Foucault Studies

ARTICLE

Normativity and Normalization

Dianna Taylor, John Carroll University

ABSTRACT: This article illustrates ways in which the concepts of the norm and normativity are implicated in relations of power. Specifically, I argue that these concepts have come to function in a normalizing manner. I outline Michel Foucault's thinking on the norm and normalization and then provide an overview of Jürgen Habermas's thinking on the norm and normativity in order to show that Habermas's conceptualizations of the norm and normativity are not, as he posits, necessary foundations for ethics and politics, but in fact simply one philosophical approach among many. Uncritically accepting a Habermasian framework therefore produces normalizing effects and inhibits alternative and potentially emancipatory thinking about ethics and politics. Having problematized the requirement of normative foundations as it is currently articulated, I conclude by examining the emancipatory potential of a particular aspect of Foucault's work for the practice of philosophy.

Keywords: Norm, Normativity, Normalization, Freedom.

> I believe that one of the meanings of human existence – the source of human freedom – is never to accept anything as definitive, untouchable, obvious, or immobile. No aspect of reality should be allowed to become a definitive and inhuman law for us.[1] ~ Michel Foucault

I recently presented a conference paper in which I argued that Foucault's conceptualizations of the norm and normalization are relevant for contemporary feminism. I justified my claim in part by asserting that Foucault's elucidation of the power effects and contingency of particular social norms (such as sex and gender),

---

[1]   Michel Foucault, "Power, Moral Values, and the Intellectual." Interview with Michael Bess (November 3, 1980), IMEC (Institut Mémoirs de l'Édition Contemporaine) Archive folder number FCL2. A02-06.

extends to the idea of the norm itself. For Foucault, the norm is a norm. But it is one of those norms (e.g., sex and gender) that effectively presents itself not as a norm, but as a given and therefore outside of power – benign and closed to critical analysis. Just as he does with the idea of sex in Volume I of *The History of Sexuality*, Foucault traces across several of his Collège de France courses the emergence of the idea of the norm as a modern concept and illustrates its implication in modern relations of power. In my paper, I argued that this tracing and illustrating is important because it effectively supports Foucault's contention that nothing, even (for Foucault, especially) those concepts, categories, and principles that appear to be most fundamental to making sense of the world, need simply be accepted, and that such refusal creates possibilities for developing alternative modes of thought and existence which increase persons' capacities and expand their possibilities without simultaneously increasing and expanding the proliferation of power within society. Refusing to simply accept what is presented as natural, necessary, and normal – like the ideas of sex and the norm itself – presents possibilities for engaging in and expanding the practice of freedom.

During the question and answer period, a conference participant asserted that Foucault's work could possess only minimal relevance for feminism. "It's not normative," the individual stated flatly, while several people sitting nearby nodded their heads in agreement. Neither the questioner nor the tacit supporters elaborated; indeed, the assumption appeared to be that no elaboration was needed: to contend that Foucault's work was lacking in normative content simply spoke for itself. The burden was therefore on me, for if Foucault's work was not in fact normative there was no way it could possess relevance for feminist thought and practice.

In this essay, I present the long version of my response to persons such as the conference participants described above. My focus here is not the relevance of Foucault's work for feminism, but rather the more fundamental claim that his work is "not normative." In making that assertion, it seemed to me at the time (and still does) that the conference participants missed the point of my paper. From their perspective, one may critically analyze things like what it means to say a practice is normative, how particular norms or normative practices function, and whether a particular norm is oppressive, but the necessity of the norm and normativity for any discussion of ethics and politics, let alone for articulating emancipatory ethical and political theory and practice, must be accepted; indeed, it is simply assumed. My point, by contrast, was that assuming and uncritically accepting, as my questioner did, the necessity of a concept not only for promoting freedom, but also and more fundamentally for making sense at all, is itself normalizing and that, moreover, part of the way normalizing norms work is by masking their own effects of power and thus inhibiting the kind of critical analysis that would have allowed the questioner to perceive the uncritical assumptions she was making.

A norm is normalizing if, as noted above, it links the increase of capacities and expansion of possibilities to an increase in and expansion of the proliferation of power within society. Simply put, normalizing norms encourage subjects to become highly efficient at performing a narrowly defined range of practices. This is the case with gender, where subjects are divided into two mutually exclusive groups, the appropriate behaviors of which are predetermined and which these subjects are encouraged to repeat over and over again. In time, the repeated behaviors become embedded to the point where they are perceived not as a particular set of prevailing norms, but instead simply as "normal," inevitable, and therefore immune to critical analysis. Normalizing norms thus hinder not only critical analysis itself but also, to the extent that they become naturalized, the recognition that such engagement is needed or possible at all. So, for example, while the specific character of acceptable gender roles may change over time, the idea persists that women and men are different in some fundamental ways that simply must be accepted. To the extent that normalizing norms maintain or strengthen the link between increased capacities and expanded possibilities and increased power and inhibit or even prevent the cultivation and exercise of practices which elucidate and loosen this link, these norms are counter to freedom.

The response my conference paper generated suggests to me that the concepts of the norm and normativity have come to play a normalizing role within philosophical discourse, particularly with respect to ethics and politics. While I believe that a broad analysis of the normalizing effects of the norm and normativity is called for, in this essay I limit myself to analyzing these normalizing effects relative to the work of Foucault, for if Foucault's insight into the normalizing effects of the idea of the norm, let alone the broader ethico-political relevance of his work, is to be taken seriously the characterization of his work as "not normative" must be addressed. In order to address this issue, I contrast Foucault's conceptualization of the nature and function of the norm with that of Jürgen Habermas. Habermas's work is paradigmatic of the view that ethics and politics generally and emancipatory ethics and politics more specifically can be meaningfully articulated only if they are grounded in certain normative principles. Analyzing his work in relation to Foucault's therefore provides an effective means through which to illustrate how the demand for normative criteria has come to function as a kind of normative criterion, to illustrate the contingency of this norm, and to analyze its normalizing effects. Exposing the demand for normative criteria as both contingent and normalizing, I argue, facilitates measured analysis and therefore better understanding of work such as Foucault's which, under prevailing conceptions of the norm and normativity, is seen as possessing limited ethical and political relevance or at worst as ethically and politically harmful. Once the demand that Foucault's work satisfy prevailing ideas about the norm and normativity is lifted, his refusal to comply with, as well as his criticism of, that demand no longer renders his work ethically and politically

irrelevant or dangerous; instead, its value in promoting practices of freedom can be explored.

I want to be clear that while my argument reflects a Foucauldian perspective, I do not mean to reject Habermas's work or pit the work of Foucault against that of Habermas; nor will I attempt to show that the work of these two thinkers is in fact compatible.[2] Indeed, I believe these kinds of strategies assume and therefore perpetuate the very ways of thinking about the norm and normativity that I seek to call into question. I do want to make a point about how the uncritical acceptance of Habermasian notions of the norm and normativity necessarily posits Foucault's work as non-normative and therefore ethically and politically irrelevant or harmful. Yet my broader aim is to show that it is only through critical interrogation of what has been presupposed or uncritically accepted that the emancipatory potential of any philosophy – whether work such as Habermas's which asserts the necessity of normative foundations for ethics and politics, or such as Foucault's, which seeks to elucidate the power effects of such assertions – can be effectively explored. My question in this essay, and the direction in which I see Foucault's work pointing, is therefore not, "Is it normative?" but rather 'What motivates the question, "Is it normative?" and what are the effects of this question?' Simply put, my question is not "Is it normative?" but "Is it normalizing?"

I proceed by outlining relevant aspects of Foucault's thinking on the norm and normalization across several of his Collège de France courses,[3] and then providing an overview of Habermas's thinking on the norm and normativity. I next

---

[2]   A good deal of scholarly analysis has been generated that addresses the problem of the norm and normativity in the work of Foucault and Habermas. The problem figures centrally in two edited volumes, *Critique and Power: Recasting the Foucault/Habermas Debate*, ed. Michael Kelly (Cambridge, MA: MIT, 1994) and *Foucault Contra Habermas*, eds. Samantha Ashenden and David Owen (Thousand Oaks, CA: Sage, 1999), and is also apparent in a number of the essays (including Habermas's own) in *Foucault: A Critical Reader*, ed. David Couzens Hoy (Malden, MA: Blackwell, 1986). All of these volumes contain essays that make valuable contributions to Foucault and Habermas scholarship, and some of them (such as James Tulley's contribution to the Ashenden/Owen volume, which I cite later in this essay) move in the direction of my own analysis. But I think the majority of the contributions ultimately accept prevailing notions of the norm and normativity and, hence, end up covering the same ground concerning whether Foucault's work is normative or not.

[3]   Foucault addresses the problematic nature and function of norms in his published work, *Discipline and Punish* and Volume I of *The History of Sexuality* being particularly important in this regard insofar as these texts illustrate the workings of disciplinary power and biopower, respectively. I have chosen to focus on the Collège de France courses because within their context one can clearly see Foucault formulating his ideas as he works though various problems. The courses thus provide valuable insight into the development of Foucault's thought across time which is not as apparent within the context of his published works.

show that Habermas's conceptualizations of the norm and normativity are not, as he posits, necessary foundations for ethics and politics, but in fact simply one philosophical approach among many. On the one hand, then, uncritically accepting a Habermasian framework produces normalizing effects; on the other hand, ways of thinking about, conceptualizing, and practicing ethics and politics that do not require a particular understanding of "normative foundations" and which could in fact possess emancipatory potential are possible. Having problematized the requirement of normative foundations as it is currently articulated, I conclude by examining the emancipatory potential of a particular aspect of Foucault's work for the practice of philosophy.

Foucault's conceptualizations of the nature and function of the norm and normalization can be traced through four of his Collège de France courses: *Psychiatric Power* (1974); *Abnormal* (1975); *Society Must be Defended* (1976); and *Security, Territory, Population* (1978). In these courses, Foucault associates the norm with specifically modern forms of power. He argues that with the rise of modernity, sovereign power found itself unable to effectively control all aspects of increasingly complex societies, with the result that certain techniques of power which had up until that point had been employed only within religious contexts were generalized to society more broadly.[4] Foucault sees the norm as being at the heart of these techniques of modern power.

In his 1974 and 1975 courses, Foucault ties the norm to disciplinary power, which targets individual bodies in order to train subjects that are simultaneously efficient and obedient. In *Psychiatric Power*, Foucault argues that within a disciplinary context, the norm functions "as the universal prescription for all" disciplinary subjects.[5] The following year, in *Abnormal*, Foucault identifies the norm as the "element" upon which "a certain exercise of power is founded and legitimized."[6] He also elaborates on precisely how the norm functions within a disciplinary context, arguing that the norm "brings with it a principle of both qualification and correction. The norm's function is not to exclude and reject. Rather, it is always linked to a positive technique of intervention and transfor-mation, to a sort of normative project."[7] Under disciplinary power, Foucault writes, "there is an originally prescriptive character of the norm," in the sense that the norm

---

[4]   "Far too many things," Foucault states, "were escaping the old mechanism of the power of sovereignty, both at the top and at the bottom, both at the level of detail and at the mass level." See Michel Foucault, *Society Must Be Defended*: Lectures at the Collège de France 1975-76, trans. David Macey (New York: Picador, 2003), 249.

[5]   Michel Foucault, *Psychiatric Power*: Lectures at the Collège de France 1973-1974, trans. Graham Burchell (New York: Palgrave, 2006), 55.

[6]   Michel Foucault, *Abnormal*: Lectures at the Collège de France 1974-1975, trans. Graham Burchell (New York: Picador, 2003), 50.

[7]   Ibid.

determines what is normal.[8] Subjects constitute themselves and are in turn constituted through techniques of power that presuppose the norm, construed as an ideal or "optimal model."[9]

As a result of his evolving conception of the nature and function of modern power, Foucault modifies his conception of the norm in the 1976 course. Power does not only target individual bodies, Foucault has come to realize in *Society Must Be Defended*, it also targets populations by way of a second form of modern power which he refers to as biopower. Generally speaking, biopower proliferates through the actions of the State in such a way as to regulate populations at the biological level in the name of promoting the health and protecting the life of society as a whole. This protection and regulation intersects with the disciplining of individual bodies within the context of modern societies, Foucault argues, and the norm is the mechanism along which this intersection occurs. It circulates between the disciplinary and the regulatory; it is "something that can be applied to both a body one wishes to discipline and a population one wishes to regularize."[10] While the norm still founds and legitimizes power, it does so specifically by linking disciplinary and biopower and thus facilitating the flow of power through and across all facets of modern societies.

Foucault returned to the Collège in 1978[11] having further modified his conception of the norm. The norm can still be said to found and legitimize modern power by providing a link between disciplinary power and biopower, but in *Security, Territory, Population* he argues that it functions differently within disciplinary and biopolitical contexts. With discipline, the norm establishes the normal: individuals are brought and bring themselves into conformity with some pre-existing standard. With biopower, the norm is established from several "normals," as represented specifically by "curves of normality;" statistical analysis, according to Foucault, constitutes a key technique for regulating and managing populations. From these normals, the "most normal" or the "optimal normal" – i.e., the norm – for a particular population is established: within a biopolitical context "the norm is an interplay of differential normalities . . . the normal comes first, and the norm is deduced from it."[12] As Foucault describes it, different normal curves are produced by studying a population, from those normal curves the norm gets established as an optimal or ideal normal which is then brought back to bear on the population in order to regulate that population – that is, to dictate how the

---

[8]   Michel Foucault, *Security, Territory, Population*: Lectures at the Collège de France 1977-1978, trans. Graham Burchell (New York: Palgrave, 2007), 57.

[9]   Ibid.

[10]   Ibid., 252-253.

[11]   The 1976 course ended in March of 1976; the 1978 course did not commence until January of 1978.

[12]   Foucault, *Security, Territory, Population*, 63.

population ought to behave. Since populations are not fully engaged in relations of power until this prescriptive function is implemented, the foundation and legitimation of biopower still hinges on the norm in important ways.

The idea that the norm functions differently within disciplinary and biopolitical contexts leads Foucault to in turn mark a distinction between the techniques of power to which the norm gives rise in these respective contexts. Prior to the 1978 course, Foucault has referred to all power techniques originating with the norm as "normalization."   In the 1974 course, Foucault specifically describes the function of disciplinary power in these terms. Within a disciplinary context, he argues, "uninterrupted supervision, continual writing, and potential punishment enframed [the] subjected body and extracted a psyche from it . . . [the] individual is a subjected body held in a system of supervision and subjected to procedures of normalization."[13]   In the 1975 course, Foucault again speaks of normalization as consisting of techniques he associates with disciplinary power. He describes these techniques as "simultaneously positive, technical, and political," and argues that they function in the service of bringing subjects into conformity with a pre-determined norm.[14]

At the beginning of the 1976 course, Foucault invokes the idea of normalization primarily in order to distinguish it (and therefore disciplinary power) from juridical or sovereign power. "The discourse of disciplines," he asserts, "is about a rule: not a juridical rule derived from sovereignty, but a discourse about a natural rule, or in other words a norm. Disciplines will define not a code of law but a code of normalization."[15] By the end of that course Foucault has ceased to use the term "normalization" altogether and speaks only of "normalizing societies" (societies characterized by the linking together of disciplinary power and biopower).

Given that at this point Foucault was rethinking the norm's role within modern relations of power, it seems likely that he was beginning to rethink the nature of normalization as well. Indeed, by 1978 Foucault has marked a distinction between normalization, which he now attributes solely to biopower and describes as the process of establishing the norm from different normal curves, and the disciplinary process of bringing subjects into conformity with a pre-determined norm which he now refers to as "normation."[16] This distinction between norma-lization and normation should not be seen as an indication that Foucault is no longer concerned with disciplinary power and its "normizing" techniques. As the rest of the 1978 course, as well as others of Foucault's texts,[17] makes clear, he continues to

---

[13]   Foucault, *Psychiatric Power*, 56-57.

[14]   Foucault, *Abnormal*, 50.

[15]   Foucault, *Society Must Be Defended*, 38.

[16]   Foucault, *Security, Territory, Population*, 63.

[17]   See Michel Foucault, "Governmentality," in *The Foucault Effect: Studies in Governmentality*,

view modern societies as being characterized by both disciplinary and biopower – and although it is less prominent and not characteristically modern, by sovereign power as well. Insofar as Foucault explicitly argues that when they emerge, new forms of power do not entirely displace existing forms, the norm retains its function of linking the discipline of bodies and the regulation of populations of linking normation and normalization. Likewise, the norm retains its function of founding and legitimizing modern power, despite the fact that in normalization the norm is derived from the normal.

In sum: Foucault posits the norm as playing a fundamental role in the emergence, legitimation, proliferation, and circulation of modern power. The norm establishes what is normal. Techniques of normation and normalization in turn function to "make normal." On the one hand, they intervene within both individual bodies and populations in order to bring them into conformity with particular social norms. On the other hand, in doing so such techniques perpetuate the power relations that the norm founds and legitimizes by reproducing norms within the sociopolitical landscape to the point that they come to be seen not as produced at all but simply as natural and necessary. Within a disciplinary context the norm gets established by, for example, factory managers who determine that workers should be able to produce a product in a certain amount of time. The workers' bodies are trained so that they become highly effective at performing the particular operation that will facilitate the desired outcome. Within the context of biopower the norm gets established by, for example, economists who deem a certain level of unemployment or poverty acceptable or even necessary within the overall population in order for the economy to grow. These "normal" levels of unemployment or poverty are cultivated within the population as a whole.[18]

It is important to bear in mind that not all individual social norms are normizing/normalizing. From a Foucauldian perspective, social norms act as "nodal points" within a broad power matrix. Power passes through and along norms, and these points of intersection can either facilitate or inhibit the further circulation of power. Norms that facilitate power's circulation don't pose a problem. Given that he conceives of power in terms of relations, Foucault considers subjects to be free when they are able to modify, negotiate, and/or reverse these relations – when in

---

eds. Graham Burchell, Colin Gordon, and Peter Miller (Chicago, IL: University of Chicago Press, 1991).

[18] Foucault shows that institutions – prisons, schools, factories, the military – play a key role in the establishment and proliferation of norms and, hence, in the proliferation of modern power. I am grateful to the editors of this journal for pointing out to me that Foucault believed developing new, non-normalizing/normizing institutions was an "important and crucial issue," at the same time that he admitted he had "no precise idea" of how such development would occur. See Michel Foucault, "Sex, Power and the Politics of Identity," in *Foucault Live: Collected Interviews*, 1961-1984, ed. Sylvère Lotringer (New York: Semiotexte, 1989), 389.

other words, the circulation of power within society is at least relatively unimpeded. It is therefore the sedimentation of power through the uncritical acceptance of particular norms as natural and therefore necessary that is cause for concern. Normalizing norms are those which facilitate such sedimentation by linking the increase of capacities and expansion of possibilities to an intensification of existing power relations. One way in which sedimentation occurs, taking the example given above, is through certain conceptions of worker productivity or certain understandings and levels of poverty and unemployment coming to be seen as natural. Over time persons not only don't think critically about these phenomena, they don't give them much thought at all; worker productivity, poverty, and unemployment simply become part of the landscape – what has to be assumed in order for discussions about the economy to be entered into. Such naturalization effectively promotes acceptance and conformity with prevailing norms on both an individual and societal level. Moreover, the norm provides the grounds not only for distinguishing "normal" and "abnormal" individuals and populations, but also for sanctioning intervention into both in order to ensure conformity or bring into conformity, to keep or make normal, and also to effectively eliminate the threat posed by resisting individuals and populations.

Habermas construes the nature and function of the norm very differently than Foucault does. Whereas for Foucault the norm founds and plays a key role in the functioning of modern power, for Habermas the norm demarcates the limits of power; it distinguishes what is good and valid from what is not, where goodness and validity are determined and legitimized not by relations of power but by reason. The basics of the Habermasian perspective are outlined in his book, *Moral Consciousness and Communicative Action*.

Norms, according to Habermas, possess "ought character."[19] "Norm-related speech acts," he argues, make validity claims, in the sense that when one says "x is good to do" or "one ought to do x," one is making a claim that x is morally justifiable; that is, one is saying that one has "good reasons" for doing x or that one "ought to do" x.[20] To be legitimate, the validity claims that normative speech acts make must be "general." Habermas takes the position that general agreement or consensus about what constitutes moral and immoral action has to be able, at least in theory, to be reached in order for harms to be intelligible as ethical violations. In the absence of some shared and communicable standard which harmful actions can be said to violate, such actions are not merely idiosyncratic but in fact incoherent. The normativity of norms is thus interconnected with their intelligibility, making claims

---

[19]   Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, MA: MIT Press, 1999), 44.

[20]   Ibid.

of "normative rightness" different from claims of "propositional truth" and there-fore in need of a different kind of justification.[21]

On the one hand, the justification for norms needs to be relevant for lived experience. Thus, while the "basic intuition" of Kant's categorical imperative functions as a guide for Habermas, he rejects the notion that a single individual testing her or his maxims can sufficiently generate general validity.[22] For Kant moral deliberation is "monological," whereas for Habermas it is collective in the sense that it is grounded in and carried out by members of the lifeworld.[23] Moreover, for Habermas moral deliberation aims to restore a moral consensus that has been disrupted and thus reflects a common as opposed to an individual will.[24]

On the other hand, to be valid the justification for norms cannot simply be determined by the vicissitudes of human affairs. It is for this reason that Habermas locates justification within the form – rather than in the content or outcome – of rational argumentation. He refers to this form as "communicative action." As opposed to strategic action, where one actor attempts to manipulate or coerce another in order to achieve personal satisfaction or gain, communicative action takes the form of rational argumentation aimed at consensus; it is characterized by the expectation that reasons can be provided for why certain norms should exist or not, and the communicative process itself entails persons providing such reasons. As Habermas puts it, "one actor seeks *rationally* to *motivate* another by relying on the illocutionary binding/bonding effect of the offer [to make good on assertions by giving reasons] contained in the speech act."[25]

The validity of norms is thus "guaranteed," so to speak, by the fact that they are the products of a process that is rational as well as collective. Habermas expresses this idea in what he refers to as the principle of universality (U), which states that for any valid norm, "[*a*]*ll* affected can accept the consequences and the side effects its *general* observance can be anticipated to have for the satisfaction of *everyone's* interests (and these consequences are preferred to those of known alternative possibilities for regulation)."[26] As conceived by Habermas, the principle

---

21   Habermas argues that what he refers to as "non-cognitivist approaches" are insufficient for this purpose. On the one hand, such approaches contend that general agreement cannot "ordinarily" be reached in "disputes about basic moral principles:" on the other hand, they assume the failure of "all attempts to explain what it might mean for normative propositions to be true." In other words, because non-cognitivist approaches are unable to account for how normative speech acts differ from claims to propositional truth, such approaches cannot possibly provide the unique justification that normative speech acts require. *Moral Consciousness and Communicative Action*, 56.

22   Ibid., 64.

23   Ibid., 67.

24   Ibid.

25   Ibid., 58; Habermas's emphasis.

26   Ibid., 65; Habermas's emphasis.

of universality "makes agreement in moral argument possible in principle."[27] This governing principle of rational discourse gains its justification from what Habermas refers to as "transcendental-pragmatic presuppositions." These universal presuppositions are rules which are, Habermas argues, implicitly accepted by anyone who participates in practical discourse and which are in turn generated by or internal to that discourse itself; they are conditions for the possibility of rational argumentation as such.

As James Tulley explains, there are two types of transcendental-pragmatic presuppositions: conventional and post-conventional. Conventional presuppositions "include logical-semantic rules of consistency . . . rules of mutual recognition among participants . . . and rules of reciprocity."[28] Post-conventional presuppositions include the following rules: "every subject with the competence to speak and act is allowed to take part in discourse (the principle of universal respect); everyone is allowed to question and introduce any assertion whatever and express his or her attitudes, desires, and needs (the principle of egalitarian reciprocity); and no speaker may be prevented, by internal or external coercion, from exercising these rights (the principles of non-coercion)."[29] It is as an expression of these transcendental-pragmatic principles generally, but also, as Tulley points out, of the post-conventional type more specifically, that the principle of universality can itself function as a kind of regulatory ideal for moral deliberation. "Every person who accepts the universal and necessary communicative presuppositions of argumentative speech and who knows what it means to justify a norm of action," Habermas writes, "implicitly presupposes as valid the principle of universalization, whether in the form I gave it or in an equivalent form."[30] The principle of universality thus expresses the interconnection of intelligibility and normativity: intelligible moral deliberation, insofar as it is in fact intelligible, must necessarily possess certain normative foundations in the form of the transcendental-pragmatic presuppositions and the principle of universality (U).[31]

The idea that not only the normative status but also the intelligibility of norms depends upon their "general acceptance" (i.e., their shared and communicable character) by participants in a common lifeworld attaches absolute and universal character – a certain "ineluctability," as Habermas puts it – to norms

---

[27]   Ibid., 56.

[28]   James Tulley, "To Think and Act Differently: Foucault's Four Reciprocal Objections to Habermas' Theory," in *Foucault Contra Habermas*, eds. Samantha Ashenden and David Owen (Thousand Oaks, CA: Sage, 1999), 102.

[29]   Ibid.

[30]   Habermas, *Moral Consciousness and Communicative Action*, 86.

[31]   The principle of discourse ethics (D), which states, "only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in practical discourse," provides additional normative grounding. See Habermas, *Moral Consciousness and Communicative Action*, 93.

and normativity. "We cannot," Habermas writes, "retract at will our commitment to a lifeworld whose members we are."[32] Citing Peter Strawson, Habermas acknowledges that participants in the lifeworld do have recourse, '"as a refuge, aid, or out of simply curiosity,"' to a kind of third-person perspective which he refers to as the "objectivating attitude of the nonparticipant observer."[33] Nevertheless, again invoking Strawson, Habermas argues that as human beings '"we cannot, in the normal case"' maintain this objectivating attitude '"for long or altogether."'[34] Subsequently, anyone who participates in practical discourse implicitly agrees to the rules (i.e., the transcendental pragmatic principles) which govern that discourse and thus, by extension, to (U). As noted previously, Habermas contends that attempts to evade these rules render an actor incoherent or, more specifically and more troubling, "schizophrenic and suicidal."[35]

It is the nature of this ineluctability that needs to be critically analyzed in light of normalization. In *Jürgen Habermas: A Philosophical-Political Profile*, Martin Matuštík argues that the ineluctable character of Habermasian norms and normativity ought not to be viewed as absolutist or foundational, but rather as a kind of '"groundless" performative holism.'[36] "It is holism rather than foundationalism," Matuštík writes, "since we always begin . . . in a context of a preinterpreted lifeworld. This holism is performative (without grounds secured apart from speech or action), since we can never reach an absolutist point of view inside or outside history."[37] I have found Matuštík's analysis of Habermas's work quite valuable, in large part because by situating that work within its sociopolitical context Matuštík elucidates the origins and nature of Habermas's philosophical concerns. Doing so he shows that it is neither dismissal nor lack of understanding but rather precisely those concerns themselves that cause Habermas to create and respond more to caricatures of thinkers like Foucault than to the thinkers themselves.[38] Matuštík argues, rightly I think, that Habermas's caricaturing of thinkers such as Foucault stems from his own fears about the nature of modern societies. As I see it, these are fears that defining the parameters of rational discourse too broadly will allow for the emergence and proliferation of fascist discourse. For Habermas, therefore, Foucault's fear that defining such parameters too narrowly (and accepting a particular understanding of rational discourse to be

---

[32]   Habermas, *Moral Consciousness and Communicative Action*, 47.

[33]   Ibid., 46.

[34]   Ibid.

[35]   Ibid., 102.

[36]   Martin Beck Matuštík, *Jürgen Habermas: A Philosophical-Political Profile* (New York: Rowman and Littlefield, 2001), 222.

[37]   Ibid., 223.

[38]   "Given his theoretical sophistication," Matuštík writes, "an unnuanced polemic with the complexity of postmodern thought remains the weakest part of Habermas' debates." See *Jürgen Habermas: A Philosophical-Political Profile*, 226.

constitutive of rational discourse as such) will constrain the emergence of liberatory discourse (or at least pose a threat to the conditions under which such discourse might emerge) is not merely unfounded but potentially oppressive.

Despite the value of Matuštík's analysis in contextualizing and elucidating Habermas's work, it nonetheless seems to me that he gives Habermas an overly generous reading on the point of ineluctability: it is difficult to see how asserting that the very intelligibility of normative truth claims requires the acceptance of certain principles is not absolutist. And even if it is not, such an assertion is normalizing. It demands uncritical acceptance of the norm and normativity as regulative ideals within ethical and political discourse, limits possible ways of critically analyzing prevailing approaches to ethics and politics and prevailing conceptualizations of ethical and political subjectivity and agency, and thereby links the increase of capacities (new modes of ethical and political thought and action) with the increase of power (some modes of thought and action are bracketed off from critique while others are simply prohibited).

To illustrate this point more fully, let us take as an example the modern concept mentioned at the outset of this essay: sex. Like the norm, sex is a characteristically modern concept that is perceived as natural and therefore beyond critical analysis. Moreover, like the norm, it is also construed as necessary not merely for emancipation, but also functions as a means through which persons become intelligible at all. While particular sexual norms generally possess normalizing potential, Foucault sees the norm of "sex" itself as particularly problematic in this regard because it is a key component in the creation, proliferation, and establishment of sexual norms within society ("the deployment of sexuality"); oppression may stem not only from particular constructions of sexuality in terms of, for example, the "normal" and the "abnormal," but also and perhaps most importantly from the uncritical acceptance of the norm of sex as a "natural" and necessary foundation upon which individual sexualities and subjectivities are based.[39] The concept of sex, for Foucault, functions as a mode of legitimation for and delimits the boundaries of sexuality – it renders us intelligible to ourselves and to one another – and, as such, it is in particular need of critical interrogation: "it is precisely the idea of sex *in itself* that we cannot accept without examination," he argues.[40] Moreover, insofar as sex is seen as fundamental to who one is, generating and obtaining knowledge about sexuality is synonymous with having access to truth. The interconnection of sex and truth, in turn, encourages the acceptance and internalization of sexual norms and thus masks their normalizing character: persons perceive the proliferation of sexual identities and discourses as signifying freedom from sexual repression when in fact it situates subjects squarely within in relations

---

[39]   See Foucault's discussion of the deployment of sexuality in Volume I of *The History of Sexuality* (New York: Vintage, 1990).

[40]   Ibid., 154; Foucault's emphasis.

of power. "We must not," Foucault argues, "think that by saying yes to sex one says no to power."[41]

I am suggesting that the demand for normative criteria functions as a mode of legitimation for and thus delimits the boundaries of ethical and political philosophical discourse. Just as "sex" simultaneously renders subjects intelligible as sexual subjects and circumscribes the forms sexual subjectivity may take, so does this demand simultaneously function as a condition for the possibility of ethics and politics and circumscribe ethical and political forms and discourse. For Habermas, ethical and political discourse accepts and therefore validates the principle of universality and the transcendental-pragmatic presuppositions; likewise, ethical and political subjects assume and act in accordance with both. What must be assumed for the purposes of coherent, rational argumentation about ethical and political norms cannot itself be open to such argumentation. Insofar as this is the case, (U) and the transcendental-pragmatic presuppositions come to be seen as necessary and, over time, natural and therefore inevitable. To question them, as I have done here, thus appears to be not merely ethically and politically irrelevant or dangerous but nonsensical. Naturalizing (U) and the presuppositions and characterizing challenges to their necessity as incoherent (not to mention schizophrenic) effectively inhibits different kinds of ethical and political thinking to the point that different ways of thinking come to be seen as simply impossible. Persons become adept at conceptualizing ethics and politics in ways that assume the necessity of certain "normative foundations," but lack the ability not only to imagine what ethics and politics might look like outside of such a framework, but also to see the framework for what it is – a particular and limited product of prevailing modes of thought and existence – and therefore to critically reflect upon and expand beyond it.

At this point it is important to reiterate that Foucault does not emphasize the significance of "thinking differently," as he puts it, for its own sake.[42] As stated at the outset of this essay, from a Foucauldian perspective refusing to uncritically accept what is presented to us as natural and therefore necessary is tied to the practice of freedom. Normalizing norms are potentially oppressive because, while they do in fact increase persons' capacities, such an increase is achieved at the expense of other possible modes of thinking and acting. Limiting of possibilities, for Foucault, both curtails the flow of power throughout society and hinders persons' ability to negotiate current power relations. Insofar as Foucault sees freedom being characterized not by an escape from power but rather by the ability to negotiate power relations in ways that increase capacities and possible modes of thought and existence, for him such curtailment has the potential to lead to states of domination in which all aspects of persons' lives are dictated to them.

---

41   Ibid., 157.

42   Michel Foucault, "Introduction," in Volume II of *The History of Sexuality*: *The Use of Pleasure* (New York: Vintage, 1990), 9.

From a Foucauldian perspective, therefore, Habermas's insistence on the necessity of normative foundations for intelligible and emancipatory ethical and political discourse runs the risk of rearticulating the same kinds of harms he wants to mitigate through this insistence. But for Foucault, this does not mean that Habermas's work must be rejected. And herein, as I see it, lies a really important and fundamental difference between Foucault and Habermas. Foucault recognizes his own perspective as a perspective; it is historically, socially, and politically bound, and he leaves it up to his readers to determine for themselves the value of the tools he offers for mediating against domination and promoting freedom – to subject those tools to the "test of . . . contemporary reality."[43] For Habermas, on the other hand, such testing is possible only up to a point: there are certain "ineluctable" aspects of human existence that have to be accepted in order to make sense of the world and insure some sort of conditions for the possibility of freedom. This requirement of uncritical acceptance means, by extension, that there are certain questions that cannot be asked, certain modes of thought and existence that are not valid, and certain modes of critical engagement that cannot be allowed. Both Foucault and Habermas are concerned with such conditions, but where Habermas seeks to identify and preserve them, Foucault argues that they need to be constantly critically analyzed and recreated. For Habermas, some certainty about the world – even if only a tiny sliver – is possible. For Foucault, not only is certainty impossible, our desire for it is shaped by modern modes of thought that are interconnected with a drive for control and domination; as such, not only certainty but the desire for it needs to be critically analyzed and resisted. In sum, with Foucault we do not get certainty. With Habermas we do not get it, either; the problem is that we do get the empty belief that we can have it, a belief that encourages us to search for certainty rather than to find effective ways of resisting domination and promoting freedom within a world without it. The annals of modern history – particularly the twentieth and, thus far, the twenty-first centuries – illustrate the degree to which harm can result from, as William Connolly puts it, the "systematic cruelty" that "flows regularly from the thoughtlessness of aggressive conventionality."[44] While Habermas in no way engages in or promotes such thoughtlessness, I think he maintains a kernel of a mode of thought that, under the right conditions, has the potential to develop into it. Insofar as this is the case, I suggest, paraphrasing Foucault, that "it is precisely the demand for uncritical acceptance – including of the norm and normativity – *in itself* that we cannot accept without examination."

Habermas's primary criticism of Foucault is that he engages in performative contradictions which throw him back upon a kind of "crypto-normativity" that

---

[43]   Michel Foucault, "What is Enlightenment?" in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon, 1984), 46.

[44]   William E. Connolly, "Beyond Good and Evil: Michel Foucault's Ethical Sensibility," *Political Theory* (August 1994), 366.

involves relying upon the same concepts he critiques. From the perspective of Habermas, Foucault cannot simultaneously invoke a norm (freedom, for example) while simultaneously critiquing the very idea of the norm by illustrating its implication in relations of power. As I have argued here, however, Habermas's perspective holds only if his own conceptualization of the norm and normativity are accepted as the necessary framework through which any appeal to values such freedom can take place. Foucault's illustration of the implication of the norm in relations of power does not irrevocably taint the idea of the norm, but it does mean that all norms have the potential to be normalizing, and that persons have to be vigilant in their critical analysis of prevailing modes of thought and existence. All norms implicate us in relations of power, but whereas some are normalizing and promote power at the expense of freedom, others mitigate power and promote freedom. Norms that function in a normalizing manner under prevailing conditions may not always be normalizing, and those which promote freedom within a particular sociohistorical context may not always do so. Again, it is up to persons to be engaged enough in the world to be able to "separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what are, do, or think . . . to grasp the points where change is possible and desirable, and to determine the precise form this change should take."[45] By way of conclusion, I would like to examine three values, considered by Foucault to be useful tools in the kind of separating, grasping, and determining described above, which I believe are valuable for the practice of western philosophy.

For Foucault, values and principles are not grounds but rather effects of critical engagement with the present. While values and principles might be translated into strategies, these would really only be meaningful within the context of the present from which they spring. The notion of "strategy" here needs to be construed in terms of what Foucault refers to as "problematization," the "development of a domain of acts, practices, and thoughts that pose problems for" prevailing – one could say normative – modes of existence.[46] I've suggested that Foucault's refusal to comply with prevailing modes of thought and existence stems from his recognition of the normalizing potential of norms, including the demand for normative criteria itself; as such, it reflects a deep concern with promoting freedom. And I think, moreover, that Foucault's conceptualization of values and principles as effects of critical engagement with the present goes a long way toward explaining his articulation of ethics in terms of an ethos or "a way of life." In a late interview, an interlocutor asks Foucault if he is a "nihilist who reject[s] morality."[47] After responding with an emphatic, "No!," Foucault proceeds to articulate what he

---

[45]   Foucault, "What is Enlightenment?," 46.

[46]   See Michel Foucault, "Polemic, Politics, and Problematizations," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon, 1984), 385.

[47]   Foucault, "Power, Moral Values, and the Intellectual."

refers to as the three "moral values" which he practices and "within which [he situates his] work."[48] The first value is refusal – specifically, refusing "to accept as self-evident the things that are proposed to us."[49] As I have argued here, if persons uncritically accept what is presented to them as natural and necessary they are unlikely to recognize harmful (i.e., normalizing) effects stemming from prevailing modes of thought and existence and, therefore, to be in a position to do anything about such effects. So refusal is crucial in creating conditions under which making change is possible. The second value Foucault identifies is curiosity: "the need to analyze and to know, since we can accomplish nothing without reflection and knowledge."[50] Once refusal opens all aspects of existence to critical analysis, persons need to undertake that analysis. Foucault makes clear that it is only through critical engagement with our own historical actualities that we can identify harmful practices, work to end or alter them, and endeavor to proceed along different lines. Refusal and curiosity pave the way for the third value he identifies, innovation: "to seek out in our reflection those things that have never been thought or imagined."[51]

These three values can be seen to inform and in turn be rearticulated through what Foucault refers to as a "politics of ourselves."[52] From a Foucauldian perspective, practicing refusal, curiosity, and innovation can facilitate a loosening of the interconnection between increasing persons' capacities and possibilities and intensifying power. While activities that are considered political in a traditional sense – such as a protest, campaign, or voter registration drive – could certainly entail refusal, curiosity, and innovation, the "politics" Foucault refers to is not limited to this type of activity; persons can cultivate the kind of critical stance reflected in the values of refusal, curiosity, and innovation in a variety of ways.[53] Insofar as this is the case, I think that engaging in a politics of ourselves needs to be

---

[48]   Ibid.

[49]   Ibid.

[50]   Ibid.

[51]   Ibid.

[52]   Michel Foucault, "Truth and Subjectivity." This is the first of the two Howison Lectures Foucault delivered at UC Berkeley on October 20 and 21 of 1980. The second lecture is titled "Christianity and Confession." I am using the version of "Truth and Subjectivity" that is housed in the IMEC Archive, folder number D2 (1). Slightly different versions of these lectures were delivered at Dartmouth College in November 1980. The Dartmouth lectures appear in *Religion and Culture: Michel Foucault*, ed. Jeremy R. Carrette (New York: Routledge: 1999), 158-181.

[53]   Ladelle McWhorter provides an important analysis of the two primary practices Foucault identifies as cultivating a critical attitude: sex and drugs. As McWhorter points out, Foucault's discussions of these two practices are usually dismissed as expressions of his own predilections and have therefore not received serious philosophical consideration. She also offers informative analyses of two practices of her own: gardening and line dancing. See Ladelle McWhorter, *Bodies and Pleasures: Foucault and the Politics of Sexual Normalization* (Bloomington, IN: Indiana University Press, 1999).

understood as cultivating what Foucault variously refers to as a way of life, an ethos, and an attitude – a particular way of constituting and conducting ourselves as subjects that both informs and is reflected in what we do.[54] Moreover, given its three key aspects this ethos or attitude needs to be understood more specifically as "critical" in a Foucauldian sense, where persons recognize limits but refuse to accept them as absolute, natural, and necessary. As Judith Butler puts it, "critique will be that perspective on established and ordering ways of knowing which is not immediately assimilated into that ordering function."[55]

Philosophical activity may be a means by which to cultivate a critical attitude, but only if it contains a "political dimension."[56] That is to say, philosophy is critical to the extent that it concerns itself with "what we are willing to accept in our worlds, to refuse, and to change, both in ourselves and in our circumstances."[57] Through the practice of philosophy, persons can conduct historical analyses of how things have to come to be the way that they are – can conduct what Foucault calls "ontologies of the present" – and through such analyses identify how things might be different and work toward making them so. Foucault makes this point in a different way in the Introduction to Volume II of *The History of Sexuality* when he describes what he believes to be the role of philosophy within contemporary society:

> There are times in life when the question of knowing if one can think differently than one thinks, and perceive differently than one sees, is absolutely necessary if one is to go on looking and reflecting at all . . . [W]hat is philosophy today . . . in what does it consist, if not in the endeavor to know how and to what extent it might be possible to think differently, instead of legitimating what is already known?[58]

Foucault is here describing a mode of philosophical engagement that does not seek to substitute existing, positive ideas for harmful ones or to uncritically assert prevailing concepts, standards, and principles that are no longer relevant for contemporary reality. He is not interested in, in other words, "a critical philosophy that seeks to determine the conditions and the limits of our possible knowledge of the object."[59] Instead, he engages in and in turn endeavors to foster "a critical philosophy that seeks the conditions and the indefinite possibilities of transforming

---

[54]   See Michel Foucault, "Friendship as a Way of Life," in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: The New Press, 1997), 135-140.

[55]   Judith Butler, "What is Critique? An Essay on Foucault's Virtue," in *The Political*, ed. David Ingram (Malden, MA: Blackwell, 2002), 215.

[56]   Foucault, "Truth and Subjectivity."

[57]   Ibid.

[58]   Foucault, "Introduction," in Volume II of *The History of Sexuality*: *The Use of Pleasure*, 8-9.

[59]   Foucault, "Truth and Subjectivity."

the subject, of transforming ourselves"[60] and, therefore, of transforming the world in which we live. This is a philosophy grounded in critical reflection on and engagement with the present (with how the present has come to acquire its particular character) which aims at promoting freedom or at the very least at (re)creating the conditions for its possibility. Such critical reflection and engagement involves identifying normalizing practices, analyzing their effects, and developing new, non-normalizing modes of thought and existence. Possibilities for change lie neither in despairing in the face of nor trying to gloss over the complexities of modern societies, but rather precisely in acknowledging and engaging the depths of such complexities which shape but do not determine the nature of such acknowledgment and engagement.

---

[60]   Ibid.