<u>Foucault Meets British – German relations</u>[1]

In recent months there has been a lot of talk of Germany 'taking over the eurozone', with Germany being able to dictate the economic and to some extend political climate of the continent. Rather surprisingly, this trend has not gotten hold of the UK's most-widely read newspaper, The Sun, which reveals a surprising lack of the otherwise common anti-German articles. When searching for 'Germany' on their website, the only title bearing the N-word reports on a house in Swansea which was left standing in air raids during the Second World War and which apparently looks a bit like Hitler – with a black inclined roof (sort of like the typical greasy side-parting) and a sill above the door that could, somehow, be taken to look a bit like a small moustache.[2] For a newspaper that frequently embellished its front pages with stereotypical words such as Achtung! Herr! Fräulein! Kraut!, this is rather harmless. Even more surprisingly, the same tabloid of all tabloids describes a cycling tour to Bavaria as an alternative to going to the Oktoberfest.[3] These impressions are validated by a recent BBC survey which showed that 77% of all asked Britons viewed Germany's influence in the world as positive; this is 14% more than a year earlier.[4]

If we are correct in discerning a change of attitude then how can this apparent change of attitude be analysed and explained? One possible explanatory model is soft power – the ability to convince others by attraction that is non-coercive means. In analysing the rise of Chinese soft power, Joseph Nye refers to positive factors (which are of course not equally attractive in all areas of the world) such as the increased popularity of Chinese popular culture, the increasing number of international students at Chinese universities, tourism, the establishment of Confucius institutes abroad and broadcasting by China

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[2] Coles, John "Nazi spare raid", published on 01 April 2011, available at http://www.thesun.co.uk/sol/homepage/news/3502998/Hitler-House-survived-as-blitz-hit-docks-yards-away.html
[3] Willey, Mark "Tour de Deutschland", published on 26 March 2011, available at http://www.thesun.co.uk/sol/homepage/travel/3492301/Tour-de-Deutschland.html#mySunComments
[4] "Brazil and South Africa more popular – BBC poll", published on 7 March 2011, available at http://www.bbc.co.uk/news/world-latin-america-12654446

Radio International.[5]

However, nothing similar can be said about a possible rise of German soft power vis-à-vis the UK. An examination of cultural exchange between the UK and Germany shows that the exchange remains imbalanced which indicates that German soft power is not increasing in the UK. Although exchange has intensified in the areas of visual art, classical music and theatre, the same cannot be said for literature, film, popular music (apart from techno), language and university exchanges where the imbalance of a sustained interest in British culture is not replicated by an interest in German culture.[6] On the other hand, factors not taken into consideration by Nye could account for a rise in soft power: marketing strategies of German exports have quite consciously played on positive stereotypes which might have strengthened pre-conceptions of German efficiency and technological superiority. One of the slogans, Audi's *Vorsprung durch Technik* has even found itself quoted in U2's song 'Zoology'. Similarly, Volkswagen's slogan at the end of all commercials confidently proclaims '*Das Auto'*. It would be interesting to examine German soft power not in terms of the dissemination of positive stereotypes such as precision, technology, punctuality, efficiency, etc.

However successful Germany's soft power might be with regards to its apparently rising popularity its position in the UK, one question remains: what would be the goal of this soft power? When Hilary Clinton stated that she wanted to increase and improve the US' smart power (a combination of soft and hard power strategies) then this is with the clear goal of strengthening or, at this stage, protecting the US' place on the world stage. If Germany were to have such a strategy what would the goal be? To strengthen its position in the EU vis-à-vis the UK? To attract the UK's support in order to strengthen the EU in the world? Or just to improve relations for the sake of it?

In the light of the explanatory problems of soft power, it is worthwhile to explore another model which has been less frequently used in this context. Foucault's concept of

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[5] Nye, Joseph S. Jr. "The Rise of China's Soft Power." Wall Street Journal Asia, December 29, 2005.
[6] Reissenberger, Christl *"Cultural Relations between Germany and the UK – An Overview"*, Presented at the Conference *60 years of Deutsch-Britische Gesellschaft*, Düsseldorf 28 Februar 2000. Available at: *www.debrige.de/.../Cultural_exchange_between_Germany_and_UK.pdf*

governmentality provides such an alternative. This concept is a relatively new one within Foucault studies as only one of the lectures on the topic had been published early after Foucault's death in 1984;[7] the other lectures in the same series as well as his other lecture series have only recently been published in French and not all have been translated into English yet. It has been recognised that governmentality, in the Foucauldian sense, can be a useful tool for analysing international relations.[8] The task now is to put the lessons learnt from the 'original' Governmentality lecture into the context of the available and relevant lectures. Within the field of Foucault studies this is particularly important as the context is available for the first time since his death and this provides new insights into the links he saw between governmentality and disciplinary power as well as the continued relevance of pastoral power. Studying governmentality in this new context is not only pertinent for Foucault scholars but also the field of international relations and power theories for which governmentality is highly relevant.

A brief word of warning needs to be said on employing a Foucauldian methodology: there is none. Or at least: there is none to be readily applicable in a way comparable to other methodologies in political science. All that can be done to stay as true to Foucault as possible is to employ his technique of 'evantalisation'. Eventalisation refers to the desire to continuously question and look behind self-evident facts, such as the mad 'necessarily' being seen as mentally ill.[9] Foucault sought to achieve eventalisation by breaking processes down into their smallest components, which he called micro-techniques. This enabled him to see the similarities in different disciplinary practices like schooling, prisons and the military.[10] Eventalisation is why Foucault wanted to study practices and processes rather than institutions and theories – this explains for instance his focus on the '*practice* of imprisonment' instead of on the prison as an institution.[11] He even claimed to have 'freed' power relations from their respective institutions which

[7] Foucault, Michel "Governmentality", in Graham & Al., *The Foucault effect: Studies in Governmentality*, University of Chicago Press, 1991.
[8] Dean looked at 'the international' in Foucault's lectures on governmentality, particularly at international governance as a system between sovereign states: Dean, Mitchell, *Governmentality : power and rule in modern society,* London, SAGE, 1999.
[9] Foucault, Michel, *Discipline and Punish*, London, Penguin Books, 1977.
[10] Ibid.
[11] Ibid., emphasis added.

allowed him to focus on their power technologies.[12] While he studied these practices of power and their effects, he never sought to *explain* – Foucault was interested in the *how* of power not in the *why*.[13] Although there does not seem to be an 'obvious' way to apply this methodology to other ventures, this study will focus on practices rather than institutions and stay as close to Foucault's writings on governmentality as possible. The emphasis will be on the techniques themselves, rather than on their effects, thereby examining the *how* rather than the *why* of UK – German relations.

Foucauldian governmentality

Foucault defined governmentality as: "The ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security […]"[14] Therefore, the concept of governmentality is different from 'reigning' in Foucault's juridical-monarchical concept of sporadic, direct, violent and visible power – illustrated by Foucault so very vividly on the regicide Damiens' execution.[15] Governmentality is, like disciplinary power, a net of power relations – constant, omnipresent and mostly invisible.

As a term, governmentality can denote the will to 'govern' oneself in the sense of ethics and self-discipline, as well as 'governing' others; this paper is concerned with the latter sense of this word. The definition above suggests that governing should be taken in a broad sense – indeed, Foucault refers to the significance of 'governing' in the thirteenth to fifteenth centuries where it signified much more than 'governing' in the political sense: originally it meant directing, moving along a path, supporting or conducting someone.[16] Historically, governmental techniques enabled the regulation of increasingly disparate

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12 Foucault, Michel, "8 February 1978", in Michel Senellart, Alessandro Fontana (Eds) *Security, Territory, Population - Lectures at the College de France, 1977-1978*. Basingstoke, Palgrave Macmillan, 2007, at page 118.
13 Ibid.
14 Foucault, supra at 7, at pages 102-103.
15 Foucault, supra at 9.
16 Foucault, supra at 12, at page 122.

objects.[17]

By looking at governmental techniques, Foucault examines the *practice* of 'governing' rather than the institutions that are engaged in this activity. [18] His interest in the "local and microscopic analysis of those typical forms of power of the pastorate"[19] is comparable to his emphasis on the micro-techniques of power in his writings on disciplinary power. The continuation that Foucault saw between his work on disciplinary power and governmentality is clear.[20] Of course disciplinary power in turn is closely linked to his concepts of knowledge, discourse and normalisation. By turning to study the 'general technologies of power', he wanted to explore whether governmentality could be to the state what disciplinary techniques were to medicine and psychiatry.[21]

One of the insights revealed by the newly translated governmentality lectures is Foucault's emphasis on the modern aspects of pastoral power – it is not only a concept that provides us with the origin of governmentality but is still relevant today. Foucault's writing on pastoral power, or 'the pastorate' is particularly relevant in that they do not only account for the origins of governmentality but also constitute a link between disciplinary and governmental techniques. The pastorate illustrates how the connection between the micro-techniques of disciplinary power and the institutions engaged in governmental power. Pastorate techniques, gradually absorbed by the state in the process of 'governmentalisation'[22], are still important today as they evolved into general power techniques[23] - adopted by the state "by a simple process of copying, transfer, or translation."[24]

17 Townley, B., "Power/Knowledge, and Its Relevance for Human Resource Management" *The Academy of Management Review,* 18**,** 518-545, 1993, at pages 520 – 521.

18 Gordon, C. "Governmental Rationality: An Introduction" in Burchell, Miller (Ed.) *The Foucault effect: studies in governmentality.* Chicago, The University of Chicago Press, at page 3.

19 Foucault, Michel "5 April 1978", in  Senellart et al (eds.) *Security, Territory, Population - Lectures at the College de France, 1977-1978.* Basingstoke, Palgrave Macmillan, 2007.

20 Foucault, supra at 12, at page 120.

21 Ibid., at page 116.

22 Supra at 7, at page 104.

23 Foucault, Michel "Omnes et singulatim: vers une critique de la raison politique",  in Defert (Ed.) *Dits et écrits* Paris, Gallimard, 1994, at page 144.

24 Foucault, Michel "22 March 1978", in Senellart, et al (Eds.) *Security, Territory, Population - Lectures at the College de France, 1977-1978.* Basingstoke, Palgrave Macmillan, 2007.

Foucault concentrated on pastoral power in order to "find the inner depth and background of the governmentality that begins to develop in the sixteenth century."[25] Pastoral power introduced the idea that became central to governmentality, of governing men and their economies. In its origins, it was a "completely new form of power"[26] which originated from the pre-Christian East and then the Christian East and was first exercised by the Churches. This 'new' power encompassed the idea of a king or ruler as the 'shepherd' of his/her people.[27] As a governing technique, pastoral power remained distinct from political power, even when exercised by the same person, until about the end of the eighteenth century'.[28]

As a consequence of the pastorate's secularisation during the process of governmentalisation, the political ruler became the 'shepherd' of his people as well as its ruler in the strict political sense. The process of 'governmentalisation' was slow and lasted from about the sixteenth until the end of the eighteenth century. The emergence of governmentality was as important as the impact of Kepler, Galileo and Descartes on science.[29] As indicators of this event, Foucault noted a change in the nature of 'advice given to the prince' and, at the same time, an explosive increase in the debates on 'government' in the sixteenth century. This debate was not limited to political government in the sense of managing the prince's territory, but encompassed broader and more general problems such as the government of oneself, the government of souls and the government of children. Parallel to this development in the area of governmentality, we can witness the centralisation of the state and dispersions and dissidence within and among the churches.[30] The struggles in the churches centred on the problem of pastoral power, its exercise, form and goals. Eventually, through 'governmentalisation', pastoral

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25  Foucault, Michel "1 March 1978", in Senellart et al (Eds.) *Security, Territory, Population - Lectures at the College de France, 1977-1978.* Basingstoke, Palgrave Macmillan, 2007, at page 215.

26  Foucault, Michel "22 February 1978", in Senellart et al (Eds.) *Security, Territory, Population - Lectures at the College de France, 1977-1978.* Basingstoke, Palgrave Macmillan, 2007, at page 183.

27  Foucault,, supra at 12, at page 123.

28  Foucault, Michel "15 February 1978 in Senellart et al (Eds.) *Security, Territory and Population Lectures at the College de France, 1977-78.* Basingstoke, Palgrave Macmillan, 2007, page 154.

29  Foucault, supra at 24.

30  Foucault, supra at 7, at pages 87-88.

power became secularised and absorbed by the modern state. However, in spite of all the changes that permeated the Western world, the pastorate did not disappear: "In its modern forms, the pastorate is deployed to a great extent through medical knowledge, institutions, and practices."[31]

Current governmentality

Pastoral power techniques remain relevant today in that they highlight the process of governing large abstract and collective entities such as nations. Those who seek to govern populations need to rely on certain forms of 'governmental knowledge' (demographical statistics, economics etc) which is provided to them by a group of specialists (comparable to the role of psychiatrists in Foucault's disciplinary power spectrum). Indeed, Foucault defines statistics as 'knowledge of the state' and provides the examples of quantity, death- and birth rates, wealth and trade, clearly demonstrating the link between knowledge, population and statistics. In fact, "'statistics' […] now becomes the major technical factor, or one of the major technical factors, of this new technology."[32] Modern governmentality has – in concordance with its origins in pastoral power – kept the rationale of the shepherd who needs to look after his flock.

If we recall that disciplinary power describes and examines the way that power relations are formed with and through all individuals within a certain entity. Foucault never 'up-scaled' these disciplinary techniques from the small institutions to a 'national' level. He never talked about the 'disciplinisation' – only the governmentalisation of the state. However, there are parallels and similarities between governmental and disciplinary techniques. While government's objective is to guide the conduct (traditionally the sovereign would just be interested in recruiting soldiers and taxing his subjects) of their subjects within the government's territory, discipline also seeks to regulate the practices within a given territory. With both governmentalisation as well as disciplinary power,

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31 Foucault, supra at 25, at pages 149, 199.
32 Foucault, supra at 7, at page 99.

Foucault sought to emphasis the practices of conducting conduct – most importantly perhaps, Foucault himself saw governmentalisation as a continuation of his work disciplinary power.

Through governmentality's connection to disciplinary power, the norm is equally seen to operate as governmental technique. Disciplinary power, this omnipresent net of power relations, operates through the norm. The norm was opposed by Foucault to so-called monarchical or juridical power which was exercised in a sporadic but violent manner, such as Damien's execution at the beginning of *Discipline and Punish*. The norm forms the basis for the usually invisible disciplinary techniques. Although governmentality, the successor of disciplinary power, operates on a much bigger scale than the disciplinary institutions like schools or prisons, it also operates through the norm. Again similar to disciplinary techniques, the norms that governmental techniques are based on are also reframed in the form of laws.[33] Modern governmentality thus relies on being recorded by the law which highlights a co-dependency between modern governmentality, disciplinary power, law and norm.

The necessity for the norm in modern governmentality is obvious from the fact that increasingly disparate objects need to be monitored and conducted. In practice, policies will be developed on the basis of 'governmental knowledge', often based on statistics, and these policies will eventually be translated into laws which behave like norms in the disciplinary power context. In this sense, law constitutes a tactics of normalisation by deciding what kind of behaviour is acceptable on a national scale. As Ewald points out, there is an active component of norm, normalisation, which he defines as "the production of norms, standards for measurement and comparison, and rules of judgment."[34]  As law

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[33] Foucault, Michel, *History of Sexuality I,* London, Penguin, 1998 at page 109; Foucault, Michel "L'extension sociale de la norme", in Defert, D. (Ed.) *Dits et écrits, 1954-1988, Volume III, 1976-1979.* Paris, Gallimard, 1994 at page 75. On the debate of Foucault and law see for example: Baxter, H. "eview: Bringing Foucault into Law and Law into Foucault",48 S*tanford Law Review* 1996**,** 449-479; Hunt, A. *Foucault and Law. Towards a sociology of law as governance,* London, Pluto Press,1994; Turkel, G. "Michel Foucault: Law, Power, and Knowledge" 17 *Journal of Law and Society* 1990**,** 170-193; Fitzpatrick, B. G. P. *Foucault's Law,* Abingdon, Routledge, 2009, at pages 29 – 35.

34 Ewald, F. "Norms, Discipline, and the Law" in Post, R (Ed.) *Law and the order of culture.* Oxford, Univeristy of California Press, 1991 at page 155.

produces norms and provides frames of permissible activity, it also legitimises the exercise of power of those who govern.[35]

Legal norms that form the basis for governmental frameworks can of course also be analysed in terms of the discourse that created them. Discourse in Foucault's writing is often connected to the truth-claims generated by it; these regimes of truth decide on what is true and what is false. In the legal context, discourse generates truths about human rights violations and about which crimes are 'sufficiently bad' to qualify as crimes against humanity. As such, discourse is an important governmental technique: governmentality is also exercised through the production of for example truths about human rights law.

The inter-dependence of discourse and governmental techniques is obvious: in order for discourse to be an effective technique, it needs to be 'operationalised' through appropropriate measures[36] - in this context, the appropriate measures are laws passed by the government based on governmental knowledge and in view of conducting the conduct of the population. Reversely, the discourse of truth authorises and legitimises laws.[37] Clearly, discourse and laws are especially effective when employed alongside each other.

Governmental techniques are intertwined with the norm, law and discourse which also form part of disciplinary techniques. In order for this framework to be enforced, governmentality is dependent on another disciplinary technique: surveillance.

Surveillance in its benthamite and panoptic form as described by Foucault has, just as disciplinary techniques, the advantage that it is much more efficient than traditional forms of 'juridical-monarchical' power. Instead of sporadic supervision and draconian punishments in case of violation, punishments have become more proportional to the crime – at the price of being under constant surveillance. As a result, the omnipresent

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35  Foucault, Michel "Two Lectures", in Gordon, C (Ed.) *Power/knowledge.* Harlow, Pearson Education Ltd, 1980, at pages 95-6.

36  Milliken, J. "The Study of Discourse in International Relations: A Critique of Research and Methods" *European Journal of International Relations*, 225-254, 1999, at page 241.

37  Foucault, Michel "The order of discourse", in Young, R. (Ed.) *Untying the text: A post-structuralist reader.* London, Routledge, 1981, at page 55; Hunt, A, supra at 33, at page 12.

'gaze' is internalised by the population which leads to a conscious or unconscious modification of their behaviour.[38] Surveillance as disciplinary technique is politically and economically more affordable than the traditional juridical-monarchical form of visible and violent punishment.[39]

This form of controlling through surveying is also implicit in the pastorate where the typically individualising and yet totalising pastoral care implies that the shepherd-state is watching over his flock-population and every single individual-sheep in as great a detail as possible. Surveying as form of governmental technique is not merely controlling but contributes to the conduct of conduct by regulating the entire life of the population.[40]

A Foucauldian interpretation of UK – German relations

The premise laid out at the outset was that Germany's image in the UK has improved. We also saw that this increase in popularity could not be explained by a rise in soft power as there seemed to be no corresponding rise in cultural exchange. What would a Foucauldian examination of power relations between the UK and Germany have to look at?

Mirroring the above structure we can start by looking at current pastorate techniques. The difficulty here lies in the fact that we are looking at a government (Germany) which establishes influence over another country's population. To be perfectly clear: there need to be nothing 'conscious' about this type of Foucauldian power relation; after all he did not want to 'explain' but merely highlight the way usually invisible power relations work. His theories should not be taken to support conspiracy theories of 'secret' governments which 'secretly and willingly' establish one thing or another.

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38 Foucault, Michel "The Eye of Power" in Gordon, C (Ed.) *Power/knowledge : selected interviews and other writings, 1972/1977,* Brighton, Harvester Press, 1980, at page 148.
39 Ibid, at page 152.
40 Moss, J. "Introduction", in Moss, J. (Ed.) *The Later Foucault.* London, Sage publications, 1998.

Governmental knowledge in this inter-national scenario would not be gathered from the typical sources of national demographics and administration but would have to rely on experts of international relations, international market research etc. However, the rationale of government is drastically different: there can be no talk of the government acting according to the same rationale as the shepherd of trying to 'protect his flock'. What would the rationale of governments acting in the international system be? And how can we analyse the action of non-state actors like marketing agencies acting for national companies? Are they to be completely separated from the actions of the typical national actors?

Similar problems arise regarding the Foucauldian aspects of laws and norms. There are of course no laws regulating the opinions that Britons are to have of Germany. However, maybe a differentiation between laws and norms would prove fruitful here as Germany-related discourse, and this could include articles on football, Germany efficiency etc, might have modified the relevant regime of truth. In other words, the current Germany-discourse might have generated certain truths about Germany. A more promising avenue would be to analyse common discourse in both countries on political matters in order to examine whether this common discourse might have contributed to forming similar mentalities. Another alternative is to look at discourse formed through informal exchange – although we saw that formal cultural exchange has not increased the number of British tourists visiting party-town Berlin or the Oktoberfest might have influenced discourse and norm-production. While discourse analysis seems promising, it is difficult to see how it can be related to governmental techniques in this context – which would be the 'appropriate measures' that would 'operationalise' the discourse? And what, taken in reverse, would be the laws that would be legitimised by this discourse of truth?

Finally – surveillance as governmental technique. Of course there are several ways in which the 'omnipresent gaze' can be shown; be it through market research, opinion polls or monitoring of the number of Berlin-bound planes by UK party-goers. However, we face the same problem needing to differentiate between the government and non-related actors – while this sort of knowledge might be useful for marketing purposes (including

marketing commissioned by Germany itself[41]), the problem of the government's rationale remains: what, if not the protection of its flock, can a government want to achieve? An argument would have to made along the lines of: increasing a country's popularity will increase tourism to the country which will contribute to the welfare of the country's population.

Even if this argument was tenable: how would we scare this sort of governmentality with surveillance as form of control according to which individuals internalise the 'gaze'? Of course the UK's attitude (and with that behaviour) towards Germany seems to have changed to the positive but can this really be attributed to some sort of omnipresent gaze? Equally – what would the punishment be if the gaze discovered contraventions of the law (if there was indeed an equivalent to the legal norm which there does not seem to be)?

In conclusion, it would seem that, in spite of its explanatory difficulties, particularly with regards to the, if any, goal of soft power, it would seem that it offers more explanatory force than Foucauldian governmentality. However, more research would not to look at non-typical forms of soft power such as advertising, playing on positive stereotypes, exports, etc. Before governmentality can prove more useful, more research would have to be undertaken into the rational of pastorate and governmental techniques in the international realm. However, Foucault's theory of truth-producing discourse analysis seems promising and it might be possible to overcome some of the difficulties by emphasising discourse and norms rather than laws. This would find particular resonance with those Foucauldian scholars who disagree that there is a connection between law and norms.[42]

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[41] See for example: http://www.germany-tourism.co.uk/
[42] See for example Fitzpatrick, supra at 33, at pages 29-35.