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# GOVERNING FREE SUBJECTS: FLESH, RESISTANCE AND OBEDIENCE

GOVERNAR SUJEITOS LIVRES: CARNE, RESISTÊNCIA, OBEDIÊNCIA

GOBERNAR SUJETOS LIBRES: CARNE, RESISTENCIA, OBEDIENCIA

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**ABSTRACT:** The present article discusses Michel Foucault's analyses of power, resistance and subjectivity developed in the second half of the 1970s. For this purpose, we will take into account the different forms in which his work is presented (lectures, essays, articles, books etc.) and a set of archival documents (unpublished manuscripts) from the *Fonds Foucault*, recently acquired by the *Bibliothèque nationale de France*. On the one hand, the article will explore the ethical and political attitude leading Foucault to develop new and complex analysis of power, mainly through his relation to the question of freedom and through his use of the concepts of "governmentality" and "critique". On the other hand, it will explore unpublished manuscripts on the question of the "spiritual direction" and the "government of souls" in the age of Reforms. These texts demonstrate Foucault's progressive interest, in the mid-1970s, in the political and moral history of Christianity. At the heart of complex genealogies that go back to Christian modern theology, he found a new way of thinking the relation to the self as a possibility of both conflict and freedom.

**KEYWORDS:** Confession. Freedom. Governmentality. Manuscripts. Resistance.

**RESUMO:** O presente artigo busca discutir as análises de Michel Foucault sobre poder, resistência e subjetividade, desenvolvidas na segunda metade dos anos 1970. Para isso, nós tomaremos em consideração as diferentes formas a partir das quais ele divulgou seu trabalho (aulas, conferências, artigos, livros, etc.) e um conjunto de documentos de arquivo (manuscritos inéditos) do *Fonds Foucault*, adquirido recentemente pela *Bibliothèque nationale de France*. Primeiramente, o artigo analisará a atitude ética e política que leva Foucault a desenvolver uma nova e complexa análise do poder, sobretudo por meio da sua relação com a questão da liberdade e do

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seu uso dos conceitos de “governamentalidade” e de “crítica”. Em seguida, nós exploraremos manuscritos inéditos sobre a questão da “direção de consciência” e do “governo das almas” na era das reformas. Esses textos mostram seu interesse progressivo, no meio dos anos 1970, pela história moral e política do cristianismo. Demonstraremos, *in fine*, que é no seio de genealogias complexas que remontam à teologia cristã que Foucault encontra uma nova maneira de pensar a relação a si mesmo como uma possibilidade aberta de conflito e de liberdade.

PALAVRAS-CHAVE: Confissão. Governamentalidade. Liberdade. Manuscritos. Resistência.

RESUMEN: El presente artículo pretende discutir el análisis de Michel Foucault sobre el poder, la resistencia y la subjetividad, desarrolladas en la segunda mitad de los años 1970. Para ello, debemos tomar en consideración las diferentes formas a partir de las cuales él divulgó su trabajo (clases, conferencias, artículos, libros, etc.) y un conjunto de documentos de archivo (manuscritos inéditos) de *Fonds Foucault*, adquirido recientemente por la *Bibliothèque nationale de France*. En primer lugar, el artículo analizará la actitud ética y política que lleva a Foucault a desarrollar un nuevo y complejo análisis del poder, especialmente a través de su relación con el tema de la libertad y de su uso en los conceptos de “governamentalidad” y de “crítica”. A continuación, exploraremos manuscritos inéditos sobre el tema de “dirección de la conciencia” y de “gobierno de las almas” en la era de las reformas. Estos textos muestran su progresivo interés, a mediados de los años 1970, por la historia moral y política del cristianismo. Demostraremos, *in fine*, que es dentro de complejas genealogías que remontan a la teología cristiana que Foucault encuentra una nueva forma de pensar la relación a sí mismo como una posibilidad abierta de conflicto y de libertad.

PALABRAS CLAVE: Confesión. Governamentalidad. Libertad. Manuscritos. Resistencia.

## 1 INTRODUCTION

In the second half of the 1970s, Foucault introduced an important number of new research branches in his work by combining two complementary dimensions of study: on the one hand he sought to develop an analysis of power relations that could grasp both the strategies of power and resistance, and on the other hand he associated this theoretical approach with a reflection centered on the role of his own intellectual activity and the possibilities of action in the resistance itself. It is in this context that Foucault introduces his reflections on the arts of government, a theme that, in its early developments, allowed him to elaborate the theoretical frameworks of biopolitics and governmentality, and that would remain vital to the broader reflections in his late works. Although this particular period has already been the object of several comments, the impressive heterogeneity of the current interpretations shows that there are still some obstacles to its proper understanding – certainly due to the fast-moving nature of Foucault’s thought which is constantly adding new levels of complexity to its analyses. Searching to shed new light on the study of these theoretical displacements, we will examine some elements of his production that have been very little explored so far.

For this purpose, it is particularly interesting to focus on Foucault’s progressive interest in the political and moral history of Christianity in the mid-1970s. It is, in fact, at the heart of complex genealogies that go back to Christian theology that Foucault finds – through several branches of work, notably the lectures at the Collège de France and the fragments of the second unpublished volume of the *History of Sexuality: The Flesh and the Body* – a new dimension of the relationships to oneself, to one’s body and to one’s word of truth. Although the problems of subjectivity had never been absent from his concerns, this new line of questioning gave birth to a new way of thinking the relation to the self as a possibility of both conflict and freedom.

Therefore, we propose two major aims: firstly to show how his work in the second half of the 1970s is filled with a certain number of common problems, and secondly to explore unpublished analyses on the question of the spiritual direction and the government of souls which is developed in several manuscripts kept today in the *Fonds Foucault* of the Bibliothèque nationale de France (NAF 28730). The importance of these analysis is that they outline a first study project about the Christian flesh, redesigned to later give birth to *Confessions of the Flesh (Les aveux de la chair)*, published in 2018. Taking this into account, we would finally like to show how these unfinished reflections constitute a key moment in Foucault’s trajectory. It is through a genealogy of the Christian confession that Foucault rethinks the question of the subject on the basis of new elements, finding new kinds of relationships between freedom and obedience, between the “will of the self” (*volonté de soi*) and the will of others, the exploration of the “truth of the self” (*vérité de soi*) and the spiritual direction.

## 2 POWER AND RESISTANCE, TWO COMPLEMENTARY FIELDS OF A CRITICAL PHILOSOPHY OF THE PRESENT

The Foucauldian trajectory of the 1970s is marked by a particularly rich theoretical inventiveness, as evidenced by the concepts of biopolitics and governmentality. The link between this conceptual creativity and the historical situation of those years can be substantially clarified by a study of how Foucault sought to articulate, throughout that decade, the theoretical and practical levels – a movement characterized by both an internal reflection, concerning himself and his role as an intellectual, and an external one, aiming to define new ways of approaching resistance and social change. Such aspects constitute the basis of a real critical project that the philosopher began to implement in the mid-1970s, and from which he seeks to renew his approach to power.

Foucault's lectures at the Collège de France were not, as we know, mere teachings: his lessons had, in general, a political function<sup>1</sup>, defined on the basis of a *reflective practice of the intellectual ethics* – an attitude that had always been present since the beginning of the decade, but which began to gain more defined forms from 1976 onwards. The series of lectures *Society must be defended* (1975-1976), *Security, territory, population* (1977-1978) and *The birth of biopolitics* (1978-1979) constitute, from a methodological point of view, a singular moment in Foucault's research approach, which is why they deserve to be treated separately: it is a moment when he decides to evaluate the trajectory covered in the last years of his work and to draw the lines of his future investigations (FONTANA; BERTANI, 1997, p. 247). In this re-evaluation process, he gives to his lectures a more flexible dimension, transforming them into a space open to criticism and new questions, which allows a greater permeability in their relationship to the present (or, in Foucauldian terms, to the "actuality"). The result is clear: the socio-political context has an essential role to play within his theoretical choices. The discrepancy between the titles and the content of the lectures is a clear example of this flexibility since there is no longer a precise correspondence between them. This shows that there is a gap between the moment when Foucault defines what he wishes to expose, as well as the choice of the titles, and the moment when he exposes his lessons to the public. By opening more space to the "actuality", the themes, contents and theoretical paths are necessarily modified, adapted and reconfigured, in order to achieve objectives that have a greater political function. Therefore, this opening movement allows the development of lectures that are particularly mobile and that react to contextual transformations.

This distinct period, which goes from 1976 to 1979, can only be identified by reading these lectures as specific thought experience, hence the importance of articulating them with the other components of Foucault's intellectual activity – books and multiple interventions (debates, interviews, conferences etc.). In 1986, Deleuze noticed:

There is one thing that is essential throughout Foucault's work: he has always dealt with historical formations (of short and long duration), but it was always related to our present situation. He did not need to say it explicitly in his books, it was too obvious, and he left to the interviews he gave to the newspapers the task of saying it even better. That is why Foucault's interviews are fully part of his work (DELEUZE, 2003, p. 143-144, our translation).

In this excerpt, Deleuze shows the importance of articulating books and interviews together to understand Foucault's philosophical approach as well as the relationship he establishes between the present and his intellectual production. Since the publication of his lectures, it has become absolutely essential to extend Deleuze's argument to them, especially when we take into account the fact that their content – from *"Society must be defended"* to *The birth of biopolitics* – unlike the previous ones, has no direct correspondence to that of published books. Given the singularity of this context, these lectures are a crucial moment of exhibition: they offer us a privileged entrance to the laboratory of Foucault's thought, allowing us to visualize how he sought both to intervene as an intellectual and to test his theoretical frameworks.

While leaving enough room for these multiple movements and displacements of thought, Foucault seeks, at the same time, to give a general direction to his theoretical production on the basis of a critical project whose main developments he outlines in the conference "What is critique?" in May 1978. For him, critique is, above all, a *"question of attitude"*, which has not only a "value of utility,"

<sup>1</sup>As Michel Senellart (2007, p. 182) states, "all Foucault's lectures are, in a sense, 'political'". One could distinguish "political lectures" from others only on the basis of a "narrow definition of politics that Foucault's entire approach aims to challenge"; our translation.

but that also relies on a more general imperative: Foucault speaks of this critical attitude “as virtue in general.” Indeed, the history of the arts of government – arts that drastically expanded since the 15th century by asking the fundamental question “how to govern?” – cannot be dissociated from the perpetual question “how not to be governed?”, a question raised together with that of the process of governmentalization<sup>26</sup>: “how not to be governed *like that*, by that, in the name of these principles, for such objectives and by means of such proceedings [...]?”. In the eyes of the philosopher, this type of questioning lies on the side of critical attitude, both partner and adversary of the arts of governing, inasmuch as it wants to refuse, transform or displace them as an act of “*essential resistance*”. This effort is part of “a kind of general cultural form, which is both a *moral and political attitude*, a way of thinking, etc. [...]: the art of not being so much governed”. That is why the critique constitutes a cluster of relationships that intertwines power, truth and subject. Critique is the means by which the individual questions the truth, an “art of voluntary inservitude” or “*well-reflected indocility*” which holds the function of desubjugation (*désassujettissement*) in the game of truth and politics (2015, p. 34-39; our translation).

It is based on those principles that, while creating new analytical categories, Foucault chooses to analyze the social movements that he defines through the notions of “historical knowledge of struggles” (*savoir historique des luttes*) and counter-conducts (*contre-conduites*). These two historical processes – examined respectively in the lectures of 1976 and 1978 – have some common characteristics with the critical attitude, which is expressed in terms of opposition and refusal. The “historical knowledge of struggles” is defined, on the one hand, as “a way of playing local, discontinuous, disqualified, or nonlegitimized knowledges off against the unitary theoretical instance that claims to be able to filter them, organize them into a hierarchy” (1997, p. 8-9). The term “counter-conducts”, on the other hand, is used to characterize movements that have historically opposed themselves to certain forms of power, from the pastorate era to the most modern power mechanisms, by seeking other forms of conduct or a new form of governance of souls. Although these two notions relate to different contexts, there is a common element at stake in all of these movements: the “right of the governed” (*droit des gouvernés*) (2001, n° 210, p. 362) or the right to disagree, a right to insubordination towards governments.

Underlining these aspects helps us explain how Foucault is constantly leading two parallel lines of analysis: he associates the “empirical” history of the arts of government – focused on the understanding of power techniques – with a study of the movements through which struggle and resistance emerge in history. But just like his analysis of power – which does not follow a linear path, but rather a sinuous one marked by successive displacements and reshuffles –, his conception of resistance as that of the subject who takes in hand this act of resistance is also in constant evolution. Furthermore, the way Foucault reflected, on different occasions, on the *boundaries* between what is under the grasp of power and what can change or escape it, is also associated with this specific theoretical context. As Philippe Chevallier states, Foucault inserts his philosophy in a tradition for which

[...]when facing power, it is no longer a question, for philosophy, of making itself the “law of the law”, of thinking of itself as “prophecy”, “pedagogy”, or “legislation”. On the theoretical level, it is a question of analysing the functioning of power, showing it in its fragility and historical contingency; without ever claiming to dominate it through thought. On a practical level, it is about taking part in the struggles at the heart of society, bringing them to light, so that the question of power can never be closed again. These two activities, theoretical and practical, hope to draw within the power relations themselves the conditions for a *difficult exercise of freedom*. (CHEVALLIER, 2014, p. 9-10, our translation and emphasize).

Thus, an important question arises: is there a possibility to go beyond what power thought it ruled over? In the period examined here, Foucault constantly sought to show that one of the fundamental features of power relations is their reversibility. His ethical-critical choices are associated with the desire to develop a historical knowledge that seeks to break what appears to us as an “evidence” and to unravel continuity. By doing so, this type of approach allows philosophy to give itself the possibility of displacement regarding

<sup>26</sup>[...] By ‘governmentality’ I understand the tendency, the line of force, that for a long time, and throughout the West, has constantly led towards the pre-eminence over all other types of power – sovereignty, discipline, and so on – of the type of power that we can call “government” and which has led to the development of a series of specific governmental apparatuses (*appareils*) on the one hand, [and, on the other] to the development of a series of knowledges (*savoirs*). Finally, by ‘governmentality’ I think we should understand *the process, or rather, the result of the process by which the state of justice of the Middle Ages became the administrative state in the fifteenth and sixteenth centuries and was gradually ‘governmentalized’*.” (FOUCAULT, 2004a, p.111-112, our translation and emphasize).

its present: the more one shows that history is open and that the present is mobile, the more one emphasizes the possibilities of its transformation. This allows him to underline the fact that “those who are part of these power relations, who are involved in them, can, in their actions, in their resistance and rebellion, escape them, transform them. In short, no longer be subjected to them” – and this is why we can say that, from this point of view, his research is based “on a *premise of absolute optimism*” (2001, n° 281, p. 912; our translation). But even if Foucault wants to show that power relations are not static and that there is certain flexibility for the governed (2001, n° 213, p. 386-388), he also wishes to make it clear that these struggles and transformation processes take place within power relations themselves, and not on their outside. Therefore, we may ask which form this resistance can take and what place remains for freedom within the action of a subject who is characterized as being produced by a power that seeks to subjugate him.

In the lectures of 1976, Foucault sought to reject the “repressive hypothesis”<sup>3</sup> and to identify the productive aspect of a power that “does not only weigh like a force that says no”, but which, more precisely, “passes through us with a whole productive machinery of which we are the agent” (FOUCAULT, 1977, p.9). From then on, he began to put into practice the gradual abandoning of an analytical regime marked by “negativity”, not only in the choice of research objects (exclusion, confinement, prison) but also in the conceptual apparatus that he developed. One of the outcomes of this approach is the construction of the theoretical horizon of biopolitics, which stands as one of the tools that allowed him to inaugurate this other mode of analysis which presents itself in terms of production and intensification (DEFERT, 2014, p. 59-65). It is important to stress, however, that the paths he uses to engage in this type of analysis are changing and evolving throughout his research. At first, this refusal of the notion of repression goes hand in hand with the construction of an analysis of power relations that takes, as its starting-point, the perspective of struggles in terms of confrontation and war. Foucault will draw both positive and negative conclusions from this perspective: although he initially considered it useful to show the multiplicity of strategies implemented within the power relations, he later realizes that the grid of intelligibility based on the war model remains, nevertheless, very attached to a bellicose vocabulary – something that can have dangerous consequences<sup>4</sup>. It is in that sense that he inflects his approach to the question of power as well as his approach to the question of struggles.

By observing the way Foucault seeks both to analyze real struggles and to take part in these struggles, we can recognize, during this period, at least three dimensions from which he contemplates processes of desubjugation, or, so to speak, the resistance and opposition to power. Based on the war grid of intelligibility, Foucault identifies a specifically modern dimension of politics, which is connected to the development of historical knowledge as “both a description of struggles and weapon in the struggle”; “history gave us the idea that we are at war and we wage war through history” (1997, p. 153). In this context, he seeks to understand the origins of a historical discourse that he calls “counterhistory” and whose interest resides in its ability to give revolt a status of logical and historical necessity. This new form of history is thus perceived as an instrument of struggle that makes it possible not only to attack the State, but also to disseminate the idea of a permanent threat of revolt (1997, p. 88). This may have been useful to him as a means to provide historical support for the idea that “where there is power, there is resistance” (1976, p. 125), but the promotion of this type of discourse leads to the defense of a generalization of the war model in all spheres of social relations – a theoretical strategy from which Foucault has eventually decided to detach himself. This type of analysis results in a binary system of struggles (strong versus weak, winners versus losers), but as soon as we leave this context and introduce the diffuse aspect of a productive and intensifying power, it becomes a necessity to also renew the way in which we consider the act of opposition. Foucault considers that we need to build new forms of resistance that are more adapted and more effective in order to face a more skillful, subtle and elastic exercise of power (FOUCAULT, 2001, n° 213, p. 386-388):

[...] The old patterns of struggle that had made it possible, since the 19th century, to fight against nationalism and its oppressive effects, to fight against imperialism, another facet and form of nationalism, to fight against fascism (these old patterns of struggle) are obsolete. We must try to make people understand that going back to

<sup>3</sup>In June 1976, Foucault claimed that he had succeeded in getting rid of the notion of ideology but not yet totally of that of repression. As the philosopher explains in 1976, although this notion seems to “fit so well with a whole series of phenomena that relate to the effects of power”, it is “completely inadequate to describe what is precisely productive in power”, (2001, n° 192, p. 148-149, our translation).

<sup>4</sup>[...] War model gets in the way of discussion on politics. [...] By saying ‘I am fighting an enemy’, the day we find ourselves facing him in a situation of real war, which can always happen, will we not treat him as such? Following this road leads us straight to oppression: it is dangerous” (Foucault, 2001, n° 281, p. 914, our translation).

old political values, the old assured values [...] of contestation, is no longer appropriate (FOUCAULT, 2001, n° 213, p. 387, our translation).

It is the interpretation scheme of governmentality that allows Foucault to consider another mode of resistance, which takes the form of critique. As we have argued, there is an element of refusal that is present within those different ways to build opposition to power, but Foucault seeks to make them more complex by showing, thereafter, that the processes of struggle are not simply given in terms of a confrontation of forces defined by a succession of victories and failures (2001, n° 215, p. 391). From the promotion of counterhistories, Foucault moves on to the promotion of counter-conducts. These “points of resistance”, these forms of “counter-attack” or “specific revolts of conduct” are movements that are directly correlated with the power that seeks to conduct people insofar as their objective is “a different form of conduct, that is to say: *wanting to be conducted differently*” (FOUCAULT, 004a, p. 196-198, we emphasize). Thus, the negative form (counter) does not imply the rejection of all conduct, but rather the desire for another way of being conducted, which is why we can affirm that there is a systemic correlation between counter-conducts and pastoral power<sup>5</sup> – either in the form of resistance or in the form of research and experimentation of new types of conduct. The same can be said about the critical attitude that Foucault defines as a partner and adversary of the arts of governing, inasmuch as it seeks to transform them through an act of insubordination or “well-reflected indocility”.

In this sense, critique is one of the elements that allows us to identify this web that is woven between power, truth and subject as it is a way through which the subject questions the power structures inside of which it constitutes itself. Wishing for another government or another conduct, it sets up a movement that allows to overtly evidence, in the field of politics, something that happens inside itself – this something being an open network of conflicts between freedom and government where the relations to oneself, to others and to the truth are intertwined (SFORZINI, 2018, p. 500). This adds a complementary level to the Foucauldian analysis, introducing a third domain from which the philosopher reflects on the practices of desubjugation and therefore of resistance, as well as the type of freedom that those practices engage. The movement of critique implies, at a given moment, a questioning of the ways in which the individual is transformed into a subject, a process from which he “experiences himself within a game of truth through from which he inherits a relation to himself” (FOUCAULT, 2001, n° 345, p. 1452, our translation).

By following the evolution of these themes in his lectures at the Collège de France, we can identify, from 1980 onwards, a redefinition of the subject’s role in the power relations: “the question, then, is no longer which type of subject is produced by a system of knowledge and techniques, but how this subject is linked to a ‘game of truth’, what experience of itself results from it and according to which forms of dependence or submission” (SENEILLART, 2016, p. 61; our translation). It is possible, however, to identify some preliminary features of this redefinition in works dating from before the 1980’s by investigating how the problem of subjectivity emerges within Foucault’s thought – not only in the analyses he exposes and explores in public, but also in a whole series of underground works he carries out at the time, which have been little explored until now.

Although, in some sense, this question of subjectivity goes beyond the analytical framework of the critical project studied so far, it was essential to show how this project plays an important role in the construction of the theoretical horizon in which this question emerges. However, this can only be identified if the different movements of thought are not hypostasized in static patterns. In fact, these three modes through which opposition to power is considered do not constitute logical sequences, as if the new one replaced the former. Rather, they are complex displacements, which sometimes overlap and from which Foucault is constantly testing various solutions to the theoretical problems he faces. The place occupied by the question of subjectivity being central to understanding the main problematics explored by the “last Foucault”, it is, therefore, necessary to study its genesis in his thought in depth. By using new sets of documents dating back to the mid-1970s, we will see that not only are these dimensions of subjectivity and “subjectivation” born in an inherently political questioning at the heart of the problematic of “free” obedience, but also that the passage through the history of Christianity has been essential to enrich his analysis of power.

<sup>5</sup>For a definition of the pastoral power, cf. M. Foucault, *Sécurité, territoire, population*, specially the lessons of the 8<sup>th</sup> and 15<sup>th</sup> of February 1978. “The idea of a power exercised on a multiplicity rather than on a territory. It is a power that guides towards an end and functions as an intermediary towards this end. It is therefore a power with a purpose for those over whom it is exercised, and not a purpose for some kind of superior unit like the city, territory, state, or sovereign [ ... ]. Finally, it is a power directed at all and each in their paradoxical equivalence, and not at the higher unity formed by the whole.” (p. 133).

### 3 SOUL POLITICS: VERIFICATION, SUBJECTIVATION AND SEXUALIZATION AT THE DAWN OF THE MODERN ERA

In 1976, Michel Foucault publishes *The Will to Knowledge*, the first volume of a six-volume *History of Sexuality*, published by Gallimard in the "Bibliothèque des Histoires" collection. The five other planned works were announced on the back cover of the first edition, as follows<sup>6</sup>: 2. *The Flesh and the Body*; 3. *The Children's Crusade*; 4. *The Woman, the Mother and the Hysterical*; 5. *Perverts*; 6. *Population and Races*. As we know, this project as such has never seen the light. Yet this does not mean a total renunciation but a change of perspective (from power techniques to subjective practices) and a chronological shift (from the modern era to Antiquity).

The acquisition by the Bibliothèque Nationale de France in 2013 of nearly forty thousand sheets<sup>7</sup> from Foucault's personal archives provides a good opportunity to learn about this initial project of a history of sexuality. It constitutes a research work that is still very much interested in the problems of power, control over bodies and biopolitics, and way broader than what the lectures delivered in 1975, *Abnormal* (1999), could have indicated. There are, in these archives, several hundred unpublished handwritten sheets corresponding to early book projects or notes for lectures and conferences, dating from the mid-1970s and which incorporate questions related to the multiple genealogies of modern sexuality. Among this immense mass of documents, two coherent and significant sets are to be highlighted here: the manuscripts relating to the second unpublished volume of the *History of Sexuality* in its first version (*The Flesh and the Body*) and a series of conferences/lectures on sexuality (including sexual confession in the age of the Reforms) that Foucault gave in October 1975 at the University of São Paulo<sup>8</sup>. The manuscript of some of these conferences are available (ten had probably been planned beforehand<sup>9</sup>) and also the recording of only four lessons – Foucault did not complete his program. Vladimir Herzog, a Brazilian journalist and playwright, a Communist Party activist, died at the same time in prison (on 25 October), probably from the blows of his executioners after repeated torture sessions. His death was masked as a suicide (a picture of him hanged in his cell was taken) but the responsibility of the military dictatorship was immediately obvious. Soon after that, the University of São Paulo went on strike and Foucault interrupted his conferences. Therefore, he only had the time to report the first five lessons (he synthesizes lessons 4 and 5 in one last session). Nevertheless, those first four lessons form a complete presentation<sup>10</sup>.

As far as *The Flesh and the Body* is concerned, parts of a first version of this manuscript<sup>11</sup> are kept in the archives of the BnF and undoubtedly form Foucault's first long-term exploration of Christian theology. Their writing date is difficult to determine. While most of the texts of *The Flesh and the Body* are probably already completed in the mid-1970s, even before the publication of *The Will to Knowledge*, Foucault quotes, in a manuscript of about fifty pages<sup>12</sup> – which constitutes a possible introduction to either the entire volume or one of its parts –, a work by Pierre Chaunu from 1976. He also writes a note dated June 1977 on the back of the last page of the cover containing the manuscript, which is therefore likely to be one of the last parts composed for the first project, already pointing at the reworking of *The Confessions of the Flesh* (2018). In any case, given that Foucault synthetically explores concepts concerning the spiritual direction at the age of Reforms in the lectures entitled *Abnormal*, and particularly in the lessons of 19 and 26 February 1975, one can safely say that Foucault had already extensively studied the content of the volumes announced in *The Will to Knowledge* in the first half of the 1970s.

By studying the direction of souls, Foucault tries to understand how Western societies develop an injunction to "tell the truth" about one's desire: it is the word about one's sex in the way it is addressed to another through a regulated listening device that forms a first

<sup>6</sup>In subsequent editions, this reference is erased and replaced by the quotation from René Char (1965): "L'histoire des hommes est la longue succession des synonymes d'un même vocable. Y contredire est un devoir".

<sup>7</sup>Archives Foucault, BnF, NAF 28730.

<sup>8</sup>Boîte 56, Archives Foucault, BnF, NAF 28730, to be referred to later by using only the lesson and handwritten sheet numbers.

<sup>9</sup>In fact, the manuscript consists of 7 numbered lessons (1 to 5 and 9 to 10) and one unnumbered lesson, placed after n° 5.

<sup>10</sup>A few months earlier, at the Collège de France, Foucault had devoted two lessons (19 and 26 February 1975) to the problem of the evolution of the Christian rites of confession, but what he said about it in São Paulo gives more importance to the archaeological challenges and perspectives of such a history.

<sup>11</sup>For a reconstruction of the history of a part of the manuscript of *The Flesh and the Body*, now accessible, see Ph. Chevallier, *Michel Foucault et le christianisme* (2011), specially p. 149-150.

<sup>12</sup>File 1, boîte 89, Archives Foucault, Bibliothèque nationale de France, Département des Manuscrits, NAF 28730.



matrix of subjectivation (*subjectivation*). This is a way to govern and control the intimate sphere where the obedience of each person is obtained through a certain amount of true speech by oneself, about oneself and about one's sexual life. Therefore, in the framework of this first history, the "reality" of sexuality emerges at the intersection of two techniques of individual government, two governmentalities – of intimacy and sexual normality – in the way they structure *subjectivities*. The "invention of sexuality" in the modern era, whether through practices of spiritual direction or medical normalization of the bodies, precisely partakes of this relationship between power relations and the constitution of the self through the prism of sexual experience. This invention is therefore parallel to Foucault's "discovery" of the subjectivity as a dimension way richer than the simple subjugated individual: a place where heterodetermination and free relationship to oneself are intertwined. In the genealogies of sexuality dating back to the Christian flesh, Foucault describes subjectivity as the place of an essential and open conflict between power and freedom - the history of an agonistic and divided subject that is the object of identity and political struggles.

What is questioned there is not a relationship but a subject. Or rather a subjectivity, with the bending of its automatisms and consents, with the awakenings and limits of its consciousness, with the forms, movements and opportunities of its pleasures. [...] What is sexual begins to be part of a problematic which is no longer concerned with alliance and its codes, but which is concerned with the subject and the truth. What is sexual will start to function as sexuality.<sup>13</sup>

But how could this Foucauldian discovery of subjectivity/sexuality take place? Is it still essentially political or does it rather start pointing to an "ethical" Foucault and to depoliticized subjects? In order to answer this question, let us return to the lectures Foucault gave in São Paulo, in October 1975. *Discipline and Punish* was published in February of the same year and Foucault never stopped, in the interviews that followed, to analyze the disciplinary culture of Western societies from the 18<sup>th</sup> century onwards (its normalizing diffusion, its technical inventions) as well as the strategic function of prisons (which is to form a criminal environment) as a modern, exclusive and "politically effective" punitive modality. But in the same year, he continued and soon completed the writing of *The Will to Knowledge*, already imagining the deployment of his history of modern sexuality. Just like a prison, sexuality is a privileged example to think differently about power. We can notice it when we read the first Brazilian lecture delivered in the autumn of 1975 which was entirely devoted to the need for a new way of thinking about power. This first lecture already extends and alters the analyses of *Discipline and Punish*, as if the study of the "sexual body" made it possible to go beyond the disciplinary analyses of the "working body". Foucault questions the validity (and limits) of the notion of repression in order to elaborate a genealogy of sexuality that goes from Christian casuistry to Freud. This suspicion towards the heuristic value of prohibition is basically a way, Foucault writes, to be "a little Nietzschean"<sup>14</sup>, Nietzsche allowing us to think of power relations that are finer than exploitation – mechanisms of *subjection* for which neither Marx (mechanisms of domination) nor Freud (logic of the prohibition) has a name. But to what extent can we understand the very roots of the need to think differently about power?

Certainly, the 1970s offer a special political context. The decade is marked by the recrudescence of decolonization wars, new forms of imperialism, the rise of technocrats and the importance of trusts in the West; it is marked by a "party" that plays the role of a state apparatus and establishes the unlimited rule of the bureaucrats in the East. But these macro responses are largely insufficient. They neglect, Foucault writes, what happens *between* individuals: teachers and students, psychiatrists and their patients, sexual partners (men or women)... Ultimately, post-Nazism has meant neither the disappearance of asylums built as camps or the fading of various racisms (sexual, ethical) that have never stopped proliferating, nor the erasing of "excessive powers": "the disappearance of institutional fascism has left behind a mass of excessive powers, of subliminal violence, which resembles fascism, which prepared it and which survived it"<sup>15</sup>. Likewise, the erasure of Stalinism has not changed the consistency of these intolerable micro-powers.

<sup>13</sup>Boite 88, Archives Foucault, BnF, NAF 28730; our translation.

<sup>14</sup>Lesson n° 1, folio 5 (we mainly use the manuscript; however, sometimes we will propose oral formulations from the recordings when they are more powerful or open up other perspectives); our translation.

<sup>15</sup>Lesson n° 1., folio 6; our translation.

Therefore, through the historical study of the treatment of sexuality, its technical and scientific investment, Foucault sets the conditions he needs to describe types of powers that are not politically marked (right/left) but which saturate both liberal and socialist societies, and which survive the collapse of totalitarianism – even though they formed the finest chains of totalitarian powers. We must not forget that Foucault gave these lectures during the military dictatorship in Brazil. Vladimir Herzog was summoned the same month of October by the military authorities to “explain” his relationship with the Communist Party – and was found dead in his cell. In such a context, Foucault insisted on reaffirming, on the very threshold of his study on sexuality, the importance of these infra-state micro-powers which are not politically coded.

We can find in the manuscript of the lectures, which abandons the contemporary field to question the singularity of Western modernity, at least three theses that will be totally re-orchestrated in *The Will to Knowledge*: 1. our modern societies are singularly confessing, speaking and talkative societies, they set up diversified and continuous techniques for the production of speech; 2. sexuality is the privileged target and the recurrent content of the extraction of speech; 3. the various forms of censorship that surround its expression are only secondary tactical devices serving an immense injunction to speak and make what is sexual speak. This injunction to talk about sex is such that its participation in our liberation and its role as an instrument for our emancipation are out of the question. Thus, in 1975, the problem for Foucault was less “freeing the speech” (to use a contemporary statement here) than precisely freeing oneself from the injunction to say. However, the modalities this “sexual expression” could have taken in our modern culture based on its Christian genealogy (i.e., its roots in the mechanisms of confession and direction of souls) are still to be clarified.

In the long history of sexual confession, Foucault roughly distinguishes two periods: 1. the first penance (from the Middle Ages to the 16<sup>th</sup> century); 2. the transformation of the rules of confession since the Counter-Reformation and above all the implementation of such a spiritual direction in the way it will inscribe its effects in our modernity and shape a “sexual body”. However, the confession must still be generally characterized. Five structural features can be retained from the formulations of the 1975 Brazilian lectures<sup>16</sup>: a speech that takes as its object its enunciator itself; a speech whose content must be traced back to the sharing of the law or morality (legal/illicit, good/bad); a speech which involves the installation of a dependence upon the other (the one to whom it is addressed) in the very movement of its enunciation; a speech whose truth is guaranteed by the conditions of enunciation rather than by the adequacy of the content to the external reality (a false confession is not a confession at all); and finally a speech which has the immediate (ethical) effects of recharacterizing and restructuring the confessing subject.

This practice of confession clearly has a very decisive role in many sectors, *even outside religion*: justice, family and pedagogical relations, love relationships, but also medicine, especially psychiatric medicine (importance of the confession of madness<sup>17</sup>), and finally in literature with the long transition from an epic literature, (narrative, fable or tale) to a literature of confidence, “in the first person” (“and when you do not speak in the first person, you know how hard literary criticism seeks to show that, in any case, you were still speaking in the first person, a fact from which all the analyses of psychology, psychoanalysis and so on spring. True literature must be confessional literature”<sup>18</sup>). Confession plays an essential role even in politics: be it in the trials of socialist countries involving delusional confessions, or, in a minor form, the rituals of self-criticism demanded by the French Communist Party in the 1970s.

But for Foucault, the two most culturally decisive domains of confession are those of justice and religion. Confession as a judicial practice can be mentioned quite quickly. It must only be indicated that during the first appearance and great institutionalization of a legal system in the Middle Ages, confession had only a limited place, the disputes being settled in the form of a ritualized joust, an incurred risk, a dangerous duel: the accuser and the accused were in confrontation, exposing themselves to each other, for example, by swearing before God. The result of this process was not the establishment of a truth but the declaration of a winner and a vanquished, and that was what made closing the case and demanding reparations possible. Placing a requirement for truth and its production at the heart of the judicial system so that the law may work coincides with the confiscation of the justice system by the

<sup>16</sup>See, for a comparison, what Foucault stated as criteria in 1981 in *Mal faire, dire vrai : fonction de l'aveu en justice* (2012).

<sup>17</sup>We know that F. Leuret's account of the production, with the help of ice-cold showers, of the confession of his own madness is regularly taken up by Foucault (cf. for example the beginning of *Mal faire, dire vrai*, p. 1-7).

<sup>18</sup>Lesson n° 2, oral version; our translation.

royal power, a confiscation that has implied a shift in the meaning of crime: “a crime is not simply a damage done to someone in violation of the rules; it is an offence against the law and an attack on royal authority”<sup>19</sup>. The very structure of the trial was changed – it was no longer a horizontal confrontation between an accuser and an accused, but a vertical confrontation in which the royal court decision could only be based on the transparency of truth: “the functioning of sovereign monarchical power in the administration of justice necessarily implied that truth must substitute war”<sup>20</sup>. But how can this judicial truth be established? By at least two complementary processes: investigation and confession, which will leave a fundamental legacy to the Western modernity. On the side of investigation, we will find the empirical sciences of nature; on the side of confession: human sciences. In any case, it remains paradoxical and admirable that:

[...] this thing (confession) which seems to us to be, of all things, the most individual thing, the most closely linked thing to our free will, or at least the most deeply inserted thing in our lyrical practices, has only begun to take root in our society and has only taken root in the civilization of Christian Europe through the structures of the State by the growth of those structures and by the pressure of the requirements of the State.<sup>21</sup>

Thereby, we see how everything that could appear to be a rather long digression on the evolution of criminal law in Western modernity tended to demonstrate that the State and the sovereign power are the necessary recipients of our most secret confessions. Foucault, therefore, developed the theme of politicization of the intimate confession even before raising the problem of the religious practices of confession.

As for the Christian moment of confession, the original penance ritual did not include a formal and detailed confession. Penance in early Christian times was firstly a status that required visible physical signs rather than secret confession (“*exomologesis*”). Then, at the turn of the 6<sup>th</sup> century and initially in countries governed by German law, a paid penance was introduced, punctually linking this or that crime to this or that sanction. This paid penance obviously implies a confession, a narrative of guilty life, since it is individualized and adapted to the crime. However, this confession is not simply the mechanical trigger for penance. From the Carolingian era onwards, we began to consider that, because confession is humiliating and painful, it includes a value of atonement in the very movement of its enunciation. It is at that very point that the Christian Church will be able to validate the confession made to laity around the 11<sup>th</sup> century (it will be later abandoned) – such a confession stemmed from the idea that the effectiveness of the confession consisted less in the quality of the person to whom it is addressed than in the effort to overcome shame which was so painful that the moral suffering felt in formulating it has a value of penance. At a time when royal and centralized power is being strengthened, the Church itself will regain control over the practice of penance, seeing it as a powerful instrument of control. Thus, the Lateran Council (1215) imposed a principle of permanence, regularity, continuity and exhaustiveness of confession. The power of the keys is singularly reinforced when in the hands of the priest-confessor (a role that therefore requires a very specific formation): he chooses whether to grant absolution or not, and he imposes penances in a discretionary manner in the light of the catalogues of faults. This formidable power of the priest was reaffirmed at the Council of Trent (1542-1563) and led to the appearance of confessor orders (the preachers, the beggars).

Foucault wants to connect this small “archaeology of confession”<sup>22</sup> to the question of procedures, forms and specific rituals that will concern sexual confession, with special emphasis on a certain disconnection – because that is what will allow the emergence of the “flesh” or even the “birth of sexuality” – which is the disconnection from the *legal structure* of the religious confession. Until at least the 18<sup>th</sup> century the main question, in the confession of the sin of the flesh, was identifying the category into which the sexual act in question would fall: fornication, adultery, rape, incest, sodomy, bestiality, etc. It is the principle of *characterization* more than the content of the list of these sins that is important to Foucault. First, they are defined according to a guiding norm: only sexual intercourse between two persons of the opposite sex joined in matrimony is tolerated and in such a way that this sexual intercourse

<sup>19</sup>Lesson n° 2, folio 9; our translation.

<sup>20</sup>Lesson n° 2, oral version; our translation.

<sup>21</sup>Lesson n° 2, our translation.

<sup>22</sup>Lesson n° 2, our translation.

makes reproduction possible. Secondly, the sin of the flesh is always part of a relationship (a problem of the status of the partner, the form of the relationship, etc.). Finally, the last criterion consists in distinguishing what makes it possible or not to integrate the sexual act into the alliance system. Then and only then may one distinguish what is permitted from what is prohibited. The sexual act is only validated insofar as it can have positive continuation effects in the alliance and kinship system (maintaining lineage, etc.).

It is therefore a legal framework that structures and regulates confessed sexuality between the 13<sup>th</sup> and the 17<sup>th</sup> century. Nevertheless, in the margins of this legal stranglehold on sex, styles of questioning that will soon reconfigure the system and allow the *grafting* of concupiscent flesh onto the Christian's sexual body are already emerging. We can take as a first example the problem of intention, the division between the planned act and the committed act. A crime which was simply considered as such and a theft which was just imagined are not crimes. However, dreaming of having sexual intercourse with a parent or a wife is in itself a sin. And again, how can these caresses, which do not lead to fertility, be catalogued and prioritized? How can we distinguish between those who serve the reproductive sexual act and those who do not? Finally, should not the sexual act be completely annulled in favour of the perfect life of continence?

What is at stake here is the transformation of confessional techniques to the point where they will question *and* produce, question *and* incite a sexual body and a subjectivity that can be inscribed in a discourse and no longer in the legally qualified sexual act. According to Foucault, the great technological revolution which was the decisive invention of the 16<sup>th</sup> century is not printing but the political technique of human government, the formidable development of the arts of spiritual direction (*ars artium, regimen animarum*) – whose enormous distance from the ancient directions of existence he has already identified and which function indiscriminately in both religious and secular domains. This conduction of souls, which he called pastoral governmentality in his 1978 lectures (2004a, p. 157), is much more than a simple moral or initiatory guidance (such as various communities could have known during that time): it is perfectly implanted in hierarchical institutional systems that are themselves firmly integrated in the social body. It has certainly primarily concerned Church or religious communities (Jansenism owes it a large part of its cohesion) but other domains were concerned too – pedagogy, for example, has also taken up this issue. Moreover, this conduction of souls will allow a deep Christianization of the social body in a way that the Middle Ages had not known – hence the terrible hunt, in the 16<sup>th</sup> century, against witches who represented traces of paganism that had become unbearable. Still, such techniques of a government aspiring to be universal have never concerned more than one elite (social, intellectual, economic). And yet they have served as a matrix for a whole series of pedagogical, medical, judicial and psychiatric techniques that will be developed from the end of the 18<sup>th</sup> century onwards, when the spiritual direction as such has disappeared. The Christian spiritual direction declines once it has produced the essential part of its subjective and technical revolution in the whole social body: *the politics of souls*, their control by the injunction to tell another one about their identity.

The practice of spiritual guidance then generalizes and considerably broadens the small sequence of penitential confession that was part of it. The confession, the enumeration of sins, this whole description of oneself will become a kind of general and permanent activity in relation to which the penance operation will constitute a strong but limited local sequence. The confession will gradually take on the very dimension of existence: an endless confession, an exhaustive verbalization, a continuous discursive projection of one's existence through which the subject is built in a fundamental relationship both to another (the director) and to himself. Therefore, it becomes a place of production and essential authentication of truth (for the confession to be effective, the one who states it must sincerely and exhaustively say the truth about himself).

To define this direction more precisely, three general aspects can be identified in the São Paulo lectures. First, the director (i.e. the priest) must no longer be satisfied with a legal categorization of sins as he was before. He must question and identify the secret, causal, etiological source from which the sin of the flesh originated, constituting himself as the “genealogist of fault”<sup>23</sup>. Secondly, the director must be a hermeneut. Previously, the confessor, when facing a recalcitrant, reluctant Christian whom he knew was a sinner, had an arsenal of precise questions, the answers to which he passively awaited. He was just a recorder. Henceforth, he is asked to be attentive to hesitations, pallor, redness. As Habert said, the confessor must from then on “discover what is hidden underneath what appears”

<sup>23</sup>Lesson n° 3, folio 9; our translation.

and not only record the answers to his questions. Thirdly, this knowledge must be individualizing. In the Middle Ages, it was always a matter of dealing with the “case”, of placing the individual in a combination of situations planned beforehand. The spiritual direction, on the contrary, strives to define the sinner’s inner evil in its singularity and to identify his position in his personal journey. It is no longer a question of qualifying an act but of recomposing a subjective path.

Now, several things are required from the directed person. For the direction-confession sessions to become more effective and relevant, the directed person must prepare for them by perpetually placing himself in a situation of control. He must cover his entire existence, from the smallest facts to the greatest actions, with a discursive layer, making what happens to him the support of a speech. He must talk to himself all the time, but talk to himself so that he can tell everything to another person in a better way. And yet, even beyond this practice of a perpetual interior monologue which is to be delivered, the exhaustive discourse of existence is marked by examinations of conscience in which self-discourse is concentrated and ritualized. Foucault evokes the spiritual practice of “elevations” which consists in doubling each specific activity with a prayer in which one prays to be able to carry out what one proposes with the perfection that would have been that of Christ, while acknowledging at the same time one’s own finiteness. Looking back at the typical day of Jean-Jacques Olier<sup>24</sup>, founder of the first French seminary in 1642, we can clearly see that all the acts of daily life (dressing, looking at the grass, eating, etc.) tended to be sublimated when crossed by a discursivity that transfigured them.

It is all those exercises (regular confessions, daily examinations of conscience, etc.) that lead the Christian West into a “society of spoken existence”. We thank the classical bourgeois world for having invented the dimension of privacy and the spheres of intimacy and for having delineated it, but what Foucault wants to retain from this world is, above all, the fact that it has defined the rule of an exhaustive discourse “applied to the individual as an apparatus both of extraction of truth and of domination of each other”<sup>25</sup>:

We are at the furthest from this world told by historians, which would be the world of small secret, individual, free spheres, hidden from the eyes of the outside world. On the contrary, we are entering the world of conjugation of discourse and mutual subjection: the formidable extraction of the truth from the individuals through discourse and the subjection of individuals to each other through this extraction of truth.<sup>26</sup>

A new subject of obedience practices and verification techniques is born. This subject is an individual who builds himself in a perpetually renewed injunction to tell the truth about himself which is both internal and external – an individual who cannot build himself as such except through this free verification in the first person. As Foucault states in *The Flesh and the Body*:

The priest’s formulas are both signs and operations; they absolve by saying they absolve; they may not be valid; they are never false; we are close to what Austin would call the “performative”. The words of the penitent are assertions: they claim to say the truth and can say something false. However, if they deliberately say something false, if the penitent lies or deliberately omits part of the truth, the confessor may well and properly pronounce absolution, these words will lose their operative value, they will be signs “of nothing”. On the other hand, if the priest does not have the powers required to confess, or if he makes a mistake (about the seriousness of sins for example), as far as the penitent did not know anything about them and as long as his confession has been sincere and complete and has been the expression of authentic contrition, those lacks will not prevent the absolution from being valid. Therefore, it is finally the “truth-telling” of the penitent or rather a statement entirely sustained in the sinner by his will to tell the truth that constitutes the major element in the verbal scene of penance.<sup>27</sup>

Without the true discourse of the subject about himself, there can be no true confession nor a true direction of souls. New games then appear at the beginning of the modern era between the truth of the faith, as well as that of the sacramental liturgy, and the truth-

<sup>24</sup>Second part of *La journée chrétienne* (1838).

<sup>25</sup>Lesson n° 3, folio 17; our translation.

<sup>26</sup>Lesson n° 3, oral version; our translation.

<sup>27</sup>Boîte 88, Archives Foucault, BnF, NAF 28730; our translation.

telling of the faithful; between the required obedience and the freedom needed for the validity of the confession. In Christian moral theology, Foucault discovers the gist of a politics of individuals that constitutively demands not only their participation but their free participation. Subjectivity thus emerges in Foucault's analyses as this essential dimension when it comes to studying the power as an open relationship where freedoms come into play. It emerges as the "government of oneself and others". And subjectivity is "discovered" before the subjects of modern liberalism or ancient self-techniques are questioned. It is "discovered" in a Christianity that is much more than a simple religion of obedience for Foucault: it is the place of a revolution of the free and agonistic relations of subjectivation, a place of verification and politicization of existence.

The name that can be used to express this new experience of self-truth is precisely that of *flesh* in the sense of the concupiscent "subjectivity of the body". "Flesh is the very subjectivity of the body, the Christian flesh is the sexuality taken within this subjectivity, this subjection of the individual to himself"<sup>28</sup> (2001, n° 233, p. 566) – Foucault said in a conference held at the University of Tokyo in April 1978, "Sexuality and Power". In *The Flesh and the Body*, the sexual man of modernity already builds and understands himself as a subject of concupiscence: a subject incited to seek the truth – his own subjective truth – in the folds of his flesh, in his involuntary affects and movements, in a constant struggle with what is hidden from him inside himself. Christian flesh is the correlative of a set of self-practices on oneself that take the form of a *technique of revolt*; the flesh is "revolted"<sup>29</sup>, as Foucault wrote in a text on the Fathers of the Church written in the early 1980s. Consequently, the subject of the flesh is also a "revolted" subject, whose form is that of a perpetual conflict between oneself and oneself, and between oneself and others, placing the political question of "war" within the individual himself as he is the privileged place of agonistic opposition between powers and freedoms. Completely new links between freedom, individual will and the action of the others on oneself emerge with the experience of the Christian flesh.

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<sup>28</sup> Our translation.

<sup>29</sup>Boîte 87, Archives Foucault, BnF, NAF 28730; our translation.

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