

ARTICLE

Genealogy, Virtuality, War (1651/1976)

R.d. Crano, The Ohio State University

ABSTRACT: This article recounts Foucault's critical reevaluation of Thomas Hobbes in his 1975-76 lecture course, published as *Society Must Be Defended* (2003). In probing Hobbes' pivotal role in the foundation of the modern nation-state, Foucault delineates the "philosophico-juridical" discourse of *Leviathan* from the "historico-political" discourses of the English insurrectionists whose uncompromising demands were ultimately paved over by the more conventional seventeenth century debate between royalists and parliamentarians. In his most sustained engagement with political philosophy proper, Foucault effectively severs the two constitutive terms, enumerating the damning consequences of thinking politics apart from history and philosophy apart from the laws and codes that had been "born in the mud and blood of battles." Displacing himself in the archive, Foucault doubles the Levellers and Diggers' efforts to restage the violent conquests that undergird our seemingly calm governmental regimes. This doubling, I argue, evinces the profound influence of Deleuze's innovative ontology of time on Foucault's genealogical method. Foucault's research strategy takes a fundamental turn towards specific techniques of cultural memory in the wake of his colleague's radical reconceptualization of virtuality, difference, and repetition. To this end, I take up Foucault's review essay "Theatrum Philosophicum" and his comments on method in "Nietzsche, Genealogy, History" in order to draw an analogy between what he does in 1976 and what the Levellers and Diggers were doing in 1651. In the final analysis, genealogy means war, and, in this war, it is the very being of the virtual itself that is at stake.

Keywords: Hobbes, Deleuze, method, time, political philosophy, English Civil War.

1. Genealogy

Society Must Be Defended: "Society must be defended!" —thusly goes the refrain of Foucault's lecture course in 1976, wherein he famously inverts Clausewitz's line and argues that modern political societies extend rather than replace the functional dynamics of war. His strategy for the course is, first, to determine the efficacy of war as an analyzer of power relations, and second, to unearth those lost discourses to which Clausewitz had helped to paper over when he claimed war to be "politics by other means." In the January 7 lecture (the first of the course), the name Clausewitz is synecdoche for modern European contract theory, the hegemony of the nation-state, and what Foucault names a "philosophico-juridical" discourse of

sovereignty, which all work in tandem for society's defence, as it were, by subjugating those attempting to articulate war as generative of and effectively, artfully contiguous with civil peace. Against such philosophico-juridical discourses, which Foucault sees emerging with the work of Thomas Hobbes in the mid-seventeenth century, are those who seek instead a "historico-political" analysis of social life. Though it remains central to the course in 1976, this opposition between the philosophico-juridical and the historico-political is not a particularly pervasive theme in Foucault's overall body of work. I would like here to pinpoint why that might be, and then to suggest certain points of resonance with his earlier and later projects, which would at first appear to be entirely divergent from the lines of thought introduced in these lectures. *Society Must Be Defended*, for its part, keeps to this thematic opposition, and in turn gives us a rare glimpse of Foucault directly engaged with the modern political philosophical tradition, which he puts into play as historically contingent, on the one hand, and as the "strategic opposite number" to his own genealogical investigation of power, on the other.

But how are we to take these dichotomous conjunctive terms by which Foucault organizes his sense of what was happening circa 1651? In what sense can we understand the relationship between the philosophico-juridical and the historico-political as one of "strategic opposition"? Foucault insists throughout the course that, counter to the state historians like Hobbes and Clausewitz, insurrectionist groups like the Levellers and Diggers offer a fundamentally different "grid of intelligibility" for processing social life; not only do they aim to arrive at contrary destinations, but they are not even using the same map. On the philosophico-juridical grid, things (phenomena, events, subjects, interactions) are plotted along axes of eternity and order. Conversely, things on the historico-political grid are plotted according to temporality and force.¹ It should be clear that Foucault by no means includes all juridical thought or all philosophy within the category of philosophico-juridical discourse; nor does what we might commonly think of as history or political thought necessarily have anything to do with the historico-political "grid" he outlines. Rather, he has something much more specific in mind in his deployment of these terms. Their power inheres in the conjunction—in the hyphen. For example, genealogy, as "effective history"² attains its methodological efficacy precisely in its politicization. Hobbes, for his part (as we will see below), dissolves the hyphen and so frees history from politics and vice versa; consequently, he can be hailed as the father of modern political thought, and the state historian par excellence, while systematically eliminating the viability of a historico-political grid of intelligibility.

It bears noting that, by Foucault's reasoning, we are still (or at least were, at the time of his lectures) playing out the hobbesian legacy, still living in the wake of his philosophico-juridical function, the violent historical episodes of which Foucault finds ripe for restaging in 1976. In retrospect, this would be a pivotal year in Foucault's career, marking the onset of an eight year publishing "silence."³ Deleuze suggests that, having completed research for the first volume of *The History of Sexuality*, Foucault was perhaps feeling trapped by his own

¹ A reductive, albeit no less applicable, transposition of this schema can be seen in the opposition between constitutional originalists and pragmatists in American legal scholarship.

² Michel Foucault, "Nietzsche, Genealogy, History," in Donald Bouchard (ed.), *Language, Counter-Memory, Practice* (Ithaca: Cornell University Press, 1977), 154.

³ Deleuze takes this "silence" up at length in the interviews on Foucault collected in *Negotiations*.

brilliant formulation of power, that he needed to conceptualize an escape, and that it took him these eight years to successfully arrive at his late notion of subjectivation and the ethico-aesthetic program of self-care.⁴ Far from anomalous, Foucault's interest in war in the 1976 lectures would segue into his prolonged—and far more influential (at least among Anglophonic Foucauldians)—engagement with governmentality in the lecture courses that would follow. This latter concept would itself metamorphose significantly as the “third dimension”⁵ of Foucault's thought slowly crystallized in the subsequent volumes of *The History of Sexuality*, tacking from concerns over population management in nineteenth century France to his radical rethinking of self-creation beginning with the ancient Greeks and early Christians. I am not interested here in recounting what so much good scholarship has already achieved with regard to Foucault's thought on governmentality.⁶ Rather, I want to tease out certain difficulties presented by Foucault's brief intrigue with social war in 1976, and to situate that year's lectures at the interstice between his “diagrammatic” historical investigations of power formations and his late exposition of styles of living capable of folding relations of force back in on themselves.

Driven, as Deleuze says, by “creative necessity” above all else,⁷ Foucault, in 1976, begins his search for a concept able to escape the “microphysics” of power which *Discipline and Punish* and volume one of *The History of Sexuality* had so precisely laid out. But how are we to account for the rubric of social war forwarded in *Society Must Be Defended* and sustained, as I believe it is, through the lectures on governmentality and population control in the subsequent three years?⁸ The recuperation of the grievances of the Levellers and Diggers, the conjuring of their insurrectionist spirit, is Foucault's first move out of the gates following the series of explosive archaeological breakthroughs by which he had unearthed the power-knowledge arrangements foundational to the institutions and disciplines of the modern era. The theorization of social war thus marks Foucault's first attempt to draw a line of escape from his own thought—not a refutation by any means, rather an effort to search for new weapons, weapons which could be deployed in the present.⁹

Nonetheless, in many respects, the project of 1976 would seem to perpetuate many of the methodological and thematic concerns that had been in play since 1969's *Archeology of Knowledge*, most significantly the diagramming of those countervailing forces constitutive of disciplinary societies. So, in the context of Foucault's famous “silence,” should we take the genealogical resurrection of these specific discourses on war as an essential grounding point for Foucault's later work? Or is it merely a false start, cut short or détourned in the slow move towards subjectivity and self-care? And what is it about Hobbes and the liberal tradition that emerged in his wake that attracts Foucault's attention at this critical point in his career? These

⁴ Gilles Deleuze, *Negotiations*, translated by Martin Joughin (New York: Columbia UP, 1995), 83.

⁵ *Ibid.*, 83.

⁶ See, for example, the widely influential work of Nikolas Rose, Mitchell Dean, and the Burchell et al. edition *The Foucault Effect*.

⁷ Deleuze, *Negotiations*, 92.

⁸ I am referring of course to the lecture courses of 1977-78 and 1978-79, published as *Security, Territory, Population* (2007) and *The Birth of Biopolitics* (2008), respectively.

⁹ Deleuze, *Negotiations*, 86.

questions will guide the inquiry that follows. As a preliminary hypothesis, I will suggest a necessary connection between Foucault's idea of the masked persistence of war underpinning power relations in liberal societies and his genealogical method in general, which would immediately proceed to retrace the discursive bearings of the administrative state and neo-liberal economic rationality.¹⁰ In short, *genealogy is war*, but, as I make evident below, it will take Deleuze's concept of the virtual and its relation to lived, cosmic time to really grasp what is at stake when we make such a claim. For now, it should be clear that, even if the concept of social war is not the right solution for Foucault in this phase of evolutionary quiescence, then it must at least be recognized as an integral element of the new problem he sought to formulate with respect to the individuals enmeshed in and subjectivated by apparatuses of power.

In mid-seventeenth century England, protests over the enclosure of the commons, alongside various other challenges to the lopsided power dynamics anchoring the fragile civil peace, coalesced around the general subscription to war as the basic analytical model for social relations. Like the "lives of infamous men" that Foucault would take up the following year,¹¹ the voices initiating these protests and challenges would quickly get subsumed in the archival detritus of a battle that only they could bear witness to as having actually taken place. It is the victor, Hobbes, who, as architect and archetype of the liberal tradition, serves as a foil for the critical project Foucault embarks on in *Society Must Be Defended*. Extreme anthropological pessimism notwithstanding, Hobbes¹² functionally eliminates the historical reality of war, conceals the bloody origins of sovereign power, and thus saves the state from the civil strife warranted by vast material inequality in the wake of conquest.¹³ Securing the grounds for a philosophico-juridical discursive takeover, "Hobbes' operation... consisted in exploiting every possibility... to silence the discourse of political historicism... [and] the knowledge that was actually active in the political struggles of the seventeenth century."¹⁴ This is to say that there had existed, in the open, a perspectival "knowledge"—a singular claim to truth—capable of severing thought from the normalized power-knowledge arrangement that would usher in the modern era.

¹⁰ See note 4, above.

¹¹ See Foucault, "Lives of Infamous Men," *The Essential Works of Foucault 1954-1984, volume three*, ed. James Faubion (New York: The New Press, 2000), 157-175.

¹² We should note that, following Foucault, we use "Hobbes" to designate not an individual person, an authorial agent, but an *author-function*—an index of discursive forces or a convenient placeholder for an open set of power effects. See Foucault's elaboration on the author-function in "What is an Author?," where he generously offers us the following summary: "The 'author-function' is tied to the legal and institutional systems that circumscribe, determine, and articulate the realm of discourses... it is not defined by the spontaneous attribution of a text to its creator, but through a series of precise and complex procedures; it does not refer, purely and simply, to an actual individual insofar as it simultaneously gives rise to a variety of egos and to a series of subjective positions that individuals of any class may come to occupy" (in Donald Bouchard (ed.), *Language, Counter-Memory, Practice* (Ithaca: Cornell University Press, 1977), 130-31). *Society Must Be Defended*, as I hope to demonstrate here, offers us a paradigmatic example of how to handle such an author-function in the form of Foucault's treatment of Hobbes.

¹³ Michel Foucault, *Society Must Be Defended*, translated by David Macey (New York: Picador, 2003), 97-99.

¹⁴ *Ibid.*, 111.

Between hobbesian state theory and the insurrectionist assertion that politics is a racket (to twist Smedley Butler's celebrated line), a battle had been waged. Foucault's insistence on this point suggests a fascinating slippage between the Leveller-Digger position and his own endeavour to resituate the *Leviathan*—and with it all those institutional disciplines that unsuspectingly accept sovereignty as an appropriate analyzer of power—on historico-political terrain. To put it plainly, Foucault is interested less in what Hobbes *says* than in what his discourse effectively *does*, how it works and how it manages resistance; less in the articulations it makes possible¹⁵ and more in those that it sublimates or simply closes off.

The brilliant trickery performed by the hobbes-function, and the whole of modern philosophico-juridical discourse that would follow, lies in its rendering disciplinary power—which was in its embryonic stage in 1651—effectively imperceptible. For Foucault, the “great invention [of disciplinary power] was one of the basic tools for the establishment of industrial capitalism and the corresponding type of society,”¹⁶ and it is precisely this “invention” that the theory of sovereignty elides. Interestingly enough, Hobbes himself touts “industry” as one of the chief incentives for the establishment of a unitary sovereign.¹⁷ The result is an utter failure on the part of political theory to account for the role of non-governmental institutions in determining human behaviors and social relations. It perhaps goes without saying that these very institutions (the prison, the asylum, the clinic, the school, the church, etc.) constitute the central target of Foucault's research leading up to the lectures on war and governmentality. In 1976, he makes absolutely clear his differences with classical political philosophy. Disciplinary technologies and techniques, he says, “cannot be described or justified in terms of the theory of sovereignty. [They are] radically heterogeneous and should logically have led to the complete disappearance of the great juridical edifice of the theory of sovereignty.”¹⁸ However sensible as this may seem, this is not the logic of the prevailing regime. Where it should be understood as one institution among others, the sovereign office persists “as an ideology and ...[an] organizing principle,” taken for granted, still today, by the majority of scholarship produced in the name of political science, international relations, macroeconomics, and the like. In short, the hobbes-function

made it possible to superimpose on the mechanism of discipline a system of right that concealed its mechanisms and erased the element of domination and the techniques of domination involved in discipline, and which, finally, guaranteed that everyone could exercise his or her own sovereign rights thanks to the sovereignty of the State. In other words, juridical systems, no matter whether they were theories or codes, allowed the democratization of sovereignty and the establishment of a public right articulated with collective sovereignty, at the very time when, to the extent that, and because the democratization of sovereignty was heavily ballasted by the mechanisms of disciplinary coercion.¹⁹

¹⁵ This would have been the project of an earlier Foucault, the Foucault whose project was to excavate the epistemic delimitations of an epoch rather than the flows of power in the social field (see Deleuze, *Negotiations*, 95).

¹⁶ Foucault, *Society Must Be Defended*, 36.

¹⁷ Thomas Hobbes, *Leviathan* (Oxford: Oxford University Press, 1968), 186.

¹⁸ Foucault, *Society Must Be Defended*, 36.

¹⁹ *Ibid.*, 37.

This is to say that, behind the notions of humanity, human rights, democracy, freedom, etc. that define Western modernity, there remains a ubiquitous and constitutive violence. Foucault's project is intended to displace such universalist concepts: an action on another action, as Foucault commonly described power, is far from "freedom" in any traditional sense. By his formula, rather, power is never invested in a one—a sovereign, for example—but arises differentially, between two, or between a heterogeneous multiplicity.

Hobbes' so-called history of the state form mythologizes and mystifies the material minutiae of the "new economy of power"²⁰—not sovereign, but disciplinary and productive—that was emerging coterminously with his own soon-to-be canonical discourse. Taking "precisely the opposite" tack as Hobbes, Foucault argues that, rather than assess power "from on high... we should be trying...to study the multiple peripheral bodies, the bodies that are constituted as subjects by [the] power-effects" of a newfangled admixture of disciplinary technologies and the obstinate *ancien regime*.²¹ Governmentality, as Foucault develops it, aims to "think power outside the categories of sovereignty"²² and so too to shift the epistemic grounds for what can be considered political thinking. Indeed, as Julian Bourg has it, "the throne pacifies,"²³ and doubly so: not only does the person of the sovereign, the decider of life and death, induce an immediate, "overawing... common power to feare,"²⁴ but, further still, the conceptual trope of the sovereign renders any "outside" analyses—analyses that refuse it the indisputable legitimacy it demands—as inherently apolitical. And, just to be clear, by invoking "the throne" we do not mean to limit our discussion to monarchical regimes. Part of the beauty of Foucault's genealogical critique lies in the way he is able to yoke the entire democratic project of modernity (the "democratization of sovereignty," as he has it) to the initial hobbesian coup. In doing this, he generates a rather brilliant slippage between his own position qua Hobbes and that of the seventeenth century Saxon descendents bluntly subjugated to the dominant discursive trends of early modern political philosophy.

We will return to the specific petitions of the Levellers and Diggers later in this essay. At this point, it seems more important to consider their forgotten discourses and their vanquished knowledges as they exist in relation to Foucault's thought in 1976. This will entail an account of the metaphysical underpinnings and implications of his genealogical method, specifically with regard to its historico-political synthesis of time. We have already seen how Foucault shares with his seventeenth-century counterparts a certain grid of intelligibility that attests to the brute conquest essential to the inauguration and maintenance of modernity's social field.²⁵ But more than a mere romanticization of history's defeated, Foucault's deploy-

²⁰ Ibid., 35.

²¹ Ibid., 27-29.

²² Julian Bourg, "Society Must Be Defended and the Last Foucault," *Radical Philosophy Review* vol. 7, no. 1 (2004), 2.

²³ Ibid., 2.

²⁴ Hobbes, 187.

²⁵ Julian Reid offers a thorough reading of the maintenance aspect, arguing that war is a necessary condition for the upkeep of contemporary sovereign power, as exemplified by the United States' war in Iraq under Bush II (2009, 128).

ment of the Leveller-Digger discourse performs—in true “untimely”²⁶ fashion—a function *on* the present. Genealogy, as practiced by Foucault, aims to throw the contemporary moment and its calcifying relations of power abruptly out of joint, as it were, by presenting anew anachronistic demands and marrying historical knowledge to a political comportment three centuries removed.

Moving beyond the archaeologist’s reconstruction of the conditions for knowledge, appearance, and articulation of a particular historical formation, the genealogist “restages” the “hazardous play of dominations” through which a regime of power stabilizes itself.²⁷ Foucault carefully links his newfound method to Nietzsche’s concept of *Entstehung*, which “designates *emergence*, the moment of arising... always produced through a particular stage of forces.”²⁸ This is contrasted with the concept of *Ursprung*, or origin, which belongs most properly to the pursuit of the historian, whose “search assumes the existence of immobile forms that precede the external world of accident and succession.”²⁹ Where Hobbes seems a perfect fit for the role of anti-genealogist, the insurrectionist discourses of the mid-seventeenth century bear witness to precisely the sort of emergent moment that Nietzsche had theorized, and Foucault’s return to them seeks not to reverse what followed in the wake of their subjugation but rather to illuminate the mechanics of such epochal emergence. Just before the discursive operation of the *Leviathan* would take hold was it possible, for but an instant, to see and to articulate the violence of governmentality as an accomplice to disciplinary power. Foucault’s lectures on Hobbes attempt to make clear that philosophico-juridical discourse, as that which deflects mentalities elsewhere, was the lynchpin of the disciplinary paradigm in its nascent stage. The date 1651 (the first publication of *Leviathan*) thus marks the moment when it was no longer possible to deter the arrangements of the classical age and the advance of pre-industrial capitalism. To see and to say “disciplinary power” would not again be feasible until after that regime’s hegemony had passed into what Deleuze names “societies of control.”³⁰

Foucault’s 1976 analysis of the emergence of sovereignty discourse and its triumphal concealment of disciplinary force coincides with another historical emergence that would perhaps prove equal to its predecessors. Significantly for Deleuze, the control paradigm announces a new phase of capitalism. Foucault, in 1978-79, would investigate this emergent regime under the rubric of neoliberal governmentality, but we might equally characterize its constitution according to the market globalization inaugurated at Bretton Woods;³¹ vast innovations in

²⁶ Deleuze, following Nietzsche, defines the “untimely” as an act both *counter to* and *on* its own time (1994, xxi), a recovery of a long forgotten past, regained in such a way that it appears as it had never been before by virtue of one’s actively willing it to return.

²⁷ Foucault, “Nietzsche, Genealogy, History,” 148.

²⁸ *Ibid.*, 148.

²⁹ *Ibid.*, 142.

³⁰ Gilles Deleuze, “Postscript on the Societies of Control,” *October*, vol. 59 (1992), 3-7. Deleuze dates the hegemony of this new paradigm to coincide with the end of the Second World War. He suggests that his epigrammatic sketch of control is an attempt to build on Foucault’s genealogy of neoliberal economic thought in *The Birth of Biopolitics*, despite Foucault’s own turning away from the present immediately following these lectures.

³¹ Where the International Monetary Fund and the first incarnation of the World Bank were established in 1944.

production, telecommunications, and transportation technologies,³² the mathematicization and subsequent popularization of sophisticated financial instruments;³³ securitization; debt-financing... and this list could go on, but my point here is not to enumerate the parameters of the New Economy in the societies of control, but, more generally, to explicate Foucault's notion of emergence and suggest a disjunctive link, along these lines, between 1651 and 1976. In plain terms, the free market discourse of neoliberalism obscures the tremendous violence that attends contemporary capital's financial turn.³⁴ The case of the Levellers and Diggers offer Foucault a way to think about how paradigm shifts in power actually occur while simultaneously displacing the one taking place at present.

In "liberating a profusion of lost events," genealogy, says Foucault, finds "disparity" and "dissension... at the historical beginning of things" and, equally important, promotes an unreserved "dissociation of the self."³⁵ As opposed to history, genealogy posits an infinitely mutable past for the sake of establishing the infinite mutability of the present. The very ontological status of the re-searching subject is called into question at least as much as that of the objects of his or her search. Indeed, Foucault's various archival projects must be seen as attempts to estrange the contemporary moment from itself, to make history for the present by delineating, in hitherto unforeseen ways, our difference from what we were. In this sense, the Levellers and Diggers should be seen less as kindred spirits and more as alternative marks for self-dissension.

2. Virtuality

This is all to say that genealogy is a creative enterprise, an ethico-aesthetic practice that pre-figures Foucault's more explicit turn toward such things in the latter two volumes of *History of Sexuality*.³⁶ There is a certain sympathy in Foucault's archival choices, in his singular efforts to become outside of himself, so to speak. His strategy, though admittedly not Deleuzian in any overt sense, owes much, I believe, to his compatriot's metaphysical insights into lived temporality and collective individuation, his groundbreaking philosophy of difference and refusal of identity at all turns, and so too his collapse of subject and object into a "plane of immanence" more in line with post-Newtonian conceptions of the universe. Thus far we have but scratched the surface of the Foucault-Deleuze relationship, and what we have done has been primarily through revisiting the latter's "portrait" of his long-time friend. We should now look more closely at Deleuze's own philosophy, though in the name of concision we will

³² I refer to containerization, which revolutionized commercial shipping in the late 1960s, and to the marriage of automation and just-in-time production known commonly as Toyotism.

³³ Most notably, the Nobel-winning Black-Scholes model, articulated in 1973, successfully employed differential calculus to the end of options pricing.

³⁴ See Christian Marazzi, *The Violence of Financial Capital*, translated by Kristina Lebedeva (New York: Semiotext(e), 2010).

³⁵ Foucault, "Nietzsche, Genealogy, History," 142, 145.

³⁶ Along these lines, John Rajchman reads Foucault, through Deleuze, as projecting "a picture of new ways of thinking about art, with art, of doing research, having ideas in art or through art institutions" (Rajchman, "A Portrait of Deleuze-Foucault for Contemporary Art," in Simon O'Sullivan and Stephen Zepke (ed.), *Deleuze, Guattari and the Production of the New* (New York: Continuum, 2008), 80).

do so specifically through the lens of Foucault's "Theatrum Philosophicum," an essay review of *Difference and Repetition* and *The Logic of Sense* originally published in 1970. By Foucault's own account, we should understand the one's flagship concept of virtuality as contrapuntal³⁷ and wholly indispensable to the other's coterminous genealogical turn.

Despite having been available in translation for over thirty years, "Theatrum Philosophicum" remains unduly marginal in most Anglo-American discussions of Foucault's work. To begin remedying this, I propose that we read this essay, alongside "Nietzsche, Genealogy, History"³⁸ as a prelude to or perhaps a harbinger of the archival research on prisons, sexuality, and governmentality that would come in its wake. It is Deleuze, I believe, who catalyzes the migration in Foucault's thought from knowledge to power, from the dominant epistemic conditions of sayability to the larval stages and forceful maneuverings of particular discursive tropes like territory or population, sovereignty or war. In Deleuze, Foucault discovers the core concepts of a revolutionary new cosmology: difference and repetition, simulacrum, event, and, of course, virtuality. But to merely affirm Foucault's deep admiration would be to tragically understate the degree to which he employs this Deleuzian framework in his genealogical practice to come.

Setting out to overturn the entire legacy of Platonism, Deleuze supplants the quest for essences and eternal forms with an affirmation of novelty and change. His is "a philosophy of the phantasm... that arises between surfaces, where it assumes meaning."³⁹ Behind the "surface effects" that appear to us as the actual phenomena in the world lurk an "expanding domain of intangible objects that must be integrated into our thought."⁴⁰ Discourses, statements, knowledges, memories, cultural histories, names of things, social problematizations, and so on are no less real than the palpable entities conditioned by them. This is why, in order to understand power, we must abandon any ontology that takes subject-object distinctions as its starting point. "Between surfaces"—that is, between the actual people and things in a given social milieu—this is where Foucault locates his new concept of power. Differential relations and not preconceived identities pilot this "phantasmaphysics" that upends Western philosophy by revealing, at the heart of reality, "the materiality of incorporeal things."⁴¹

In order to arrive at a concept of "difference-in-itself," untethered from identitarian antecedents or static representation, Deleuze replaces the conventional picture of the universe organized along the lines of the possible and the real with his own, Bergson-inspired virtual-actual ontological schema. While it may at first glance seem but a nominal amendment, the change proposed here is actually quite vast. First, in Deleuze's account, everything is real;⁴² it

³⁷ Which is metaphorically to say melodiously intertwined rather than harmonious. Deleuze and Foucault are the name of two singular lines that occasionally resonate in some remarkable ways.

³⁸ Discussed above.

³⁹ Michel Foucault, "Theatrum Philosophicum," in Donald Bouchard (ed.), *Language, Counter-Memory, Practice* (Ithaca: Cornell UP, 1977), 169.

⁴⁰ *Ibid.*, 169.

⁴¹ *Ibid.*, 170.

⁴² Deleuze famously borrows Proust's formula for the virtual as "real without being present, ideal without being abstract" (Deleuze, *Proust and Signs*, translated by Richard Howard (Minneapolis: Minnesota University Press, 2000), 58).

is just that reality is comprised of two halves: a domain of extensive qualities and individuated beings (the actual), and an intensive domain that conditions individuation processes but in no way resembles what those processes ultimately produce. Second, as it does not resemble the actual and cannot be represented, the virtual is literally impossible, which is to say it delimits the possible and puts it into a relation of immanence with the real. Third, Deleuze's program affords a much richer sense of the passage of time; the virtual parlays the pure past—which Deleuze calls the “ground” of becoming—into an indeterminate, “groundless” future capable of turning the phenomenal present on its head. This third point on the temporal qualities of the ontologically virtual warrants further explanation here, especially since, as I hope to convey, it is the temporality of Deleuze's “phantasmaphysics” that really sets Foucault's genealogical project in motion, allowing him to clearly articulate the distinction between the historico-political and the philosophico-juridical outlined above.

One of the central problems of *Difference and Repetition* involves demonstrating, without resorting to the outmoded categories of identity and sameness, how “a life” inheres, how it maintains formal consistency—or, as Foucault rather poetically puts it, how the subject-cum-phantasm “conduct[s] [its] dance, act[s] out [its] mime, as extra-being.”⁴³ What is perhaps most striking about Foucault's formulation is that he employs as metaphors the most corporeal of art practices to describe the workings of *incorporeal* things; but the dancing or the miming body, we must remember, is one that has loosened itself from its determining coordinates and articulations in order to become constituted by a passage of time or a zone of unspeakability.

For the extra-being, the phantasm, or “a life,” “time is subjective, but in relation to the subjectivity of a passive subject.”⁴⁴ As I am framing it here, Deleuze's theory of the virtual hinges on his distinction between active and passive subjects—or, more specifically, between active and passive “syntheses of time,” or active and passive repetitions. At the active level, the subject coheres in a passing present, in *actual* time, wherein it makes decisions, generates ideas, recalls memories, and does things. The passive level, by contrast, is characterized by a *virtual* time whose subject, as it were, registers the past within each present as well as the “pure” or “a priori” past, the “past in general,” which prepares the ground for the subject's active valence. Where the actual is an ever-shifting terrain, always undergoing metamorphoses and partaking in becomings of various kinds, the virtual, as “pure past” “insists, it consists, it is.”⁴⁵ “What we live empirically as a succession of different presents from the point of view of active synthesis is also *the ever-increasing coexistence of levels of the past within passive synthesis.*”⁴⁶ It is in this sense that we begin to grasp the function of repetition. Following Bergson, Deleuze articulates each present as a particular, largely accidental “contraction” of the whole of the past, and each life, each phantasm, at any given moment, as that whole past actualized at a specific level of contraction or relaxation. Identities and actions fall away, but

⁴³ Foucault, “Theatrum Philosophicum,” 170.

⁴⁴ Gilles Deleuze, *Difference and Repetition*, translated by Paul Patton (New York: Columbia University Press, 1994), 71.

⁴⁵ *Ibid.*, 82.

⁴⁶ *Ibid.*, 83.

what is differential in them—movements, intensities, affects, relations of force—eternally return.

This brings us back to Foucault's genealogical method. The aim for Deleuze is to "introduce... time into thought"⁴⁷ rather than to think about time. If there is any ethical proposition concealed within this early work, it would be to rediscover the passive syntheses of time—which is to say the various repetitions—that constitute our present, to mine the virtual for the means to future counter-memories, or counter-actualizations. In his archival research, Foucault does just this; genealogy affects the present by culling up a new vision of the past. His aim is not that of a historian; he is not, for example in 1976, after the essence of the Leveler-Digger identity, nor is he out to reconstruct the rebellious activities these groups undertook. Rather, he is interested in the way their discourse captures a singular set of intuitions of, encounters with, and investments by power.

3. War

In addition to the two essays discussed above, on Nietzsche and Deleuze respectively, the *Society Must Be Defended* lectures contain Foucault's most pointed insight into the stakes of his genealogical project. Genealogy, he says, "is 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, organize them in the name of a true body of knowledge."⁴⁸ It is "an insurrection of knowledges... against the centralizing power-effects that are bound up with the institutionalization and workings" of a hegemonic discourse such as the philosophico-juridical theory of sovereignty. And once again, "genealogy is... an attempt to desubjugate historical knowledges, to set them free."⁴⁹ In the case of the Levellers and Diggers, what is important is not that they represented an oppressed, disenfranchised mass seeking political recognition, but that they pinpointed the historical conquest from which the oppressive ruling regime had emerged. Citing the Battle of Hastings in 1066 as the critical determinant of social relations some 600 years later, the Levellers and Diggers, like Nietzsche and like Foucault, "find something altogether different behind things."⁵⁰ They themselves deploy proto-genealogical tactics in their challenges to sovereign legitimacy. The Battle of Hastings was, they claim, but one moment in an ongoing, if largely inconspicuous war. It is this claim that Foucault, in 1976, repeats—albeit with a difference—and this war whose material effects he seeks, with certain analogical designs on the present, to make reappear.

Against the "unitary" theory of power by which the Hobbes' philosophico-juridical discourse "disqualifies," "organizes," or otherwise "subjugates" the counter-discursive tropes of the Levellers and Diggers, Foucault prefers to keep things messy, grasping power not from the perspective of a "central soul" but "at the point where it becomes capillary."⁵¹ Genealogy is interested specifically in how concepts become "invested, colonized, used, inflected, trans-

⁴⁷ *Ibid.*, 88.

⁴⁸ Foucault, *Society Must Be Defended*, 9.

⁴⁹ *Ibid.*, 9-10.

⁵⁰ Foucault, "Nietzsche, Genealogy, History," 142.

⁵¹ Foucault, *Society Must Be Defended*, 27, 29.

formed, displaced, extended, and so on by increasingly general mechanisms and forms of overall domination."⁵² The hobbes-function is such a "mechanism"; the concomitant "form of domination" is the modern liberal state. The concept at stake is that of war, which for the Levellers and Diggers provided a way of explaining social relations and group dynamics before it metamorphosed into that thing that happens between two states when diplomacy fails.

Foucault's sketch of power relations circa 1651 hinges on his construction, via "a small lateral leap,"⁵³ of a dethroned, para-*Leviathan*. His is a reading between the lines of sorts, but not in the Derridean deconstructionist sense; he aims not to tease out contradictions within Hobbes' philosophico-juridical discourse but to discern retrospectively its historical material effects. And this displacement of Hobbes also marks a "decentering" of Foucault himself, which helps explain why it frequently seems so difficult to locate authorial intent within any of his writings. Deleuze perhaps puts it best in his rhetorical interrogation of Foucault's style: "What remains," when all is said and done, "except an anonymous life that shows up only when it clashes with power, argues with it, exchanges 'brief and strident words,' and then fades back into the night?"⁵⁴ The Foucault-function, as it were, reveals itself only in the critical gap between text and para-text, between what is on the page and the accidents and successive dominations that it incites, between Hobbes and what happens to Hobbes once his efforts get recast within the iconoclastic genealogist's inverted rubric of war. Let us turn now to Hobbes' text, its recoding of war, and Foucault's treatment of it.

We no doubt recall Hobbes's story of the transition from the state of nature to political society, and, though this is not the place to explicate his creation myth of sovereign power, we would do well to recount a few basic elements that will be central to Foucault's reading and eventual reconstruction of a counter-narrative. The state of nature, claims Hobbes, is a state of war. Prior to the unification of power in the figure of the sovereign, "the life of man" is dominated by a "continuall feare" of his fellow man; one's capacity to kill and be killed is equal to that of every other, and so the quality of human life remains notoriously "solitary, poore, nasty, brutish, and short."⁵⁵ In "this warre of every man against every man," "there is no Injustice," "no Law," and, significantly, "no power able to over-awe them all."⁵⁶ Enter the Leviathan—the vessel into which every individual, collectively, transfers her self-sovereignty, her fear, and her capacity to make war. "The only way to erect... a Common Power, to keep them in awe, and to direct their actions to the Common Benefit" is through an "Artificiall Covenant," by which a people

conferre all their power and strength upon one Man... that may reduce all their Wills... into one Will: which is as much as to say, to appoint one man... to beare their Person; and every one to owne, and acknowledge himselfe to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things which concerne the Common Peace and Safetie; and therein to submit their Wills, every one to his Will, and Judgements, to his

⁵² Ibid., 30.

⁵³ Foucault, "Theatrum Philosophicum," 168.

⁵⁴ Gilles Deleuze, *Foucault*, translated by Seán Hand (Minneapolis: Minnesota University Press, 1988), 95.

⁵⁵ Hobbes, 186.

⁵⁶ Ibid., 185, 188.

Judgement... This done, the Multitude so united in one Person, is called a COMMON-WEALTH, in latine CIVITAS.⁵⁷

The advent of Leviathan thus marks the birth of justice and injustice, the possibility of law, and a crucial exchange that hinges on a fundamental will to life. For protection from both “the invasion of Forraigners” and “the injuries of one another,”⁵⁸ the hitherto irreducible multitude commits not only to unconditional obedience, not only to the pre-emptive authorization of whatever the sovereign decides, but to *prospective authorship* of that decision. This means that, in trading the perpetual risk of death for a guarantee of life,⁵⁹ the individual precludes the sovereign’s very agency in making the decision by virtue of her already having made it for him. It seems that, for Hobbes, the transference of sovereignty in the passage from multitude to civitas is something of a mystical, mythical event that gets retroactively valorized each time a declaration of revolt does not take place.⁶⁰

Perhaps most important, for our present project, is that the state of nature—the war of all against all—never existed in any actual, historical sense. Nor does it need to, as its function in the hobbesian schema is rather to serve as a threat: War is what *could* happen if the multitude reconstitutes itself by refusing authorship of the sovereign decision. “For Hobbes, it does not all begin with war,” but with *a state of war* as the “permanent backdrop which cannot not function.”⁶¹ Thoroughly absorbed into philosophico-juridical discourse, war is no longer staged but merely serves as “backdrop” for the staging of a more seemly, innocuous sort of politics. As with Clausewitz, Hobbes pushes war to the horizons of the state. War *happens* only when “normal” politics fails. In other words, it is possible, but neither virtual nor real.

In setting out to counter-actualize Hobbes’ “elimination of the *historical reality* of war,”⁶² Foucault intends neither to remind us that civil war is a perpetual possibility nor to demonstrate that politics in any way resembles war; the former overstates the actual without taking stock of virtuality, while the latter mistakenly assumes a likeness between the actual and a virtual that by definition cannot be recognized. War, for Foucault, is a historical reality, a story of the past, the knowledge of which emerged briefly in the mid-seventeenth century only to be comprehensively suppressed and recoded by the political institutions established in the wake of the hobbes-function. While Hobbes’ elaborate justification for sovereign power certainly lends itself to the cause of ending the ongoing English Civil Wars, his theoretical evacuation of war from properly political societies goes well beyond the actual state of affairs to strip war of its *reality as virtual past*.

⁵⁷ Ibid., 226-7.

⁵⁸ Ibid., 227.

⁵⁹ Foucault, *Society Must Be Defended*, 96.

⁶⁰ It is along these lines that Montag suggests we read Hobbes as a precursor of sorts to Althusser, as perhaps the first theorist of the type of Ideological State Apparatus characteristic of capitalist society [Warren Montag, “Beyond Force and Consent,” in Antonio Callari and David F. Ruccio (eds.), *Postmodern Materialism and the Future of Marxist Theory* (Hanover: Wesleyan UP, 1996), 91-108.] Because the sheer force of the sovereign is not enough to maintain civil peace, the state must interpellate individuals to a “silent and unknowing but somehow not involuntary act” of consent. (Ibid., 98)

⁶¹ Foucault, *Society Must Be Defended*, 93.

⁶² Ibid., 97 (my emphasis).

To say that war is the grid of intelligibility by which we can grasp the workings of power in civil society means that we are un-forgetting the constituting conquests swept aside by the surrogate memories of sovereignty installed by the hobbes-function, that we are electing to jump tracks and proceed along an untested course of self-differentiation. The philosophico-juridical discourse substitutes a mythical past (the narrative that spans from primordial chaos and violence to the invocation of the Leviathan and the foundation of the state) for the historically real past and continued virtual presence of social war in England that dates as far back as the initial Norman conquest in 1066.

We might say that, for Foucault, it is a matter of reinscribing that virtual into the actual, or of actualizing that virtual—repeating a dangerously subversive knowledge—in a better and more politically productive way. War, in these terms, is fought over the power to decide problems and create solutions.⁶³ Power is nothing if not the power to proceed from virtual to actual (and vice versa)—the power to conduct social individuation or constitute a grid of intelligibility—in this or that way, armed with this history or another.

With Foucault's inversion of Clausewitz's aphorism, we can grasp politics as the actualization of a virtual problematic of war. Such a concept of politics is precisely what the philosophico-juridical discourse of sovereignty conceals; but it is here that we must be particularly cautious. The sort of war we are talking about has little to do with outright conflict, and we are by no means advocating dialectical violence as the proper response. For Deleuze, "there is a false profundity in conflict"⁶⁴ that conceals a more profound thought of difference.⁶⁵ Likewise for Foucault, who follows Deleuze's take on the superficiality of conflict: "Dialectics does not liberate differences" but guarantees their perpetual recapture, and "contradiction secretly assists in the salvation of identities." "The freeing of difference," in turn, "requires affirmative thought without contradiction."⁶⁶ "We must think problematically rather than question and answer dialectically."⁶⁷ This means posing new problems rather than working out solutions to the old ones, which ultimately only mask the dynamics of social power.

Where the modern concept of war that derives from Hobbes posits difference only on the basis of preconceived individual and group identities, the concept of war that Foucault discovers in 1976 appears to be inspired quite profoundly by Deleuze's novel thought of difference. The externalization of difference achieved by the notion of a foreign enemy—theories of which run from Hobbes to Schmitt all the way to contemporary international relations discourse—serves mainly to safeguard against internal schism. Thus, despite serving as the enabling condition for political life, war's usefulness as a paradigm for power relations has been lost on most of the modern world, and this thanks in part to a hobbes-function that eliminates war's historical reality. As Foucault further elaborates, "There are no battles in Hobbes' primitive war"—"there is no blood and there are no corpses"; rather, "We are in a *theater* where presentations are exchanged, in a relationship of fear in which there are no time limits... We are not at war; we are in... a *state* of war... not a battle or a direct clash of forces,

⁶³ Cf. Deleuze, *Difference and Repetition*, 208.

⁶⁴ Deleuze, *Difference and Repetition*, 51.

⁶⁵ *Ibid.*, 106.

⁶⁶ Foucault, "Theatrum Philosophicum," 184.

⁶⁷ *Ibid.*, 186.

but a certain state of the *interplay of representations*.”⁶⁸ From his detached and seemingly impartial perspective, the *Leviathan* invents a transhistorical concept of war to justify sovereign power and maintain a unified state. Hobbes places war on the real-possible axis rather than, as in the Deleuzian-Foucauldian intervention, that of the actual-virtual. As a grid of intelligibility and the condition for the actualization of political life, “war,” for Foucault, is not necessarily strewn with corpses, but, as a virtual problematization, it is, again, absolutely real. And this is certainly more than we can say for Hobbes, who embarks on the imaginative reconstruction of an idea of war in the service of the state and, in so doing, slyly absconds from the actual war milieu of mid-seventeenth century England.⁶⁹

In its timeless, ahistorical exchange of representations, the hobbesian state of war, despite its ever-present *possibility*, betrays its fundamental *impotentiality*. War in Hobbes is in fact completely and cunningly cleft from the realities of modern power’s burgeoning disciplinary techniques and technologies. In short, this particular discursive representation of war precludes the very thought of war’s actualization *as* politics. Indeed, Hobbes affirms as much. Toward the end of *Leviathan* Part I, he avers that “the nature of War, consisteth not in actual fighting; but in the *known* disposition thereto.”⁷⁰ It is thus not the battle that interests Hobbes, in his retroactive foundation of sovereignty, but the communication of a threat and the continual fear of that threat’s being followed through. It is specifically this universal and universally debilitating *knowledge* that precipitates the consolidation of sovereignty. The apprehension of one’s neighbours as predisposed for a fight in fact makes for a smooth transition from nature to *civitas*, where salvation from the “nasty, brutish, and short” life obliged by the state of war comes in the form of an “over-awing... common Power to feare” —i.e. the Leviathan.⁷¹

Foucault notes that, in Hobbes, “it is fear, the renunciation of fear that introduces us into the order of sovereignty and into a juridical regime... of absolute power,”⁷² but we see here that it is not quite this simple; total “renunciation” never occurs, as Hobbes emphatically reinscribes this fear on the other side of the sovereign exchange.⁷³ But it is not war itself that

⁶⁸ Foucault, *Society Must Be Defended*, 92-93 (my emphases).

⁶⁹ The theater metaphor deployed by Foucault here provides an interesting counterbalance to his own genealogical “restaging” of a historico-politically specific instance of subjugation. We are left with two distinct models of theatricization: the one recodes the concept of war by removing it from reality and stripping it of its analytical efficacy; the other decodes that same concept in order to delegitimize the diversionary tactics of its state executors.

⁷⁰ Hobbes, 186 (my emphasis).

⁷¹ *Ibid.*, 187.

⁷² Foucault, *Society Must Be Defended*, 95.

⁷³ And the phrase of Hobbes’ “common Power to feare” is rather slippery in its own right. On the one hand, we typically read *Leviathan* as the “common power *to be* feared.” Around his “awesome” strength, the disparate fears of all become consolidated, and civil society maintains its peace through this unitary redirection of fear. On the other hand, the “common Power to fear” signifies that the sovereign himself shoulders the whole set of incongruent fears and, in so doing, relieves his charges of their burdens. By this interpretation, the sovereign is he who fears on behalf of the common, he who surveils the borders in making good on his security guarantee, “over-awing” in the same way that Christ’s Passion “over-awes” the believer in its trading one life for the deliverance of a nation. Either way we parse the syntax—as fearing-in-common or as a communal displacement of fear—we are left with roughly the same perplexing outcome. Yet there remains

continues in civil society; all that persists—in fact all that was ever there—is its correlative “dispositional” frame. The state of nature abides by an atemporality that allots no change and contains no events. The time of war, for Hobbes, is wholly without an “account of Time.”⁷⁴ In this time without account, nothing comes to pass, nothing happens, nothing awaits; the fearful disposition that consumes one’s being in war-time simply lingers, as Hobbes has it, like “foule Weather.”⁷⁵

Mindful of the threat posed to royal power by the war-conscious counter-discourses and conquest-laden minoritarian histories of the Levellers and the Diggers, Hobbes, in his genius, rewrites the narrative of political legitimacy. In *Leviathan* Part II, he presents two basic means for achieving sovereignty, and two corresponding types of common-wealth. The first, “Commonwealth by *Acquisition*,” arises through “Naturall force... or by Warre,” wherein subjects abandon their will by willing to live rather than fight to the death; the second, “Commonwealth by *Institution*,” forms “when men agree amongst themselves, to submit... voluntarily, on confidence to be protected by [the sovereign] against all others.”⁷⁶ Though Hobbes unmistakably identifies “force” and “warre” as driving the former, Foucault will argue that this entire scheme is a clever ruse to discursively deflect the spilt blood and piled corpses that accumulate in the name of securitizing the state. Commonwealth by acquisition and commonwealth by institution amount to the same thing—a “radical will to live.”⁷⁷

Taking up the pseudo-war seemingly prolonged in post-acquisition social relations, Foucault argues that

once the defeated have shown a preference for life and obedience, they make their victors their representatives and restore a sovereign to replace the one who was killed in the war. It is therefore not the defeat that leads to the brutal and illegal establishment of a society based upon domination, slavery, and servitude; it is what happens during the defeat, or even after... the defeat, and in a way, independently of it... The will to prefer life to death: that is

another, more radical permutation of this syntactical ambiguity presented by Hobbes. We might take “common Power” to signify a power belonging to the common. This seems accurate given Hobbes’ persistent reminders that the power of the sovereign derives from and stands to re-present his subjects. Acting in common can be an “over-awing” experience, to be sure, but this certainly does not seem like something Hobbes would be advocating. Rather, the slippage created in such a “minor” reading, as it were, lets a disaggregated multitude seep into the very discourse that had been constructed to keep it at bay (see Paolo Virno, *Grammar of the Multitude*, translated by Isabella Bertolotti (New York: Semiotext(e), 2004) for a thorough analysis of Hobbes’ displacement of “multitude” with “people”). Likewise, James Martel offers a more or less deconstructive reading of *Leviathan*, showing how Hobbes’ theory of reading undermines his model of sovereignty. In the final analysis, Martel presents us with Hobbes not as the father of liberalism but as a “radical democrat” (see James Martel, *Subverting the Leviathan: Reading Thomas Hobbes as a Radical Democrat* (New York: Columbia University Press, 2007).

⁷⁴ Hobbes, 186.

⁷⁵ *Ibid.*, 186. Hobbes notes here too that wartime is particularly deleterious because therein nothing can be *produced*. (Hobbes, 180) We thus begin to see something of the relationship between the discourse of sovereignty and disciplinary societies in the proto-industrial age.

⁷⁶ *Ibid.*, 228.

⁷⁷ Foucault, *Society Must Be Defended*, 96.

what founds sovereignty, and it is as juridical and legitimate as the sovereignty that was established through the mode of institution and mutual agreement.⁷⁸

Sovereignty, and not domination, thus grounds the relationship between conqueror and conquered, just as it does the relationship between a voluntary subject and her protector in the commonwealth by institution. Entirely “independent” of the events of war, hobbesian sovereignty originates in a fundamental will to representation, not in the fact of victory but in “the recognition of the conqueror by the vanquished as their political *representative*.”⁷⁹ What counts here is not the conquest but its being *recognized* as such. Sovereignty assumes a preexisting, mediatory idea of “victory” that can serve as a common reference point for conquerors and conquered alike. Political society, in this analysis, continues the “play of representation” enacted in the primordial state of war. The inaugural conquest merely draws out a people’s pining for a more secure state and then expedites the results.

In the hands of the state, “History,” says Foucault, “is the discourse of power” and “a ritual that reinforce[s] sovereignty.”⁸⁰ The leveling force of such disciplined History invariably sweeps in to immobilize, capture, and eventually recode the war discourse of its “opposite numbers.” This is precisely the hobbes-function in mid-seventeenth century England.⁸¹ The entire project of sovereignty is in fact “a certain ‘no’ to war”⁸² and therefore “a certain ‘no’” to historical contingencies.⁸³ In the “radical will to live” that undergirds both acquisitional and institutional commonwealth—or rather in the idea of this “radical will” that the hobbes-function covertly instills—Foucault catches the first glimpses of the administrative state and the new governmental mandate to “make live and let die” (as opposed to the old style, which operated inversely). The superficial taxonomy is simply Hobbes’ way of “get[ting] around the problem of the Conquest [of England]” —“that difficult juridical category... which was central to all the political discourses and programs of the seventeenth century.”⁸⁴

By contrast, the discourse of political historicism, exemplified by the Levellers and Diggers, posits war as “both the web and the secret of institutions and systems of power,” and this “is Hobbes’s great adversary.”⁸⁵ On the surface of things, Hobbes appears to be attempting to dissolve an actual intrastate war, parrying the motives for rebellion and reconciling defeated subjects with the crown. But Foucault’s point is much more acute and entails a much more complex view of reality. As both “web” and “secret,” war enables the perpetuation of normalized power relations. It is the virtual condition for actual systems and institutions. Hobbes seeks, in Deleuzian terms, a different “contraction” of the past, and more discon-

⁷⁸ *Ibid.*, 95.

⁷⁹ Pasquale Pasquino, “Political Theory of War and Peace: Foucault and the History of Modern Political Theory,” *Economy and Society*, vol. 22 (1993), 81.

⁸⁰ Foucault, *Society Must Be Defended*, 69.

⁸¹ Cf. Mark Kelly, *The Political Philosophy of Michel Foucault* (New York: Routledge, 2009), 51.

⁸² Foucault, *Society Must Be Defended*, 97.

⁸³ As Todd May points out, there is in fact no history in Hobbes (May, “War in the Social and Disciplinary Bodies,” *Radical Philosophy Review* 7 (2004), 50.

⁸⁴ Foucault, *Society Must Be Defended*, 110.

⁸⁵ *Ibid.*, 110.

certing than his immediate suppression of the historically local antagonists to royal power should be his deft elimination of war at the virtual level.

Along these lines, we cannot lose sight of the “by other means” qualification in the storied equation of politics and war. Politics *is not* war; rather, the latter serves as a grid of intelligibility by which we can think through and against a historically specific connection between power and knowledge. War becomes an “other means” to arrive at the truth of the present through the past. In the end, Foucault does not seem interested in political society per se so much as in the material effects of our belief in it and the narrative that our thought of “political society” either covers over or reveals. To tie politics back to war rather than war to politics (as in the Clausewitzian formula), is to restore an “effective history” capable of toppling the sovereign model of power by liberating the past for a people to come—for a new trajectory by which to differentiate the present from itself.

“We have to study power outside the model of Leviathan, outside the field delineated by juridical sovereignty and the institution of the state.”⁸⁶ We must “force open the massive overdetermination of the problem of sovereignty.”⁸⁷ Ahistorical and anti-political, the philosophico-juridical theory of sovereignty must be rejected once and for all as an obsolete relic of a time with which it never even coincided. In escaping the hobbes-function, Foucault restages the “bellicose history” illumined by the phantasms of the seventeenth century. We need that “truth-weapon” named social war if we intend to work our way through power formations as dynamic, politically and historically contingent things. Laws and rights must come to be read as strategies and tactics in accordance with the simple fact that the institutionalization of sovereignty is in every case, without exception, a partisan victory that refuses itself as such.⁸⁸ It remains the genealogist’s task to reject contemporary appearances by diving into a forgotten past and retrieving the discursive and conceptual tools with which a counter-actuality can be forged. In *Society Must Be Defended*, Foucault locates these tools in the “partisan discourses” of war that antedate the “ideal battles and rivalries dreamed up by [the] philosophers and jurists” of the early modern era.⁸⁹ The archive exposes the true political history of the law—“born in the blood and mud of battles,... in burning towns and ravaged fields,... together with the famous innocents who died at break of day.”⁹⁰

As strategists of counter-actualization in their own right, the Levellers and Diggers were making “political use... of a certain historical knowledge pertaining to wars, invasions, pillage, dispossessions, confiscations, robbery, exaction, and the effects of... all the real struggles that go on in the laws and institutions that apparently regulate power.”⁹¹ It is in this sense that theirs is the “opposite number” to the discourse of order and eternal right. Foucault sets out to vindicate the Leveller and Digger belief that laws and institutions do not *regulate* so

⁸⁶ Ibid., 34.

⁸⁷ Andrew Neal, “Cutting Off the King’s Head: Foucault’s *Society Must Be Defended* and the Problem of Sovereignty,” *Alternatives: Global, Local, Political*, vol. 29 (2004), 392.

⁸⁸ Paul Muldoon, “The Sovereign Exceptions: Colonization and the Foundations of Society,” *Social and Legal Studies* 17 (2008), 61.

⁸⁹ Foucault, *Society Must Be Defended*, 50.

⁹⁰ Ibid., 50.

⁹¹ Ibid., 98.

much as *wield* power. These real struggles of the past not only precipitate laws and institutions but are fully present in them; knowledge of them affords a certain *power* to effectuate actuality otherwise. Where philosophico-juridical discourse proffers universal knowledge and transcendental subjects with self-evident and inalienable rights, its “strategic opposite number” emits a “subject who is fighting a war,” armed with “a truth-weapon and a singular right.”⁹² The radical war discourses of seventeenth century England, against both the long-standing tradition of royal history and the nascent philosophico-juridical discourse of sovereignty, expresses a sense of the virtual as real and a politicized take on the past, and this, I believe, is the essential attraction for Foucault.

“The truth is... a truth that can be deployed only from its combat position, from the perspective of the sought-for victory and ultimately... of the survival of the speaking subject himself.”⁹³ This point resounds in all of Foucault’s later work. *The truth is always a truth—singular, indefinite, fragmentary.* The partisan discourse of the Levellers and Diggers appears “strategically” to inscribe a difference *within* the field of social relations that necessarily calls into question the subjectivation process therein. In recovering and re-recording painful cultural memories, in reconfiguring the collective past, it seeks to create a new people and to justify a wholesale redistribution of knowledge, sensibility, and wealth across the social field. Its history is effectively a counter-history; the truths it wields, which are always plural and divisive, are “not made for understanding [but] for cutting.”⁹⁴ It recalls the real wars by which sovereignty consolidates power and which sovereignty deigns to forget.⁹⁵

The discourse of war that culminated with the Levellers and Diggers reveals the peaceful maintenance of the state to have been predicated all along on a continued but hidden renewal of violence and exclusion. As Todd May concisely argues, “the recounting of... the history of a nation had... always been a state affair,” which is to say a “triumphal and justificatory... story the state told to itself about its emergence.”⁹⁶ The key elements of this official discourse are a “unified *we* that is moving forward in a positive way” and “a history that justifies the present moment.”⁹⁷ State history, in short, expresses only the most uncritical relation to the past. To do otherwise would be deemed a national security threat.⁹⁸ The sort of history presented by the Levellers and Diggers, conversely, attempts to overturn the established regime, but especially its concordant arrangement of knowledge and power, by an irrevocable incision between nation and state, Saxon and Norman, subject and crown. Theirs

⁹² Ibid., 54.

⁹³ Ibid., 52.

⁹⁴ Foucault, “Nietzsche, Genealogy, History,” 154.

⁹⁵ To take up this critical discourse is of course no easy task, but one replete with great risks. As Foucault enumerates in his lectures on the Greek concept of *parrhesia* (collected in Foucault, *Fearless Speech*, edited by Joseph Pearson (New York: Semiotext(e), 2001)), such an act requires courage, frankness, and a penchant for danger [*Fearless Speech*, 15-17]—qualities which are notably absent from and in fact contrary to the hobbesian subject, who, as we have seen, is driven first and foremost by fear, in both the state of nature and civil society.

⁹⁶ May, 44.

⁹⁷ Ibid., 45.

⁹⁸ Hence, the international efforts to criminalize Wikileaks that are developing alongside the writing of this manuscript.

is what Foucault names a *race discourse*—an explicitly perspectival, politically motivated counter-narrative of the emergence of the governing faction. We should be thinking of race not in terms of static, biological identity, but in terms of a particular, shared relationship with the past; in Foucault's usage, race seems more epigenetic than genetic, having to do not with essences but with processes of group organization and internal differentiation. Running alongside the English civil wars, we see, between Hobbes and his opposite numbers, a "clash between the history of sovereignty and the history of race war."⁹⁹ One pushes violence to the frontiers of the state, renders war a matter of international relations, and so unites a people as one homogeneous mass.¹⁰⁰ The other tears the state apart at the seams, introduces intrastate fault lines along the coordinates of nation and state, and aims not to pacify but to enrage; and it does all this by reaching into the virtual sphere to re-pose the "problematizations" determinant of socio-political individuation.

This discourse of race war is the revolutionary counterhistory that Hobbes' book, by slyly suturing the nation back into the state, effectively eradicates. It told of the invasions and injustices underlying the legitimation of Norman rule in the eleventh century. This "history-as-demand," as Foucault has it, "intruded upon all the historical work that the monarchist jurists were undertaking in order to recount the uninterrupted history of the power of the kings of England."¹⁰¹ Against the philosophico-juridical discourse that sought to displace the thought of violent acquisition with theories of commonwealth and systems of contractual sovereignty, the Levellers and Diggers were vociferously asserting that "the Conquest did take place"—that the defeat of the Saxons by the Normans marked "not the beginnings of... absolute right but a state of nonright that invalidates all the laws and social differences that distinguish the aristocracy, the proper regime, and so on"—that "the laws are traps... instruments of power... ways of promoting vested interests."¹⁰² To repeat, the Conquest did take place, and its force is perpetually renewed insofar as its concept is forgotten, that is, insofar as it becomes masked by the social relations codified in legal apparatuses and political institutions that ward off the political usage of the past.¹⁰³

This singular assertion of right by which the insurrectionists declare their freedom "from slavish fear of men"¹⁰⁴ gives the lie to the universality dreamt up by philosophico-juridical discourse and its blind faith in a common share, its myth of equal access to political

⁹⁹ Foucault, *Society Must Be Defended*, 78.

¹⁰⁰ Cf. Muldoon, 62; and Foucault, *Society Must Be Defended*, 48.

¹⁰¹ Foucault, *Society Must Be Defended*, 78.

¹⁰² *Ibid.*, 107.

¹⁰³ In a 1649 tract against the enclosure of common lands, the "Poor oppressed People of England" declared their freedom "from slavish fear of men." The laws of "those who call themselves Lords of Manors... shall not reach to oppress us any longer, unless you by your laws shall shed the innocent blood that runs in our veins." (Gerrard Winstanley, et al, "A Declaration from the Poor Oppressed People of England" (1649): <http://www.bilderberg.org/land/poor.htm>) Signed by a Digger collective "on behalf of all the poor oppressed people of... the whole world," this declaration bifurcates the English population along the intrastate lines of nation and class. So called "rights" here get "reset," as it were, as tactics and strategies—"demands made in the midst of an ongoing battle in war" [Duncan Ivison, *The Disciplinary Moment: Foucault, Law and the Reinscription of Rights* (London: Sage, 1998), 143.]

¹⁰⁴ Winstanley, et al.

representation, and its presupposition of *recognizable* victory and an end to war. “The poor oppressed people of England” give expression to an ongoing battle, a social war 600 years in the making. The community that they imagine is bifurcated not according to territorial allegiances but along the lines of guilt and innocence, oppressor and oppressed, which, again, is to say that they construe difference as internal to and constitutive of modern political society. Theirs is a phantom discourse in that it always “exceeds” the event that it names. Their history of race war *is* nothing more than “the play of the (missing) event and its repetition,” to adopt the terms of Foucault’s earlier essay on Deleuze.¹⁰⁵ The indefinite multiplication of the “(missing)” conquest-event, which sovereignty had rather subtracted out, is the true task of the Leveller and Digger discourse, as well as that of Foucault, writing three centuries later, from the other side of the disciplinary age.

What returns in Foucault—what he returns to us—is precisely this “(missing)”; it is not the event of the Conquest *per se*, but the form of its “play” that haunts the present and stokes the fires of insurrection. For Deleuze, to repeat what is “(missing)” in this way is to affirm that which is outside of all identity—“difference-in-itself.” As pure difference, “the event [of conquest] is always an effect produced entirely by bodies colliding, mingling, or separating, but this effect is never of a corporeal nature; it is the intangible, inaccessible battle that turns and repeats itself a thousand times.”¹⁰⁶ Genealogy inscribes just this—a retroactive reopening of an incorporeal event, which sends the *contemporary* moment on a line of flight, exposing it to what Deleuze calls the “empty” or “pure form of time.”¹⁰⁷ Foucault’s method operates according to the temporal structure of eternal return, wherein pure difference and profound repetition topologically coincide in an affirmation of what cannot be preserved—i.e. time itself, as it passes, immanent to life. In 1651, a phantom of war had been haunting sovereignty, threatening to block the furtive instantiation of the disciplinary regime. In 1976, the phantom would return—the same phantom, but different—“equal,” as Deleuze says, “to the unequal in itself.”¹⁰⁸ The refrain of “effective history”—“to die, to fight, to vanquish, to be vanquished”¹⁰⁹—forces the return of lost time. Foucault calls this “counter-memory”; it affects, he says, “a transformation of history into a totally different form of time.”¹¹⁰ It thereby remains wholly outside the onto-epistemological structure of the state, and, as such, would be properly staved off by all those disciplines and institutions that took root once the discourse of sovereignty had been firmly set in place.

The archival re-search Foucault undertakes in *Society Must Be Defended* resituates the specific enunciations of Hobbes’ obsolete analytical model within the circumstances of its contested emergence and the site of its original victory. The historical knowledges that he replays, as it were, reject the diversionary stories of great men and their episodic wars in favor of “continu[ing] the war by deciphering the war and struggle that are going on within all the

¹⁰⁵ Foucault, “Theatrum Philosophicum,” 177. In Deleuze’s *Logic of Sense*, especially, this “play” becomes a crucial strategy in overturning the identity-based philosophy and politics of the Western tradition.

¹⁰⁶ *Ibid.*, 173.

¹⁰⁷ Deleuze, *Difference and Repetition*, 88-91.

¹⁰⁸ *Ibid.*, 90.

¹⁰⁹ Foucault, “Theatrum Philosophicum,” 177.

¹¹⁰ Foucault, “Nietzsche, Genealogy, History,” 160.

institutions of right and peace.”¹¹¹ In short, historical knowledge is always political and always partisan, statist claims to the contrary notwithstanding. Following his early-modern avatars in the “deployment” of such knowledge, Foucault has never been more clear in spelling out the critical political project he hopes to open up. Telescoping together a present that was and a past that refuses to go away, genealogical thought severs knowledge from power and violently (if virtually) interrupts the normative status of social relations and governmental regimes.

In his postscript to Foucault, Deleuze reminds us that, as we transition out of the disciplinary paradigm and into one of “control,” “there is no need to fear or hope, but only to look for new weapons.”¹¹² Seeking a way to extricate his own thought from apparatuses of power, Foucault finds one such weapon in the “effective history” of race war that partially illuminated a tempestuous social field in the middle of the seventeenth century. If, as Foucault suggests, following Deleuze, “the present as the recurrence of difference... affirms at once the totality of chance,”¹¹³ then it should, for us, be a matter of throwing off the probable course of social evolution and collective differentiation. In the formative years of the post-disciplinary paradigm, and as a rejoinder to the opening salvos of capital’s widespread financialization (the credit boom, securitization, standardized valuation of derivatives, de-industrialization in the West, etc.), Foucault abandons himself to the archives, channeling those voices of the past that bear witness to an altogether different present, but one that we already no longer were. And through this temporal play of his genealogical method, Foucault bears witness to an altogether different future—an altogether different future *for us*.

Today, when we most often hear the word “sovereign” used in conjunction with “bond” or “debt,” the discourse analysis of *Society Must Be Defended* should appear all the more (un)timely. Wars rage just below the surface of a world where these instruments and their consequent repayment plans bankroll the continued activity of the state; increasingly prevalent “austerity measures,” commanded from a supranational and *super-sovereign* level, should be understood as so many weapons. “Humanity,” Foucault reminds us, “does not progress from combat to combat until it arrives at universal reciprocity,... [but] installs each of its violences in a system of rules.”¹¹⁴ The point of genealogy, as I have attempted to show in these pages, is to make those violences and their concealments appear anew, to undermine our penchant for “universal reciprocity” at every turn. Sovereignty does not vanish as the disciplinary regime takes hold, nor does it do so as we migrate ever more conclusively into societies of control. Rather, its qualities transform; it undergoes a certain transduction. It therefore seems quite clear how Foucault could start with Hobbes and Clausewitz and end up, just two courses later, at Hayek, Friedman, Becker, and the whole neoliberal milieu. Though his late thought would turn away from modern and contemporary governmentalities, I hope that, by drawing on Deleuze, I have been able to make clear, first, the pivotal role of the *Society Must Be Defended* lectures (and their immediate successors) in the evolution of Foucault’s thought,

¹¹¹ Foucault, *Society Must Be Defended*, 171.

¹¹² Deleuze, “Postscript on the Societies of Control,” 4.

¹¹³ Foucault, “Theatrum Philosophicum,” 194.

¹¹⁴ Foucault, “Nietzsche, Genealogy, History,” 151.

and, perhaps more importantly, the politics of genealogy more generally—the critical contemporaneity that flanks Foucault’s archival intimations.

R.d. Crano
Department of Comparative Studies
The Ohio State University
451 Hagerty Hall
1775 College Road
Columbus, OH 43202
USA