

Re-thinking Democracy After the Subject

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Despite the fact that one of the great motifs of contemporary thought concerns the deconstruction of subjectivity, very few political scientists have interrogated what this critique might mean for democracy and its future.¹ What are the consequences for the concept of democracy if we take seriously the critique of the subject?² Does this critique require us to abandon the concept of democracy or re-think it in a new way? Finally, if required, how might the concept of democracy be re-imagined? My argument is that the critique of the subject and the re-reading of the human self as a social, historical, and symbolic construction, as a production of power relations, demands a fundamental re-thinking of the concept of democracy in a way that is not compatible with its institutionalization as a form of government. This thesis can be taken to mean that democracy cannot retain its dominant conceptual identity due to the ubiquitous and constitutive workings of power upon our bodies; workings which have been largely concealed by traditional models and understandings of human nature. Such models, with their roots in the Enlightenment, tend to conceptualize the subject as a rational and sovereign unity. As a result, the corresponding image of the individual as free and autonomous remains one of our culture's most pervasive, authoritative, and illusory identities. By re-reading material and symbolic practices into theory, Michel Foucault has effectively destabilized this subject-illusion and implicitly called into question the modern democratic project that has been constructed upon its foundations. This, however, does not mean that Foucault is opposed to democracy. Rather, his work leaves us in a position where we must either re-think democracy in conjunction with various re-readings of the human or give up on the concept entirely. This paper seeks to begin the task of re-thinking democracy as a continuous practice of freedom rather than as a settled institutional form. It seeks to challenge modern democracy's dominant conceptual identity and those who continue to research and think about democracy and politics in ways that are explicitly or implicitly dependent upon notions of the subject as a sovereign and autonomous unity. In the process, I hope to show that Foucault offers a compelling and necessary theoretical

¹ Notable exceptions include Chantal Mouffe and Wendy Brown, who both deal explicitly with the connection between democracy, subjectivity, and freedom. See: Chantal Mouffe, "Democratic Politics and the Question of Identity," in *The Identity in Question* (New York: Routledge, 1995), pp. 33-45; Wendy Brown, "We Are All Democrats Now..." in *Democracy in What State?* (New York: Columbia University Press, 2011), pp. 44-57.

² There exists no single, dominant critique of the subject, but rather, various articulations of a common critique that can be found throughout the works of a wide variety of thinkers. In this paper, I will focus mostly on Michel Foucault's contribution to the literature. Foucault offers one of the more compelling and sustained historical critiques of the subject.

framework for the re-articulation of the democratic project as we proceed into the 21st century.³

The Rise and Fall of the Sovereign Subject

According to Etienne Balibar, *The Declaration of the Rights of Man and of the Citizen of 1789* marks a rupture in the history of the West.⁴ It is an event that signals the arrival of a new concept of man, man as a sovereign and universal entity. Previously, during the time of political absolutism in Europe and even before, men existed primarily as subjects in the literal sense of the word: they were perpetually and materially subjected to an unlimited power that functioned by making men into subjects. Balibar writes: "...the subject is he who has no need of knowing, much less understanding, why what is prescribed is in the interest of his own happiness."⁵ Instead, he willfully obeys the law of his ruler, since he is inscribed in an economy of salvation (obedience to the prince is simultaneously an obedience to God).⁶

Etymologically, the term *subjectus* refers to an act of throwing under or placing beneath. It denotes an un-thinking, un-knowing, and obedient relation toward what in antiquity was referred to as the *arkhè*.⁷ The term *arkhè*, which is closely linked to *arkhêin* (the power to rule), denotes a logic and/or structure of command and distribution, whereby "a determinate superiority is exercised over an equally determinate inferiority."⁸ It is the dominant logic of hierarchy in a given society, the rationale that fuels the proper placement of people and things. Thus, the individual, as a subject, is distributed into a hierarchical structure of placement and command.

The Declaration of the Rights of Man and of the Citizen of 1789 effectively displaces this older notion of the subject and thus calls into question the legitimacy of the social and political structure to which he belonged. It announces the arrival on the scene of a new concept of man. Balibar refers to this new man as the *citizen* or *non-subject*.⁹ The new man is conceived of as a sovereign entity, only the concept of sovereignty is divorced from its relation to any hierarchy or *arkhè*. As such, a new understanding of freedom emerges, whereby freedom does not arise from power or

³ This argument, that Foucault's work is necessary for the re-configuration and advancement of a new democratic politics, stands sharply at odds with some scholarship that seeks to depict Foucault's thought as offering little to no room for political resistance, democracy, or even politics itself. See Steven Best and Douglas Kellner, *Postmodern Theory: Critical Interrogations* (New York: Guilford Press, 1991), pp. 68-75.

⁴ Etienne Balibar, "Citizen Subject," in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 44.

⁵ *Ibid.*, 40.

⁶ *Ibid.*, 41.

⁷ For further explanation of the term *arkhè*, see Jacques Rancière, "Ten Theses on Politics," in Steven Corcoran (ed), *Dissensus: On Politics and Aesthetics* (New York: Continuum, 2011), p. 30.

⁸ *Ibid.*, 30.

⁹ Etienne Balibar, "Citizen Subject," in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 38.

hierarchy, but from a supposed and ideal universal equality.¹⁰ In this sense, Balibar contends that the *citizen* emerges as a free man precisely because he is equal to every other man.¹¹

Balibar's *citizen* is the consummation of an ideal concept or image of man that had been developed gradually since, perhaps, the late Middle Ages. This development can be traced philosophically. Some, for instance, have asserted that Descartes' establishment of the philosophical sovereignty of the subject marks the beginning of the discourse of modernity itself.¹² In his effort to discover an irrefutable basis for certain knowledge, Descartes articulates the essential dichotomy between thinking substance (*res cogitans*) and extended substance (*res extensa*). This defines the modern self in a way that divorces subjective experience and consciousness from all matter (the objective world, the physical body, plants and animals, stones and stars, and of course, the *arkhè* itself). As a result, Descartes' articulation of the modern self is one that privileges human reason over all physical phenomena. He inaugurates a new understanding of the human as a fully separate, self-defining, and rational entity that can doubt everything (all material bodies) except for its non-material, universal, thinking self. In sum, Descartes' separation of thinking substance and extended substance is a conceptual move upon which the new concept of man can be advanced, the foundations of the construction of the sovereign subject. It is one of the moves that make it possible to begin to think of the self as rational, autonomous, and capable of being universalized and thus abstracted from its social context.

Kant, like Descartes, also helped to develop this new concept of man by positing a transcendental subject in place of the subject of the *arkhè*. Kant did this by grounding knowledge in the absolute structures of the human mind, insisting that the process of human cognition is one whereby reality and things conform to the human mind (rather than the other way around). In this way, Kant deepened Descartes' division between the human mind and material existence. He established the unity and self-conscious nature of the self as the basis for all knowledge and went on to describe the self as morally responsible and free, a bearer of rights, a commander of itself. Kant's subject is therefore released from the *arkhè*. Freedom for Kant is thus understood as personal autonomy rooted in reason. This means that one is free to the extent that one can act autonomously in accordance with a law that one gives oneself, as opposed to acting in accordance with determinations given outside oneself (a condition of un-freedom he termed *heteronomy*). In this way, Kant's conception of the human individual remains one of the most powerful expressions of the subject as sovereign, rational, and essentially independent of its social and historical contexts. It is worth noting that Kant himself was constantly preoccupied in his everyday life with preventing himself from being surprised or overtaken by his body and its functions. He was extremely vigilant and adhered to strict rules for living: no sweating, no sneezing, no coughing, one must digest well,

¹⁰ Ibid., 45.

¹¹ Ibid.

¹² Ibid., 33.

breath through the nose, be comfortable in one's clothes, and so on.¹³ It seems Kant was aware that the sovereignty and autonomy of an individual who coughs, sweats, and sneezes is compromised or at the very least, weakened.¹⁴

Descartes and Kant are certainly the two most influential and important philosophers of the sovereign subject, as they have both given significant meaning to the concept. As Michel Henry notes, any critique directed at the sovereign subject that does not engage with Descartes' *Meditations* and Kant's *Critique of Pure Reason*, would be "meaningless."¹⁵ Still, Descartes and Kant are not the only major thinkers to contribute to the development and proliferation of the philosophy of the sovereign subject. The development of this concept can be traced, in different forms and variations, across much of the cultural landscape of the past four hundred years. John Locke, for instance, considered the capacity to reason to be the defining characteristic of 'man,' disregarding the 'mere' physical capacities and incapacities. He perpetuates and strengthens the tradition of representing the human mind and body (and all matter) as two distinct, irreducible, and only contingently connected realms. It is this distinction that forms the basis of his possessive individualism. This notion of possessive individualism refers to a form of individualism that conceives of the individual as "essentially the proprietor of his own person or capacities, owing nothing to society for them."¹⁶ In this regard, Locke posits that the essence of being human is to be free from dependence on the wills of others.¹⁷ Again, I interpret this notion to mean that the human is deceptively posited as severed from any *arkhè* other than relations and forms of obedience that one willfully chooses to accept. In other words, the individual is depicted as free from all power relations and entanglements other than those she might enter by agreement or consensus, with a view to her own interests. In this sense, freedom is conceived as a function of possession and society is imagined as nothing more than an orderly series of contracts or exchange relations between individual proprietors. Such a conception of the individual both emerges from and served to support and justify the growth of early market society. The burgeoning free-market economy of the early modern period required the proliferation of the image of the individual freed from all relations that might compromise its capacity for self-governance and free movement. At this stage the freedom of the individual emerged as an image that mirrored the free movement of capital itself.

An examination of the state of contemporary political theory, and political science, for that matter, would surely reveal a great deal of writings that retain, either explicitly or implicitly, some of the fundamental assumptions and categories

¹³ Sylviane Agacinski, "Another Experience of the Question, or Experiencing the Question Other-Wise," in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p.17.

¹⁴ Ibid.

¹⁵ Michel Henry, "The Critique of the Subject," in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 158.

¹⁶ Macpherson, C.B.. 1989. *The Political Theory of Possessive Individualism: Hobbes to Locke*. Oxford: Oxford University Press. Pp. 3.

¹⁷ Ibid., 263.

set forth by thinkers like Descartes, Kant, and Locke.¹⁸ That is, one might discover that the philosophical concept of the sovereign subject often lurks beneath a multitude of arguments and investigations. In some cases, the concept might be explicitly formulated and defended. Robert Nozick, for example, carries forward the themes of Kantian autonomy and Lockean possessive individualism when he justifies capitalism's unequal distribution of wealth and rewards in society by defining human individuals as self-owners whose rights must not be violated. He employs the notion that we own our bodies, lives, and persons and should be free to make use of our properties as we please and without interference. As a result, Nozick argues that individuals have certain rights such as the right to the fruits of one's labor. Such rights, according to this logic, are meant to protect the liberty of the individual and any attempt to tax or redistribute wealth is thus considered to be morally illegitimate. This sounds appealing until one realizes that the very notion that we own ourselves or have property in our selves depicts the individual as (or capable of being) a sovereign, autonomous, and unified entity, separable from and owing nothing, or at least, very little to community, society, culture, and history for what one is. Furthermore, the notion of self-ownership obfuscates the capacity to understand one's place or lack of it in the *arkhè*, one's position vis-à-vis the relations of power and forms of subjection that operate ubiquitously throughout our societies. Such an image of sovereignty and autonomy conceals the operations of power and the forms of subjection that constitute the social. The practical results of such concealment often include an inability to perceive and understand the ubiquitous and constitutive nature of power and its dominations. Slavoj Žižek touches on this inability when he states: "we feel free because we lack the very language to articulate our un-freedom."¹⁹ And when a society or culture lacks the general capacity to perceive its workings of power, the implications include the high likelihood that such relations, including subjections, will be reproduced or even worsened.

At the most general level, the critique of the subject can be understood as a series of linked analyses that have sought to formulate the language by which a society and culture can come to perceive its present conditions in contradistinction to common idealized representations of such conditions. The critique emerged predominately in France and has been interpreted by some as the principle philosophical lesson of the second half of the twentieth century.²⁰ It has its roots in the critical writings of thinkers like Marx, Nietzsche, Freud, and Heidegger. But what exactly is the critique of the subject? What is it that brought/brings together such a diverse array of thinkers and theories into something of a united front? Vincent Descombes provides a revealing answer when he argues that the critique of

¹⁸ There are, of course, many crucial points that distinguish the writings of these thinkers. Such distinctions, however, should not keep one from seeking to map resemblances and common trajectories of theoretical development that take place within and across their texts.

¹⁹ Slavoj Žižek, *Welcome to the Desert of the Real: Five Essays on September 11 and Related Dates*, (New York: Verso, 2002), p. 2.

²⁰ Michel Henry, "The Critique of the Subject," in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 157.

the subject is actually a critique of the concept of the subject, a denunciation of an illusion, rather than a critique of specific persons.²¹ The critique questions the validity of an image of the human, an image that renders possible or impossible certain forms of political thinking. Michel Henry validates this perspective when he proposes that the critique of the subject is, “in the end, the critique of man conceived as a specific and autonomous reality.”²² It is this ideal notion of autonomy, or better, sovereignty, that when used to describe the human individual, in fact, falsifies and conceals the fact that the human is, as Descombes puts it, entangled in the tissue of the world, amidst flows of fluids and goods that perpetually disrupt, dissolve, and break down the spatial boundaries and temporal continuity of the identity that sovereignty would require to sustain itself. One of the central concerns of the philosophical subject, says Sylviane Agacinski, is to prevent one’s body from overtaking or overwhelming one’s self.²³ This means that to fulfill the illusion of sovereignty, one is constantly programming and calculating ahead, seeking out the illusion of complete command over one’s flesh and biological processes, protecting one’s borders. We can recall the earlier example of Kant, who knew that a free subject must know how to prevent himself from coughing.²⁴ In this sense, if it were at all possible to realize a completely sovereign subject, such an entity would take the form of a body without life.

Among the different forms and expressions of the critique of the sovereign subject, there is a simple consensus among many theorists that the subject is constructed in the world, rather than born into it with an essence or identity either already intact or waiting to be fulfilled.²⁵ The most detailed and effective articulation of this thesis arguably occurs in the writings of Foucault. In a brief article that appeared near the end of his life entitled *The Subject and Power*, Foucault states that the overall objective of his work has been to create a history of the different ways in which human beings are *made* into subjects in our culture.²⁶ He explains further in another article that: “One has to dispense with the constituent subject, to get rid of the subject itself, that’s to say, to arrive at an analysis that can account for the constitution of the subject within a historical framework.”²⁷ To

²¹ Vincent Descombes, “Apropos of the ‘Critique of the Subject’ and the Critique of this Critique,” in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 120.

²² Michel Henry, “The Critique of the Subject,” in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p. 157. Interestingly enough, Henry writes of a process of self-deconstruction taking place within the tradition of the philosophy of the subject itself.

²³ Sylviane Agacinski, “Another Experience of the Question, or Experiencing the Question Other-Wise,” in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p.17.

²⁴ *Ibid.*, 17.

²⁵ Nick Mansfield, *Subjectivity: Theories of the Self From Freud to Haraway* (New York: New York University Press, 2000), p. 11.

²⁶ Michel Foucault, “The Subject and Power,” in P. Rabinow and N. Rose (eds), *The Essential Foucault: Selections From Essential Works of Foucault, 1954-1984* (New York: The New Press, 2003), p. 126.

²⁷ Foucault, Michel. “Truth and Power,” in P. Rabinow and N. Rose (eds), *The Essential Foucault: Selections From Essential Works of Foucault, 1954-1984* (New York: The New Press, 2003), p. 306.

speak of subjects that are *made* and *constituted* is to re-attach the concept of the human to the social and to the *arkhè* that seeks to capture and order the social, even if such a re-attachment threatens to radically efface the concept of the human itself. Let us look to Foucault's precise definition of the subject:

There are two meanings of the word "subject": subject to someone else by control and dependence, and tied to his own identity by a conscience or self-knowledge. Both meanings suggest a form of power that subjugates and makes subject to.²⁸

If we recall how for Balibar a new concept of man is born by means of a severance of sovereignty from its relation to any hierarchy or *arkhè*, then we can observe with Foucault an attempt to re-connect the concept of the human with the *arkhè*, and likewise with a form of sovereignty that is far less translatable into autonomy since it cannot occupy space that exists in non-relation to the *arkhè*.²⁹ In short, Foucault brings the reality of the ubiquity of power relations and forms of subjection back into play, by showing us that we are always already caught up in such relations and hazards, to the effect that not only are we constantly subjected by persons and forces beyond our control, but our very identities and individualities are constituted through relations of power. That is, power is logically prior to individuals and constitutive of their identities, interests, and the trajectories and contents of their desires. We are born into a world, into discourses and identities that are not of our choosing yet such terms establish and sustain our subjectivity and consequently, our agency. In this sense, power relations are not simply relationships between fixed identities. The entities and identities assumed to constitute power relations are themselves constituted as intelligible entities by power. For Foucault, then, relations of power perform a double strategy. They: (1) constitute or produce the phenomena in question, what we consider to be the real and the normal, and (2) they direct and conduct phenomena (although in the case of the individual, he often learns to conduct himself). This makes power doubly insidious.

Power is clearly a central operative concept in Foucault's work, despite his consistent efforts to proclaim its secondary status to other linked concepts such as the subject. Foucault even liked to describe his work as an "analytics of power" that sought to arrive at "a grid of intelligibility of the social order."³⁰ He does not, however, offer a theory of power in the sense of an objective and ahistorical account of its substance. Power, he says, does not have a substance. It exists only as it is exercised. In this sense, Foucault describes power as mobile and relational, as the operation of political technologies throughout the social body.³¹ Such technologies can spread and become localized within particular institutions (prisons, schools, hospitals, asylums, etc.). They operate by inciting, inducing, and seducing, by

²⁸ Michel Foucault, "The Subject and Power," in P. Rabinow and N. Rose (eds), *The Essential Foucault: Selections From Essential Works of Foucault, 1954-1984* (New York: The New Press, 2003), p. 130.

²⁹ This point anticipates Foucault's later work on the technologies of the self, where he seeks to account for the ways in which individuals can constitute themselves as subjects.

³⁰ Michel Foucault, *The History of Sexuality: An Introduction*, (New York: Vintage Books, 1990), p. 93.

³¹ Hubert L. Dreyfus and Paul Rabinow. *Michel Foucault: Beyond Structuralism and Hermeneutics*, (Chicago: University of Chicago Press, 1992), p.185.

bringing to bear a total structure of actions upon existing actions or upon actions that may arise in the future.³² For Foucault, the exercise of power has to do with “guiding the possibility of conduct and putting in order the possible outcome.”³³ This means that the exercise of power is a matter of *government*. Foucault warns us, however, not to interpret the term *government* in the narrow sense of political structures and the management of states. Instead, he asks us to afford it a much broader meaning, recalling how in the sixteenth century the word *government* denoted the various ways in which the conduct of groups and individuals (and entire populations) might be directed and managed. One could speak of the government of communities, of families, of the sick, of souls, of prisoners, and of students (for example).³⁴ In all of these instances, the exercise of power consists of ways in which certain actions structure the field of other possible actions, thus guiding the actions of others towards predictable and manageable ends, like channeling water through a duct.

To live in society, then, is to live embedded in relations of power, amidst and always in relation to the *arkhè*. Even those who do not occupy a position within its logic of command and distribution still exist and live their lives in relation to it, often as discharge or waste.³⁵ To live is to live within a social nexus where actions upon other actions are always occurring and where no identity pre-exists the productive operations of power. Power is always at work, calling forth into intelligibility the various identities and forms that constitute social fields. As a result, we can never do away with relations of power, and it would seem that we are also stuck with *government* in the broad Foucauldian sense (understood as conduct upon conduct). Conceptions of the subject as a sovereign and autonomous agency are illusory precisely because they conceal this relation of the subject to power and to the *arkhè*. In this sense, the critique of the subject opens up a domain of visibility which leads to the conclusion that the operative structures and relations of subjection in our societies run so deep that they function to incinerate the plausibility and coherence of the modern notion of individual freedom as a self-possessive zone of autonomy and sovereignty. This is not to say that there is no room at all for freedom or for a re-negotiated notion of sovereignty, however. In fact, Foucault argues that his work does not show “freedom disappearing everywhere power is exercised... but a much more complicated interplay.”³⁶ For relations of power to exist at all, he argues, there must be some degree of freedom understood as the availability of a field of possible

³² Michel Foucault, “The Subject and Power,” in H. L. Dreyfus and P. Rabinow (eds), *Michel Foucault: Beyond Structuralism and Hermeneutics*, (Chicago: University of Chicago Press, 1992), p.220.

³³ *Ibid.*, 221.

³⁴ *Ibid.*

³⁵ For an excellent discussion of how capitalism arms itself against the weak, seeking to discharge large segments of populations as waste material, see Gianni Vattimo and Santiago Zabala, *Hermeneutic Communism: From Heidegger to Marx*, (New York: Columbia University Press, 2011), p. 64-71.

³⁶ Michel Foucault, “The Subject and Power,” in P. Rabinow and N. Rose (eds), *The Essential Foucault: Selections From Essential Works of Foucault, 1954-1984* (New York: The New Press, 2003), p. 139.

modes of conduct and behavior for individual or collective subjects.³⁷ Power, then, can only be exercised over subjects who have such availabilities. On the other hand, Foucault makes it clear that freedom can no longer be thought of as “a project of emancipation from power or an expression of a (non-existent) sovereign self.”³⁸ It also cannot be thought of as a universal principle or something that can be guaranteed by laws and institutions.

The critique of the subject also calls forth the question of democracy: what becomes of democracy after the concept of the sovereign subject? What becomes of democracy in a social field characterized by subjection and the ubiquity of relations of power? How does democracy stand in relation to the *arkhè*? To answer these questions we need to look closer at democracy itself.

Modern Democracy and the Sovereign Subject

The signs are everywhere. All around us the sign of democracy seems to be breaking down. Wendy Brown and Jean-Luc Nancy have argued that the term has become an empty signifier, signifying everything, and thus nothing at all. We are told that the word has become vacuous and hollow. “We are all democrats now,” states Brown, “but what is left of democracy?”³⁹ This state of affairs is remarkable considering that, as Alan Badiou notes, democracy remains the emblem of our societies, the untouchable in a symbolic system.⁴⁰ So despite democracy’s historically unparalleled global popularity and the predominance of the belief that it has triumphed over all other political values, we are still left wondering how to define it or even think of it. Perhaps its triumph is an effect of its conceptual vacuity. It was a magnificent feat after all, writes Kristin Ross, to succeed in calling all of *this* by the name of democracy!⁴¹ Nevertheless, this state of affairs is problematic, for “to take democracy seriously, we must know what we are talking about.”⁴²

In *Democracy*, Charles Tilly seeks to take the term seriously. He notes that beginning in the 18th century, processes of democratization throughout the world became much more frequent than in previous historical periods.⁴³ Rather than a steady upward curve of democratization, however, the always precarious and reversible development took place in spurts.⁴⁴ It is a story of “irregular trajectories

³⁷ Ibid.

³⁸ Wendy Brown, “Power After Foucault,” in J. Dryzek, B. Honnig, and A. Phillips (eds), *The Oxford Handbook of Political Theory* (Oxford, Oxford University Press, 2006), p. 77.

³⁹ Wendy Brown, “We Are All Democrats Now...” in *Democracy in What State?* (New York: Columbia University Press, 2011), p. 45.

⁴⁰ Alan Badiou, “The Democratic Emblem,” in *Democracy in What State?* (New York: Columbia University Press, 2011), p. 6.

⁴¹ Kristin Ross, “Democracy For Sale,” in *Democracy in What State?* (New York: Columbia University Press, 2011), p. 97.

⁴² Charles Tilly, *Democracy* (New York: Cambridge University Press, 2007), p. 7.

⁴³ Ibid., 189.

⁴⁴ Ibid.

fueled by unceasing struggle.”⁴⁵ The key phrase here is *unceasing struggle*. Tilly speaks at length about the barrage of struggles and revolutionary mobilizations for democracy that preceded the French Revolution and the larger waves of democratization to occur primarily in Europe in the 19th century.⁴⁶ In England during the 17th century, for example, there were dissenting Protestants that sought out egalitarian programs, Levellers that distributed a radical call for an Agreement of the People, and various radicals and agitators inside Oliver Cromwell’s New Model Army, to name only a few.⁴⁷ In 1789, France began its radical democratic experiment, as revolutionaries replaced the king and his council with a parliament elected by citizens.⁴⁸ I would like to suggest that one way to understand the emergence of what Tilly refers to as *unceasing struggle*, is by means of a return to Balibar’s notion of the *citizen* and its corresponding new concept of man. Balibar writes that the citizen is a subject that rises up (*qui se relève*).⁴⁹ Tilly’s book offers a historical account of the *becoming citizen* through this *rising up*. In other words, the emergence of a pattern of unceasing struggle was at least in part caused by the rise of what we might call a new democratic desire that can be understood only in relation to the emergence of a new concept of man. Of course, one must not gloss over structural conditions and causes such as the emergence of new forms of economic organization under early industrial capitalism and the role of such forces in producing new concepts of man and forms of desire. While this type of analysis is critical, my immediate purpose here is to link the concept of democracy with the concept of the sovereign subject, to show not only that one requires and calls forth the other, but that they coalesce to constitute two sides of the same image.

In sum, with the *Declaration of the Rights of Man and of the Citizen of 1789*, there occurred a transformation that had been building up over time, whereby the subject who lived a passive existence of subordination to the absolute power of the monarch was replaced by the citizen who brought with him an entirely new concept of man.⁵⁰ It is this new concept of man, whereby all distinction ceases and all are and must be citizens, that is historically developed in the philosophies of the subject. It makes possible, what Balibar calls, the “metaphysics of the subject” (in Kant for example).⁵¹ It is thus with this new conception that man declares himself the legislator and magistrate in place of the Prince.⁵² As a result, the only proper political form, whereby man could realize his newly conceived sovereignty and legislative power was considered to be democracy. The great normative supposition of modern democracy is, after all, self-legislation. Democracy thus became the new image whereby sovereignty was conceptually divorced from the *arkhè*, and man was

⁴⁵ Ibid., 161.

⁴⁶ Ibid., p. 29-33, 40-44.

⁴⁷ Ibid., 31.

⁴⁸ Ibid., 33.

⁴⁹ Etienne Balibar, “Citizen Subject,” in E. Cadava, P. Connor, and J.L. Nancy (eds), *Who Comes After the Subject?* (New York: Routledge, 1991), p.40.

⁵⁰ Ibid., 44.

⁵¹ Ibid., 49.

⁵² Ibid., 47.

drawn up as universal man, as an abstraction, severed from his relation to a system of distribution and placement in so that he could be conceived of as sovereign and freed. The widespread popularity and perceived legitimacy of the modern project of democracy would follow the rise of the citizen and the concept of a universal and sovereign subject. Wendy Brown confirms this:

Indeed, it is modernity's birth of the a priori free moral subject that establishes democracy as the only legitimate modern Western political form. This is the figure of the subject that made and continues to make democracy's legitimacy literally incontestable.⁵³

For Brown, the sovereignty of the polity and of the subject are interconnected, one securing the other.⁵⁴ The result of this interconnection is an image of democracy, constructed upon what might arguably be termed the master signifier of modernity: sovereignty. When Brown says that the promise of modern democracy has always been freedom, she is pointing to a particular notion of freedom or even autonomy that is a function of sovereignty, the authority and capacity to rule over oneself. It is the universal and essential aspect of this authority or capacity that is called into question by the critique of the subject, a critique that shows that the concept of sovereignty conceals relations of power and domination. It also conceals the relation human beings have with the *arkhè*.

It would seem the term democracy isn't quite as vacuous or hollow as some have suggested. Surely, the word in itself is ambiguous, carrying forth only the claim that the people rule themselves. But we can reasonably identify a dominant historical identity associated with modern democracy, one constructed upon linked conceptions of sovereignty and freedom embodied in the concept of the sovereign subject. Such an identity has made it possible to read democracy as a space or practice where power is absent, and where freedom and sovereignty reign in the form of the autonomous individual subject or even the collective subject.⁵⁵ In this context, the juridical language of rights and liberties emerges as the democratic discourse par excellence, and democracy is articulated as the freedom of individuals under law.

To shed more light on the dominant identity of modern democracy we can turn to the writings of Chantal Mouffe. In the opening pages of *The Democratic Paradox*, She poses the question of how we might classify and understand the new type of democracy that has been established in the Western world over the past two centuries.⁵⁶ This form of democracy goes by a number of different terms: liberal democracy, modern democracy, representative democracy, parliamentary democracy, and so on. What do these terms signify? She answers that modern democracy is a relatively new form of political society that emerges as a specific historical articulation between two distinct traditions that have no necessary

⁵³ Wendy Brown, "We Are All Democrats Now..." in *Democracy in What State?* (New York: Columbia University Press, 2011), p.52.

⁵⁴ Ibid.

⁵⁵ A good example of this might be Habermas' assumption of a transcendental power-free domain of communication that he contends is critical for democracy.

⁵⁶ Chantal Mouffe, *The Democratic Paradox*, (New York: Verso, 2009), p. 1.

relation to one another.⁵⁷ In fact, these two traditions carry forth separate and conflicting logics that sustain a tension that renders any attempt at reconciliation impossible. These two traditions are: (1) the democratic tradition that can be traced back to classical Greece, whose central values are those of equality and popular sovereignty, and (2) the liberal tradition whose primary values are the rule of law, the defense of human rights, and the respect for individual liberty and private property. The respective logics of these two traditions are incompatible in the last instance, and as a result, the tension they create can only be stabilized temporarily through the establishment of the hegemony of one over the other.⁵⁸

It is remarkably clear today which tradition holds hegemonic status. The dominant way of conceptualizing and thinking about democracy today secures emphasis on rights (human rights, property rights, etc.) and political, civil, and economic liberties. It is predominately concerned with advancing and securing freedom. In fact, modern democracy effectively reconfigures the call for social equality, translating it into the value and operation of representation (one vote per person) and the equal treatment of individuals before law.⁵⁹ Neither representation nor equal treatment before law, however, equates to substantive equality. In fact, equality is no longer even a primary operative value in many of the dominant discourses concerning democracy. Instead, freedom has replaced equality, becoming democracy's strongest axiom.

One does not have to look far to find evidence for this. Each year, for example, the New York based democracy monitoring organization Freedom House, assigns every country in the world a rating from 1(high) to 7(low) on "political rights and civil liberties."⁶⁰ The supposedly democratic character of each country is evaluated against a set of requirements that are formulated almost exclusively in the juridical language of rights and liberties. The complete Freedom House list consists of twenty-two democratic criteria in which the terms *freedom*, *free*, and *autonomy* are used a total of sixteen times, often with reference to free trade, free assembly, individual freedom, and the freedom to hold fair elections and elect representatives.⁶¹ In contrast, the terms *equality*, *equally*, and *equal* are used just four times in total, and mostly in the context of equal rights under law, equal economic opportunity, and equal campaigning opportunity.⁶² Even gender equality is presented as a problem of individual freedom.⁶³ Finally, it is worth noting that the countries that rank lowest, such as Kazakhstan, are described as "not free," as opposed to not democratic.⁶⁴ The juridical discourse of rights and liberties and its principle value of freedom dominate contemporary democratic discourse.

⁵⁷ Ibid., 2.

⁵⁸ Ibid., 5.

⁵⁹ Wendy Brown, "We Are All Democrats Now..." in *Democracy in What State?* (New York: Columbia University Press, 2011), p. 51.

⁶⁰ Charles Tilly, *Democracy* (New York: Cambridge University Press, 2007), p. 1.

⁶¹ See: Charles Tilly, *Democracy* (New York: Cambridge University Press, 2007), p. 2-3.

⁶² Ibid.

⁶³ Ibid., 3.

⁶⁴ Ibid.

We have seen that the concept of the sovereign subject and the concept and resulting project of modern democracy emerged together historically, both constructed upon the notion of sovereignty and a corresponding notion of freedom that are conceptually severed from relations of power and the *arkhè*. As shown in the first section of this paper, the critique of the subject, especially in its Foucauldian variation, effectively re-attaches the subject and sovereignty (or what is left of it) to a social field characterized by the ubiquity of power relations, where an *arkhè* continually functions. This re-attachment effaces the concept of the sovereign subject by calling into question the very concept of sovereignty itself, along with the freedom and autonomy that it supposedly generates. As a result, the corresponding image of modern democracy, also constructed upon the notions of sovereignty, freedom, and the capacity for self-legislation is effaced. For the traditional concept of modern democracy to survive, we would have to continue to believe in the radical impossibility that the relations of power that traverse social reality could be eliminated, as in for example, Habermas' domain of power-free communication. We would have to continue to believe in sovereignty's separation from the *arkhè*. This, of course, is impossible.

Does this mean the death of democracy? Does it mean the end of freedom? As I have suggested already already, no. The critical question remains: how might we re-think democracy after the subject, and after the conception of sovereignty as severed from the *arkhè*? What would democracy look like in a world where relations of power are incessantly circulating throughout the social, producing, inciting, and constituting our identities and structuring the every day? What would democracy look like in our world?

Democracy as a Practice of Freedom

From the above discussion, it should be clear that the dominant discourse concerning modern democracy is not compatible with the implications of the critique of the subject. It is not compatible with what Foucault's analytics of power reveal: a social world in which relations of power are inescapable and where the concept of sovereignty and the stability of boundaries (the spatial separation of self and other) that the term requires, is revealed as a caricature of a much more transgressive, fluid and complex social reality. To be more precise, Foucault's analytics of power call into question the project of modern democracy by calling into question the master signifier of modern politics (sovereignty) and its vector (the subject).

Relations of power and the *arkhè* that seeks to capture and order such relations are so pervasive, deeply ingrained, and constitutive of the social that any attempt to instantiate a democratic political or social form would and often does result in its immediate vanishing. It is in this sense, roughly speaking, that political theorist Sheldon Wolin speaks of democracy as fugitive and ephemeral, as a phenomenon that when settled into a stable form (such as a written constitution or set of institutions), collapses into practices of management, manipulation, and

control.⁶⁵ When democracy is settled, leaders begin to appear, hierarchies develop, and experts emerge. The twentieth century has witnessed countless attempts to construct progressive, democratic institutions that have either withered away or devolved into systems of inequality and hierarchy antithetical to their original aims. For Wolin, this is because: (1) democracy's spirit is transgressive by nature and cannot be contained by any form (he recalls Plato's insistence of democracy as wild and anarchic) and (2) democracy runs against the grain of capitalism and the most powerful institutions of our societies, institutions that are structured to create and perpetuate inequalities and relations of domination rather than foster equality. As a result, Wolin seems to be saying that if we are to retain and re-think the concept of democracy, it must be articulated in a way that runs against the grain of the very practice of institutionalization in our present society. For him, democracy becomes a moment of experience in response to the deeply felt needs and grievances of those who are excluded, a moment of rage and protest toward actualities in favor of possibilities. A Return to the writings of Foucault can help us sketch out in clearer terms what this can mean.

In some of Foucault's later writings and interviews, as he neared the end of his life, he began to re-visit his earlier archaeological and genealogical texts in light of the problem of human agency. This shift in focus occurs in light of a number of critiques that had perceived in his early and middle period works the articulation of a formidable nexus of discursive, institutional, and disciplinary coercions that left little to no room for agency or the freedom to act politically.⁶⁶ Such criticisms failed to appreciate, for instance, the degree to which a notion of resistance informed by Foucault's own experiences with collective struggle as a member of the Information Group on Prisons (GIP), permeates throughout texts like *Discipline and Punish: The Birth of the Prison*.⁶⁷ Nevertheless, Foucault shifted his focus from technologies of power and domination to what he began to call practices of the self or practices of freedom. More precisely, he began to consider the ways in which the subject constitutes itself actively through techniques and practices, alongside of, rather than as a substitute for, the ways in which the human is transformed or made into a subject by forms of power and knowledge that are imposed upon him. These two seemingly distinct approaches, however, are simply two sides of the same coin. The critical point here is that Foucault's practices of the self are not the practices of a sovereign self who can exercise a complete freedom in non-relation to social power. Practices of the self, Foucault states, are never simply "invented" by an individual, "they are models that he finds in his society and are proposed, suggested, imposed

⁶⁵ Sheldon Wolin, *Politics and Vision*, (Princeton: Princeton University Press, 2004), p. 602.

⁶⁶ See Steven Best and Douglas Kellner, *Postmodern Theory: Critical Interrogations* (New York: Guilford Press, 1991); Alex Callinicos, *Against Postmodernism: A Marxist Critique*, (Cambridge: Polity Press, 1989).

⁶⁷ See Marcelo Hoffman, "Foucault and the Lesson of the Prisoner Support Movement," *New Political Science* 34:1 (2012), p. 21-36.

upon him by his culture, his society, and his social group.”⁶⁸ Foucault’s strategy, then, was to show,

how social mechanisms...have been able to work, how forms of repression and constraint have acted, and then starting from there... one (leaves) to the people themselves, knowing all the above, the frontier possibility of self-determination.⁶⁹

Accordingly, the capacity for freedom and resistance are always present but not in the form of the capacity to completely liberate oneself from power or sever oneself from the *arkhè*. One must struggle from one’s position in a grid of power relations, from one’s position (or lack of it) in relation to the *arkhè*. Practical freedom is never the freedom of the sovereign subject. It is not natural, nor given, nor absolute. Instead, one operates within one’s society and culture, whereby practices of the self can be utilized in an attempt to constitute the self as an object capable of orienting a will.⁷⁰ Such practices were, in antiquity, available and applicable to everyone, despite the fact that only some were capable of achieving the self.⁷¹ In the writings of Seneca, Foucault finds the argument that most individuals remain stuck in a condition called *stultitia*, which he describes as the opposite pole of practices of the self, the raw material that must be escaped from in order to form the self.⁷² The *stultus* is one who has not cared for his self. He is “blown by the wind,” letting all representations enter his mind without critically examining them.⁷³ As a result, his mind is a mix-up, and he cannot discriminate between representations, passions, desires, illusions, and so on. He is fragmented, broken up by time, and thus remembers nothing nor can he recall what is worth remembering.⁷⁴ The consequence, writes Foucault, is that the *stultus* cannot will properly.⁷⁵ To will properly and freely, however, is not to will just anything in a condition of absolute freedom or sovereign solitude from external determinants. Foucault makes it clear that there is only one thing that can be willed freely: the self.⁷⁶ And the self can only be willed freely by means of the practices of the self, which are necessarily social and political in their operations.

Some critics have expressed the concern that Foucault’s focus on the practices of the self ignores the political domain in favor of the domain of the individual, and is therefore incompatible with political activism. Such practices have

⁶⁸ Michel Foucault, “The Ethics of the Concern for the Self” in P. Rabinow and N. Rose (eds), *The Essential Foucault: Selections From Essential Works of Foucault, 1954-1984* (New York: The New Press, 2003), p. 34.

⁶⁹ Michel Foucault, “An Aesthetics of Existence,” in Sylvère Lotringer (ed), *Foucault Live: Collected Interviews, 1951-1984*, (New York: Semiotexte, 1989), p. 452.

⁷⁰ Michael Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France: 1981-1982*, (New York: Picador, 2005), p. 133.

⁷¹ *Ibid.*, 126.

⁷² *Ibid.*, 131.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*, 132.

⁷⁶ *Ibid.*, 133.

been read as practices of solitary individuals upon themselves, who keep a distance from the world and are thus resigned to inactivity. Steven Best and Douglas Kellner, for example, argue that Foucault's later work lacks "substantive political dimensions."⁷⁷ They contend that it seeks out an individualistic cultivation of the subject that stands at odds with an emphasis on political struggle.⁷⁸ Others have stressed that Foucault reduces politics to a matter of aesthetic taste.⁷⁹ Neither criticism is accurate as both critiques fail to recognize Foucault's insistence that the practices of the self exist primarily to serve and regulate political action in the world. In antiquity, Foucault explains, such practices were inherently social since they were imbricated in the social world and developed on a political basis. The withdrawal of oneself required in order to care for and constitute oneself is thus not equivalent to a removal of the self from the world. Instead, it consists in a "standing back from the activities in which one is engaged while still pursuing them, so as to maintain the distance between oneself and one's actions that constitutes the necessary state of vigilance."⁸⁰ In this way, practices of the self are techniques that serve to prepare and produce oneself as a rational subject of social and political action. Rather than a desertion of the domain of social and political activity, practices of the self allow us to situate ourselves in the world properly, and act in the way we ought to act (however that may be). These practices are what connect us to a human community, facilitating the capacity to draw out a common world. In other words, the relationship of the self with the self allows the subject to discover herself as a member of a human community.⁸¹ It is, after all, not a coincidence that Foucault linked democracy to the practice of *Parrhesia* in his final years.⁸² In fact, for Foucault, the operation of *Parrhesia* is necessary for democracy to function. It is a practice of the self, a social and political act that involves speaking the truth and doing so openly and often at great risk to oneself. The *Parrhesiast* speaks from within a network of relations of power and distributions, and as such, his relation towards himself and towards others is one of criticism and confrontation. And while the *Parrhesiast* fulfills this critical role in the social and political domains, he also fulfills a productive role. It is by means of the practices of the self that new forms of subjectivity are promoted and produced.

I would like to suggest that democracy itself can and should be re-thought as a practice of the self in the Foucauldian sense, as something that must be perpetually exercised and enacted, and that can by no means be assured by laws,

⁷⁷ Steven Best and Douglas Kellner, *Postmodern Theory: Critical Interrogations* (New York: Guilford Press, 1991), p. 70.

⁷⁸ *Ibid.*, 73.

⁷⁹ See Pierre Hadot, "Reflections on the Notion of the Cultivation of the Self," in Timothy Armstrong (ed) *Michel Foucault: Philosopher* (New York: Routledge, 1992); Richard Wolin, "Foucault's Aesthetic Decisionism," *Telos* 67 (1986), p. 71-86

⁸⁰ Frédéric Gros, "Course Context," in *Michel Foucault: The Hermeneutics of the Subject: Lectures at the Collège de France: 1981-1982*, (New York: Picador, 2005), p. 537.

⁸¹ *Ibid.*, 538.

⁸² See Michel Foucault, *The Government of Self and Others: Lectures at the Collège de France: 1982-1983*, (New York: Palgrave Macmillan, 2010).

institutions, or consensual forms of agreement. It is a constant struggle, a perpetual work, a work upon ourselves, and with others. It requires calling forth new forms of subjectivity amidst a sea of normalizing and individualizing modes of power that perpetually seek to impose upon, categorize and attach subjects to their identities and distribute them in relation to the *arkhè*. Democrats would do well these days to listen to Foucault as he describes the various functions of the practice of the self in the Hellenistic and Roman period. After explaining the critical function of unlearning one's bad habits and discarding false opinions, Foucault states:

But it also has a function of struggle. The practice of the self is conceived as an ongoing battle. It is not just a matter of training a man of courage for the future. The individual must be given the weapons and the courage that will enable him to fight all his life. We know how frequently two metaphors were employed: that of the athletic contest (in life one is like a wrestler who has to overcome successive opponents and who must train even when he is not fighting) and that of war (the soul must be deployed like an army that is always liable to be attacked by an enemy).⁸³

In our contemporary societies, democracy involves this kind of vigilance. It is a perpetual struggle, a strategic war at the micro-political level, within the domain of the everyday, whereby in the context of relations of power and by means of practices of the self, we seek to constitute ourselves by bringing into existence new forms of subjectivity. In North America, we might resist the subject of debt, the securitized subject, the subject of consumption, and the subject of representation. We might refuse to reiterate the forms of subjectivity imposed upon us. We might therefore seek to produce alternative forms of subjectivity through practices of the self whereby we reconfigure our relations to the objects we consume, the spaces we traverse and inhabit, to systems of value, or to the domain of politics itself. The Occupy movement, for instance, has developed through a continuous experimentation with new forms of living as subjects and new forms of living together with others (even if such experiments are often short-lived due to obstacles such as police evictions). Members sleep in parks and on the streets, sharing space and distributing food and medicines. In the process, they actively re-articulate the subject's relation to territory, space, private property, food and health. They build and run small communities and produce change rather than demand it from politicians. As such, the movement continually re-articulates what it can mean to be politically active, in a way that is at odds with official political mechanisms and channels of representation. Its practice of operating outside of official political structures and processes, refusing to articulate a set of demands to political leaders, is a practice of actively constituting the self for freedom and democracy. Furthermore, the movement itself operates through horizontal and leaderless mechanisms of decision making that seek to maximize inclusiveness in a way that stands in stark contrast to the dominant institutions and organizational modes of American society. Overall, occupiers are actively engaged in producing themselves as subjects living and struggling together in new and strategic ways, developing new transversal forms of relating to one another.

⁸³ Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France: 1981-1982*, (New York: Picador, 2005), p. 495.

Democracy, as Jacques Rancière has said, involves exceeding normalcy. It has to do with the excess of transversal movement, whereby individuals engage in practices of the self and exceed the borders of official subjective territories in the construction of the new. As such, democracy needs theories that can help us tear bodies away from their assigned places and identities rather than ones that start out from the assumption that the forms of power and processes of subjections that keep bodies in place are either secondary of importance or non-existent.

To speak of democracy as a settled form, or to speak of it in the language of macro-political or molar structures and processes, in terms of elections and constitutions, or policing and security, is to speak of something, but that something is not democracy itself. For the most part, the concept of democracy that dominates contemporary political discourse, like the concept of the sovereign subject upon which it has been constructed, is a concept that conceals power and the *arkhè*, and thus preserves the present state and distribution of things, rather than opening up the present to the possibility of a radically different future. Although we must keep in mind that such a future is not one where the democratic struggle will one day fulfill itself and cease to be necessary. On the contrary, it is a future of struggle that continues without end, since the end of struggle, is the end of democracy.