend all the powers, moral, intellectual, and physical, of a State” (1972, 1). And yet in practice, the United States, like many other nations in the world, had ignored the health conditions of its population until forced to tend to its health by the epidemic outbreak of a contagious disease. “Hitherto,” he observed, “little or no attention has been paid to [public hygiene], except when, under the influence of some frightful epidemic, the panic-struck nations have been aroused from their usual apathy, and have then vainly tried to resist the pest by drugs, by appeals to the gods whose laws they have never studied, or finally, perhaps, by legal enactment, after the days of suffering have passed” (1-2). Such haphazard, epidemic-driven public health policies must be replaced, he argued, by a comprehensive program of “state preventive medicine”—which he defined as “the minute and accurate study of
the causes, not only of these occasional scourges of our race, but of all diseases, however trivial”—carried out “with the full power of the State, directed by experts, professional and scientific” (2). The protection of the population from epidemic diseases and the promotion of health could no longer be left to non-state institutions like the medical profession or charitable organizations if “human life [were to] be lengthened, made more healthy, and consequently more truly happy” (122). This could only happen through “the potent influence” of the state, Bowditch maintained, for “[o]nly the State, with its great resources, with a large corps of able and earnest agents occupied in the observation of the rise and progress of disease, and in the analysis of such observations for many generations, can hope to unravel even a few of the many mysterious causes of the diseases of any nation, especially one covering so large a portion of the earth’s surface as the United States” (122, 2).

In the months preceding his address, Bowditch had undertaken an extensive survey of the public health practices of the thirty-eight states, nine territories, and the District of Columbia that then comprised the United States. The survey revealed that “a large majority of the States and Territories of this Union” had yet to confront their “duty” to tend to “the health of their people” (Bowditch 1972, 39). Indeed, a mere 17 percent of the states and territories had responded affirmatively to the “fundamental question,” “Does your State, by its Legislation, show a Due Appreciation of the Duty devolving upon a State to be careful of the Health of its People?” (41). Just a quarter of the thirty-eight states had established state boards of health. Yet this small step toward state preventive medicine had only occurred in the past seven years, and but four of the states had begun to develop an organized system of public health personnel (54-60). Further,
Bowditch found a widespread reluctance on the part of the states to expend money for public health purposes. For example, only a fifth of the states and territories allocated funds to support boards of health, to carry out public health investigations, or to prevent disease; and barely a third spent money “To repress Noxious or Offensive Trades,” which Bowditch characterized as “a most legitimate and imperative duty of a State” (43-53).

Similarly, no state or territory had enacted legislation to conduct a public health survey of its population, even though, as Bowditch pointed out, “after a State has been once formed, it would seem to be one of its first duties, as the sovereign guardian of the lives and health of the people, to look into all the influences, good and bad, bearing upon health” (64). While 20 states had passed laws mandating the registration of births, deaths, marriages, and so on, only nine had actually published such vital statistics, leading Bowditch to conclude “that not a single State in this Union, nor the United States as a nation, has, at the present time, any proper system for the registration of vital statistics” (66, 111, 116). Thus, the status of public health in America a hundred years after independence was, in Bowditch’s perspective, “most unpalatable” and “but little creditable to the country” (120).

If the situation was “unpalatable” at the state level, it was not much better at the federal level. A “Digest of American Sanitary Law,” compiled by H. G. Pickering and published in conjunction with Bowditch’s address, cited just three laws relating to public health enacted by the U.S. Congress in the past century, all of which concerned the quarantine power of the federal government, not the prevention of disease or the promotion of health (1972, 301-302). A more complete “Chronology of Major Health Legislation” assembled in 1976 by the Department of Health, Education, and Welfare
listed only 13 health-related laws enacted prior to the 1876 Centennial (1976, 195-211).

In addition to the quarantine legislation cited by Pickering, Congress had passed laws imposing a 20-cent tax on the wages of seamen to provide for their health care (1798), encouraging vaccination (1813), regulating the quality of imported drugs (1848), compensating veterans of the Civil War for injuries, disabilities, or death (1862), and authorizing a National Asylum for such veterans (1866). Congress had also established a navy hospital fund (1811), created a medical department in the Army (1818), and incorporated the National Academy of Sciences (1863). The Reorganization Act of 1870 had established the Marine Hospital Service, the precursor of the Public Health Service, under the auspices of a Surgeon General. And three years after Bowditch’s address, in 1879, Congress enacted a National Board of Health, but the board had little effect on national health policy since its primary mandate was to encourage the enforcement of state and federal quarantine laws and it ceased to exist after its appointed four-year term.

So for the first century of the American Republic, the health of the American population was of little concern for either the federal or the state governments. Only when the health of the people was jeopardized by outbreaks of cholera, typhus, yellow fever, and other infectious diseases did governments act to contain the epidemics through quarantine. Though state and federal authorities did take some measures to care for the health of selected groups like sailors and veterans, very little was done to prevent disease or to promote health. The bio-political potential of American political culture that I discussed in the last chapter thus lay dormant until late in the nineteenth century.

The twentieth century, however, provides a stark contrast to such benign neglect. Decade by decade, the health of the American people became an escalating
preoccupation for government at the federal, state, and local levels. The emphasis of public health practice shifted dramatically from quarantine to disease prevention and health promotion, and health policy was increasingly established by the national government. By mid-century, for instance, every state had a pervasive network of public health agencies that collected vital statistics on the population, controlled a variety of diseases, regulated housing and public accommodations, provided health care to mothers, children, and the indigent, monitored working conditions, funded research, and engaged in a variety of health education activities.1 At the federal level, the comprehensive program of “state preventive medicine” envisioned by Bowditch in 1876 had become a reality a century later. Whereas Congress had enacted only 13 health-related laws prior to 1876, it passed more than 150 such laws by 1976, according to the “Chronology” compiled by the Department of Health, Education, and Welfare. As Philip R. Lee and A. E. Benjamin observe, government now “plays a major role in planning, directing, and financing health services in the United States”: “Public programs account for approximately 40% of the nation’s personal health care expenditures; most physicians and other health care personnel are trained at public expense; almost 65% of all health research and development funds are provided by the government; and most nonprofit community and university hospitals have been built or modernized with government subsidies” (1984, 461). So by the end of the twentieth century much of life in America was administratively managed by the state. In the course of less than a century, therefore, the incipient bio-political culture of the ratification period had emerged full-grown as the American state began to operate directly and immediately on the people as a population.
Scholars have offered a variety of explanations for this shift in American political culture. Some attribute the transformation to changes in medical knowledge and practice. For example, the discovery in the late-nineteenth century by Pasteur, Koch, and other researchers of the infectious agents causing diseases like cholera, typhus, and tuberculosis established the validity of the so-called germ theory of disease and thereby altered the practice of public health in most Western nations, including the United States. Similarly, the rapid proliferation in the 1940s of antibiotic treatments for most infectious diseases enabled medical practitioners to actually cure such diseases. Paul R. Torrens (1984), however, traces the development of health care in America to three inter-related trends: shifts in the types of health problems confronting the American people, the development of technology to manage such problems, and the spread of private and governmental organizations able to deploy that technology. Prior to 1900, the principal threat to public health took the form of epidemic outbreaks of infectious diseases and there was little in the way of technology or social organizations able to meet that threat. During the first half of the twentieth century, however, as medical science made rapid progress in basic bio-medical research and technology and a public health infrastructure developed at all levels of American society, the threat of epidemics receded and the primary health problems of the American people were infectious diseases involving individuals, not groups, and work-related injuries and diseases. By the end of twentieth century, chronic diseases predominated, “particularly emotional and behaviorally related conditions,” bio-medical technology had advanced to a point where the cost of that technology began to adversely affect the provision of health care, and the organization of health care was increasingly centralized at the federal level (Torrens 1984, 15).
By contrast, many scholars place the development of public health in America within the larger context of the growth of the modern welfare state and the differences between the American welfare state and European welfare states. Some link this transformation in American political culture with the advance of industrialization and urbanization. As the economy of the United States shifted from agriculture to industry and the distribution of population from the rural to the urban, the informal network of family and charitable organizations proved to be ill-equipped to handle the needs of the elderly and the destitute, and of citizens confronted with serious illness, work-related injuries, or prolonged unemployment. Consequently, government intervened as the guarantor of the “social security” of the American people. Other scholars ascribe the rise of the welfare state in America to the influence of national values. With its emphasis on individualism, self-sufficiency, Puritanical morality, and skepticism about governmental intervention, America adopted a form of the welfare state distinctly different from other Western nations, one that all too often attributed poverty and illness to the moral failings of individuals and, therefore, sought not merely to compensate for that lack but also to remedy the alleged defect of individuals, all the while ignoring, or rejecting, the possibility that the social structure of America itself could be the source of such systemic problems. Yet others argue that the evolution of a welfare state in America is associated with class conflicts between labor and the hegemony of business interests. According to this theory, the American welfare state took the form it did as a result of the weakness or inability of the working class to mobilize in favor of a larger governmental role for social provision and the corollary dominance of American business in opposing such an agenda.
While each of these approaches has merits, none adequately explains the transformation of American political culture which has occurred over the past century such that the health of the American population has become a central preoccupation of the national state. For instance, the advances in bio-medical technology and the proliferation of social organizations capable of deploying that technology may explain the shifts in patterns of disease prevalent in the United States. But it cannot account for the shift in the rationality and exercise of state power that marks the emergence of a bio-political culture in America. Similarly, industrialization and urbanization may correlate with the trend toward increased governmental intervention in the United States, but that correlation alone does little to explain why and how the welfare state in America took the form it did, especially in comparison with other equally industrialized and urbanized Western nations like Great Britain. As Theda Skocpol comments, “socioeconomic modernization not only is a poor predictor of the timing of enactment of social policies across nations and across states within the United States; it also says little about the content of specific national or state-level policy profiles, ignoring the particularities of program constituencies and the public rhetoric used to legitimate them” (1992, 14).

The national values approach is equally unhelpful since it essentializes those values and ignores the contradictions in, and fracturing of, American political culture over the role and importance of those values. Such an approach begs the questions, in Skocpol’s words, “Whose ideas and values? And ideas and values about what more precisely?” as well as the question Skocpol does not raise, why those ideas and values and not others (1992, 22)? The class conflict model is also flawed by its essentialism in that it not only regards labor and business as unified and coherent classes but also neglects
conflicts within, and alignments between, these two classes. This approach is further weakened by its economism which “posit[s] zero-sum relations of domination or struggle between only two classes, capitalists and industrial workers” and does not take into account the fracturing of American political culture along the lines of race, gender, and sexuality (Skocpol 1992, 28-29). Lastly, all these approaches are marked by a teleological determinism that regards the development of a welfare state in America as the inevitable outcome of either bio-medical science, modernization, ideology, or class conflict.

Theda Skocpol advocates a more insightful analytic which she terms a “structured polity” methodology. “This approach,” she explains, “views the polity as the primary locus of action, yet understands political activities, whether carried on by politicians or by social groups, as conditioned by the institutional configurations of governments and political party systems” (1992, 41). The structured polity approach investigates the relations between “state and party organizations,” the impact of “political institutions and social identities,” the correlation of “political institutions” and “the goals and capacities of various politically active groups,” and the influence of previous social policies (41-60). While Skocpol’s analytic is far more nuanced than other approaches and is therefore better able to account for transformations in American political culture, her approach nevertheless overly privileges the institutions of state and party systems. Indeed, as she herself observes, in political science her approach is labeled “the new institutionalism” (569n90). Since the structured polity approach focuses on institutions and not the power-
knowledge relations between state, society, and individual that characterize a political
culture, it cannot adequately explain the production of knowledge, the performance of
power, or the subjectivation of individuals.

Rather than centering the investigation of American political culture on the
institutions of state and party, one must instead elucidate the genealogy of power
relations and of the relations between discourse and power that performatively operate
within and through that political culture. As Michel Foucault observes, “This is not to
deny the importance of institutions in the establishment of power relations but, rather, to
suggest that one must analyze institutions from the standpoint of power relations, rather
than vice versa, and that the fundamental point of anchorage of the relationships, even if
they are embodied and crystallized in an institution, is to be found outside the institution”
(2000, 343). In this chapter, accordingly, while I will not ignore “the importance of
institutions,” I will offer a genealogical analysis of the emergence of American bio-
political culture during the first decades of the twentieth century, a period which marks
an intensification of the bio-political management of life in America. First, I analyze
Foucault’s concept of power and of power-knowledge relations and his “use” of
Nietzsche’s concept of the will to power. Here, I argue that bio-political culture ought to
be theorized as an autopoietic performative system of power-knowledge relations and
that the power exercised by the state so constituted is a form of pastoral power through
which the life of the American population is administratively managed. Second, I then
deploy this theory of bio-political culture in a genealogical investigation of medical,
scientific, and political discourses circulating during the early twentieth century. I will
argue that the principal factor in the emergence of bio-political culture in the United

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States was the threat posed to the health of the American population by venereal diseases. I will conclude by examining state bio-political practices operative during this period, in particular the activities of the Commission on Training Camp Activities during World War I, a far-reaching, multifaceted program designed not merely to ensure the fighting efficiency of the American Expeditionary Force but also to manage the lives of each and every American. As a result, I will demonstrate the forces and mechanisms that drove the bio-political transformation of American political culture. In effect, America is now a bio-political culture not only because it was produced through ratification discourse as an incipient bio-political culture, but also because the threat of venereal disease in the early twentieth century led to a shift, as I noted in the last chapter, in the American art of government from the people to the population as the domain of government power comes to be increasingly characterized in terms of sexuality, the family, and public health.

**Genealogy, the Discourse of Power, and the Power of Discourse**

In a February 25, 1976, lecture at the Collège de France, Foucault commented that “the genealogy of knowledges is located on . . . the discourse-power axis or, if you like, the discursive practice-clash of power axis” (2003, 178). In Chapter Three, I examined what Foucault means by the term “discursive practice,” namely, the performance of discourse as an autopoietic system. Further, I analyzed, in some depth, archaeology as a method for the analysis of the performativity of a discursive practice. And in Chapter Two, I surveyed Foucault’s genealogy of Western political cultures by considering the nature of juridico-discursive power and bio-power, the emergence of bio-power in the seventeenth and eighteenth centuries, the domain of bio-power as a matrix of sexuality, family, and public health, and the bi-polar bio-power technologies of discipline and
governmentality. But I have yet to elucidate the specificity of power and of the relations between power and discourse. Similarly, though I have used the term a number of times in this dissertation, I have not explained adequately how genealogy operates as a method for analyzing power and power-knowledge relations. So before conducting an investigation of the emergence of a bio-political culture in America in the twentieth century, it is important to examine Foucault’s thought regarding genealogy, power, and discourse, for such an investigation must take the form of a genealogy of power and of power-knowledge relations operative in American political culture at that time.

So then, what is power and what is the relation between power and discourse? At first, these might seem like un-Foucauldian questions to ask. After all, as I pointed out in Chapter Two, Foucault was far more concerned with the “how” of power—the exercise of power—than he was with the “what” of power—the nature, if you will, of power. And he argued consistently that power does not have a substance or essence, that power exists only when it is exercised. In a sense, therefore, Foucault did not develop a “theory” of power, as many scholars have observed. Yet he did on a number of occasions explain what he meant when he used the terms “power” and “power-knowledge relations,” especially in the Will to Know and in essays, lectures, and interviews during the last decade of his life. Power, Foucault observes, “must be understood in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization” (1990, 92). Or again, power is constituted by “unbalanced, heterogeneous, unstable, and tense force relations” (1990, 93). Thus, power relations are relations of force. But what, then, does Foucault mean by characterizing power in terms of force relations? In a January 7, 1976, lecture, Foucault remarked that
“the basis of the power-relationship lies in a warlike clash between forces—for the sake of convenience, I will call this Nietzsche’s hypothesis” (2003, 16). Consequently, in order to understand what Foucault means by “force” and how power relations are constituted by relations of force, one must turn to Friedrich Nietzsche and Foucault’s adoption, or adaptation, of Nietzsche’s concept of the will to power.

While a complete exposition of Nietzsche’s will to power is beyond the scope of this chapter, I would make the following observations. For Nietzsche the will to power is the fundamental principle, or essence, of life. “[T]he essence of life,” he observes in On the Genealogy of Morality, is “its will to power” (1994, 56). Or, as he notes in The Will to Power, “life is merely a special case of the will to power” (1967, 369). Or, again, “This world is the will to power—and nothing besides! And you yourselves are also this will to power—and nothing besides!” (1967, 550). But Nietzsche also characterizes life in terms of force and force relations. “The will to accumulate force,” he comments, “is special to the phenomena of life, to nourishment, procreation, inheritance—to society, state, custom, authority” (1967, 367). Similarly, “Life, as the form of being most familiar to us, is specifically a will to the accumulation of force . . .” (1967, 368). So, then, the will to power is related to force as a will to the accumulation of force, and this will to power is that which characterizes life as we know it, in all its forms. In addition, the will to power is “ascribed” to force as its “inner will.” Nietzsche writes, “The victorious concept ‘force,’ by means of which our physicists have created God and the world, still needs to be completed: an inner will must be ascribed to it, which I designate as ‘will to power,’ i.e., as an insatiable desire to manifest power; or as the employment and exercise of power, as a creative drive, etc.” (1967, 332-33). As Gilles Deleuze notes in his
commentary on this passage, the will to power operates to produce both a quantitative and a qualitative difference in relations of force: “The will to power is the element from which derive both the quantitative difference of related forces and the quality that devolves into each force in this relation . . . . The will to power is thus added to force . . . as the internal element of its production” (1983, 50-51, italics removed). No force can be known in-itself, according to Nietzsche; force can only be known by its effects, effects which are determined by the quantitative difference between forces and the qualitative difference of each force in a relation (1967, 333). Forces differ in quantity in so far as any given force is either dominating or dominated; forces differ in quality in so far as any given force is either active or reactive; and it is the will to power operative within each force that determines the quantity and quality of each force in a relation.

Further, in every power relation there is an element of resistance; the will to power is oriented toward that which resists it in every relation of force. The dominated resists the domination of the dominating, and the dominating resists the resistance of the dominated. Nietzsche observes, “A quantum of power is designated by the effect it produces and that which it resists . . . . It is essentially a will to violate and to defend oneself against violation . . . . That is why I call it a quantum of ‘will to power’” (1967, 337-38). Or, again, “The will to power can manifest itself only against resistance; therefore it seeks that which resists it” (1967, 346). Consequently, power relations are characterized not only by the quantitative and qualitative differences between forces in a relation but also by the resistance engendered by that relation. Lastly, power is always already interrelated with “truth.” “‘Truth’ is not therefore something there, that might be found or discovered—” Nietzsche maintains, “but something that must be created and
that gives a name to a process, or rather to a will to overcome that has in itself no end . . . . It is a word for the ‘will to power’” (1967, 298). Thus, truth as Truth does not exist, just as power as Power does not exist; truth is the product of a power relation and of the will to power operative within the relations of force that characterize a power relation.

So then, what are the implications of this Nietzschean-Foucauldian perspective on power relations and the relation between power and discourse? In the first place, power, and the political culture constituted by power-knowledge relations, must be analyzed in terms of war. “[I]f power is indeed the implementation and deployment of a relationship of force,” Foucault asks, “rather than analyzing it in terms of surrender, contract, and alienation, or rather than analyzing it in functional terms as the reproduction of relations of production, shouldn’t we be analyzing it first and foremost in terms of conflict, confrontation, and war” (2003, 15)? In this sense, Foucault is inverting Clausewitz’s axiom that war is the continuation of politics by other means. For Foucault, contra Clausewitz, “Power is war, the continuation of war by other means” (2003, 15). This suggests that politics is always a form of war, that below the apparently peaceful surface of civil society there lies a constant clash of forces always contending for domination, always resisting domination, that the policies and programs put into effect in a political culture are not so much the result of compromise and consent as they are the domination of a particular alignment of force relations. “[T]he role of political power,” Foucault maintains, “is perpetually to use a sort of silent war to reinscribe that relationship of force, and to reinscribe it in institutions, economic inequalities, language, and even the bodies of individuals” (2003, 15-16). Further, analyzing power relations in terms of war entails identifying the “operators of domination” active within a given political culture.
These operators of domination are not so much individuals, groups, or institutions; rather, they are constituted by the relations of force operative in power relations and the quantitative and qualitative difference between forces in a relation. Consequently, the genealogy of power relations aims “to reveal relations of domination, and to allow them to assert themselves in their multiplicity, their differences, their specificity, or their reversibility” (2003, 45).

Second, if power is to be analyzed in terms of war and of relations of domination, then power is always exercised according to strategies and tactics which are immanent to the system of power relations itself. Power relations are thus not haphazard or arbitrary; to the contrary, they are “both intentional and nonsubjective . . . . [T]hey are imbued, through and through, with calculation” (Foucault 1990, 94, 95). But these strategies and tactics, this calculation, does not arise from the actions of individuals or groups. Instead, they result from the performance of power in a system of power relations and the relations between power and discourse. Like discourse, systems of power relations perform rationally, and yet there is no subject behind this rationality; the rationality arises from the system itself (which suggests, as I will explain below, that systems of power relations are autopoietic systems). Further, multiple, competing, and contesting strategies exist in every system of power relations, though some strategies may, in a given conjuncture, be dominant over others. Foucault remarks, “Every power relationship implies, at least in potentia, a strategy of struggle, in which the two forces are not superimposed, do not lose their specific nature, or do not finally become confused. Each constitutes for the other a kind of permanent limit, a point of possible reversal” (2000b, 346). And what is true of power strategies is also true of those tactics deployed within a
given power strategy. Indeed, Foucault argues that strategies and tactics condition one another: “one must conceive of the double conditioning of a strategy by the specificity of possible tactics, and of tactics by the strategic envelope that make them work” (1990, 100). So, too, relations of power and relations of strategy condition one another, with the result that at a given conjuncture some power relations and strategies are dominant over others. Domination, Foucault maintains, is “a general structure of power” which takes the form of “a strategic situation, more or less taken for granted and consolidated, within a long-term confrontation between adversaries” (2000b, 347-48). And if a particular political alignment achieves dominance in a political culture, this only occurs because it “manifest[s] in a massive and global form, at the level of the whole social body, the locking together of power relations with relations of strategy and the results proceeding from their interaction” (2000b, 348). Accordingly, the genealogy of power relations seeks to reveal not only relations of domination but also the strategies and tactics whereby those relations of domination achieve their dominance; it is an “analysis of a multiple and mobile field of force relations, wherein far-reaching, but never completely stable, effects of domination are produced” (1990, 102).

Third, every relation of power is always already imbricated with a discursive regime of truth. Power cannot be exercised without a corollary discourse of truth, nor can a discourse of truth perform without the exercise of power. “Indeed,” as Foucault observes, “it is in discourse that power and knowledge are joined together” (1990, 100). For Foucault, truth is the effective performance of a discursive practice as an autopoietic system (as I discussed in Chapter Three): “‘Truth’ is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation
of statements” (2000c, 132). And truth is always “linked in a circular relation with systems of power that produce and sustain it, and to effects of power which it induces and which extend it” (2000c, 132). Hence, political culture, as the performance of power-knowledge relations between state, society, and individual, constitutes what Foucault calls a “‘regime’ of truth” by which and through which power-knowledge relations perform (2000c, 132). And yet this regime of truth is neither stable nor uniform; it is fractured by cleavages produced by that “warlike clash between forces” that constitute the basis of all power relations. As Foucault comments, “the manifold relationships of force . . . are the basis for wide-ranging effects of cleavages that run through the social body as a whole” (1990, 94). Thus, multiple discourses of truth may be operative within any given power relation. Discourses of truth are therefore nothing but “tactical elements or blocks operating in the field of force relations” that constitute the strategic power-knowledge relations operative in a political culture (1990, 101-102). At the same time, some discourses of truth operate to reinforce those power-knowledge relations that are dominant, and yet other discourses of truth perform to resist those power-knowledge relations. Consequently, the genealogy of power relations seeks not only to expose relations of domination, and the strategies and tactics through which dominations are achieved, but also to interrogate the discursive regimes of truth operative in those relations of domination according to “their tactical productivity (what reciprocal effects of power and knowledge they ensure) and their strategical integration (what conjunction and what force relationship make their utilization necessary in a given episode of the various confrontations that occur)” (1990, 102).
Fourth, just as discourse performs as an autopoietic system, so, too, power is exercised as an autopoietic system, that is, as an autonomous, self-producing, self-referential system. I will not here repeat my discussion of autopoiesis and of discursive formations as autopoietic systems. But I would point out that if discourse is an autopoietic system and if discourse and power are linked in a circular relation (i.e., discourse produces power and power produces discourse), then it should be an obvious inference that power, like discourse, operates as an autopoietic system. Consider some of the terms Foucault uses to describe power and power relations. In the *Will to Know*, Foucault maintains that power is the “multiplicity of force relations . . . which constitute their own organization” (1990, 92). Power, he says, is a “process,” “a chain or a system” of force relations, which is “both intentional and nonsubjective” but which forms “comprehensive systems” of domination and resistance (1990, 92, 94, 95). As should be apparent from my discussion in Chapter Three, these are all hallmarks of an autopoietic system, with force relations as the components of that system. In Maturana and Varela’s terms, power is an autopoietic system “organized (defined as a unity) as a network of processes of production (transformation and destruction) of [force relations] that produces the [force relations] which: (i) through their interactions and transformations continuously regenerate and realize the network of processes (relations) that produced them; and (ii) constitute [the system] as a concrete unity in the space in which [force relations] exist by specifying the topological domain of its realization as such a network” (1980, 78-79, italics removed). Discourse and power are thus organized and operate as complexly linked autopoietic systems which together constitute what may be termed the autopoietic supra-system of political culture. Each system performs according to its own
autonomous organization, and yet each is structurally linked to the other such that “the conduct of each one is a function of the conduct of the [other]” (Maturana and Varela 1980, 107). Further, as a self-referential system, the autopoietic system of power relations is capable of self-observation and, hence, self-regulation. This helps to explain how, in Foucault’s words, power relations are “both intentional and nonsubjective” (1990, 94). Accordingly, the genealogy of power relations does not begin with the subject and the actions of any given individual subject; but rather, it addresses power relations as autopoietic systems. In other words, the genealogy of power relations “begin[s] with the power relationship itself, with the actual or effective relationship of domination, and see[s] how that relationship itself determines the elements to which it is applied” (Foucault 2003, 45).

Fifth, power relations, and hence power-knowledge (or power-discourse) relations, pervade the whole field of the social and operate to subjectivate individuals, to individualize subjects. As Foucault comments, “Power relations are rooted in the whole network of the social” (2000b, 345). There is no binary relation between those who have power and those who have none; rather, all are alike subject to the power relations that constitute a given political culture. Further, the exercise of power is, in Foucault’s terms, the “‘conduct of conducts’ and a management of possibilities” (2000b, 341). He explains, “what defines a relationship of power is that it is a mode of action that does not act directly and immediately on others. Instead, it acts upon their actions: an action upon an action, on possible or actual future or present actions” (2000b, 340). Hence, power is not so much exercised on individuals as it is on the actions of individuals. And yet individuals are not merely “the inert or consenting targets of power” (2003, 29). To the
contrary, to the extent that any individual’s actions are always already performed in a social field thoroughly permeated by power relations, relations that constitute that individual as a subject, the individual “is in a position to both submit to and exercise this power” (2003, 29). Individuals are thus the “relays” of power; “power passes through the individuals it has constituted” (2003, 29, 30). Moreover, the individual subject constituted by power relations is, necessarily, a free subject capable of resistance, and this is true whether that subject is in a position of domination or of subordination. Indeed, Foucault maintains that freedom is not merely “the condition for the exercise of power,” it is as well “its precondition, since freedom must exist for power to be exerted, and also its permanent support, since without the possibility of recalcitrance power would be equivalent to a physical determination” (2000b, 342). So while, from one perspective, it may appear to be impossible to get outside of power, to escape power relations, it is, from a Foucauldian perspective, always possible to resist, and even to reverse, a relationship of power. As Foucault observes, “there is no relationship of power without the means of escape or possible flight . . . . It would not be possible for power relations to exist without points of insubordination that, by definition, are means of escape” (2000b, 346, 357). Hence, the genealogy of power relations must attend to the “whole field of responses, reactions, results, and possible interventions [that] may open up” in any relationship of power (2000b, 340). And it is necessary as well to attend to the forms of subjectivity constituted by those relations of power and the forms of resistance by which free subjects contend “against that which ties the individual to himself [or herself] and subjects him [or her] to others . . . .” (2000b, 331).
Sixth, if power relations permeate the whole field of the social, then the state may be said to be surrounded by, imbricated in, and saturated with the system of power-knowledge relations that constitute political culture. Power relations exceed the boundaries of the state, but the state can only exercise power by means of those power relations. So the state is, perhaps paradoxically, both outside and within the power relations operative in a given political culture. Power relations, Foucault suggests, “necessarily extend beyond the limits of the State”; and yet, “[t]he State is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology, and so forth” (2000c, 122). The state, he says, “consists in the codification of a whole number of power relations that render its functioning possible . . .”; it is the “institutional crystallization” of power strategies “embodied in the state apparatus” (2000c, 122, and 1990, 93). And if the state dominates the exercise of power in a political culture, it is because, as I noted above, it represents the bonding together of relations of power and relations of strategy operative in that political culture. According to Foucault, in modern political cultures “power relations have come more and more under state control”; they “have been progressively governmentalized, that is to say, elaborated, rationalized, and centralized in the form of, or under the auspices of, state institutions” (2000b, 345). Similarly, Foucault observes that the function of the state is now “the taking of everything under its wing, to be the global overseer, the principle of regulation and, to a certain extent also, the distributor of all power relations in a given social ensemble” (2000b, 344).

Further, as I pointed out in Chapter Two, this indicates that the exercise of power by the state is performed as a form of pastoral power in which the performance of state
power is legitimated by the degree to which state action benefits society—both the population in general and individuals in particular. In other words, through direct state action and indirect administration of a panoply of private and public organizations, the role of the state is to lead the population to “salvation”—that is, an ever-increasing cycle of health, wealth, and security—and to stimulate individuals to so live their lives. As Foucault comments, the role of the state “is to constantly ensure, sustain, and improve the lives of each and every one” (2000a, 307). Accordingly, the genealogy of power relations must analyze the extra-state power relations exploited by the state and through which the power of the state is performed, as well as the subsuming of power relations by the state. Moreover, it must examine the pastoral function of the state vis-à-vis both the body of the population and the bodies of individuals.

Finally, and significantly for my investigation in this chapter of the emergence of bio-political culture in the United States during the early twentieth century, the performance of state power operates to ensure the racial purity of the population. One of the major themes of Foucault’s 1976 series of lectures at the Collège de France is the link between the emergence of the modern state since the seventeenth century and the issue of race struggle. Early in the history of the emergence of the modern state, he argues, the state served as “an instrument that one race uses against another” (2003, 81). But as bio-power began to replace juridico-discursive power in the eighteenth and nineteenth centuries, the state became “the protector of the integrity, the superiority, and the purity of the race” (2003, 81). Indeed, he suggests, “the emergence of biopower . . . inscribes [racism] in the mechanisms of the State” (2003, 254). According to Foucault, the function of racism in modern bio-political cultures is two-fold: (1) to fragment “the field
of the biological that power controls” in order to “allow power to treat that population as a mixture of races, or to be more accurate, to treat the species, to subdivide the species it controls, into the subspecies known, precisely, as races”; and (2) to ensure the performance of bio-power according to the rationale that “the death of the other, the death of the bad race, of the inferior race (or the degenerate, or the abnormal) is something that will make life in general healthier: healthier and purer” (2003, 255). And it is important to point out that when Foucault speaks of death, he does not mean “simply murder as such,” but rather “every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection, and so on” (2003, 255). Thus, the genealogy of power must also attend to the operation of racism (and for that matter sexism, classism and other forms of exploitation, marginalization, and oppression) and the effects of racism in the performance of state bio-power.

To recapitulate, the genealogy of power relations and of the power-knowledge relations that constitute political culture entails the analysis of relations of domination, the strategies and tactics through which dominations are achieved, the discursive regimes of truth operative in those relations of domination, the performance of power relations as an autopoietic system, the forms of subjectivity constituted by those power relations, the points of insubordination and resistance available within the system of power relations, the subsuming of power relations by the state, the exercise of state bio-power and its pastoral function, and the operation of racism and other oppressions in the performance of state bio-power.
While this may seem to be an overwhelming task, such a genealogical investigation may be reduced to five basic areas of analysis, according to Foucault. (1) The genealogy of power relations must ascertain the “system of differentiations that permits one to act upon the actions of others.” Every system of power relations operates according to a set of differences that enables forms of domination and the strategies and tactics deployed within that system. Foucault suggests that these may be differences of “status or privilege,” “wealth and goods,” “linguistic or cultural,” “know-how and competence,” and so on. (2) This genealogy must determine the “types of objectives pursued by those who act upon the actions of others.” If power relations are thoroughly imbued with calculation, with strategies and tactics, then there are always a series of aims, goals, and objectives which are to be realized through the performance of those power relations, such as the “maintenance of privilege” or “the exercise of statutory authority.” (3) Such a genealogy must elucidate the “[i]nstrumental modes” by means of which power is exercised. Power is not exercised in the same fashion in every conjuncture; instead, power is deployed according to a variety of modes and through a multiplicity of instrumentalities. In other words, power is exercised in different forms in the family or in the school, in the world of business or in the workplace, in the practice of medicine or in the performance of laboratory science, in the halls of the legislature or in the courts of the judiciary, and so forth. (4) The genealogy of power must examine the “[f]orms of institutionalization” whereby the exercise of power is formalized and embodied. When the performance of power is operationally embodied within the strictures of an institution, power is formalized in a variety of ways. The exercise of power within the institution of the church, for example, takes a different form than it does
in the institution of the military; likewise, the institutions of special-interest groups
operate differently than do the institutions of charitable organizations. And, of course,
the institution of the state is embodied in the form of a “complex [system] endowed with
multiple apparatuses.” (5) The genealogy of power relations must establish the “degrees
of rationalization” according to which the exercise of power is “elaborated, transformed,
organized.” Power relations may be rationalized, for instance, according to a cost-benefit
scenario in some situations; in others, they may be rationalized in terms of possibilities
and potentials that may or may not be realized. And whatever degree of rationalization
operative in an exercise of power, it is always variable and mutable. In the remainder of
this chapter, I will deploy this genealogical analytic in an investigation of the emergence
of American bio-political culture in the early twentieth century.

Social Diseases, the Social Evil, and the Emergence of American Bio-political Culture

As many historians and scholars have observed, America in the late nineteenth
and early twentieth centuries was marked by a foment of reform movements that
ultimately transformed the performance of political culture in the United States. From
commerce and trade to business and labor, from food and drugs to agriculture and
industry, from electoral processes to tax revenues, and more, life in the United States was
increasingly managed and administered by a national state whose power grew more
pervasive and invasive year by year. In some instances, these changes were the product
of legislative action and regulatory control. For example, in 1906 Congress enacted the
Food and Drugs Act establishing the Food and Drug Administration which regulated the
foods, drinks, and drugs consumed by the American people. Similarly, the Meat
Inspection Act of 1907 empowered the federal government to inspect meat-packing
plants in order to insure the sanitary conditions of that sector of the food industry. Even insecticides came under governmental regulation by the Insecticide Act of 1910. In addition, the exchange and circulation of money and capital was regulated and controlled when Congress established the Federal Reserve in 1913. In other instances, changes in American political culture were effected by amending the U.S. Constitution. For instance, the 16th Amendment (adopted in 1913) empowered Congress to directly tax the incomes of American citizens, thereby realizing one of the worst fears of those who opposed ratification of the U.S. Constitution because of its potential to allow the national state to intrude into the lives of American citizens. The 17th Amendment (1913) allowed for the popular election of senators; no longer would the U.S. Senate represent the interests of the states, but rather the people of the states. The 18th Amendment (1919) prohibited the “manufacture, sale, or transportation of intoxicating liquors,” thereby initiating a massive government campaign to regulate the personal behavior of every American citizen. And the 19th Amendment (1920) ended male-only suffrage and incorporated women into the body politic of the American people. All of these changes, and more, altered the performance of power relations in American political culture and accelerated the subsumption of power relations by the national state.

But the emergence of a bio-political culture in the United States was driven even more by the threat posed to the health and vitality of the American population by venereal disease. The far-reaching campaigns of the early twentieth century to control and prevent what were know as “social diseases”—syphilis and gonorrhea—and to eradicate the “social evil” of prostitution and sexual immorality served as the primary instrumentality for the transformation of American political culture. As I argued in
Chapter Two, a bio-political culture is characterized by the administrative management of the life of a population, and the domain of bio-power is the matrix of sexuality, the family, and public health. Consequently, more than any other factor the effort to contain “social diseases” and eradicate the “social evil” marked the emergence of a bio-political culture in the United States, for these twin threats jeopardized the life of the American population in exactly those areas: sexuality, the family, and public health. Accordingly, the genealogical investigation of American political culture I will develop below will focus on the discourses and power relations of venereal disease prevention operative in the United States in the early twentieth century.7

System of Differentiations

The system of differentiations operative in the emergence of American bio-political culture are a complex mix of differences concerning innocence and guilt, purity and impurity, morality and immorality, continence and prophylaxis, conflicts between advocates of morality and those of education and sanitation, as well as racial, class, and gender differences. How these differences were articulated with one another determined the strategies and tactics whereby power and discourse performed in the political culture of the United States, conditioned the relations of domination and the points of insubordination available within the systems of power and discourse, and regulated the exercise of power by the state in carrying out its pastoral function of administratively managing the life of the population.

Consider how differentiations were made concerning guilt and innocence, purity and impurity. In the early twentieth century, having a venereal disease was almost universally taken to be a sign of guilt, of a moral failing, a shameful secret best met with
silence. As a result, the names of venereal diseases were not even to be mentioned in polite society and those unfortunate enough to contract a venereal disease were condemned as moral lepers who were merely receiving the just penalty for their impure actions. However, those who advocated a more aggressive effort to prevent the spread of venereal disease argued that such popular sentiments did far more harm than good. For example, Prince A. Morrow, a leading figure in the anti-venereal disease movement whose 1904 *Social Diseases and Marriage* became a seminal text in the campaign, denounced such attitudes as a “culpable policy” which “like a boomerang . . . returns to smite society” (1904, 34). “Society,” he argued, “by its peculiar and false attitude toward these diseases, its ostrich policy of shutting its eyes to their danger, and its edict of silence imposed upon the teachers of youth and public educators as to the existence, even, of these diseases, fosters that ignorance which is the chief cause of the evils we are considering” (1904, 34). Venereal diseases were not, he maintained, “a divine chastisement for the sin of unchastity,” nor were they “diseases of debauchery . . . which carry with them the stamp of licentious living” (1904, 348). To the contrary, venereal diseases were simply infectious diseases and should carry with them no more taint than any other infectious disease. Indeed, “they embrace among their victims a vast number of virtuous wives and innocent children,” falling “upon the just and the unjust alike,” and making “no distinction between the guilty and the innocent” (1904, 348). The women who contracted syphilis or gonorrhea were not simply “the vicious and abandoned women who indulge in licentiousness and irregular living”; rather, they were “for the most part young and virtuous women, the idolized daughters, the very flower of womankind . . . endowed by nature with all those physical attributes of health and vigor
which fit them to become the mothers of the race” (1904, 22). And the men with these
diseases, who all too often infected their wives and thereby their children, were not, “as a
rule, the practised libertine or the confirmed debauche,” but rather “men who have
presented a fair exterior of regular and correct living—often the men of good business
and social position—not infrequently what are considered the ‘good catches’ of society”
(1904, 23).

Morrow was not alone in expressing such views, though this perspective was by
no means dominant in the early twentieth century. The dominant discourse, that which
circulated most widely in American political culture at the time, was, in fact, a discourse
of silence reinforced by a moral discourse that held that sex outside of the bounds of
heterosexual monogamy was always and only impure, meriting the punishment meted out
in the form of venereal disease. Thus, the relations of domination and the strategies and
tactics deployed in the system of power-knowledge relations were fractured along the
lines of guilt and innocence, purity and impurity, between a discourse that held venereal
diseases to be the just deserts for sinful living and a discourse that maintained such
diseases were no more and no less than medical conditions best prevented by public
health measure like the reporting of infections to public health departments, treatment,
and education.

This suggests that a further element in the system of differentiations operative in
early twentieth century political culture was the relation between venereal diseases—
“social diseases”—and prostitution—“the social evil.” Like many others active in the
campaign against venereal diseases, Morrow argued that the “prophylaxis of venereal
diseases and the prevention of prostitution are indissolubly linked” (1904, 332). Indeed,
the connection between venereal diseases and prostitution was, for most, so undeniable that it became almost axiomatic that the spread of venereal disease could be largely prevented if prostitution could somehow be at least contained if not eradicated. But here again, the differentiations of morality all too often determined the possible courses of action. Some advocated the adoption of the policy of segregation and regulation whereby prostitutes would be segregated into so-called red-light districts and subject to regular medical inspections (the policy implemented at the time by many European countries). For example, Abraham L. Wolbarst argued that the “first step is to change our attitude towards prostitution” such that prostitutes would no longer be considered “criminals, engaged in a criminal traffic,” but rather “unfortunate members of the social fabric . . . engaged in an unclean traffic made necessary by social and economic conditions” (1910, 272). Instead of criminalizing prostitution and threatening prostitutes with legal action, Wolbarst suggested making “changes in the present laws affecting prostitutes as will permit them to live unmolested in certain well-defined sections of the city, so long at they conduct their traffic without maintaining a public nuisance” and submit, voluntarily, to regular “medical supervision and personal care” (1910, 272).

For most, however, such an approach was tantamount to a moral abdication. The perspective of Dr. Howard A. Kelly was typical in this regard: “As for myself, and I trust I speak for all in this professedly Christian land, I would declare: ‘We can not consent to sanction of evil that good may come of it’ . . . . we will fight evil wherever we see it, and under all circumstances we will oppose the debasement of the public standards of right and morality” (1905, 680). Instead of segregation and regulation, Kelly and others advocated the suppression of prostitution through a campaign of moral education and, if
necessary, governmental repression. J. H. Landis, a physician and public health official, for instance, advocated a program based upon (1) “a single standard of purity based on continence, not on incontinence”; (2) “a system of education on sex relations which will acquaint developing youths and maidens with a knowledge of the pathological results due to immoral practices”; (3) “the complete eradication of the social evil”; (4) “the correction of social and economic conditions which are partially responsible” for prostitution; and (5) treatment of infected prostitutes (1913, 1085). Thus, the strategies and tactics pursued in the power relations of the anti-venereal disease movement were conditioned by the relation between venereal disease and prostitution and the differences engendered by the differentiations of morality and immorality, purity and impurity.

The system of differentiations operative in American political culture in the early twentieth century was also characterized by differences in the moral expectations accorded to men and women. The so-called double standard of morality whereby the sexual infidelities of men were tolerated (even accepted) but those of women weren’t was widely discussed in the discourse of venereal disease prevention. Landis expressed the double standard as follows:

Society condones man’s moral lapse. If a woman falls, she is eternally damned. Society merely elevates its eyebrows when a man goes wrong.

He is the victim of a designing woman. When a woman comes up for judgment, it is a case of thumbs down. The father of the race may be a past master in debauchery, but society demands that the mother be without taint or blemish of immorality. (1913, 1075)
This double standard was frequently identified as one of the principle causes of prostitution. Morrow put it bluntly, “The most essential cause, the *causa causans*, of prostitution is masculine unchastity” (1904, 340). As long as unchastity in men was tolerated by society at large, he reasoned, prostitution would remain a necessary, though regrettable, evil. But the double standard had a further consequence, for Morrow and many others; it divided “women into two classes; from the one it demands chastity, the other is set apart for the gratification of the sexual caprices of . . . men” (1904, 342). As a result, the double standard establishes a chain of transmission for venereal disease: from prostitutes, who by virtue of their increased exposure to venereal diseases had a substantial prevalence of venereal diseases, to their male clients, to their current or soon-to-be wives, and, often, to their children.

The double standard also impacted both the treatment of venereal disease and the educational campaign advocated for its prevention. In the case of a wife infected by her husband (as a result of his premarital or extramarital sexual indiscretions), Morrow and most other medical authorities advocated a conspiracy of silence between the physician and the husband to conceal from the wife the true nature of her medical condition. “The fixed rule of professional conduct in these cases,” Morrow maintained, “from which there can be no deviation, is that no information or hint even of the nature of the disease should come from the physician” (1904, 67). And why this compounding of the double standard? In order to “spare her the mental anguish, the sense of injury, shame, and humiliation which would come from the revelation” (1904, 68). Likewise, the double standard extended into the education campaigns designed to combat the spread of venereal diseases. Morrow, for example, held that it was not essential that “the exposure
of existing evils should form a necessary part of the education of young women” (1904, 352). Women need only “know that dissipated men do not make desirable husbands” (1904, 352). Others, however, suggested that some young women—those not of the “better class”—should be as well educated about venereal disease as young men. George Whiteside, for instance, observed, “The education of our girls is a different matter. They should understand their anatomy and physiology, but let us spare the sympathetic sensibilities of girls of the better class. Why tell them of venereal disease or loathsome perversions of sexual desire? Girls who must protect themselves, who unfortunately have no one to look out for them, should be as well informed as the boys are” (1906, 1253).

Consequently, according to the discourse of venereal disease prevention, the differentiation of sexual morality—one set of standards for men, another for (some) women—not only operated to foster prostitution, and thereby contributed to the spread of venereal disease through prostitution, it also adversely impacted the treatment of women infected by their husbands and the public health measures for the prevention of venereal disease.

Lastly, the system of differentiations further entailed differences in terms of race and class. As I noted above, some felt that women should be excluded from education about venereal disease, except those women not of the “better class.” Others attributed the increase in venereal disease to the influx of lower-class immigrants and the moral failings of the upper classes. Howard A. Kelly, for example, observed, “The tide [of venereal disease and sexual immorality] has been raising continually, owing to incessant inpouring of a large foreign population with lower ideals; owing also to the great increase in our wealthy classes with their attendant debaucheries and devotion to pleasure-seeking
Yet others linked the occurrence of venereal disease in women resulting from premarital or extramarital sexual activity to lower-class status. Morrow, for instance, noted that a woman “may have contracted syphilis in the usual, habitual way before marriage or extraconjugally after marriage. Cases of [this] category are almost exclusively confined to the lower or more vicious and abandoned classes of society” (1904, 302). Differentiation according to race was also frequent in the discourse of venereal disease prevention. Daniel David Quillian noted that “[b]y virtue of [their] inordinate desire for sexual gratification, and because of their lax morals and indifference to virtue, the negro as a race is more prone to venereal disease than the white race” (1906, 277). Similarly, Thomas W. Murrell commented, “Morality among these people is almost a joke and only assumed as a matter of convenience or when there is a lack of desire and opportunity for indulgence, and venereal diseases are well-nigh universal. As an illustration of this: In clinic and private practice I have never seen a negro virgin over 18 years of age” (1910, 847). As a result, most venereal disease reformers held little hope that the spread of these diseases could be prevented among the black population of America. Murrell maintained, “Teaching [the negro] the hygiene of the disease is so hopeless that when we instruct him it would be a farce were it not a tragedy” (1910, 848). And Quillian concluded, “the treatment for bettering his condition physically and generally is to teach him industry, morality, temperance, cleanliness, frugality and contentment, as ‘hewers of wood and drawers of water’” (1906, 279). So the system of differentiations in the discourse and power relations of venereal disease prevention was fractured by racial and class differences which effectively consigned the black and working class populations of the United States to the category of lost causes.8
Types of Objectives

The types of objectives operative in the discourse and power relations of venereal disease prevention included those aimed at the preservation of the population as a species and those directed at the sexual behavior of individuals, as well the production and distribution of knowledge about venereal diseases. But paramount over all was the concern with the preservation of the “race,” a term often used as the equivalent of the human species itself, regardless of the actual racial mix of the species population, but one which all too often carried racist connotations given the generally racist tone of venereal disease discourse. In other words, when those active in the venereal disease prevention campaign spoke of the importance of racial preservation or expressed concerns about racial decadence, they all too often meant not just the preservation of the human species but also the preservation of one race in particular—the white race, especially the Anglo-Saxon race. Morrow, for example, opened his text *Social Diseases and Marriage* with the observation, “Venereal diseases in their mode of origin and pathological effects strike at the very root of nature’s process for the perpetuation of the race” (1904, iii). And he was especially concerned that the transmission of venereal diseases from mothers to their children “constitutes a powerful factor in the degeneration of the race” (1904, 21). Thus, the preservation of the purity and vitality of the race functioned as one of the primary objectives of the discourse and power relations of venereal disease prevention.

Closely associated with race perpetuation was the objective of ensuring the preservation of marriage and the family. As Kelly commented, “The marriage of one man to one wife . . . constitutes the very foundation of all true social progress; this is the unit which in aggregate forms a social fabric in which right rules, virtue is honored and
God is revered . . .” (1905, 679). Similarly, Morrow noted, “Since the welfare of the human race is largely bound up in the health and productive capacity of the wife and mother, the sanitation of the marriage relation becomes the most essential condition of social preservation” (1904, 20). Consequently, the threat posed by “social diseases” and the “social evil” to marriage and the family made it all the more imperative to prevent the spread of venereal diseases and to eradicate prostitution. Further, in the discourse of venereal disease prevention, the purpose of marriage was fundamentally that of procreation. “Whatever may be the motives that actuate men and women in joining themselves together in the state of matrimony,” Morrow remarked, “the social aim of marriage is the creation of the family—the raising of children. The family constitutes the fundamental unit of our social organization; whatever injuriously affects this unit, reacts unfavorably upon the collective social body” (1904, 19-20). And the purpose of marriage was not simply procreation, but rather procreation “of children born in conditions of vitality and physical health; it is to produce a race well formed and vigorous, not to procreate beings infirm and stamped with physical and mental inferiority . . .” (Morrow 1904, 21). Of particular concern was the role played by syphilis and gonorrhea as causes of female sterility. In 1909, Morrow estimated that half of all women infected by these diseases were “rendered absolutely and irreremediably sterile”; and an even larger number became sterile following the birth of their first child, “so that one child represents the total fecundity of the family” (1909, 626). The result of the spread of venereal diseases, therefore, was not only the degeneration of the American population but its depopulation as well. Given the twin capacity of these diseases for degeneration and depopulation, the only viable response, for Morrow and others, was “the co-operative effort of all the social
forces, educational, moral and legislative, as well as sanitary,” in a massive campaign to control venereal disease (1905, 675). The preservation of the race could only be achieved by safeguarding marriage and the family from the threat of venereal disease.

A further type of objective in the discourse and power relations of venereal disease prevention concerned the sexual behavior of individuals. Though many physicians in the early twentieth century believed syphilis and gonorrhea could be transmitted through what would now be considered casual contact—sharing a drinking cup or a towel, for instance—it was widely understood that the vast majority of cases were acquired through sexual transmission (and even those cases of congenital transmission were ultimately linked to a prior instance of sexual transmission). So the regulation of sexual behavior became a key objective in venereal disease prevention. On the one hand, this objective resulted in strategies to control the spread of venereal disease through the “social evil” of prostitution. For many, as I discussed above, this meant the repression of prostitution through law enforcement. For others, however, containing the spread of venereal disease required more than repression; it was necessary as well to change the attitude of relative tolerance for prostitution that resulted from the double standard of morality. If prostitution and male unchastity were no longer to be tolerated, if the man who consorted with a prostitute were to be subject to the same opprobrium as the prostitute, repression would hardly be necessary and the spread of venereal disease through prostitution would be substantially reduced. “For the correction of this evil,” Morrow observed, “society has at least one powerful weapon—social ostracism of the libertine” (1904, 343). Similarly, Willson maintained that “it would not be an impossible
thing for the women of a city effectually to demonstrate to the men that since prostitution
is no longer looked on as a physical necessity for either sex, it must no longer be indulged
in by the loyal citizen” (1912, 928).

On the other hand, the objective of regulating sexual behavior resulted in the
strategy of preventing venereal disease by educating all Americans, but especially the
youth, regarding what was often called sex hygiene. Though opinions varied greatly
concerning the timing and the content of such education—and whether young women
should receive the same instruction as young men—most of those active in the venereal
disease prevention movement advocated some form of sex education as simply a
necessity. For example, Willson remarked, “In the first place, and absolutely essential to
the success of any attempt at controlling influences so insidious as the diseases that are
fostered mainly by and through immorality, is the sane, quiet, complete sex education of
the American people” (1912, 925). Morrow argued that since venereal diseases were
“communicated voluntarily” and “since this voluntary act can not be repressed nor
controlled by force, the indications are to bring to bear restraining influences which act
on the volition, the will, the morale of the individual. Unquestionably, the most valuable
measure is education.” To be sure, some expressed doubts about the effectiveness of
such an educational campaign, but even these skeptics often acknowledged that it would
at least contribute to the goal of controlling venereal diseases. Landis, for instance,
observed that “the possession of knowledge does not necessarily mean its application”
(1913, 1079). And he pointed out that few were “qualified to teach sex hygiene to
children” (1913, 1079). Yet in the end, he concluded, “Education will not eliminate the
sexual instinct, but it will place at the disposal of individuals a knowledge of the dangers
incurred that will act as a powerful curb in preventing its promiscuous gratification” (1913, 1079). Thus, the preservation of the race and the safeguarding of marriage and the family entailed the regulation of the sexual behavior of the American people through the repression of prostitution, whether by law or moral suasion, and through education in sex hygiene.

Finally, a further type of objective in the discourse and power relations of venereal disease prevention was the production and distribution of knowledge about the diseases, especially their prevalence in the American population, but also the natural history of the diseases and their treatment. The most widely advocated strategy to achieve this objective was the reporting of cases to departments of public health, though there was considerable disagreement over whether the reporting should be mandatory or voluntary, and whether by name or anonymously. Morrow maintained that the “first essential to the success of any scheme of sanitary control is the co-operation of the medical profession in reporting all cases of contagious disease coming under their professional care” (1905, 676). Similarly, Charles F. Bolduan of the New York City health department observed, “The basis for practically all effective administrative action against infectious diseases is accurate information concerning the existence and distribution of the individual cases and this can only be obtained by some system of notification and registration” (1913, 1088). Syphilis and gonorrhea were, without a doubt, contagious, infectious diseases, but in the early twentieth century few states had enacted laws requiring the notification of health authorities when the diseases were diagnosed. So, many in the venereal disease prevention movement advocated changes in the health laws of state and municipalities to mandate reporting of syphilis, gonorrhea,
and other venereal diseases. As Bolduan explained, this was necessary for two reasons. One, notification would generate statistical knowledge about the prevalence and incidence of the diseases: “In the first place it is necessary to know something about the number of cases of the infection, and their distribution” (1913, 1088). Two, reportability would facilitate the diagnosis and treatment of these diseases; it would be “the means for individualizing our efforts for securing an early and accurate diagnosis and prompt and effective treatment of the case and carrying on a really effective, educational and preventive campaign” (1913, 1088). Thus, if venereal diseases were to be controlled and the health of the American population improved thereby, knowledge about the diseases was essential.

Not surprisingly, the federal government eventually began to produce and to manage the distribution of venereal disease knowledge in the United States. In 1920, for instance, the U.S. Public Health Service began publishing *Venereal Disease Information*, a monthly journal distributed to state health departments and other relevant organizations. Each issue of the journal contained original articles on a variety of issues related to venereal disease. In addition, the journal abstracted articles published in medical and scientific journals in the United States and around the world about laboratory and pathological research on venereal diseases, studies of the diagnosis and treatment of the diseases, and efforts to prevent the spread of the diseases. In conjunction with this journal, the Public Health Service also published the *Venereal Disease Bulletin*, designed to communicate information about the diseases to the general public. Though the federal
government ceased publication of these journals after World War II, they demonstrate the extent to which the national state became involved, and would remain involved, in the production and circulation of venereal disease knowledge.

Instrumental Modes

Among the instrumental modes of power relations articulated in the discourse of venereal disease prevention in the early twentieth century were the agencies of medicine, education, the family, the church, and the apparatuses and institutions of the state. For most, the medical profession was a key mode for the exercise of power in the prevention of venereal disease. For example, Morrow declared, “Upon the medical profession devolves the responsible duty of safeguarding society from the dangers which threaten its interests through the introduction of venereal diseases into marriage” (1904, 36). Similarly, W. J. Herdman remarked that, “as guardians of the physical welfare of mankind in its broader sense,” physicians had a “duty” not only for the “cure of disease” but also for “the prevention of it” (1906, 1246). Thus, physicians were to be not merely healers but sanitarians as well: “the protective duty [of physicians] embraces in its object not only the wife and unborn children, but through them society itself” (Morrow 1904, 36). On the one hand, the medical profession was to discharge its duty to society and the preservation of the race by treating patients with venereal diseases. “The sterilization of the source of contagion by treatment constitutes one of the most effective means of preserving others from contagion,” Morrow noted. “What has been termed prophylaxis by treatment is the surest and best method of preventing infection in married life” (1904, 36). The duty of the medical profession to prevent venereal diseases through treatment was not just the responsibility of individual physicians; it also entailed the treatment of
the diseases in hospitals. Unfortunately, most hospitals in the early twentieth century were reluctant to admit venereal patients, and when they did so the diseases were often classified under different names, “not so much to protect the individual from the odium attaching to a shameful disease as to protect the hospital from the reproach of treating such cases” (Morrow 1906, 1245). Bolduan argued that “the control of venereal diseases should embrace the provision of ample dispensary and hospital facilities for the treatment of cases unable to afford the services of a private physician, and these institutions should provide treatment equal to the best obtainable anywhere” (1913, 1090). The race and class differentiations I discussed above thus adversely impacted efforts not only to prevent the spread of venereal diseases but also to treat patients diagnosed with such diseases who were too poor or of the wrong color. And in this regard, the medical profession all too often failed in its “duty of safeguarding society.”

On the other hand, the medical profession was also to discharge this duty by educating the public regarding venereal disease. “While the province of the physician lies in the prevention and cure of disease,” Albert F. Carrier noted, “there are times when he must enter the domain of morals also, and nowhere will he find better opportunity for teaching morality than in giving advice regarding the sexual apparatus . . .” (1906, 1250). Carrier and others advocated a broad educational approach designed to inform the public of the threat posed by venereal diseases, the nature of those diseases, and the means to prevent them, as well as sex hygiene. “Both youths and adults,” Bransford Lewis remarked, “should know the rudiments of sexuality; of sexual immaturity and the consequences of imposing sexual activity on this delicate system when it is still undeveloped; of sexual maturity and its pregnant possibilities both for good and for evil;
of the sexual act, of impregnation and reproduction” (1906, 1253). In addition, physicians should teach the public the basic facts of venereal diseases, their “numerical frequency” and their “attending sequelæ” (Carrier 1906, 1251). The public should know that these diseases are “chronic, lasting for a period of years,” and that the diseases require “a long period of persistent treatment to cure” them (Carrier 1906, 1251). The public should also be informed that sexual “continence is compatible with health” (Carrier 1906, 1251). And physicians should not be above persuading the public “by the terrors of infection” (Morrow 1905, 677). Fear, Morrow contended, is “most wholesome and salutary in its effects”; it is “the guardian, the protective genius of the human body”; and physicians “should appeal to this sentiment in endeavoring to shield young men from exposure to infection” (1905, 677). The medical profession was thus an instrumental mode for the exercise of power to prevent venereal diseases, both through the treatment of patients afflicted with such diseases and by educating the public regarding the dangers of the diseases and the means to prevent them.

Accordingly, education itself became another key instrumental mode for the prevention of venereal diseases. But physicians were not the only members of society who were to be engaged in this effort; instead, the educational campaign would enlist in its ranks schools and universities, the family, and the church. Morrow argued, “The agencies which serve for popular education, the public school system and our high schools and colleges, should be utilized for the purpose of disseminating this hygiene knowledge” (1905, 677). Similarly, Henry D. Holton observed that “there must be created a public sentiment which will sustain action by authority, [and] there must also be a strong demand for state interference. This can only be brought about by an educational
movement, which shall begin in the home and continue in the high and preparatory schools and college” (1906, 1248). The family, as well, must be involved in education if venereal diseases were to be prevented. “The work to be done,” Kelly asserted, “begins right in the home by each parent meeting the responsibilities touching their own children” (1910, 21). More specifically, Holton explained that “parents should explain how the race is perpetuated, the sacredness and responsibility of the relations of parents and children, the great moral and physical dangers that attend on the abuse of those functions, and that continence is not incompatible with health” (1906, 1248). Lastly, the church should also be enlisted in an educational campaign of venereal disease prevention. “It is the province of the clergy and public teachers,” Morrow suggested, “to educate the public conscience and to inform public sentiment in all matters relating to morals” (1904, 359). Unfortunately, the church was all too often recalcitrant in this regard, both out of a “fastidiousness” about discussing sex and sexually related disease and as a result of the widespread acceptance of “the archaic theory of the moral etiology of venereal diseases” (Morrow 1904, 360). The opposition between “moralists,” like all too many members of the clergy, and those advocating sexual hygiene “should no longer exist,” Morrow maintained (1904, 361). “The medical man and the moralist are both interested in the correction of the social evil”; Morrow observed, “instead of working independently and often antagonistically, there should be co-operation and concert of action” (1904, 361). Thus, as an instrumental mode of venereal disease prevention, education required the involvement of the medical profession, the schools, the family, and the church.

A further instrumental mode for the exercise of power in venereal disease prevention was the institutions of the state, particularly the apparatuses of the police and
of public health. I have already discussed the role of the police power of the state in controlling the spread of venereal disease through the legal repression of prostitution. And I have noted the proposal to ground the public health policy of the state, vis-à-vis venereal diseases, on the compulsory reporting of cases to health departments. But these were certainly not the only measures advocated by the venereal disease prevention movement. Many supported enacting laws requiring a certificate of health as a condition for marriage. Morrow, for one, observed, “The State may demand as a preliminary condition to granting a [marriage] license a medical certificate that both parties are free from any contagious sexual disease” (1904, 366). Some, like Morrow, also favored laws prohibiting the transmission of venereal disease in marriage. But support for such measures was limited, and even those who expressed support had reservations. Morrow, for example, argued that requiring a certificate of health could well prove ineffective for a number of reasons. For one thing, not all physicians were competent enough to accurately diagnose the diseases, nor were competent physicians widely enough available in all parts of the country. Laboratory facilities for the accurate diagnostic testing for syphilis and gonorrhea were equally lacking. In addition, the diseases were not always diagnosable even by competent physicians. Chronic or latent gonorrhea “would require numerous examinations and prolonged observation” to determine its presence, and syphilis was “not a disease of continuous symptoms” (Morrow 1904, 367). Even more important, such a law would defeat the procreative aim of marriage by promoting celibacy or delaying the age of marriage. “Marriage, and especially early marriage,” Morrow contended, “is the surest preservative against immorality and its diseases . . . . Every obstacle thrown in the way of marriage is distinctly antisocial and to a certain
degree immoral in its tendency” (1904, 368-69). Morrow was equally skeptical of laws punishing the transmission of venereal diseases in marriage, reasoning that it lacked an equitable basis in law and would not be feasible in its application. And yet, he ultimately concluded that such a law would do more good than harm. “The value of such a law would be chiefly educative . . . . The mere existence of such a law upon our statute books would do much to educate the public to the idea that the transmission of syphilis is not a venial offence, but that it is a crime against society to recklessly scatter the seeds of a loathsome disease” (1904, 375, 376). So while the instrumental mode of the state was fairly limited in the first decade or so of the twentieth century, the basis was laid for the state to take a more leading role in venereal disease prevention. Indeed, as I will argue below, the American state, with the entry of the nation into World War I, would adopt a much more aggressive approach to venereal disease prevention.

*Forms of Institutionalization*

The exercise of power for the prevention of venereal disease was formalized and embodied in a variety of institutions. Early on, most of these institutions were private and drew heavily from the ranks of the medical profession. As a result, power relations were at first institutionalized in pre-existing institutions like the medical profession, education, the family, and so. But these institutions themselves spawned a number of organizations whereby the discourse and power relations of venereal disease prevention were institutionalized. And with the entry of the United States into World War I in 1917, the exercise of power would come to be increasingly embodied in the institutions and apparatuses of the state.
One of the first organizations that marked the institutionalization of venereal disease prevention was the American Society for Sanitary and Moral Prophylaxis, founded by Morrow and a small group of New York physicians in 1905. The Society, Morrow urged, “should be a permanent organization, which should exert a continuous active force in dealing with an evil which has so many elements of vitality and permanence” (1905, 678). Moreover, it “should be a center for the diffusion of enlightenment—a medium of communication between the profession and the public.” All too often, Morrow reasoned, physicians and medical researchers published reports in professional and scholarly journals demonstrating the “menace to the public health” posed by venereal diseases and “their dangers as a social peril.” But because these reports were rarely circulated outside the medical profession, and even more rarely were reported on in the news media of the day, the public remained unenlightened with the result that venereal diseases were allowed to spread behind a wall of silence. “The chief obstacle of this enlightenment,” Morrow held, “comes from the atavistic impregnation of the public mind with the idea that a knowledge of the reproductive system and of its diseases is shameful.” So “the first effort” of the Society would be “to break down this solid wall of opposition to the diffusion of such knowledge.”

In 1910, the American Society for Sanitary and Moral Prophylaxis spawned the American Federation for Sex Hygiene (AFSH), again under the tutelage of Morrow who was its president until his death in 1913. “The primary and specific object of this organization,” Morrow wrote in a report submitted to the Federation’s Executive Committee, “is the study and application of all means, educational, sanitary, moral, and legislative, which promise to be the most effective in preventing the spread of vice and its
The educational campaign proposed by the Federation was three-fold: (1) the “[e]nlightenment of the public” regarding the threat posed by venereal diseases and “especially the dangers to the family and the race from their introduction into marriage”; (2) the “education of parents” to help them teach their children about sex and the prevention of sexually related diseases; and (3) the “education of young people” in schools and colleges on the “hygiene of sex” (1912, 34). To achieve these objectives, the Federation would pursue eleven specific lines of action, including the recruitment of lecturers, the distribution of sex hygiene literature, the “establishment of educational centers in cities and towns,” the selection of an expert committee of educators, sociologists, and physicians charged with the development of a sex hygiene curriculum, the study of the causes of prostitution, and the enactment of legislation to protect “female minors, to throw sanitary safeguards about marriage, and to utilize all agencies under social control to prevent the marriage of the unfit and defectives who are fated to propagate their kind” (1912, 34-36).

In 1913, three years after the inauguration of the Federation, the Special Committee on the Matter and Methods of Sex Education published a “general outline of a plan of sex education” which would prove to be enormously influential in the years to come (AFSH 1913, 2). “Sex instruction,” the committee noted as its first principle, “has a purely practical aim, and should be strictly limited by this aim. Its purpose is to impart such knowledge of sex at each period of the child’s life as may be necessary to preserve health, develop right thinking, and control conduct” (2). In addition, sex education “must not seek to create interest and awaken curiosity . . . but merely satisfy the curiosity which spontaneously arises in the child’s mind” (3). Consequently, in lectures and texts
“detailed descriptions of external human anatomy are to be avoided” (3). The instruction would emphasize both the biology of sex and the ethics of proper sexual behavior; “[t]houghts of sex and sex emotion must . . . be spiritualized and placed on the highest plane” (1913, 4). The education of students in sex hygiene was to be tailored according to their age and level of maturity: from ages one to six, instruction “falls chiefly upon the mother,” who should be educated as to the proper methods for instructing and protecting her children; from ages six to twelve, the schools would begin to “share with the home the hygienic and moral care of the child” and sex instruction would begin with the study of plant and animal reproduction; from ages twelve to sixteen, instruction in the schools would move from animal reproduction to human reproduction, emphasizing “the significance of sexual morality” and “the dangers to health and morals of abnormal sexual habits”; and from ages sixteen to “complete maturity,” sex hygiene education would provide “more thorough instruction in heredity and the bearing of sexual morality and immorality on future generations,” including “special instruction as to the character and the dangers of venereal diseases” (5-9). All sex education was to be conducted in classes segregated by gender and taught by a teacher of the same gender; and it was to be incorporated into the normal curriculum of education, like classes in biology, physical education, or ethics, rather than taking the form of “special courses in sex instruction” taught by “‘sex specialists’” (10). As I noted, the educational campaign outlined by the American Federation for Sex Hygiene proved to be extremely influential. Indeed, a study by the U.S. Bureau of Education in 1922 found that nearly half of all high schools in the United States mandated sex hygiene education, and often the instruction conformed to the guidelines first outlined by the Federation a decade before (Brandt 1987, 30-31).  

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One other organization through which the power relations of venereal disease prevention were institutionalized was the American Social Hygiene Association, also established in 1913. According to William F. Snow, who served as its executive secretary, the Association sought “to study . . . all educational, legal and administrative methods proposed; to carefully test the efficacy of those methods which are being tried; and to encourage other volunteer organizations and such public departments as health, education, correction, police, and charity, to introduce into their work those approved methods which may be adaptable” (1914, 79-80). The Association was thus both a clearinghouse and an advocacy organization whereby the power relations of venereal disease prevention were to be formalized and embodied. Its objectives were to be pursued according to a five-fold plan of activity: (1) to encourage physicians to report cases of venereal disease, to educate families, and to advocate “a single standard of morals”; (2) to support adequate diagnostic facilities and hospital treatment for venereal patients; (3) to sponsor educational activities directed at “shop-workers, department-store girls, and other similar groups”; (4) to foster greater attention to the threat of venereal disease and the importance of education by “parent-teacher associations”; and (5) to advocate the wider dissemination of sex hygiene education in schools and universities and the adequate preparation of teachers for this educational work (88). Like the other organizations I’ve discussed, the Association would prove to be especially influential in the broader campaign to prevent the spread of venereal disease and to modify the morals and sexual behavior of the American people. I will return to the role of the American Social Hygiene Association in my analysis of the Commissions on Training Camp Activities below.
Finally, the power relations of venereal disease prevention would be increasingly institutionalized within the apparatuses of the state. Through the activities of the Public Health Service, the Commission on Training Camp Activities, the Interdepartmental Social Hygiene Board, and other arms of the national state, the power relations of venereal disease prevention would more and more be subsumed by the state. I will discuss this more fully in the closing section of the chapter in my analysis of the state bio-political practices operative during World War I and the years thereafter. I would only note here that, as a result of the enactment of the Chamberlain-Kahn bill in 1918 and an executive order signed by President Woodrow Wilson in the same year, the federal government’s venereal disease prevention programs directed at the civilian population were consolidated in the Public Health Service’s Division of Venereal Diseases. This body was charged with “directing a thorough campaign against venereal diseases in civil communities throughout the United States, utilizing medical, law enforcement, and educational measures” (Moore 1919, 18). And though the Chamberlain-Kahn act would fail to be renewed by Congress in 1921, its effect of formalizing the institutionalization of the power relations of venereal disease prevention would persist. From this point on, while non-state institutions and organizations would continue to play an important role in venereal disease prevention, the power relations of venereal disease prevention would be “progressively governmentalized, that is to say, elaborated, rationalized and centralized in the form of, or under the auspices of, state institutions” (Foucault 2000, 345).

Degrees of Rationalization

By now, the degrees of rationalization operative in the power relations of venereal disease prevention in the early twentieth century should be fairly evident. Most
obviously, concern over the degeneration and depopulation of the race rationalized virtually every effort undertaken to prevent the spread of venereal diseases. So, too, the importance of safeguarding the procreative vitality of marriage and the family served to rationalize all aspects of the venereal disease prevention campaign. But the family functioned as a degree of rationalization in another way: the capacity of mothers and fathers to rear healthy and productive children. To the extent that venereal diseases undermined the child-rearing capabilities of parents, they threatened both the viability of the family and the preservation of the race. Venereal diseases, Morrow observed, seriously jeopardized the role of men as husbands and fathers: “He is exposed to the consequences of a disease which may ruin his health, impair his usefulness, and incapacitate him for his responsible position as the head, the material support, and breadwinner of the family” (1904 243-44). Similarly, by inducing infertility and invalidism into the lives of women, venereal diseases damaged their ability to be wives and mothers. “The instinct of maternity is implanted by nature in every normally constituted woman,” Morrow remarked, “and she realizes that in missing maternity she has missed her highest destiny in being created a woman” (1904, 31). So the preservation of the race, the safeguarding of marriage, and the protection of the family, all functioned to rationalize the power relations of venereal disease prevention.

A further degree of rationalization is to be found in concerns over the economic costs of venereal disease. Although the costs of treating venereal patients were poorly understood at best, especially since many cases were never reported or were intentionally diagnosed as another disease to ensure the conspiracy of silence about the diseases, it was widely accepted that these costs were considerable. For example, Allan J. McLaughlin,
who served as the Massachusetts State Commissioner of Health in 1915, commented, “The syphilitic helps to fill our state institutions. This infection increases the number of the blind, the insane, and the paupers” (1916, 64). Noting that the State Board for Insanity in his state estimated that more than eight percent of admissions were the result of syphilis, McLaughlin concluded, “When we reflect that this board was compelled to spend over four and a half million dollars to equip and maintain its hospital and schools, we can easily calculate the savings in dollars and cents if this disease were eradicated,” roughly over $375,000 annually (64). When one adds to this the cost of the treatment and hospitalization for other consequences of syphilis, plus the cost of treating the consequences of gonorrhea, plus the costs for treating both diseases in the other states in America, the economic costs of venereal disease in the early twentieth century must have been staggering.

In addition, the costs attributable to venereal diseases included not only the cost of treatment and hospitalization but also the cost of lost economic productivity. Wolbarst estimated that in 1907 the loss of economic productivity simply in terms of time lost at work due to venereal disease amounted to some “twenty-five million working days” annually (1910, 269). Irving Fisher of Yale University reached a similar conclusion in his Report on National Vitality, published by the U.S. government in 1909:

What syphilis and gonorrhea represent in the lowered working efficiency of our population—to say nothing of the still more important subject of increased mortality—is impossible to estimate; but it would be difficult to
overemphasize the grave danger to national efficiency from these and the other venereal diseases. And here again the most striking point is that the venereal diseases are preventable. (1909, 36).

Consequently, the economic costs of venereal diseases, in terms of treatment, hospitalization, and lost productivity, operated as a degree of rationalization in the power relations of venereal disease prevention.

The discourse and power relations of venereal disease prevention in the early twentieth century was thus regulated by a complex matrix of a system of differentiations—differences concerning innocence and guilt, purity and impurity, morality and immorality, continence and prophylaxis, conflicts between advocates of morality and those of education and sanitation, and racial, class, and gender differences; types of objectives—those aimed at the preservation of the population as a species, those directed at the sexual behavior of individuals, and the production and distribution of knowledge about venereal diseases; instrumental modes—medicine, education, the family, and the church, as well the apparatuses and institutions of the state; forms of institutionalization—both in the institutions of the private sector, like medicine, education, and the family, and those of the state; and degrees of rationalization—the preservation of the race, the safeguarding of marriage, the protection of the family, and economic efficiency and productivity. In the concluding section of this chapter, I will turn to the state bio-political practices put into operation following the entry of the United States into World War I. I will argue that the discourse and power relations of venereal disease prevention evident in the activities of the Commission on Training Camp
Activities and other governmental bodies marked the further emergence an American bio-political state, that is, a pastoral state administratively managing the life and lives of the American people.

**The Commission on Training Camp Activities:**

**A Case Study in American Bio-politics**

On April 17, 1917, eleven days after the United States declared war on Germany, the War and Navy Departments created the joint Commissions on Training Camp Activities (CTCA) to oversee the preparation of the American Expeditionary Force, thereby launching one of the most far-reaching and extensive experiments in social engineering every attempted in America. According to Raymond B. Fosdick, who chaired both commissions, the CTCA was not only “the largest social program ever undertaken” by the federal government, it was also “the first time a government had ever combined educational and ethical elements with disciplinary forces, in the production of a fighting organism” (1918, 131). The commissions’ goal was to create not simply an efficient fighting force, but one free of venereal diseases as well. And the objects of the program were not just the members of the American military, but the entire population of the American people, both military and civilian. Accordingly, the commissions’ agenda was two-fold: (1) “a vast positive program set up to compete with the twin evils of alcohol and prostitution” and (2) a “suppressive” program designed to repress prostitution and the availability of alcohol around the training camps (131). In pursuing its agenda, the CTCA coordinated and administered the activities of an array of governmental and non-governmental organizations: the Army Medical Department, the Public Health Service, the Justice Department, state and local authorities, the American Social Hygiene
Association, the Young Men’s Christian Association, the Young Women’s Christian
Association, the Knights of Columbus, the Jewish Welfare Board, the American Library
Association, the Recreation Association of America, and others. Thus, the CTCA
represented both an expansion of the power relations of venereal disease prevention and
the increasing subsumption of those power relations by the state, with the result that the
political culture of the United States would be substantially transformed into a bio-
political culture.

The CTCA was the legacy of the military’s past experience with venereal diseases
and of the venereal disease prevention movement over the previous two decades. Its
activities were inspired, in part, by the experience of the American military during a
March 1916 conflict along the border between New Mexico and Mexico (Brandt 1987,
52-58). Francisco “Pancho” Villa and his troops had infiltrated the border and had
attacked the town of Columbus, New Mexico. In response, the U.S. government
dispatched to the Southwest an army of 10,000 troops. Within weeks, reports of
drunkenness and debauchery began to filter back to Washington, and in July the
Secretary of War, Newton D. Baker, sent Fosdick to investigate. Fosdick found that the
conditions around army camps throughout the Southwest were deplorable. Prostitutes
from throughout the region had streamed into the towns adjacent to the camps, and the
camps were “virtually encircled by brothels and saloons” (53). In his report to Baker,
Fosdick described an all too typical scene: “In various stages of undress, and in various
postures and poses, women solicit all passersby, opening and daringly, from the front of
the ‘cribs,’ with a constant flow of obscene jest and invitation” (53-54). The result was
an explosive increase in venereal diseases among the troops. Indeed, at one camp in San
Antonio, Texas, nearly 30 percent of the troops were afflicted with a venereal disease. In an attempt not to repeat the Mexican border experience during the training of the American Expeditionary Force, the CTCA was established to ensure the deployment of a healthy and efficient fighting force, one that was both strong and pure. As a consequence, the CTCA was also the legacy of the venereal disease prevention movement that I analyzed above. As America prepared to enter the war, the discourse and power relations of venereal disease prevention would be deployed in an all-out effort to transform the lives of the men in the training camps, and thereby the life of the American population.

The functions of the CTCA were carried out through the activities of the Social Hygiene Division, the Law Enforcement Division, the War Camp Community Service, special divisions devoted to athletics, singing, and entertainment, and various non-governmental organizations operating in and around the camps under the direction of the CTCA. The task of educating the troops about sexual morality and venereal disease prevention fell under the Social Hygiene Division, with the advice and material support of the American Social Hygiene Association. Through pamphlets, posters, lectures, and film, the Social Hygiene Division sought not merely to educate the men about the risks of venereal diseases but also to alter both the attitudes and conduct of the men. For example, some two million copies of a pamphlet entitled “Venereal Diseases, Facts Every Soldier Should Know” were distributed to men as they arrived in the camps. And more than a million copies of “Keeping Fit to Fight” were distributed, a pamphlet which “in simple and dignified language” appealed “to the patriotism, chivalry and good sense of the soldier” (Clarke 1918, 269). A variety of posters were also used to educate the men
about the dangers of venereal diseases and prostitutes, and the importance of continence and prophylaxis. One typical poster was headlined “Have a Look at Your Hidden Enemies. Learn how they attack[,] how they destroy[,] and how they may be avoided” (263). Each of the posters displayed two placards that were changed twice weekly covering such topics as “What is the cause of syphilis?” “How is syphilis contracted?” “Why is it necessary to control the sex impulse?” “When is it safe for one who has had a venereal disease to marry?” and so on (262-63). In addition to pamphlets and posters, the sexual education of the troops was also carried out through the use of what was then known as a stereomotorgraph, “an automatic exhibit display machine,” whereby fifty-two slides were projected in twenty-second intervals (266).

But the pamphlets, posters, and slide exhibits were fairly passive means of education. The soldiers could read the pamphlets or view the exhibits, or not. However, a more active and aggressive approach was adopted in the lectures and the film used by the Social Hygiene Division. One of the first activities attended by every new trainee was a lecture by the camp commander concerning venereal diseases. According to the official syllabus prepared by the Surgeon General of the Army, commanders were to “[i]mpress upon the men that the reason why the Government, and the officers of the Army are devoting every effort to educate them concerning these diseases, is because it is believed that men who know will cooperate in protecting both the Army and the civil population from venereal diseases and the moral hazards which are to be combated” (Clarke 1918, 300). The commanders were also to “[e]mphasize the individual responsibility of each soldier for avoiding sexual intercourse. Make it clear that it is the policy of the Government to reduce sexual temptation as far as possible by providing
other interests and entertainment, and to repress prostitution by every means at its
circle” (301). The soldiers were to be warned that those who contract a venereal
disease “reduce the efficiency of their company” and would therefore be punished by loss
of pay and passes for off-camp entertainment. In addition, the army would court martial
any soldier who failed to report for prophylactic treatment following exposure and who
then became infected. Commanders were also instructed to appeal to “the rights of
children and innocent women,” which was “the most powerful influence on the man
which can be used to direct his conduct” (301). “I have said nothing,” read a sample
address supplied with the syllabus, “about the injury sex relations do to the innocent girls
who may become pregnant, even if she does not get disease, or the tragedy in the lives of
women who marry infected men, and not only become invalids themselves, but give birth
to children who are blind or physically and mentally defective” (301). While the men
might not be too concerned about this at present, once the war was over and “you return
home these will be of great importance unless you have lived clean lives in the army and
learned to control your sex desires” (301). Lastly, soldiers were cautioned about the use
of alcohol, which had been banned in the camps and their environs: “drunkenness is
responsible, in addition to its other evil influences, for the loss of self control which
frequently results in sexual intercourse” (301). Thus, from the very beginning of a
soldier’s experience at a training camp, he was subjected to the discourse of venereal
disease prevention.

The commander’s lecture was followed by a series of lectures on sex hygiene and
venereal diseases taught by lecturers trained by the Social Hygiene Division. According
to the syllabus prepared by the government, lecturers were to emphasize the following
points: “The serious inroads of venereal disease on military efficiency. The effects of
venereal disease upon the individual and his family. The dangerousness of all prostitutes
and other loose women. The healthfulness of continence. The special sexual temptations
and physical ordeals of military life, especially at the front. Common-sense in keeping
out of trouble; means of reducing temptation. Necessity of early treatment by regimental
surgeons” (Clarke 1918, 291). And the lecturers were to appeal to “[p]ositive motives for
clean life,” like “decency, self-respect, efficiency and economy, reputation, square deal,
respect for women, pride of family and race (past and future), patriotism” (291). In
addition, lecturers were to avoid overly complicated language, words with “theological or
semitheological connotation,” the topic of prohibition, and, especially, any mention of
“woman’s anatomy or physiology, nor on masturbation, sensuality, effects of castration”
(291-292). Finally, lecturers were to conclude by encouraging soldiers to “Look back—
your heritage, democracy, race, name, home” and to “Look forward—what are you going
to pass down to your children?” (294). Hence, the discourse of venereal disease
prevention which had been elaborated over the previous two decades became part of
every soldier’s training.

The pamphlets, posters, and lectures were supplemented by a film, the first ever
produced by the U.S. government, entitled, “Fit to Fight” (Clarke 1918, 294-97). The
film concerned the experiences of five young men drafted into the U.S. Army—Billy
Hale, Chick Carlton, Kid McCarthy, Hank Simpson, and Jack Garvin—who are first
introduced in civilian life. Once the war begins and the men enter training camp, they are
subjected to the regimen of venereal disease instruction outlined above. Billy and Kid
understand the importance of the topic and listen attentively, whereas Hank is
embarrassed by the frank discussion of venereal diseases and sex. By contrast, Chick and Jack are “alternately bored and amused,” dismissing the warnings “to keep away from prostitutes as the only sure method of avoiding venereal disease” as “bunk.” Weeks later, on their first leave in town, the five buy whiskey from a bootlegger and, with the exception of Billy (the hero of the film), are picked up by prostitutes and taken to a brothel. Once inside, Hank is seized and kissed by a “harpy,” but he manages to escape “without losing his self-respect.” The other three, however, remain behind. Back in camp, Kid and Jack receive prophylactic treatment, but Chick refuses and Hank thinks he doesn’t need it because he hadn’t had sexual intercourse. In the end, only Billy and Kid escape uninfected; Chick has gonorrhea, Jack has syphilis, and Hank receives a syphilitic lip infection as a result of the harpy’s kiss. The moral of the film is clear: continence is the only sure means of avoiding venereal disease; prophylactic treatment may help (as in the case of Kid) but is not fool-proof. Thus, as Clark concludes, not only did the film “uncompromisingly [portray] . . . the temptations actually encountered by the man in uniform,” it also presented “the effects of promiscuous sexual indulgence . . . with a realism that is expected to make the soldiers who see this picture pause and reflect” (296-97).

But training in sex hygiene and venereal diseases were not the only means employed to train soldiers in living morally upright lives. The CTCA also attempted, in the words of a booklet prepared by the U. S. War Department, to “supply the normalities of life” to the men in the camps (1917, 3). The men in the training camps had left behind “all the normal social relationships to which they were accustomed” and had “entered a strange new life in which everything is necessarily subordinated to the need of creating
an efficient fighting force” (3-4). The result was that the bonds of home, family, and community which might have restrained men from engaging in unhealthy and immoral conduct had been broken, and the CTCA was determined to replace those bonds as far as possible. Much of the work in this regard was delegated to non-governmental organizations operating in and around the camps under the direction of the CTCA. For example, the Young Men’s Christian Association, the Knights of Columbus, and others provided recreational facilities within the camps. These organizations erected a series of buildings and tents, including in each Army camp an auditorium capable of seating three thousand men. The facilities offered soldiers, free of charge, access to “a piano, motion picture machine, phonograph, office supplies, postcards, pens, ink, pencils, stationary, reading matter” and more (8). Similarly, the American Library Association established libraries in each camp with a substantial collection of books, magazines, and newspapers. A comprehensive system of recreational facilities and activities was also organized in each camp with “[s]pecial emphasis on hard competitive sports that develop the fighting instinct” (12). And the CTCA hired song leaders for each camp to oversee musical entertainment, often in the form of mass sing-alongs with thousands of men singing songs from the CTCA-approved Songs of the Soldiers and Sailors. Lastly, each camp had a large auditorium for theatrical performances. So life within the camps replicated, as much as possible, “the normal relations of life” (4).

Outside the camps, the War Camp Community Service supervised off-campus entertainment. Each soldier was provided a list of “the better sources of entertainment that the community affords,” including “movies, theatres, libraries and museums, the swimming pools, gymnasiums, athletic fields and the clubs provided for his use” (Lee
The Service also organized a system whereby soldiers were invited to Sunday dinners at various homes in the community in order to alleviate homesickness. In addition, the Service provided the means for men to meet women who were not prostitutes or “loose women.” Reasoning that “the society of girls” was a “normal need of these young men” which they would seek to satisfy regardless of the risks, the Service operated something of a dating service. It secured invitations for soldiers for parties and receptions held in homes, churches, and “all kinds of social organizations . . . to which the girls always go on invitation of a carefully selected committee and which are carefully chaperoned” (Lee 1918, 193). And to ensure that nothing went awry in the process, the government established, first, a Committee for Civilian Cooperation in Combating Venereal Disease as an arm of the Council of National Defense, and, later, a Section on Men’s Work within the CTCA. Through these agencies of the government, the campaign to prevent venereal disease in the military extended into the civilian population of the United States. William H. Zinsser, the director of the CTCA’s Section on Men’s Work, contended that, “to assure the maximum of success to its work, the government must reach every community of any size within a fifty or hundred mile radius of every camp and cantonment in the country. To all intents and purposes, this meant reaching the whole country, and at the earliest moment possible” (1918, 197). Thus, the CTCA’s campaign reached beyond the confines of the training camps into the life of the American population at large.

The CTCA’s work did not merely comprise such “positive programs”; it had a negative side as well, in the form of suppressive programs to repress the “evils” of prostitution and alcoholism, and to control “delinquent” women and girls. Indeed, the
program for the aggressive eradication of prostitution envisioned by the reformers in the venereal disease prevention movement became a reality during the war. By the provisions of sections 12 and 13 of the Selective Service Act passed by Congress in 1917, a zone was established around each camp with a radius of five miles, within which vice and alcohol were vigorously repressed. Though some localities resisted efforts to close down red-light districts, most notably New Orleans and San Francisco, the federal government had the statutory authority to compel closures. As Timothy Newell Pfeiffer of the U.S. Sanitary Corps observed, “The Government desires to lead, but it will not hesitate to coerce if necessary” (1918, 424). And coerce it did. Within a year, more than a hundred red-light districts around the country were closed in order to establish a zone of purity around the camps. “As a result of these successes,” commented George J. Anderson, the director of the CTCA’s Section on Vice and Liquor Control, “it may be stated that there is not now in the United States a red light district within the effective radius of any military establishment. More than that, the district itself has become an anachronism in American life . . .” (1918, 149).

But the eradication of the red-light districts did not by itself achieve the objective of eliminating the problem of prostitution and “loose” women. Under the authority of local, state, and federal law, law enforcement agencies around the country began cracking down on clandestine prostitution (those not operating out of brothels) and delinquent women and girls. If the American military were to be free from venereal disease, then the campaign to repress prostitution had to be extended to address the problem of women and girls who, though not earning their living as prostitutes, nevertheless “serviced” the servicemen and thereby contributed to the spread of venereal disease. According to
Martha P. Falconer, the director of the CTCA’s Section on Reformatories and Houses of Detention for Women and Girls, such women and girls included “silly, young run-away girls who should be sent home; feeble-minded girls and women who should have permanent custodial care; and, in the majority, it is true, untrained, neurotic, irresponsible girls on the verge of drifting into a life of prostitution” (1918, 162). To handle this last category of delinquents, houses of detention and agricultural work camps were established throughout the country to which were consigned some 18,000 women between 1918 and 1920, of whom more than three-quarters were found to be infected with a venereal disease (Brandt 1987, 89). Such detentions were not considered punishment for a crime, but rather reformation for moral failing. Consequently, women and girls were not always sentenced for a fixed time period. Falconer advocated that “girls under eighteen should be committed for the remainder of their minority, with the idea of parole after two years’ training in the school. Women should be given, if possible, an indeterminate sentence involving long-term parole” (1918, 165). So, again, the CTCA’s campaign was not restricted to the confines of the training camps. Through the activities of the War Camp Community Service, the Law Enforcement Division, and other agencies of the CTCA, both the “positive” and the “suppressive” elements of the campaign reached, to a greater or lesser extent, every man and woman in America.

Thus, the Commission on Training Camp Activity represented a massive, well-coordinated campaign to alter the lives not just of soldiers and sailors but of the life of the American population as a whole. In the short run, the campaign achieved some degree of success, with venereal disease rates among the military and civilian population dropping throughout the course of the war. Prior to the war, venereal disease rates in the Army and
Navy ran as high as 165 per 1000, and on occasion even higher. But by the end of the war, the rate had dropped to an average of 45 per 1000 in the Army and 74 per 1000 in the Navy. The civilian population witnessed a similar decline. But in the long term, the achievements of the campaign were somewhat mixed. After the conclusion of the war, venereal disease rates once again began to climb, an increase that was exacerbated as the federal government’s venereal disease prevention programs were slowly dismantled. And yet, the campaign against venereal disease had at least one lasting legacy: it marked the emergence of a bio-political culture in America. Indeed, as concern regarding venereal disease mounted again in the 1930s, the discourse and power relations that dominated the venereal disease prevention movement earlier in the century and the state’s bio-political practices during the war once again surfaced in a renewed effort to control the spread of venereal diseases. In a sense, then, the CTCA marked a watershed in American political culture in that it consolidated the discourse and power relations of the early venereal disease prevention movement into the form of a state-directed bio-political campaign to administratively manage the life and lives of the American population. As such, it serves as a paradigm of the state bio-political practices that would permeate American political culture in the remaining decades of the twentieth century. Indeed, the state bio-political campaign to prevent AIDS in the 1980s that I discussed in Chapter One indicates the extent to which the discourse and power relations of venereal disease prevention in the early twentieth century persist to this day.
NOTES

1 See Mountin and Flook (1943).

2 See Porter (1999, 196-197) and Skocpol (1992, 11-40, and 1995, 11-19) for useful overviews of these approaches.

3 For a more thorough analysis of Nietzsche’s will to power, see Williams (2001) and Deleuze (1983, 49-65).

4 See pages 190-206 of this dissertation.

5 It is worth noting that Nietzsche describes his “Dionysian world” of force relations and the will to power as “the eternally self-creating, the eternally self-destroying” world which has no “goal, unless the joy of the circle is itself a goal” (1967, 550).

6 See Stoler (1995, 55-94) for an excellent analysis of this aspect of the 1976 lectures.

7 I would like to acknowledge my debt to Allan M. Brandt’s No Magic Bullet (1987) for shaping and influencing my thinking about and research into venereal disease prevention in the United States during the twentieth century.

8 This can be seen especially in the Tuskegee Syphilis Study launched in 1932 by the Public Health Service. Believing that virtually every African-American in the South was infected with syphilis but would never submit to the treatment regimen required for a cure, the PHS withheld treatment from some 400 black sharecroppers who had been informed that they were infected and were being treated. As many as 100 men died of complications of syphilis before the program ended in the early 1970s. See Brandt 1987, 157-58.

9 See Ashburn (1919) and Kleinschmidt (1919).

10 Among the more influential texts that could be referenced in this regard is Shadow on the Land, written by Thomas Parran (1937), U.S. Surgeon General during the 1930s. Parran advocates a state-directed venereal disease prevention campaign remarkably similarly to the discourse of venereal disease prevention in the early twentieth century and the power relations of venereal disease control administered by the Commissions on Training Camp Activities. See also Brandt (1987).
CONCLUSION

Since the end of World War I, where I left off discussion in the last chapter, much has happened in American political culture. Decade by decade, with some setbacks and reversals, the bio-political transformation of the American political culture has continued and has intensified. Consider but a few examples: prohibition, the New Deal, the Cold War, the Great Society, the campaign against cigarette smoking, the response to AIDS, the war on drugs, the war on terrorism, the attempt to enact national health legislation, the effort to provide prescription drug coverage for the elderly, and on and on. Each one of these merits the type of archaeological and genealogical investigation I have developed in this dissertation. But to do so would require another book, or rather books. However, the conclusion should, by now, be fairly evident: America is now a bio-political culture in which the life of the American population is administratively managed by the state. Perhaps the best evidence of this is the federal government’s Healthy People project, a little know but vastly important program to govern the life and lives of the people through disease prevention and health promotion. Again, this could be the subject of an entire book. But I would like to conclude this dissertation by examining, briefly, the Healthy People project as a contemporary instance of the bio-political management of the life of the American population.
I would like to begin by making the following observation. The state-directed economies of communist nations—like the former Soviet Union, the People’s Republic of China, and others—were managed by a state apparatus according to goals and objectives established in a series of five-year economic plans. By contrast, in American it is not so much the economy that is state-directed (though this certainly happens through a variety of mechanisms, like the Federal Reserve) as it is the life of the population that is managed by a state apparatus according to goals and objectives established in a series of ten-year health plans. The first such plan was released by the Department of Health, Education, and Welfare (HEW) in 1979: *Healthy People: The Surgeon General’s Report on Health Promotion and Disease Prevention*. The plan, President Jimmy Carter observed, “sets out a national program for improving the health of our people—a program that relies on prevention along with cure” (HEW 1979, v). Achieving the program’s objective, Carter noted, would require the collaboration of all sectors of society, as well as individual effort: “Government, business, labor, schools, and health professions must all contribute to the prevention of injury and disease. And all of these efforts must ultimately rely on the individual decisions of millions of Americans—decisions to protect and promote their own good health” (v). The result would be, in the words of HEW Secretary Joseph A. Califano, Jr., “a second public health revolution in the history of the United States” (vii). The first public health revolution was “the struggle against infectious diseases” in the late-nineteenth and early-twentieth century (vii). That revolution, Califano remarked, “has successfully run its course” (vii). Now was the time
for a second revolution targeting not only disease prevention but also health promotion, an effort that would require a governmental campaign to alter the attitudes and behaviors of each and every American.

The first *Healthy People* report established five goals to be realized by 1990: (1) a “35 percent reduction in infant mortality”; (2) a “20 percent reduction in deaths of children aged one to 14”; (3) a “20 percent reduction of deaths among adolescents and young adults to age 24”; (4) a “25 percent reduction in deaths among the 25 to 64 age group”; and, (5) a “major improvement in health, mobility and independence for older people to be achieved largely by reducing by 20 percent the average number of days of illness among this age group” (HEW 1979, ix-x). Though I will not take the time to analyze each of these goals and the measures promoted to achieve them, I would note the following. First, these goals are stated in terms of reductions in morbidity and mortality; that is, the plan seeks to promote life by reducing death, an emphasis that will change in the next *Healthy People* plan published in 1990. Second, while the plan acknowledged the impact of heredity, it placed substantial emphasis on environmental factors—“influences in physical, social, economic and family environments”—and individual behavior. Indeed, the plan suggested that seven of the ten leading causes of death “could be substantially reduced if persons at risk improved just five habits: diet, smoking, lack of exercise, alcohol abuse, and use of antihypertensive medication” (14). Lastly, the plan devoted far more attention to assessing the current health status of the American population than it did to the specific measures that might be taken to improve health. In a sense, the plan was far more diagnostic than it was prescriptive.
Over the next decade, the federal government worked to refine and expand the 1979 health plan. When the new plan, *Healthy People 2000*, was released in September 1990 by what was now known as the Department of Health and Human Services (HHS), it had expanded from the 177 pages of the 1979 report to 692-page document. The five goals of the 1979 plan had been reduced to three: “Increase the span of healthy life for Americans,” “Reduce health disparities among Americans,” and “Achieve access to preventive services for all American” (HHS 1990, 43). But while the goals had been simplified, the objectives designed to achieve those goals had multiplied in both number and specificity. The objectives were broken down into twenty-two categories related to health promotion, health protection, preventive services, and surveillance and data systems, as well as objectives targeting the population by age, socio-economic status, race and ethnicity, and disability. Roughly 300 detailed objectives were enumerated, many with specific baselines and targets to be achieved by 2000. Some of these objectives focused on the reduction of morbidity and mortality through the prevention of disease and injury. For example, the government sought to reduce deaths by coronary heart disease in the general population from 135 per 100,000 in 1987 to 100 per 100,000; for blacks the objective was to reduce that rate from 163 to 115. It sought to slow the increase in lung cancer to stabilize the rate at 42 per 100,000. Similarly, the plan sought to reduce deaths by unintentional injuries to 29.3 per 100,000, deaths by auto accidents to 16.8 per 100,000, deaths from falls to 2.3 per 100,000, drowning deaths to 1.3 per 100,000, and so on.

Other objectives concentrated more on health promotion. For instance, the government sought to increase the percentage of the population who engaged in regular
exercise and adopted healthy diets. It sought to increase the proportion of sexually active adolescents who had abstained from sexual activity for three month, as well as the proportion of the adult population who used contraception. It sought not only to decrease the incidence of HIV and other sexually transmitted diseases but also to increase the number of Americans who sought testing, counseling, and treatment for these diseases and the proportion who regularly used condoms. Finally, yet other objectives targeted social conditions that might contribute to disease prevention and health promotion. The government sought to increase the number of restaurants and food services that served low-fat, low-calorie foods consistent with government-established dietary guidelines. The incidence of violent behavior would be reduced by limiting the number of Americans who improperly stored weapons. The proportion of workplaces that had implemented health and safety programs was to be increased to at least 70 percent. And the number of television stations that had partnered with local community organizations to achieve Healthy People 2000 objectives was to increase to 75 percent.

When the plan was revised in 2000 it had again multiplied in both scope and intensity. *Health People 2010* spans two volumes, each the size of *Healthy People 2000*, numbering nearly 1200 pages. The plan now contains 467 specific objectives organized into 28 focus areas. And the federal government had established a Healthy People Consortium in which 250 governmental and 350 non-governmental organizations collaborated to implement the plan’s objectives. Thus, what had begun in 1979 as a fairly modest agenda to revolutionize public health in America and to improve the health of the American people had become a comprehensive bio-political campaign to administratively manage life in America.
The institution and proliferation of a state apparatus to administratively manage the life of the American population demonstrates the extent of the bio-political transformation of American political culture. One could subject the Healthy People project to the type of analyses I have explored in this dissertation. This would entail an archaeological examination of the discourse of health by establishing its referential, enunciative modality, enunciative network, and strategic materiality. And it would require a genealogical investigation of the power relations of health by ascertaining the system of differentiations, types of objectives, instrumental modes, forms of institutionalization, and degrees of rationalization. Such an analysis would reveal the intricate and complex performance of the discourse and power relations that produce American bio-political culture. Similar analyses could be conducted on other contemporary bio-political campaigns, most notably, the war on drugs and the war on terror. But these, of course, are beyond the scope of this conclusion.

In this dissertation, I have developed a critical methodology for the study of political culture based upon the thought of Michel Foucault. And I have explored some of the ways in which that critical methodology could be used to investigate transformations in American political culture. In other word, this dissertation is but a beginning, a starting point for a series of studies of American political culture. As Solomon observed in Ecclesiastes, “of making many books there is no end” (12:12). There are only new beginnings.
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