Foucault outlines a number of ideas concerning the form of modern individual-state relationships, the emergence of 'the social' and the question of political rationalities as rationalities of rule. Raises similar questions to those raised by Habermas in his concern with the scientisation of politics and transformation of the public sphere, but frames these concerns differently. We will focus on: the essay on 'Governmentality' Ideology and Consciousness, No. 6, 1979; 'About the Concept of the "Dangerous Individual" in Nineteenth Legal Century Psychiatry', International Journal of Law and Psychiatry, 1978; and the essays collected in Kritzman, L. (ed) Politics, Philosophy and Culture, 1988.

Pastoral power

Foucault's general thesis on biopower as a form of 'power over life' (cf lecture 13) receives refinement in the development of the idea of pastoral power as a specific form of political rationality. 'Pastoral power' links concerns with microtechniques of power and biopolitics to an explicit concern with the 'state' as a complex confluence of techniques of government. The aim is to provide a 'historical analysis of the political rationality of the modern state' (1988: 161).

Foucault argues that since the c16 a new political rationality has been emerging along with the modern state, this combines individualisation techniques and totalization procedures. If the state is the political form of centralising power, pastorship is a technique of individualising power. Pastoral power is traced to the idea of the shepherd of men in early Christianity. It involves the idea that certain individuals, due to their special (here religious) qualities can serve others as pastors. This was achieved through personal submission or obedience (in return for sacrifice for the flock if necessary) and necessitated particular forms of the exploration of souls to provide knowledge of conscience and the ability to direct it. Foucault argues that with the development of the modern state and the emergence of modern science pastoral power is separated from its religious context and generalised across the social domain. The aim becomes salvation in this world, worldly security and wellbeing. This has produced an increase and diversification of the agents of pastoral power and produced the development of totalising and individualising forms of knowledge of individuals through the deployment of new techniques of power over life.

From the c16 the functions of power are increasingly concerned with ensuring order, enrichment and health. Foucault details this by looking at c16-17 treatises of reason of state and theory of police. Reason of state was an art of government that required rational knowledge to be produced with the aim of reinforcing the strength of the state. Development of political arithmetic or 'statistics'. This signals the emergence of a new political rationality: 'the individual becomes pertinent for the state insofar as he can do something for the strength of the state' (1988: 152). The question of political utility requires concern for the welfare and integration of individuals within the population insofar as these individuals have an impact on the relative strength of the state: not salvation of individual souls but utilitarian concern with individual wellbeing as a means to aggregate wellbeing that is bound up with the state's ends.

The theory of police gives concrete form to this new political rationality, providing new ways to integrate the individual into the social body. 'Policing' is not a reference to a body of armed men but to the growth of administration and regulation of the population and territory. This raises the question of the relationship between individuals and government and the forms of knowledge and practice that make this possible. This is taken up in the essay on 'governmentality' (1979).
Governmentality

Documents a shift from c16 reason of state to modern mechanisms of governance. Foucault argues that the 'governmentalisation' of the state and the modern deployment of legal and scientific knowledge establishes the modern citizen-subject nexus.

Foucault defines government in a general away as the 'conduct of conduct', an 'art' through which individual and collective conduct is conducted. The governmentality essay links Foucault's general concern with biopolitics to the question of political rationality, of 'rationalities of rule' as specific forms of the conduct of conduct. He presents an historical thesis concerning the 'governmentalisation' of the state as the result of a confluence of new forms of knowledge and techniques of rule emerging in the c16 and developing as practices of government from the c18. We will focus on the location of the family within these changes and on the question of the relationship between law and emerging forms of scientific knowledge.

(i) the family
Plotting a shift from c16 notions of police Foucault argues that a new art of government emerges around the problem of population, so that sovereign power (with the family as the model of government - oconomy) is superseded by a science of government which takes the family not as a model of government but as an privileged instrument for government of population; that is, the family ceases to be regarded as a model for the state and is refigured as a field of intervention for a range of new technologies aimed at securing the management of the population (see also Donzelot, J. *The Policing of Families*, 1979). This recognition of population and the possibility of its management signifies, according to Foucault, the emergence of a domain of the social and the development of a number of forms of normalising knowledge that regulate and survey this domain.

(ii) law and science
in the course of the development of the modern state discourses of sovereignty/rights are underscored by scientific knowledge and normalising practices of government; that is law is refigured in relation to the development of normalising knowledge of population. Thus the modern subject is simultaneously a citizen with rights (part of a juridical polity) and a subject of normalisation (part of welfare society). Foucault specifies this as 'the welfare state problem' - 'the tricky adjustment between political power wielded over legal subjects and pastoral power wielded over live individuals' (1988: 67).

To extend this, if we return to Foucault's critique of the dominance of sovereign conceptions of power, we can see that he is arguing that juridico-political power as sovereignty is refigured around a field of normalising forms of knowledge orchestrated around the governance of populations. The governance of the social body calls forth and depends upon domains of technical expertise (e.g. psychiatry, medicine), in which experts are specialists in the detection of 'dangers inherent in the social body' (1978: 7).

Foucault analyses the ways in which law comes to require new knowledge of danger/risk in order to function as governance. Punishment becomes a set of procedures to know and reform lawbreakers; this requires knowledge of the criminal, his reasons/instincts, etc. The point of application of law moves from the old idea of infraction to the idea of criminality determined through a technical knowledge system derived from expertise in psychiatry, psychology, and so on, and a new set of objects is born at the boundary of law and medical knowledge.

Modern political rationalities such as liberalism, concerned with governing too little/too much and with ensuring 'good governance', reiterate this combination of law and normalisation. Medicine, psychiatry and psychology have a positive interface with the law through a range of strategies for the regulation of the social; normalising forms of knowledge offer claims to neutrality through which law can operate as
a tactic of governance (e.g. determinations of children's 'best interests', the age of criminal responsibility, notions of 'diminished responsibility', finger-printing, DNA sampling, etc).

**Assessment**

1. Foucault’s work provides a way of thinking about liberalism not principally as a political theory but as a set of practices of government; moreover the distinction between public and private, usually considered foundational to liberalism, is shown as an effect of practices of government. Together these moves suggest that much contemporary concern about the limits of state action is founded on the assumption of a liberal political architecture that, in terms of governance, has been superseded.

2. Similarly, civil society ceases to be conceptualised as a domain beyond governance, and looks instead like an artefact of liberal forms of rule (this might help us to reflect critically on Habermas’s attempt to distinguish system and lifeworld).

3. Foucault’s account of liberalism as a perpetual critique of and rationality of government is a provocative thesis, but is the argument of the governmentality essay teleological (Foucault seems to suggest that the limit of sovereignty as a means of organising power meant that it had to be overcome by a focus on population)?

4. Is Foucault’s account of the emergence of liberalism too tidy? What of civil and religious war? This has implications for how we read Foucault’s account of sovereign power.

Vahid Nick Pay October 2018