



Michel Foucault's Philosophy of Bio-power and the Construction of the Human Subject

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This paper is anchored on Foucault's philosophy of subjectivation, a form or technique of power that transforms individuals into a human subject. Bio-power, which is defined as "power over life," is essential in the transformation of individuals into a subject. It is divided into two poles of power, the anatomic and the biological, that exercise influence and control over life. The anatomic focuses on the discipline of the body while the biological focuses on the regulation of the body and life. The main part of this paper discusses the different anatomic and biological bio-power techniques in the works of Foucault that are utilized by institutions in the transformation of individuals or construction of subjects. These are confinement and asylum, the psychiatric medicine, the juridical and the family, the medical and clinical gaze, discipline and panopticism, and confession or self-examination. These techniques are used to gather knowledge and information about individuals and used such to discipline and regulate body and life. These are responsible for the construction of modern subjects such as, the sane, the normal, the healthy, and the productive. On the other hand, it segregated individuals such as the mad, the abnormal, the criminal, the vagabond, the unhealthy, and the idle. The transformation or construction of subjects is significant to institutions and to the State, for they are needed to make the economy better and the political stronger. In conclusion, this paper articulates that the human subject is a modern construction. His rationality, thinking, feeling, and perspectives are constructed by institutions and by the State using different bio-power techniques, for him to become productive and useful. In the construction of subjects, knowledge plays a very important role. It is through knowledge that bio-power learns about individuals and transform it into techniques, structures, and systems that discipline and regulate body and life.

Keywords: *Subjectivation, bio-power, knowledge, confinement, psychiatry, gaze, discipline, confession*

Introduction

Michel Foucault is well known for his philosophy of power as power relations; however, he clarifies that his works does not problematize power. He states, “my objective, instead, has been to create a history of the different modes by which, in our culture, human beings are made subjects.”¹ He calls these three modes of subjectivations as: (1) the mode of inquiry that try to give themselves the status of science; (2) the dividing practices; and (3) the way a human being turns him- or herself into a subject.² In the first mode, he is referring to the disciplines of philology, linguistic, economics, natural history and biology which are used by the speaking subject or productive subject to objectivize oneself. Foucault states that the disciplines of economics, biology, psychiatry, medicine and penology contributed to the subjects’ development of knowledge about themselves.³ He further explains that in studying these disciplines, his primary concern is not to accept knowledge at face value, but to analyze these sciences or disciplines as “very specific ‘truth games’ related to specific techniques that human beings use to understand themselves.”⁴ In the dividing practices, he is referring to the practices of societies and institutions that separate or segregate people based on their traits or characteristics, like the mad and the sane, the sick and the healthy, and the criminals and the lawful. In this division one is accepted, the other one is discriminated. Lastly, he used sexuality as the domain of his analysis on how men and women recognize themselves as subjects. He studies the different prescriptions for married couple in terms of their marital and sexual relationships; prescriptions that are responsible in the moulding of individuals as male and female or husband and wife. These modes of subjectivizations are forms and/or techniques of power, because they transform individuals into subjects.⁵ There are two notions of subject: the subject that is being controlled and dominated and the subject that is autonomous. Both notions of subject imply that power is exercised over life and body of an individual. The exercise of power over life and body is obvious in the first notion while subtle in the second. The second notion manifests the freedom and

¹ M. Foucault, *The Subject and Power* in *The Essential Foucault: Selections from the Essential Works of Foucault 1954-1984*, Ed. Paul Rabinow and Nikolas Rose (New York: The New Press, 1994), p. 126.

² Ibid.

³ M. Foucault, *Technologies of the Self* in *Technologies of the Self: A Seminar with Michel Foucault*, Eds. Luther H. Martin et al (USA: The University of Massachusetts Press, 1988), p. 18.

⁴ Ibid.

⁵ Gilles Deleuze in his book, *Foucault* (trans. Sean Hand, Minneapolis: University of Minnesota Press), explains that the “subjectivation of the free man is transformed into subjection: on the one hand it involves being subject to someone else by control and dependence, with all the processes of individuation and modulation which power installs, acting on the daily life and the interiority of those it calls its subjects; on the other it makes the subject tied to his own identity by a conscience of self-knowledge, through all the techniques of moral and human sciences that go to make up a knowledge of the subject” (p. 103).

liberty enjoys by an individual; however, such liberty and freedom are constructed by the society.

The Meaning of Bio-power

Michel Foucault defines bio-power as “power over life.”⁶ During the classical age, or seventeenth century, this “power over life” evolved into two forms as the *anatomo-politics of the human body* and the *bio-politics of the population*. The former refers to the technologies and procedures of power that is characterized by disciplines. It focused on the body; and it defines the body as machine: a machine that can be disciplined, optimized, extorted, utilized, and integrated into systems of efficient and economic controls.⁷ It uses space as its technique and strategy to exercise power. Under this pole of power belong the asylum, prison, and panopticon. These are used to instil discipline to the human body, for it to be integrated, re-integrated, or disintegrated into the systems of efficient and economic control.⁸ On the other hand, the latter is focused on the body as human species. This means that it sees the body with mechanics of life and biological processes.⁹ This pole of power does not discipline but intervenes and regulates by monitoring the mechanics of life and biological processes based on the data of propagation, birth, mortality, health, life expectancy and longevity.¹⁰ It uses knowledge as its strategy to exercise power. The primary purpose of these techniques of population and confession is to abstract knowledge about individuals and to facilitate the deployment and exercise of power.

These bipolar technologies of “power over life,” the anatomic and the biological, are characterized by their highest function, that is to invest in life, which means to produce life by paying attention to its processes and by improving its performance as a body. In concrete terms, these bipolar technologies are focused

⁶ Michel Foucault, *The History of Sexuality: An Introduction*, Volume 1 (New York: Vintage Books, 1990), pp. 139-145.

⁷ Ibid., p. 139.

⁸ Jurgen Habermas in his essay *Some Questions Concerning The Theory of Power: Foucault Again* published in the book, *Critique and Power: Recasting the Foucault Habermas Debate* (ed. Michel Kelly, Massachusetts: The MIT Press, 1994), states that the bio-power of Foucault is a name that refers to the “form of association that does away with all forms of natural spontaneity and transforms the creaturely life as a whole into a substrate of empowerment. The asymmetry (replete with normative content) that Foucault sees embedded in power complexes does not hold primarily between powerful wills and coerced subjugation, but between processes of power and the bodies that crushed within them” (p. 97).

⁹ Axel Honneth in his book *The Critique of Power: Reflective Stages in a Critical Social Theory* (trans. Kenneth Baynes, Massachusetts: The MIT Press, 1991) explains that bio-power is an application of Foucault’s theory of power to the conduct of human bodies. The human bodies are control not just in terms of motor and gestural motions but in the fundamental organic processes of birth, procreation, and death (p. 168).

¹⁰ Foucault, *The History of Sexuality: An Introduction*, p. 139.

on the administration of bodies and the calculated management of life.¹¹ That is why the development of various disciplinary institutions such as universities, secondary schools, barracks, workshops and the emergence of the problems of birth rate, longevity, public health, housing and immigration and other techniques used for the subjugation of bodies and control of populations marked the beginning of bio-power.¹²

Bio-power is related to two ideas: first, it speaks of “what brought life and its mechanisms into the realm of explicit calculations” and second, it refers to knowledge-power as an “agent of transformation of human life.”¹³ In the first idea of bio-power, Foucault comments that man remained a political animal, as defined by Aristotle. However, as a modern man he is an “animal whose politics places his existence as a living being in question.”¹⁴ The modern man is not only a political animal, he is a political construction. He is a construction of the State and the government. Different political technologies are created at the dawn of the modern era that covered his whole existence – his body as investment – his health, his modes of subsistence and habitation, his living condition and the other wide arrays of his existence. These different political technologies created in the modern era in order to construct and control man is called bio-power.¹⁵ To further strengthen the political construction of modern man, norm is given importance over the juridical system of law. The modern society is a normalizing society because of the technology of power centered on life.¹⁶ The importance given to norm over law does not make the latter obsolete; rather, law has transformed into, and has operated as, norm; and the judicial system is incorporated into the continuum of apparatuses, such as the medical and the administrative, whose primary function is to regulate.¹⁷ It is through

¹¹ Ibid., p. 140.

¹² Ibid.

¹³ Ibid., p. 143.

¹⁴ Ibid.

¹⁵ According to Clare O’Farrell in her book, *Michel Foucault* (London: SAGE Publications, 2005), Foucault describes the whole modern technologies used to manage the population as bio-power or bio-politics (p. 105).

¹⁶ Foucault, *The History of Sexuality: An Introduction*, p. 144.

¹⁷ According to Cohen and Orato in their book, *Civil Society and Political Theory* (Cambridge, Massachusetts: The MIT Press, 1994), Foucault turns law into an “effective medium of, and a partner in, in the disciplining, normalizing techniques of domination” (p. 264). The further argue that laws and legal institutions do not fade away in the contemporary and modern society. It is “incorporated into a continuum of apparatuses (medical, administrative, etc.) whose functions for the most part are regulatory” (p. 264) and disciplinary. Aside from that the human sciences, medium of power, already penetrated the legal institutions. According to Cohen and Orato, “the use of medical, psychological, sociological expertise, of statistical data, in short, of empirical information and non-legal languages within legal discourse to make one’s case, prove that the disciplines have penetrated the juridical structures and rendered them positive, empirical, functional and quasi-disciplinary themselves” (p. 264). The legal is an instrument of power relations. It is based on the information and knowledge provided by the human sciences. Such information and knowledge are extracted and abstracted from the observation of people’s behaviour and action. They are used in the crafting of

this continuous regulation of the different apparatuses that modern man is politically constructed.

But the regulation and construction of the modern man would have not been successful without knowledge-power which is described by Foucault as the agent of transformation of human life. Knowledge is an indispensable element in the exercise of power. This does not mean that knowledge is power; rather, this means that knowledge is essential in the exercise of power. In order to exercise power over life, or over the body, information about life or body is required. Information and knowledge about life and body are extracted from individuals through the use of different techniques such as confession, examination, and observation. These information and knowledge are translated into different disciplining and regulatory practices and processes, or specific strategies, to control body and life. Concretely speaking, these are used as the bases for the formulation of laws, programs and other rules to regulate behaviour and for man to be constructed based on the goals and the objectives of the State.

Bio-power Techniques

A. Confinement and Asylum

Foucault does not mention explicitly that confinement is a model of power, but it is a mechanism where one can see how the model of inclusion works. He ends his discussion on the first chapter of his book, *Madness and Civilization*, by stating that:

This world of the early seventh century is strangely hospitable, in all senses, to madness. Madness is here, at the heart of things and of men, an ironic sign that misplace the guide posts between the real and the chimeral, barely retaining the memory of the great tragic threats – a life more disturbed than disturbing, an absurd agitation in society, the mobility of reason.¹⁸

These statements simply imply that madness was part of the mainstream society and the mad was considered as member of the normal population. It was only in the middle of the seventeenth century that madness was confined. As what Foucault would say, madness was linked to confinement and it was designated as the natural abode of madness.¹⁹ The establishment of confinement signals the emergence of new population or class of people that are different. These are the “population

laws and establishment of legal processes to control or regulate and discipline body and life or human behaviour and action.

¹⁸ Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason*, trans. Richard Howard (New York: Vintage Books, 1988), p. 37.

¹⁹ Ibid., p. 39.

without resources, without social moorings, a class rejected or rendered mobile by new economic developments.”²⁰ This is the population of the mad.

Confinement was created for the mad, and madness was confined, due to the following reasons: poverty, unemployment, idleness, and a new work ethic. Foucault takes note of the two major policies created during the seventeenth century that institutionalized and legalized confinement. The first was the Royal Edict of April 27, 1656 which created the Hopital General of Paris. It was created not to cure the sick but to “prevent mendicancy and idleness as the source of all disorders.”²¹ Another policy that marked the birth of confinement was the Poor Laws of 1630. Because of the enactment of the said law, a series of “orders and directions” were issued recommending the prosecution of beggars and vagabonds as well as the idle and those who do not work for reasonable salary or spend their little amount of income on vices.²² They became mendicants and idle because of the problem of unemployment brought about by economic crisis. The phenomenon of confinement signals the birth of the inclusion of the unemployed and the death of the practice of exclusion.²³ The unemployed, i.e., the mendicants and the idle people, were confined and taken charge by the State and government at cost of their individual liberty. A contract exists between the two: the State and government, using public funds, would feed him in exchange for his physical and moral constraints in the confinement. Confinement then was used for economic purposes.²⁴ Through it the economic crisis of the seventeenth century characterized by low wages, unemployment and scarcity of coin was given a concrete answer. It was also used for political reason and that is, to prevent social unrest caused by the economic crisis. That is why those who were directly affected by the crisis, the unemployed, the mendicants and the idle were placed in the confinement to limit their liberty, for that liberty could be used against the State and the government.

The Poor Laws provided another purpose for confinement and that was to discipline the mad. Aside from beggars and vagabonds, the idle, those who do not want to work for reasonable salary and those who spend their meagre incomes in useless and unproductive activities were prosecuted. This means that confinement

²⁰ Ibid., p. 48.

²¹ Ibid., p. 47.

²² Ibid., p. 50.

²³ Hubert L. Dreyfus and Paul Rabinow in their book, *Michel Foucault Beyond Structuralism and Hermeneutics* (Chicago: The University of Chicago Press, 1983) explains that the houses of confinement are physical sites of social separation and moral connection as well as sites for spatial exclusion and cultural integration (p. 3). These are the twin themes of confinement in the work of Foucault. It includes at the same time excludes.

²⁴ May (see page 30 of his work *The Philosophy of Foucault*) explains that like the ritual of old where the liabilities to the society are excluded, for example, the lepers; the rise of confinement in times of economic crises also signals the same – the exclusion of those of cannot work. However, this exclusion does not absolutely mean excommunication; it also refers to inclusion – the inclusion of the workers in the houses of confinement for them to be engaged in work.

was used also as a technique of disciplining those who do not want to work and those who do not spend their income properly and productively. Though Foucault does not discuss in detail how confinement was used as a technique of discipline; he articulates, however, that outside the period of economic crisis, confinement was given another meaning and that was, it provided work to those who had been confined and made them contribute to the prosperity of all.²⁵ It provides cheap manpower and employment to the idle, making them not only productive but also free from being agitated and taking up arms, or revolting, against the State and government. In this context, Foucault explains that labour has new ethical meaning inside the confinement: the “idle would be forced to work, in the endless leisure of a labor without utility or profit.”²⁶ This implies that confinement was used as a mechanism to discipline the idle by redirecting their minds to activities that is productive, and not to entertain ideas or dwell into activities that would be destructive to the State and government. To state it differently, it disciplines and teaches the idle, or those who do not want to work, of the value of work for them and for the society as a whole.²⁷

Confinement also concealed the unreason and organized madness. Because of the shift in the consciousness of evil, confinement was justified by the elite's desire to hide the unreason in order to avoid scandal in their respective families. Foucault claims that the right of the families seeking to escape dishonour because of unreason was used as justification and basis for the continuous existence of confinement in the eighteenth century. It was further justified to established order and harmony in the society. The beauty of society is based in order and harmony by dividing the territory as well as segregating the population. Madness was perceived not as illness, but as related to man's animality. At first it was not linked to medicine and neither defined a medical problem nor an illness. It was linked to the animal nature of man, which cannot be cured, but can only be mastered by discipline and brutalizing. As such confinement did not only hide the immorality of the unreasonable but it also glorified the animality of madness.²⁸

²⁵ Foucault, *Madness and Civilization*, p. 51.

²⁶ *Ibid.*, p. 57.

²⁷ Foucault mentions that this notion of work and work ethic is influenced by Quaker Protestant Christianity. That is why at this point Foucault could have been influenced by the ideas of Max Weber. In Max Weber's work, *The Protestant Ethic and the Spirit of Capitalism*, he states that the Quaker ethic “holds that a man's life in his state of grace through his conscientiousness, which is expressed in the care and method with which he pursues his calling. What God demands is not labour in itself, but rational labour in calling” (pp. 161-162). Based on this passages, for the Quakers work is not simply labour but it is responding to the calling of God. Calling for the Protestant is not limited to the religious vocation. Calling is defined in moral terms and in “terms of the importance of the goods produced in it for the community” (p. 162). It is defined in terms of “private profitability” (p. 162). This means that work as a calling, and for it to be moral, must be productive and profitable; in other words, it must produce wealth. Wealth is not bad ethically as long as it does not lead to idleness, sinful enjoyment, living merrily and without care (p. 163). It is ethical when it is a product of performance of duty in calling, or a product of the performance of work.

²⁸ This means that madness at this period was not yet viewed as a disease but rather as a moral

In the later part of the eighteenth century, madness' definition was changed from animality to disease. But madness's definition as a disease was neither physiological nor pathological. Foucault describes it in the realm of the fantastic and not within the rigor of medical thought.²⁹ Madness was an illness, because it was associated with the epidemic in Paris in 1780. Its origin was traced to an infection in the Hopital General. It was this phenomenon which caused madness and unreason equivalent to the imaginary stigma of disease.

But confinement was not successful; it was later on criticized and failed. It was described as a gross error and an economic mistake.³⁰ It artificially masked poverty by hiding the idle and the unemployed and the beggars and vagabond. The state made them appear to be working and productive. Furthermore, it suppressed part of the population by integrating them into the system of confinement where they were taught of the value of work and the importance of productivity. Such kind of re-orientation had political significance; it did not only suppress liberty but also the desire to revolt against the State and the government.

At this point, confinement became obsolete and useless to the modern society. Its functions were reduced to moral transgressions, family conflicts, and of course, the interment of the mad.³¹ This implies that those who violated the moral norms of the society and those who caused conflicts in the family, and the transgressors and errant people were considered as mad and were placed in the confinement. Confinement, therefore, was used to hide immoral acts, or to preserve the morality of the society and of the family, by hiding the offenders. It was also used to protect the interest of the family by punishing those who would try to disintegrate it. Aside from the reduction of the function of confinement, the shift in the political climate also contributed to its demise. An example of this was the Declaration of the Right of Man, a result of the investigations conducted by the National Assembly and by the Constituent Assembly.³² The Declaration of the Right of Man is against the notion of confinement, for it recognizes the right of the individual to liberty. The existence of the structure of confinement is an anathema to the great recognition of the freedom of man in the modern world. Such recognition of man's freedom paved the way to the recognition of men's equality regardless of status in the society and the acceptance that all men share the same dignity and have equal worth. Lastly, the

matter and must be treated as such. Because of this perspective of madness, the mad was disciplined and brutalized. At the second half of the eighteenth century, the perspective of madness was changed; but it was not yet coming from medical perspective. Madness at this juncture was associated with the rich. It was associated with excess wealth, immodest religious fervour and too much reading and speculation. All of those are concerns and activities of a person who is rich (see May's work *The Philosophy of Foucault*, pages 32-33).

²⁹ M. Foucault, *Madness and Civilization*, p. 205.

³⁰ Ibid., p. 231-232.

³¹ Ibid., p. 235.

³² Ibid.

series of decrees issued on March 1790 led to the further limitation of the function of confinement. Because of such decrees, confinement was reserved for the convicted criminal only and for the mad. Only those convicted by the courts can be placed in confinement, and only those who were proven and declared as mad have a place in confinement. This signifies the birth of due process. The State can only take away the freedom of man once he is proven to have violated the laws and dangerous to the lives and properties of other members of the society.

Asylum was the new space and structure created for the confinement of the mad during the modern period.³³ It was created in order to limit the liberty of mad men and for them to submit to order. Madmen's liberty was limited by the constitution of self-restraint where freedom is limited by the recognition of guilt on the part of the mad. The limitation of freedom through the recognition of guilt is designed for the madmen to engage in responsibility. In other words, madmen were perceived as those who used their liberty excessively which is dangerous for themselves as well as for others. Madmen's liberty was not only constrained, they were also educated so that they can use their liberty as well as their strength properly, and not at the detriment of others. They learned the system of rewards and punishment through the educational system implemented in the asylum.

These madmen were judge solely based on their behaviours and actions, not based on their intentions. The asylum for that matter focused more on physical constrain and limitation of liberty. According to Foucault:

Madness is responsible only for that part of itself which is visible. All the rest is reduced to silence. Madness no longer exists except as *seen*.³⁴

Madness was "seen" inside the asylum through the observation of an abstract and faceless power. In nineteenth century, surveillance and judgment were used as mechanisms of observation in the asylum. The madmen were observed not by people from the inside but by people from the outside. These are the people representing authority and reason. They are experts and masters of madness because of their knowledge about the behaviour of madmen based on the information they have gathered and unified through surveillance. That knowledge was further used to define and further classify madness. Inside confinement men's behaviour was constrained not by the use of weapons, but by the use of observation and language.

³³ In his published lectures, *Psychiatric Power: Lectures at the College de France, 1973-1974* (ed. Jacques Lagrange, trans. Graham Burchell, New York: Palgrave Macmillan, 2006) describes the asylum as a disciplinary system (p. 93). As such, this system of power is secured by a "multiplicity, a dispersion, a system of differences and hierarchies, but even more precisely by what could be called a tactical arrangement in which different individuals occupy a definite place and ensure a number of precise functions" (p. 6).

³⁴ Foucault, *Madness and Civilization*, p. 252.

Morality and religion also played an important role in the asylum. Foucault describes the asylum as “religious domain without religion, a domain of pure morality, of ethical uniformity.”³⁵ It was religious without religion, because people of authority and reason, like the dogmatic clergy and theologians, do not allow expression of personal faith and belief of other people. The exaltation and feelings of the madmen were not encouraged as well. It was one of the techniques they used in order to cure madness. The inmates should not deviate from the uniform behaviour, morality and ethics instilled on them. They have to act in accordance with the established morality and ethics in the asylum. This signifies an act of discipline on the part of the inmates. There is discipline if differences, irregularities and vices of the inmates are lessened or eliminated. In the asylum there is a universal morality being followed by inmates and they act uniformly based on this morality. This universal morality, or ethical uniformity, was implemented through the utilization of the following: silence, recognition by mirror, perpetual judgment and medical personage.³⁶

Silence replaced the chains that limit liberty. Silence signified that madman was convinced that he is mad. It was the acceptance of madness. Since they accepted their own madness, they remain in silence. They did not have the liberty to express themselves because of their mental state. They were dominated and excluded, and prohibited to speak since their language belongs to the realm of unreason and such is dangerous to all. Their silence was a proof that they accepted the punishment of constraint.

Aside from silence, the mad was able to observe himself through other madmen. This is the recognition by mirror, where “mirror” is an accomplice and an agent of demystification, because the mad recognizes his madness through others. The inmate was physically free to move inside the asylum, but he was controlled. Through this unending self-referring observation, there was awareness that he is identical with that of the other, who is also mad. Foucault says: “Awareness was now linked to the shame of being identical to that other, of being compromised in him, and of already despising oneself before being able to recognize or to know oneself.”³⁷

Perpetual judgment was present in the asylum through the iconographic apantage of the judge and the executioner in order for the mad to realize and understand that they now belong to the universe of judgment, the asylum. It was a judicial microcosm because of the perpetual judgment imposed on the mad through the artistic designs of justice “in all its terror and implacability.”³⁸

³⁵ Ibid., p. 257.

³⁶ Ibid., pp. 260 – 279.

³⁷ Ibid., p. 265.

³⁸ Ibid.

The fourth and the last means used to enforce moral uniformity was the medical personage. This was the most important technique adopted for the implementation of moral and ethical uniformity, because it established the relationship between medicine and insanity. The experience of madness was now transferred, and fell, on the hand of the medical personages. They did not just observe the mad based on the outside manifestation of one's actions and behaviours, but further defines it anatomically and physiologically. Thus, another personality was added in the asylum, the physician. He was in-charge of the entry of the madmen. But the presence of the physician in the asylum was not required by medical science.³⁹ It was more of a juridical and moral guarantee that the persons in the asylum are mad. Their madness is justified, and the existence of the asylum is also justified, by the presence of the physicians. Said reasons established a new personality in authority, an authority that is borrowed from the science of medicine. Because of the power provided by the positive and objective knowledge of medicine, the practice of medicine becomes obscure and miraculous which was observed in their power to unravel insanity.⁴⁰ Such power moved the patients to surrender to the physician.

The physicians were not there to practice medicine but to ensure social and moral order in the asylum. Their authority to cure was not meant for the exercise of medicine itself but to impose social and moral order. In other words, it was related to madness-disorder relations. Madness should be cured not for the sake of practicing medicine, but for the sake of eliminating disorder in the asylum and in the society at large. Aside from ensuring social and moral order, the presence of the physician was also meant to uncover and produced truth about mental illness.⁴¹ The psychiatrists' presence was intended to uncover the truth, a signification of their mastery of the mad. Madness also justified the profession of psychiatrists and further justified its medicalization.

B. Psychiatry, the Juridical and the Family

The link between medicine and the juridical and moral was not confined only in the asylum. In the eighteenth and nineteenth centuries, medicine, and in particular psychiatry, assumed a juridical role. In the 1810 penal code, Foucault observes the

³⁹ The presence of medical doctors in the asylum is more of articulating the classification and control of human beings, and not as giving us ever purer scientific truth. The presence of the medical doctor in the asylum does not also mean that the asylum was a medical facility or institution. Furthermore, it does not also mean that the asylum would later on become the contemporary mental health hospitals. The presence of medical doctors in the asylum facilitates the isolation and observation of whole categories of people (see Dreyfus and Rabinow, page 5).

⁴⁰ Foucault, *Madness and Civilization*, p. 275.

⁴¹ M. Foucault, *Psychiatric Power in Ethics: Subjectivity and Truth Essential Works of Foucault 1954-1984*, ed. Paul Rabinow, volume 1 (New York: The New Press, 1997), p. 39.

existence of the principle of revolving door between medicine and the juridical. He says that “in terms of the law, when pathology comes in, criminality must go out.”⁴² This means that medical institution shall take over the judicial institution in case it would be proven that the suspect or accused is mad. Justice has no jurisdiction over the mad. They must be handed to medical institution. However, madness in the criminal must first be assessed and proclaimed by medical institution before it can claim jurisdiction. It is the judicial institution that assesses the guilt of an individual in committing a crime by using the science and knowledge of law. In assessing the innocence of the accused, it allows the participation of psychiatric medicine; and through the opinion provided by psychiatric knowledge, the judiciary can proclaim the innocence of the accused. This manifests the relationship between the two institutions, the judicial and the medical, in exercising power over the criminal or the mad.

Foucault further explores the penal code of 1810 and he observes that it defines the innocence of the accused by stating that the accused is innocent if he was in the state of dementia when the crime was committed.⁴³ It goes that the full force of the law cannot be applied to the accused if he was irrational. The right to punish can only be exercised over the individual if he understands why he committed the crime and how he violated the law. According to Foucault, the “exercise of the right to punish says: I can punish only if I understand why he committed the act, how he committed the act, that is to say, if I can enter into the analyzable intelligibility of the act in question.”⁴⁴ This code emphasizes the rationality of the criminal. Rationality must be established first prior to the imposition of punishment. As such rationality is a requirement prior to the imposition of judgement and punishment for the commission of a crime. Due to this new requirement, psychiatric knowledge is needed by the legal and penal apparatus. The latter cannot be exercised without the former, for the former is responsible for the analysis of rational or irrational and intelligible or unintelligible acts of the person. Psychiatric knowledge is preferred over the law, for it cannot be exercised without the psychiatrists’ expert opinion. According to Foucault, “the criminal subject’s reason is the condition of the application of the law.”⁴⁵ The penal apparatus is now dependent on psychiatric knowledge. It “cannot avoid calling upon a scientific, medical, or psychiatric analysis of the crime’s motives.”⁴⁶

Psychiatry is crowned queen and it becomes indispensable not only in the judicial institution but also in the society as a whole. The field of psychiatry can

⁴² M. Foucault, *Abnormal: Lectures at the College de France, 1974-1975*, trans. Graham Bruchell, ed. Valerio Marchetti and Antonella Salomoni (New Year: Picador, 1999), p. 32-33.

⁴³ *Ibid.*, p. 115.

⁴⁴ *Ibid.*, p. 116.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*, p. 117.

recognize a motiveless crime deeply hidden in the society which may cause absolute danger any time. This makes psychiatry an extraordinary branch of medicine. It performs a bigger role in the society to protect the general public against the threat and danger posed by madness. It is a potent threat that can only be detected and cured by psychiatry. Therefore, psychiatry is not only used for the purpose of administering justice but for the purpose of social safety and social hygiene as well.

Medicine did not only invade the juridical institution but the basic unit of the society as well, the family.⁴⁷ Psychiatric medicine occupied an important role in the family during the nineteenth century. Its role in the family was related to the observation of the family members' normal and abnormal behaviours and in particular behaviours that are related to sexual pleasure such as masturbation. Parents were obliged to report to the medical doctors when their children caught masturbating, and it was the medical doctor who would handle the child's behaviour. This shows that the control of the parents over the children in the case of masturbation, or sexual pleasure, was subordinate to the medical and hygienic intervention and to the external and scientific authority of the doctor.⁴⁸ They were asked to monitor their children's sexual activities and report it at once to the medical doctor for proper intervention. However, the medical doctor could only prescribe proper intervention if the child would cooperate by confessing his activities of sexual pleasure. These sexual activities would only be confessed to the medical doctor, specifically to the psychiatric doctor. This practice regarding sexuality led to inhibition of family members and their silence. It was only the doctor who can put it into words and speak about it. In other words, it was visible only to the eyes of the parents' system of surveillance, and that which was visible to them could be translated into words only by the doctor of medicine. The knowledge of the medical doctor about the activities of sexual pleasure by the child comes from the parents and from the confession of the child. The family, then, was transformed into an instrument of surveillance and control by medical knowledge.

C. The Medical and Clinical Gaze

It is apparent in the preceding discussion that the science of medicine was used as a means to observe and examine madness in the asylum. Doctors needed

⁴⁷ Based on this work, *Psychiatric Power: Lectures at the Collège de France, 1973-1974*, the discourses of truth about madness developed in the asylum and the relationship to family mutually support each other and finally give rise to psychiatric discourse which will present itself as a discourse of truth in which the family becomes its fundamental target, object and field of reference (see page 94). The law of 1838 further defines the minimal role of the family in relation to madness by decreeing that the government can send a mad man in the confinement or asylum even without the consent of the family based on its prefectural authority (see page 96). Prior to the enactment of the 1838 law, a mad man cannot be sent to the asylum without the consent of the family.

⁴⁸ Foucault, *Abnormal: Lectures at the Collège de France, 1974-1975*, p. 250.

to master it by gaining objective and scientific knowledge about the said illness. This mastery was used to exercise power over the mad and such exercise of power contributes to moral and social order in the asylum. This led to psychiatric medicine over and above madness. It was later on applied in the judiciary and transformed the family as an instrument of surveillance.

Medicine's mastery of madness and abnormal behaviours was made possible because of the medical doctors' knowledge about madness and abnormality gathered through: surveillance, observation, examination and control inside the asylum and later on in the family. This scientific and objective medical knowledge made the doctors not only masters of madness and abnormality, but also of diseases in general. Their mastery over illnesses is a function of clinical gaze, a physicians' gaze who have objective and scientific knowledge of illnesses.

Medical rationality originated from the medical gaze.⁴⁹ In the study of the development of medical thought, the analysis of the medical gaze is essential.⁵⁰ Foucault explains that it is essential in the understanding of the medical thought, because it has the power to bring truth into light.⁵¹ The truth that is visible in the disease and invisible to the eyes now becomes visible because of the medical gaze. Foucault describes this gaze as an endless reciprocity, a magnifying glass, and a balance between *seeing* and *knowing*.⁵² It is an endless reciprocity between the patient and the doctor. The gaze is directed towards the disease, the visible disease. Its aim is to understand, or to be enlightened about the disease, that is hidden in the patient, and only with the cooperation of the patient that it shall be brought into light, to understanding and knowledge. That is why it is not simply a gaze. It is a gaze supported by knowledge and expertise. Because of this knowledge and expertise, the gaze is able to recognize a disease as a disease. This gaze is also used as magnifying glass. The medical doctor perceives a body or a disease with a look that is supported by the medical gaze, which serves as his magnifying glass. Through this magnifying glass, the doctor can see something that cannot be seen by an ordinary eye, an eye without medical knowledge and expertise, or an eye without a medical gaze. Through this, the doctor understands the patient; penetrates his body while he reveals in silence the structure of his disease. The gaze, therefore, is used to *see* a disease as a disease, and out of this *seeing* one gains further *knowledge* and understanding about

⁴⁹ M. Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, trans. A.M. Sheridan Smith (New York: Vintage Books, 1994), p. ix.

⁵⁰ Based on the work of Dreyfus and Rabinow, it is essential because the gaze is the silent structure which sustains practices, discourses, as well as the knowing subject and its object (see page 15). For Hans, it is essential because its task is to rediscover in the visible disease the already-said, despite the double blurring performed by the corporeality of the patient and the potential failures of the doctor himself (see page 47).

⁵¹ Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. xiii.

⁵² Ibid., pp. 9, 15, 55.

the disease. This partnership between *seeing* and *knowing* is the basic structure of medical experience. For centuries, since the earliest phase of medicine, when it was not yet promoted to the level of science, medical experience and medical thought were based on the acts of *seeing* and *knowing*.⁵³

This continuous task of *seeing* and *knowing* occurred in the clinic. Foucault describes this clinic, or proto-clinic, as a place not only for the gathering or collection of cases, but also a place for the organization of the corpus of nosology.⁵⁴ This is made possible because of the endless activity of studying diseases. Doctors and students used different diseases as their text for understanding and interpreting the nature, origin and symptoms of different diseases, and out of this understanding they classified different diseases. The understanding and interpretation of different diseases are facilitated by the medical gaze, or clinical gaze, of the doctors, and transferred to their students. According to Foucault, this is the gaze that has the power to analyze and synthesize what they saw and experienced about different diseases.⁵⁵ However, this gaze is incomplete. What the gaze saw and experienced must be translated into language so that it will be understood by others, for example, by the students. The disease, therefore, was not only given a name but it was also translated into language and it was understood in language. To put it differently, without language there could be no understanding of diseases. It is a must for diseases to be translated into language, or put into language, so that it can be shared in the clinic through instruction. Instruction is the primary concern in the clinic. Doctors and students do not only experience, but they also share with one another what they have experienced. In the clinic, doctors do not only use the art of demonstration for their students to learn, but also to show to them diseases and explain its nature based on their previous experiences. These experiences are further transformed into knowledge. The clinic is also the place for the testing of knowledge; knowledge that will only be proven by time and be tested by outcome.⁵⁶

This medical gaze is not only supported by knowledge and expertise, it is also supported by the institutions. It is a gaze of the doctor which is justified and

⁵³ In his book, *The Order of Things: An Archaeology of the Human Sciences* (New York: Vintage Books, 1994), Foucault discusses the notion of sign as an essential component in knowing. According to Foucault, it is within the entire organization of sign that one sees and knows (p. 58). Based on Foucault's description of sign, the acts of *seeing* and *knowing* are the foundation of medical thought and knowledge because the clinical gaze looks into the symptoms as signs of diseases; and based on what one saw or gathered from what he saw, one can create a taxonomy of knowledge about diseases. In other words, medical experts know or understand deeper a particular disease by seeing or looking at the signs (symptoms); through these signs they know more about the nature and characteristics of diseases.

⁵⁴ Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. 58.

⁵⁵ *Ibid.*, p. 60.

⁵⁶ *Ibid.*, p. 61.

supported by the institution.⁵⁷ The doctor cannot just practice his discipline and use the medical gaze without the support of the institution. This means that his authority to use the medical gaze in treating a disease comes from the institution. Those who use and practice the medical gaze without the support and approval of the institution are not considered experts and knowledgeable on diseases or on any particular disease. The doctor, in other words, can only make decision and prescribe pertinent interventions, with the authority from the institution.⁵⁸ Later on, the so called medical gaze became more complicated and specialized. It should not only observe diseases but should be able to grasp and recognize colours, variations, tiny anomalies, and deviations among diseases.⁵⁹ The medical gaze is not complicated in itself, but it needs to be, for it to understand the complexity of diseases. Aside from being complicated, it has become calculating. The gaze should not only observe the colours, anomalies, variations and deviations of diseases, it should also calculate the chances of getting cured and the risks it posts to the patient.

In relation to the medical gaze, Foucault also describes another kind of gaze that contributed to the development of medical thought. This is called the clinical gaze, which he describes as a “perceptual act sustained by a logic of operations.”⁶⁰ In its act of perception, it observes in silence diseases as they appear, or as they are in themselves. In other words, it observes the immediately visible and never the invisible. It observes in silence, because it hears a *language* when it perceives a disease.⁶¹ Foucault describes this act of observation as the “manifested is originally what is spoken.”⁶² The disease is heard, because it is seen. In other words, the disease itself, as it appears, is speaking to the medical and clinical eye of the doctor; it is relaying a sign and an idea about itself. It communicates to the medical and clinical eye about itself, which is readily perceived by the doctor.

⁵⁷ Ibid., p. 89.

⁵⁸ Based on the article of Edith Kurzweil, *Michel Foucault: Ending the Era of Man in Theory and Society* (volume 4, no. 3, Autumn, 1977), this can be construed as the professionalization of medical profession (p. 403). That those who possess scientific knowledge can be given license to practice medicine in the field of public health, for example, and other areas of medical specialization. This practice preserve the hospitals and strenghtens the privileges of the doctors (p. 403).

⁵⁹ Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. 89.

⁶⁰ Ibid., p. 109.

⁶¹ According to Kurzweil, the clinical and medical gaze of Foucault can “hear a language” as soon as it “perceives a spectacle” (see page 404). This is important in Foucault’s bridging of the oral and the visual, prescription and intervention, sickness and its progress, and hospital domain and teaching domain. The doctor can diagnose the illness of a patient and prescribe interventions based on what he heard from what he perceived; he can understand the illness and read, or even predict, its prognosis because of what he heard from what he perceived; and he can translate what he experienced in the hospital to medical knowledge that can be taught or discussed in the classroom based on what he heard from what he perceived.

⁶² Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. 108.

What the clinical eye sees in silence should be translated into language so that it can be understood by the students and by the patients themselves.⁶³ Thus perceived, it follows a logical procedure. First it starts with observation. It observes the visual manifestations of the disease. In this stage, the disease speaks to the clinical eye on its own language. It is relaying to it, its developments and successive incidents. As the disease speaks to the clinical eye about itself, the clinical eye perceives it and takes into account of its progress, i.e., the evolution of the symptoms, possible appearance of new phenomena, state of the secretions, and effect of medicaments used. Lastly, the clinical eye prescribes, so that the disease will be healed. In observation, there is an alteration between speech and gaze. The disease declares itself, or its own truth, to the clinical eye and ear; and the clinical eye and ear transformed what the disease has revealed into speech, or *language*, in a form of prescription for the healing to take effect.

Foucault further elaborates this idea by stating that there is a correlation between the gaze and language.⁶⁴ The structure about the disease is not produced by just looking at the disease. It is produced because of an existing conceptual configuration that exists a priori. The task, therefore, is to identify and define the image, i.e., the disease as it appears, based on the existing conceptual configuration. Different diseases are classified and distributed according to the existing conceptual configurations. This is the correlation between gaze and language. The gaze itself cannot describe and structure a disease. It needs the aide of language.

Language has a dual function. Firstly, it establishes a correlation between the visible and the expressible. It establishes precisely the correlation between the disease, as it appears visibly, and the expressible element. Secondly, it describes the disease based on constant, fixed vocabulary, and generalization. It describes the disease concretely and specifically, describing every detail of its parts. Because of the authority of description, the symptoms are transformed into sign, the patient into disease, and the individual to conceptual. Describing a disease means ordering the manifestations of disease. This means that it takes note of the intelligible sequence of its origin. It answers the questions: why this disease occurred and how did it develop into a disease? Description of the disease also means merging between seeing and knowing. Foucault explains that by “saying what one sees, one integrates it spontaneously into knowledge.”⁶⁵ In other words, when one sees, one knows.

⁶³ Hans explains (see page 47) that the clinic distributes the visible and the sayable thus, creating a new alliance between words and things and seeing and saying. These visible and sayable, words and things and seeing and saying are the foundations of medical language and also responsible for the constitution of medical knowledge. However, there is a prevalence of sayable, words and saying over the visible, things and seeing in the medical language and knowledge.

⁶⁴ Ibid., p. 113.

⁶⁵ Ibid., p. 114.

The act of seeing or experiencing is the source of knowledge, the source of what is knowable and intelligible. On the other hand, one learns to see, or in the words of Foucault, “to learn to see,”⁶⁶ which means that one has to learn the language, the existing conceptual configurations, before he can understand what he sees.

The gaze is not simply a perception. There are two classifications of gaze: the hearing gaze and the speaking gaze,⁶⁷ and both are essential in clinical experience. The former refers to the act of understanding the language about the disease while the latter refers to the act of describing the disease, i.e., its signs or symptoms, genesis and prognosis. According to Foucault, in the clinical experience there is a balance between speech and spectacle.⁶⁸ This means that what is visible is expressible. There is always a corresponding language to the visible disease, for it to become knowable and intelligible. Language should have a mastery of the visible disease and share this mastery to others, for them to understand the nature and the prognosis of the disease.

The clinical gaze does not only describe the visible, but it also discovers its secrets. It digs into the furthest truth of the disease. However, it is not an intellectual eye that perceives the “unalterable purity of essences beneath phenomena.”⁶⁹ It is a gaze that perceives the sensible, the body, and those that are situated in the space of sensible manifestation. Foucault concludes that the truth in the clinic is sensible truth.⁷⁰ It is a truth that is based on physical appearance and evidence; and it is based on the visible disease that can be found in the body.

The truth about diseases was further discovered because of dead bodies. By opening up corpses that died of unknown illnesses, the clinical gaze learned more not only about diseases, but also about the human body. This starts the birth of the anatomical and pathological knowledge of man.⁷¹ The study of dead bodies contributed to the development of knowledge about life. That is why in the seventeenth century a technical and conceptual trinity was born. It was a trinity of life, disease and death.⁷² The summit of this trinity is life, because the studies of diseases and corpses deepen and widen the knowledge about life and health. It is through the studies of diseases and corpses that the knowledge about prolonging one's life and living a healthy

⁶⁶ Ibid.

⁶⁷ Ibid., p. 115.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ According to Kurzweil, the dissection of corpses started a new beginning in the history of medical knowledge because doctors began to gaze not only at the disease but also at death (see page 403). And based on this new gaze at death doctors began to write not only symptoms but more so about illnesses and their roots or causes and even its fatal effect; they also began to write about pathological causes of illnesses and the physio-pathological processes of the body (see page 404).

⁷² Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. 144.

life was formulated. According to Foucault, “knowledge about life finds its origin in the destruction of life and in its extreme opposite; it is at death that disease and life speak their truth.”⁷³ The truth about life was discovered more in studying and understanding the causes of diseases and the causes of death. The truth about life, or about the human person, is established by opening up corpses and delving into the different internal organs of the human body. That is why a new understanding of man was born: he is not simply a body and soul, a mind and spirit, reason and emotion; he is made up of complicated internal physical parts – cells, tissues, nerves, bones and others discovered by the clinical gaze and mastered by language. All of these were discovered because of dead bodies. It is, therefore, through dead bodies that medical thought understand more about human life.

The development and advancement of technology⁷⁴ contributed further to the medical gaze. The creation of instruments used in medical practice gives the gaze more power and capability to penetrate the human body and to understand the nature and causes of illnesses. It gives the gaze the capability to see what one cannot see or, to hear what one cannot hear. The gaze is now armed with instruments that give it the capability to see, touch, and hear the human body – both the visible and the invisible. Foucault calls this (i.e., sight, touch, hearing) as the trinity that defines the perceptual configuration in which the inaccessible part of the human body was tracked down, gauge in depth, drawn to the surface and projected virtually.⁷⁵ This new perceptual configuration was also aided by the anatomical and pathological knowledge brought about by the studies of dead bodies. That is why the gaze becomes more complicated. It does not only perceive the disease in the surface of the human body but at the same time looks into the complex organization of the human anatomy and physiology and pathology that has something to do with the disease. Because of the discovery of the anatomical, physiological and pathological knowledge about the human body, the function of the gaze becomes plurisensorial – it does not only see, but it can also hear and feel. It does not only see the visible but also hear and touch the invisible. The invisible now becomes visible because of these multidimensional functions of the gaze.

⁷³ Ibid. p. 145.

⁷⁴ Foucault is referring here to the invention of the stethoscope, a technology that does not only penetrate the invisible but also remove the moral barrier between the doctor and the patient. According to Judy Wajcman in her article, *Reproductive Technology: Delivered into Men's Hands* (in *Society, Ethics and Technology*, ed. Morton Winston and Ralph D. Edelbach, USA: Wadsworth Group, 2003), the “ubiquitous stethoscope has its origins in the doctor’s wish to keep the patient at a distance, overlaid with the requirements of modesty as between men and women” (see page 269). It was a product of social mores because of the young male doctor’s social limitation to place his ears on the chest of a woman patient who was suffering from heart ailment. It was, in other words, invented not to supplement the ear but to solve the social barrier between the male doctor and female patient.

⁷⁵ Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, p. 164.

Medical knowledge contributed so much to the modern philosophical understanding of man. The discovery and development of anatomical and pathological knowledge of the human body are essential to the ontological understanding of the human person as an object of positive knowledge. It does not only produce knowledge that is known as the science of man but also a philosophical understanding of man. The medical knowledge of man based on his anatomical and physiological and pathological make-up is very important in the understanding of man, an understanding that is different to metaphysics and scholasticism. This modern understanding of man originated from the observation and examination of the medical and clinical gaze. It started with a “look” or a “glance” and later on with hearing and touching the invisible. All of these contributed to the medical thought about man. Such is very important for the modern State to develop of the notion of healthy population, an essential element of a politically and economically strong State. As such, medical and clinical gazes are not purely medical. They are not autonomous to the economic and political milieu. They become essential to the State, because the knowledge discovered about the human body led to the creation of programs that produce and maintain healthy and strong population or to the transformation of the population into healthy and strong assets of the State.

D. Discipline and Panopticism

Aside from discovering the anatomical, pathological and physiological aspects of man, the seventeenth century also discovered the body as an “object and target of power,”⁷⁶ that can be “manipulated, shaped, trained, which obeys, responds, becomes skilful and increases its forces.”⁷⁷ The body is controlled through the use of different methods that meticulously control its operations “which assured the constant subjection of its forces and imposed upon them a relation of docility-utility.”⁷⁸ Discipline, in other words, is a technique used in transforming, training, improving, developing the body, so that it can be utilized properly and fully. It uses techniques to transform the body into a productive force that can be maximized and optimized by the economy. It does not only transform, develop and train the body to become productive, but also to be submissive to the institutions and to the apparatus of the State. The body is re-aligned with the norms, values and goals of the institutions and that of the State apparatus, so that it will submit to its demands and thereby becomes its asset; the body is trained and moulded according to the prevailing norms and values, for it to become productive and useful economically and politically. Discipline is an essential tool of the modern society in constructing

⁷⁶ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), p. 136.

⁷⁷ Ibid.

⁷⁸ Ibid., 137.

the modern man: one that is educated, trained, submissive, and productive. The modern man is disciplined in accordance with the demands of the economy and of the State.⁷⁹

The man of modern humanism is a product of meticulous observation of detail, a whole set of technique, a whole corpus of methods and knowledge, descriptions, plans and data.⁸⁰ The docile body is a product of observation, and from this observation one is able to create techniques and methods on how to discipline the body,⁸¹ for it to become submissive and compliant. This observation produces knowledge and descriptions about man and his behaviour which is very important in creating programs for the transformation of man to a disciplined individual. Man is disciplined not for his own sake, but for the sake of the institutions that surround him, or where he is a part of. Because of this observation, institutions have files and files of record or data about man, data that are needed for the continuous moulding of man into a disciplined individual. In the modern society, man is free, but he is always being observed, monitored, and examined.

Early institutions used space and time in disciplining the human body in order to transform it into a docile body. First, bodies were enclosed and partitioned into different cells, rooms, zones, territories. Enclosure and partitioning were important for individuals to be located easily. These also facilitated communication between the authorities and the individuals. The flow of communication was made fast and easy, because individuals were properly distributed and can be properly identified. Furthermore, these facilitated the observation and supervision of the conduct of individuals. Through these, individuals' conduct was assessed, judged, and calculated. And lastly, enclosure and partitioning facilitated the knowing, mastering and using of man's behaviour. By observing man's behaviour one did not only gain knowledge but also learns how to control or master behaviour, for it to be utilized effectively and efficiently by institutions and by the society as a whole.

⁷⁹ Victor Tadros in his article, *Between Governance and Discipline: The Law and Michel Foucault* in *Oxford Journal of Legal Studies* (vol. 18, no. 1, Spring 1998), explains that discipline does not just "control or prevent particular acts, it produces particular subjects who will not just do what one wishes but who will always act in a particular manner, in the way one wishes" (p. 90). In this light, when an institution or the State in general disciplines the multitude it is done so because it wanted them to act or behave in a manner that is beneficial to the institution and to the State. Given this explanation, discipline also represses as well as intensifies one's actions by asking an individual to "repeat the same action over and over" again until he "attains what might be called a norm of behaviour" (p. 90).

⁸⁰ Foucault, *Discipline and Punish: The Birth of the Prison*, p. 141.

⁸¹ Gerald Turkel in his article, *Michel Foucault: Law, Power and Knowledge* in *Journal of Law and Society* (vol. 17, no. 2, Summer 1990) explains that in disciplinary power, Foucault provides a new conceptualization of the body. It is where power is exercised and at the same time knowledge is generated (p. 179). In the earlier form of disciplinary power, punishment was inflicted on the body so that pain will be registered and manifested. In the later form, the body is punished by exclusion and inclusion in the prison for it to be observed and to be transformed (or rehabilitated).

Time was also used to discipline the body. It is through the use of time, that the body was controlled and regulated, trained and developed. In controlling one's activity, a *time-table* was utilized where rhythms, imposing particular occupations, and regulating the cycles of repetition were established. The use of *time-table* was very important, because through it the body's development and stages of action were controlled. This technique of controlling the body through time resulted to the production of a natural body, and not a mechanical body. A natural body is a body internally conditioned and effectively trained in order to carry out specific functions and follow instructions from the authorities. It is a body internally manipulated through the use of techniques that are not violent but effective in altering the mind and behaviour of an individual person. A natural body is different from a mechanical body, because it is trained to think and to act freely and independently after a series of training, conditioning, and manipulation.

Another method used by early institutions in disciplining the body was the "seriation of successive activities." In this technique of disciplining the body, activities were given duration in successive or parallel segments, and these activities must start and end at specific time.⁸² The different activities, which were performed on a particular time, were related with one another, and they were carefully and logically designed and organized. The activities started from very simple to more complex. Each activity had its own duration depending on how complex it is, and it is concluded with an examination. This examination would determine the level of knowledge and skills learned and acquired by the trainee and would also classify the trainees according to what they have learned and gained. The trainees would be given rank based on the results of the examination.

Foucault further explains that discipline does not only function by distributing bodies in space and penetrating time into the body but also by composing these bodies into a mass of force in order to create an efficient machine out of them.⁸³ This means that the body becomes an element in a mass of force which can be placed, moved and articulated by others. An example of this is a platoon of soldiers. The platoon is a mass of force created with a particular purpose and machinery composed of different bodies of soldiers created by the institution to protect and defend the State. The different bodies in the platoon are disciplined, for them to work as members of a team, where their actions are in consonance with one another in a particular time and space. The combination of these different disciplined bodies creates a maximum quantity of force which will lead to optimum result. In other words, the body is disciplined not for its own sake, but for it to become mobile and submissive, so that it can be easily integrated to the greater whole to yield greater results.⁸⁴ The body is

⁸² Foucault, *Discipline and Punish: The Birth of the Prison*, p. 157.

⁸³ *Ibid.*, p. 164.

⁸⁴ Based on the explanation of Dario Padovan in his article, *Biopolitics and the Social Control of the Multitude in Democracy and Nature* (vol. 9, no. 3, November 2003), the technology of discipline's

trained, so that it will be synergized with others and become an essential component of a group or a team or an organization or an institution whose goals and objectives are achieved because of the body's integration with the system.

Later modern institutions used different techniques of discipline. They used discipline not only to create docile bodies but also as a means of training. In training individuals, discipline used three simple and basic techniques: hierarchical observation, normalizing judgment and examination. In hierarchical observation, individuals were constantly under surveillance.⁸⁵ Foucault explains that the technique of surveillance operated according to the laws of optics and mechanics.⁸⁶ One's conduct was placed in a microscope where it was always being watched, analyzed and scrutinized. It was an apparatus where one's behaviour and conduct was being observed, recorded and trained. The technique of surveillance operated through a single gaze where one was able to see everything constantly: the movement and activities of bodies which were distributed in different space. Because of hierarchical observation, discipline became an integral part of the system; and as an integral part of the system, it was organized as a multiple, automatic and anonymous power, and functioned as a network of relations from top to bottom and from bottom to top and horizontally and laterally. As a network of power, it had an ultimate and perpetual effect of supervision where it supervised including those people assigned to supervise others. It exercised disciplinary power in a discreet manner and in silence, because it continuously observes, records what it has observed, and trains people based on its observation. The primary objective of hierarchical observation was to continuously monitor and supervise the behaviour and conduct of bodies, so that they will achieve maximum efficiency.

Another technique was normalization, a great instrument of power because of its capability to affect homogeneity in the conduct and behaviour of the bodies.⁸⁷ In this technique of discipline, the differences or gaps in behaviour were measured, then shaded or eliminated by introducing rules and imperatives. The elimination of differences and gaps in the behaviour of individuals was essential, for them to be fitted with one another, and to be integrated into a system. The normalizing

ultimate objectives are to optimise the capabilities of the body, to extract its strength to the fullest, to increase its usefulness and level of obedience and to integrate and standardised the body into efficient and economic systems of control (p. 473).

⁸⁵ Based on the explanation of Todd May in his book, *Between Genealogy and Epistemology: Psychology, Politics and Knowledge in the Thought of Michel Foucault*, hierarchical observation requires a continuous and uniform gaze, called surveillance, that would monitor each movement of the productive process, checking and if necessary correcting in order to achieve maximal efficiency (p. 43).

⁸⁶ Foucault, *Discipline and Punish: The Birth of the Prison*, p. 177.

⁸⁷ Normalization, which is one of the great instruments of power, has the power to homogenize because it judged individuals by the same standards, making them formally equally. But on the other hand, it also individualizes because they see each other in terms of this standard (see Turkel, page 186).

technique had five distinct operations: comparison, differentiation, hierarchization, homogenization, and exclusion.⁸⁸ It compared and differentiated behaviour of individuals by referring their behaviour to a principle of rule to be followed. This rule was essential in normalization, because it was used as guidelines of behaviours. It was used as basis to classify or to differentiate behaviours. The hierarchy determined the levels of conformity of behaviours to rules, and identified differences or gaps between behaviours and rules. These differences or gaps were then eliminated which led to the uniformity or homogenization of behaviours. The homogenization of behaviour would separate them from the rest which resulted to the exclusion of others.

The third technique of disciplinary power was examination which is a combination of hierarchy and normalization: it is a “normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish.”⁸⁹ Through examination one was always observed, or being seen, or always visible; and this visibility were essential in the exercise of disciplinary power. That is why it was a technique of continuous surveillance through the use of documentation. Because of its documentary techniques, the individual was made into a case and object of study and scrutiny. Foucault explains:

The chronicle of a man, the account of his life, his historiography, written as he live out his life formed part of the rituals of his power. The disciplinary methods reversed these relations, lowered the threshold of describable individuality and made of this description a means of control and a method of domination. It is no longer a monument for future memory, but a document for possible use. And this new describability is all the more marked in that disciplinary framework is a strict one: the child, the patient, the madman, the prisoner, were to become...the object of individual descriptions and biographical accounts. This turning of relatives into writing is no longer a procedure of heroization; it functions as a procedure of objectification and subjection.⁹⁰

Examination observed through the documentation of each individual, and the information gained through that documentation was used by disciplinary power for formulating new means of control and new methods of domination. Without this information, which was provided for by documentation, power could not effectively create new techniques of control and of domination. Based on this documentation, individuals were qualified and classified. It became a form of normalization, because individuals were homogenized and excluded from others, or differentiated, based on the information indicated in the documentation. It was through this information where the subject was given his own individuality, because of his own features, marks and uniqueness. On the other hand, it was also through these features, marks and

⁸⁸ Foucault, *Discipline and Punish: The Birth of the Prison*, pp. 182-183.

⁸⁹ *Ibid.*, p. 184.

⁹⁰ *Ibid.*, pp. 191-192.

uniqueness that he was connected to others. He was not only transformed into an individual and differentiated, but also identified with others and making him part or member of a group. He was classified and homogenized.

The modern society's disciplinary techniques are based on the principles of hierarchical observation, normalization and examination.⁹¹ There are different techniques employed by the State and by its apparatuses to put individuals under constant surveillance. There are also different means utilized to homogenize or to normalize the behaviour of different individuals. Different institutions keep records of personal lives of individuals, because these records provide information which is vital for the continuous disciplining of individuals and constant formulation of disciplinary techniques. These statements of Foucault are worthy to take note and reflect on:

This enclosed, segmented space, observed at every point, in which the individuals are inserted in a fixed place, in which the slightest movements are supervised, in which all events are recorded, in which an uninterrupted work of writing links the centre and periphery, in which power is exercised without division, according to a continuous hierarchical figure, in which each individual is constantly located, examined and distributed among the living beings, the sick and the dead – all this constitutes a compact model of the disciplinary mechanism.⁹²

Based on these statements, the disciplinary mechanism places individuals in an enclosed, segmented space, and they are also inserted in a fixed place. In these space and place, they are supervised and their actions are properly documented and recorded. Individuals of modern society are placed in an enclosed and segmented space. This can be seen in schools, training academies, offices, and hospitals. It can be observed that individuals such as students, cadets, employees and patients are placed in an “enclosed and segmented space” and “inserted in fixed place” such as the classrooms, units, departments, and wards. In these spaces and places, they are constantly supervised by their teachers, trainers, superiors, and doctors. Their activities and behaviours are also properly recorded and documented: the examinations results, the grades, the tardiness and absences, and the general behaviour and conduct of students are properly recorded and documented; the tardiness and absences of employees, their performance is regularly evaluated, and their output or

⁹¹ According to Jennifer Lawn in her article *Normalization and the Asylum in “Owls Do Cry”* in *Journal of New Zealand Literature* (no.11, 1993) constant surveillance (this refers to hierarchical observation), the ritual of examination and the use of timetables regulating conduct (this refers to normalization) plus a plethora of documentation, files, records, charts, statistics, assessment, and classification are the different techniques of disciplinary power that produce and constitute knowledge (p. 179). These techniques are swarming in the society because of institutions. She further explains that capitalism benefits from these techniques of disciplinary power; the accumulation of capital and the increase in profit rely on these techniques of control.

⁹² Foucault, *Discipline and Punish: The Birth of the Prison*, p. 197.

productivity is constantly monitored; and the signs and symptoms of patients, their vital signs, medicines taken, and their prognosis. In the larger context, members of the society and of the State are constantly and continuously being observed and examined through the different forms of survey conducted by the apparatus of the State and through the legal requirements of registration of marriage, birth and death. The different forms of documentations required for members of the society and of the State are means to place individuals under constant examination and surveillance. The census done by the State is also an effective tool of examination and surveillance of individuals.

Michel Foucault points out that the modern society is under panoptic surveillance.⁹³ There is a system of observation and monitoring and control that is employed by the State and its apparatuses which Foucault calls as panopticism. Foucault describes this panopticon as:

The principle is simple: on the periphery runs a building in the shape of a ring; in the center of the ring stands a tower pierced by large windows that face the inside wall of the ring; the outer building is divided into cells, each of which crosses the whole thickness of the building. These cells have two windows: one corresponding to the tower's windows, facing into the cell; the other, facing outside, thereby enabling light to traverse the entire cell. One then needs only to place a guard in the central tower, and to lock into each cell a made, sick or condemned person, a worker or pupil. Owing to the back-lighting effect, one can make out of the little captive silhouettes in the ring of the cells. In short, the principle of the dungeon is reversed: bring light and the guard's observing gaze are found to impound better than the shadows which in fact provided a sort of protection.⁹⁴

The panopticon is an architectural design which has a disciplinary effect. Its power effect is articulated in the act of placing a guard in the central tower who looks into the individuals inside the cell. It places the individuals to be observed visibly by the guard and the guard can observe several individuals at the same time. The panopticon makes individuals observable and visible while at the same time making the guard, or the one observing, invisible, and unverifiable. It makes the guard, or the person observing, invisible and unverifiable, because individuals cannot see them and at the same time cannot ascertain that he is being looked at, or not. He

⁹³ In his work, *Truth and Judicial Forms in Power: Essential Works of Foucault 1954-1984* (vol. 3, ed. James D. Faubion, trans. Robert Hurley et al, New York: The New Press, 2000), Foucault explains that panopticism is one of the traits of modern society. This panopticism is a type of power that is "applied to individuals in the form of continuous individual supervision, in the form of control, punishment and compensation, and in the form of correction, that is, the molding and transformation of individuals in terms of certain norms" (p. 70). Supervision, control, and correction, according to Foucault, are threefold aspect of panopticism that "seems to be a fundamental and characteristic dimension of the power relations that exist in our society" (p. 70).

⁹⁴ Foucault, *The Eye of the Power in Foucault Live (Interviews 1961-1984)*, pp. 226-227.

cannot ascertain that there is a guard looking at him, or there is none. What he is sure of is, the tower communicates to him that he is being observed. That is why for Foucault the panopticon is a machine that dissociates the “see/being seen dyad: in the peripheric ring, one is totally seen, without ever seen; in the central tower, one sees everything without ever being seen.”⁹⁵

The panopticon does not only relay the consciousness of being observed, but it also homogenizes behaviour. The consciousness of always being seen has an effect to the multitude of individuals: It results to behaving properly with the existing rules. It results to the compliance of individuals to structure and system. Hence, it leads to the uniformity of behaviour or to the elimination of gaps and differences in their behaviours. Panopticon is a laboratory of power, because it has the efficiency and ability to “penetrate into men’s behaviour.”⁹⁶ The penetration of power to man’s body and behaviour is followed by the extraction of knowledge and information. Knowledge and information are produced after the implementation of power to body and behaviour. That is why panopticon is a model of how power functions and how power relations work in the day to day life of man: Power penetrates his body and behaviour through observation and out of that, knowledge and information are produced.⁹⁷ These knowledge and information will be used in return to discipline the body and behaviour. That is why the panopticon is not just an architectural design and should not be understood as dream building; rather, it is a “diagram of a mechanism of power” that acts directly on individuals by giving power of mind over mind through its architecture and geometry.⁹⁸ Foucault describes it as a “figure of political technology,” for it facilitates the submission and integration of individuals to the State and its political apparatuses by being conscious that they are being observed. He also describes it as a “new political anatomy,” for it is used as a means to analyze the social body, the multitudes of individuals, or the whole population. This analysis is very important to determine if power relations, or the different relations of discipline, is effective in disciplining the social body.

E. Confession

Confession, or self-examination, is central in the exercise of disciplinary power, because through it an individual, with the help of an expert, can produce truth about himself.⁹⁹ Foucault does not criticize the Sacrament of Confession of

⁹⁵ Foucault, *Discipline and Punish: The Birth of Prison*, p. 202.

⁹⁶ *Ibid.*, p. 204.

⁹⁷ According to Foucault, panopticism has epistemological power, that is, “the power to extract knowledge from individuals and to extract a knowledge about those individuals who are subjected to observation and already controlled by those different powers” (see *Truth and Judicial Form*, p. 84).

⁹⁸ Foucault, *Discipline and Punish: The Birth of the Prison*, pp. 205, 206.

⁹⁹ Dreyfus and Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, p. 174.

the Catholic Church.¹⁰⁰ Foucault analyzes how confession, a practice that started in the Catholic Church and later on spread in different institutions and disciplines, is used as a technique of disciplinary power, which is, according to Foucault, Western civilization's "most highly valued techniques for producing truth."¹⁰¹ Confession is a powerful technique in producing truth, because it is a ritual of discourse; and as such, the speaking subject is also the subject of statement.¹⁰² The person confessing is the statement itself, for he is narrating the truth about himself. In the narration, he gradually reveals himself that is why he is the subject of his own statements. His statements are not about the truths of other people, but truths about his self. One performs the act of confession with the other who is an authority or expert. Since he is an authority that requires confession, he does not simply facilitate it, but he also prescribes and appreciates the statements, and intervenes in order to provide direction in the process of confession.

Confession later on spread from the ritualistic and exclusivist practice of the cleansing and purification of soul to different kinds of relationship: children and parents, students and educators, patients and psychiatrists, delinquents and experts.¹⁰³ It now takes different forms: interrogations, consultations, autobiographical narratives, and letters; and employs a new method of reconstruction – reconstructing the thoughts that are related to the act, the obsessions, the images, the desires, modulations, and pleasures.¹⁰⁴ Confession's method is now transformed into how things are done from what were committed. It was further transformed into scientific discursivity from ritual of discourse. It is not simply a ritual of discourse where one tells everything about his deeds, but also a scientific discourse and through this scientific discourse, the expert is able to extract information about the person. The characteristics of confession as scientific discursivity are different to the confession as a sacrament or as a ritual of discourse. The new method of confession is mainly clinical, medical and interpretative. It is clinical, because confession is used in the clinical setting where the patients are induced to speak by examining their personal health history in relation to the signs and symptoms of their illness. One is induced to speak not only about his personal health history but also about his memories and free associations. These are carefully examined and investigated. It is also medical, because it is used for therapy and cure. Medical doctors cannot prescribe proper and

¹⁰⁰ Foucault explains in the *The Confession of the Flesh* (in *Power/Knowledge: Selected Interviews and Others Writings 1972-1977*, ed. Colin Gordon, trans. Colin Gordon et al, New York: Pantheon Books, 1980) that the term "confession" he used in his works refers to the "procedures by which the subject is incited to produce a discourse of truth about sexuality which is capable of having effects on the subject himself" (pp. 215-216). This is, therefore, different to the sacrament of confession of the Catholic Church where one is induce to speak about his sins after examining one's conscience.

¹⁰¹ Michel Foucault, *The History of Sexuality*, Volume 1, p. 58.

¹⁰² Ibid., 21.

¹⁰³ Ibid., 63.

¹⁰⁴ Ibid.

effective medical interventions without the confession of the patient. The patient's illness can be cured only after the accurate account of the patient's personal health history and background. The anatomical and pathological definition of the body makes confession essential in the field of medical science. However, the physician does not accept the confession of the patients as it is. He needs to validate it. He needs to interpret. That is why confession is also interpretative, for the expert needs to verify the truth narrated by the person confessing, for example the patient. The expert, for example the physician, is the master of truth of all illnesses, he has the power to verify and validate the incomplete truth presented to him by the patient. In the process of verification and validation, he interprets the narration, the signs, and the existing knowledge about certain illness.

Concluding Remarks

Philosophical thoughts view the human person differently. For one, the human person is a rational being; and his rationality is that which differentiates him to other beings. Rationality is the essence of the human person and it makes him as such. On other hand, the human person is not only perceived as rational but free as well. It is freedom that makes the human person define his essence, or his whatness; without this freedom, he cannot achieve his essence, his own unique self. Hence, free existence is his primary characteristic, for through it he creates his self. Foucault's notion of bio-power puts into question the essence of the human person. Based on his philosophy of bio-power, the human person is a construction; hence, his essence is not natural, or there is nothing as such. His rationality is even a product of bio-power techniques that moulded his thinking or reason and worldview or perspective. It is not a built-in natural structure; rather, it is purposively planted in him. The philosophy of "essence" is even a construction of ancient Greek mind and is further developed in the medieval age. It is a construction to explain the whatness of the human person as distinct to other beings, like his fellow animals; and for the human person to perceive himself based on such construction. Modern and contemporary thinkers challenge the medieval notion of essence by focusing on freedom and will, the ability of the human persons to determine themselves. But then and again, freedom or free will is not free at all. It is even a construction of modern society. It is a constructed freedom or a constructed free choice. Modern society allows human persons to be free within the language and reason of the society that are embedded in institutions that shape the modern man. It is true that human persons can challenge ideas, structures and institutions and establish new ones. They do it with their freedom and will. But the alternative choices that they have picked are also constructions. If not of the present; it is a rehash of the past. These are the only available choices constructed by the society.

Foucault's philosophy reminds us of the historical truth that human beings are constituted by the different techniques and strategies of bio-power that discipline bodies and regulate lives. Bio-power regulates and disciplines life and body through the various institutions in the society. The discourses of Foucault in his major works explain the different means used to construct the subject. These are the sexual prescriptions in the ancient Greece, the existence of confinement and asylum during the seventeenth century, the rise of the clinic and the hospital, the development of medicine and psychiatry, the different forms of punishments from the sixteenth century to the seventeenth century, and the establishment of prison. These provide us a micro-perspective on the constitution of the subject.

In his analysis of the construction of the human person, Foucault highlights the role of *knowledges*. The society and the institutions are successful in the construction of the human person because of the production of *knowledges*; *knowledges* that are used in understanding the body and life of the human subject. Foucault admits that the construction of man requires power, but that power uses a different kind of force, and that is, the force of knowledge. The medical and clinical gaze, surveillance, examination, and the panopticon abstract knowledge and information. These have penetrated modern man's soul to understand how and what he thinks of himself and others, and how and what he does in solitude and in public. This penetration results to the creation of *knowledges* which are used as basis for discipline and regulation. The different techniques of discipline and regulation are further improved and intensified, because these *knowledges* provide unending insights and information.

In this context, knowledge is political. This broadens the philosophical discourse on knowledge. Knowledge should not be viewed from the traditional perspectives of rationalism and empiricism. Knowledge is political. It is not pure. The search for knowledge is not just motivated by the desire to understand the truth. It is also pushed by the desire to be in control. In fact, knowledge is equated with truth to give more credibility to what one knows. The higher the perception of credibility is and the higher the truth value of knowledge, the more one can be in control of others. This is the interest of institutions in knowledge. Institutions search for knowledge, because they want to control human persons. *Knowledges* about human persons guide institutions not only in understanding but also in dealing with them. Philosophers have to accept the fact that knowledge is not for knowledge sake. The notion of knowledge has changed. It does not only enter the realm of the political, but it is political itself. Philosophers should take note of the trend that knowledge is not just a product of speculation and a mental exercise. Knowledge is not just for discussion within the four corners of classrooms and universities. It is not autonomous to the changes in political and economic climates. The rise and fall of *knowledges* are affected by the shifts in political and economic discourses and milieu. The perspective that knowledge is discovered should be changed, because it is not

discovered. It is determined and created because of its political significance in the society and in the State.■

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