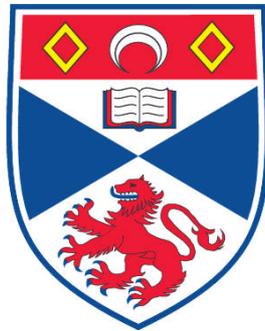


**NEO-LIBERALISM, SOCIALISM AND GOVERNMENTALITY:
HAS SOCIALISM YET DEVELOPED AN AUTONOMOUS
GOVERNMENTALITY?**

William Samuel McDonald

**A Thesis Submitted for the Degree of MPhil
at the
University of St. Andrews**



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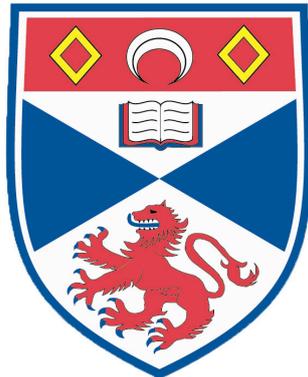
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Socialism yet developed an Autonomous
Governmentality?**

William Samuel McDonald

for the award of M.Phil in International Political Theory



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of
St Andrews

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Abstract

Recent years have seen an increasing interest in the writing of Michel Foucault within political theory. This paper will examine two series of lectures Foucault presented at the Collège de France in which he discussed in detail a cluster of subjects with clear political connotations. Within the 1978 and 1979 series Foucault outlined the concept of governmentality, which he divided into two subcategories: the police-state and liberalism.

He also considered socialism's relationship to governmentality. In this instance, however, he argued that socialism had yet to produce an autonomous governmentality: meaning that it could not exist as an autonomous political entity, only serving as an appendage to liberal or authoritarian regimes.

The fundamental interest of this discussion is to determine if socialist thought has advanced since Foucault offered his assessment. It is beyond the scope of this paper to survey the entire span of socialist literature produced since the 1970s; rather this paper will focus on the work of Antonio Negri and Michael Hardt, who represent a particularly important strand in contemporary socialist thought.

Few publications on Marxist theory have generated as much debate over the last decade as *Empire*. Through *Empire* and its follow-up *Multitude*, Hardt and Negri developed an innovative political philosophy that draws on Marx and other major thinkers in the Western tradition, such as Spinoza. The centre-piece of their philosophy is the concept of multitude. Multitude is the alternative political model Hardt and Negri propose to the current dominant system, which they refer to as empire. Empire exploits the labour of people across the world and reifies national identities and conflicts. Whereas multitude is a system derived from the cumulative labour of the world's people and seeks to resolve any conflict that emerges as a consequence of identity politics, thereby re-affirming today's marginalised identities and enabling new political identities to form.

In comparing Foucault's analysis on governmentality with the theory of multitude this paper seeks to determine if Hardt and Negri have developed an autonomous socialist governmentality. The conclusion drawn is that they have not proposed such a governmentality. In fact it is possible that a political system may appear to exhibit features of multitude but, at the same time, may adopt neo-liberal practices. Hence, multitude cannot entirely displace neo-liberalism.

However, that is not to say the concept of multitude is without merit. For instance, it offers a method of establishing novel identities and communities, thereby protecting the diversity of cultures across the world. For those reasons multitude constitutes a qualitative step forward in an increasingly globalised political economy.

Introduction

In 1979 Michel Foucault delivered “The Birth of Biopolitics” lectures at the Collège de France. Despite the title, the lectures largely focused on the subject of governmentality. Governmentality is a complex notion. It develops concepts Foucault had previously explored in his writing on discipline, revealing the wider political context in which discipline exists. Governmentality supersedes discipline because governmentality constitutes an entire system of knowledge. It enables the generation of various institutions and practices (technologies of power), among which discipline exists as one (Lemke 2000). Hence, governmentality should be thought of as a process encompassing both an ideological component (knowledge) and a practical component (power). For instance the liberal governmentality has the ideological imperative to reduce the scope of the state. In practice, however, a market economy requires significant legislation to operate smoothly, as well as an agent (in the form of the state) capable of enforcing rules.

This paper will focus on socialism's relationship to governmentality: a relationship that Foucault made some compelling, albeit oblique, references to within the 1979 series. Essentially, Foucault argued that socialism had yet to develop an autonomous governmentality. This puts socialism in contrast to the police-state and liberalism, which Foucault characterised as the two principal forms of governmentality. For Foucault, although socialism possessed a robust ideology, it lacked an autonomous governmentality because it lacked the practical capacity to generate unique institutions. Until socialism could establish such institutions, it was Foucault's belief that it would operate either as a checking mechanism within liberal governments or as a purely ideological imperative within authoritarian systems.

That is not to say Foucault's analysis precludes the possibility of a socialist governmentality emerging at some point. Governmentality is a process not an immutable concept: it has evolved significantly over time. Indeed, the possibility of new governmentalities appearing is confirmed by Foucault's discussion on neo-liberalism. Neo-liberalism departs in so many respects from the classic liberal tradition that it can be categorised as a third governmentality.

In the years since Foucault delivered the lectures, socialist theory has developed significantly, which may point towards a possible emergence of a socialist governmentality. This paper will focus on one particular strand of contemporary

socialist thought: the concept of multitude, proposed by Antonio Negri and Michael Hardt. Although Hardt and Negri have not commented on governmentality explicitly in their work, it is nevertheless argued here that Hardt and Negri have, through multitude, developed a rationale that could form the basis for a socialist governmentality.

That does not mean multitude is at present a governmentality, nor is it entirely certain that it will become a governmentality. For that to happen, it must fulfill the two aspects of the power/knowledge relationship. That is to say, multitude must not only constitute an ideology, but it must possess a practical element that could promote the development of unique political institutions. Clearly multitude has the ideological component of the power/knowledge relationship. However, since multitude has never been enacted in practice, it is not clear if it would offer a genuine alternative to the police-state, liberalism or neo-liberalism.

Hardt and Negri would almost certainly dispute the assertion that multitude could become a form of governmentality. They would most likely associate governmentality with empire. Nevertheless, this paper argues that multitude could become a governmentality because it shares a feature common to all forms of governmentality: that political structures must emerge from economic rationales.

The political systems the police and liberal governmentalities generate are underpinned by a rationale that holds political stability is achieved through the balancing of economic forces. An economic rationale also informs multitude, although it is a different interpretation of the nature of "the economy" than that of the police and liberal modes. Hardt and Negri fall within a Marxist tradition that regards established notions of the economy as too abstract. According to this school, the only real economic factor is labour. The theory of multitude advances this reading of the economy further by deriving an entire political system from labour. Hardt and Negri have argued that the only just political system is one capable of harnessing the cumulative labour of all people across the world.

Hence, although the theory of multitude diverges from the police and liberal governmentalities in its interpretation of the nature of the economy, it can still be said that the theory of multitude is informed by an economic rationale. Within the theory of multitude, like the police and liberal governmentalities, political structures emerge from essentially non-political, economic, sources. Multitude differs only in

the respect that this theory holds there is just one source of value within the economy, as opposed to a range of sources. Hence, like all forms of governmentality, multitude emerges from an economic ideology rather than a purely political rationale. For instance, attaching certain rights to citizenship.

The connection between multitude and governmentality has both a positive and negative aspect. Beginning with the negative side, it is possible that the most recent form of governmentality to emerge, neo-liberalism, may ultimately usurp multitude.

Admittedly there may not appear to be an obvious connection between neo-liberalism and multitude. However, this is precisely why Foucault's lectures are of such interest in relation to the theory of multitude.

Foucault's account indicates that there may be an opening that could lead to the emergence of neo-liberal practices in a political system governed under the ideology of multitude. This opening is the result of an overlap between multitude and certain characteristics that Foucault associates with neo-liberalism, such as the breakdown of conventional national sovereignty. Further, given that Hardt and Negri have not provided a clear plan of how multitude would operate in practice, there is a great deal of ambiguity regarding how political institutions could adequately embody the theory of multitude. Therefore, even if a political system operated according to the principles of multitude, this would not necessarily exclude the emergence of neo-liberal practices. If this were the case, the theory Hardt and Negri have proposed is merely a contemporary revival of the socialist theory Foucault criticized in the lectures. Under this scenario, the possibility of the emergence of an autonomous socialist governmentality would appear as remote as ever.

Having said that, it has been suggested there is a critical strategy, capable of countering the dominant forms of governmentality, underlying the lectures (Lemke 2000). Lemke focused on how to effectively critique neo-liberalism. After closely scrutinizing the strategy he proposed, it becomes apparent that there are a number of gaps within the theory of multitude through which neo-liberal practice could entrench itself.

Foucault did not himself articulate within the lectures the strategy Lemke has proposed. However, it is argued here that this critical strategy is compatible with texts in which Foucault commented more explicitly on approaches to initiating political change (most notably, *What is Enlightenment?*(Foucault 1991)).

Lemke believed that the majority of critiques on neo-liberalism have been beset by a fundamental failure in method. He noted that often these analyses are characterized by a tendency to dismiss neo-liberalism too quickly, and subsequently to make grand, but ultimately unfounded, claims for alternative “liberating” systems. Lemke argued that these two factors result in such commentaries, counter-intuitively, reemphasizing the structural flaws that led to the creation of the problems associated with neo-liberalism in the first place. Hence he called for:

"[A] 'strategical' conception of theory [that] prevent[s] us from a very serious flaw that dominates much contemporary critique: the “essentialisation of the critique of essentialism”. What do I mean by this? When social and political scientists increasingly claim the importance of categories like “invention”, “fiction” and “construction” for their work, they often double the theoretical attitude they initially set out to criticise: By firmly believing the “poststructuralist” or “anti-essentialist” stance they adopt does signal a “right” or “true” knowledge, they actually take up a theoretical position, Foucault once criticized as “juridico-political discourse”." (Lemke 2000, 14)

Based on Lemke's analysis, this paper will argue that the openings for neo-liberal practice within multitude are the result of a flaw in the critical method utilized by Hardt and Negri. Hardt and Negri, like the critics of neo-liberalism Lemke targeted, believe that in multitude they have found a truly just political system. Hence they have fallen into the "juridico-political" trap by developing a binary distinction between multitude and empire.

Having said that, there is still reason to be positive.

First because Lemke's analysis indicates that if there is a problem with the critical strategy presented in *Empire* and *Multitude*, then it is a matter of altering that strategy to salvage the concept of multitude.

Indeed, there are passages of *Empire* that examine explicitly the limitations of simple formulae on political liberation. Hardt and Negri acknowledge that traditional Marxist dialectics have frequently led socialist authors to adopt the critical approach Lemke decried against. They argue that multitude has by-passed this problem by offering a truly expansive concept based on the political philosophy of Spinoza, specifically his analysis on immanence and transcendence. Evaluating whether Hardt and Negri have been successful in moving beyond simple dialectics is a crucial goal of this text. Hence, it is not necessarily the case that multitude will be subsumed by neo-liberalism. Although Hardt and Negri do not explicitly acknowledge Foucault's analysis on the shortcomings of the socialist critical

tradition, aspects of *Empire* appear to have intuitively responded to Foucault's argument. Since multitude does not yet exist, it is impossible to say that it will avoid or fall victim to the fate Foucault associates with previous socialist critiques. Ultimately then, this paper is more concerned with highlighting potential pitfalls for the application of multitude, than presenting a specific proposal for how multitude should be implemented.

However, assuming that multitude could become an autonomous socialist governmentality, there is yet an even greater question. That is to say if it is desirable to base modern politics on governmentality in the first place. Although Hardt and Negri may make certain advancements beyond traditions that derive their economic model from capitalist modes, a significant problem in modern politics may be the reliance on economic structures to derive political forms. There may yet be some superior concept of modern politics outside governmentality.

This paper will avoid directly answering this question for two reasons. First, because the subject of the paper is governmentality and socialism, not alternatives to governmentality. The second reason ties back to Lemke's reading on the flaws of conventional critiques on neo-liberalism.

The wider point that emerges from Lemke's account is that there is a danger in establishing a "liberated" politics by simply opposing a new just system against the deficiencies in an older rival form. His analysis indicates that an attempt to dismiss governmentality out of hand may in fact not resolve the core imperfections of governmental systems.

This aspect of Lemke's account reveals a point of conflict in method between the theory Hardt and Negri propose and that of Foucault. In *What is Enlightenment?* Foucault noted that attempts to radically redefine politics in the twentieth century, most notably fascism and Soviet communism, in the end produced horrors on a previously unknown scale. In contrast, smaller scale, more targeted, attempts to expand and re-orientate established political structures, for instance to breakdown gender barriers and include minority groups, had achieved far greater success despite their more limited goals.

Having said that, it is still important to raise the question of whether governmentality is desirable. A vital component of the critical strategy Foucault proposed in *What is Enlightenment?* is that everyone, individually and collectively, should have an ethical

obligation to engage in a perpetual critique of established ideas and practices. There may be a superior system to governmentality, and this is important to keep in mind when defining more reasonable goals.

Hence, it will be argued that governmentality is the necessary paradigm through which politics must work today, even if this is not ideal. The position taken here is that for all the flaws of the modern forms of governmentality, they nevertheless offer superior notions of politics than previous non-governmental systems. The positive aspect of multitude's connection with governmentality then is that multitude through governmentality may have the ability to bring communities and individuals traditionally excluded from politics into political life. For instance, a positive way to read the narrative Foucault presented on governmentality in the lectures would be to see it as an account of the gradual descent of politics from the exclusive terrain of monarchs to individuals across society. Multitude takes this strand of governmentality further, offering the potential for a truly inclusive global society.

1 The Theory of Governmentality

The purpose of this chapter is to outline the core features of governmentality. This will provide the context in which to determine if Hardt and Negri have developed an autonomous socialist governmentality.

Within the lectures, Foucault proposed two basic forms of governmentality: the police state and liberalism. More recently, neo-liberalism emerged as a third form. Passages of the lectures indicate that socialism may have characteristics of governmentality, but on the whole Foucault's account suggests it does not yet constitute a fourth form of governmentality¹. Establishing if the socialist theory Hardt and Negri propose constitutes a socialist governmentality is the subject of this paper.

A continuum of authoritarianism connects the principal forms; with liberalism granting citizens many freedoms under a rule of law system, and the police state largely restricting freedom. Foucault's account indicates that in not developing a unique governmentality, socialism has not found a defined space on this scale meaning that it has functioned as either a checking mechanism within liberal systems or as a guiding philosophy in socialist systems. Obviously this situation runs contrary to the intentions behind socialist theory; hence it is an important exercise to determine if Hardt and Negri have taken socialist theory a step beyond Foucault's summation of it in the late 1970's².

1.1 Governmentality

Governmentality is the major topic of the 1978 and 1979 lecture series. With the term governmentality, Foucault refers to a series of the techniques and procedures through which individuals and populations, at all levels of society and state, can be governed, organized and administered.

¹ C.f. in particular the lecture delivered on 31 January 1979 (Foucault 2008).

² This account on governmentality will largely concentrate on the implications of Foucault's analysis for political institutions; with the exception of the paper's final section, which examines possibilities for initiating political change, given the complexities of modern political systems. For a more detailed account of the implications of governmentality for subjectivity and the ethics of the self consult Dean 1996. Dean characterises Foucault's work on governmentality as, "a critical, historical and political ontology of ourselves and our present." (Dean 1996, 209).

Foucault's account indicates that it has existed in some form for a considerable amount of time. The history of governmentality begins proper in the medieval era, however, Foucault even found aspects of it in Ancient Greek culture³.

In the medieval period, the concept of government was associated with religious practice and household management. For instance, the father of the household was considered responsible for its government. He was charged with its economic management as well as the moral development of its inhabitants. In the realm of religious practice, government was attributed to the Pastor, whose role it was to guide the spiritual development of his community.

However, in the sixteenth and seventeenth centuries, a combination of a political revolution prompted by the Reformation, and a re-assessment of the nature of politics in intellectual discourse, expanded the concept of government out from the spiritual and domestic to the domain of politics. Increasingly it was felt that the monarch bore a responsibility to govern his whole people in the same manner in which the father governed his household and Pastor governed his local community. Hence a chain of government was established from the home, to the community to the country.

It is at this point that the first elements of the police governmentality emerged, which also provided the basis for the eventual development of the liberal governmentality.

Although both forms are distinct, there is some overlap between their rationales and the structures each has generated. For instance both assume the presence of the state, that the state will exist within a network of states and that the state has a responsibility to manage its population.

Foucault proposed specific definitions for these common features, which differ from the colloquial use of these terms. For instance, Foucault does not treat the state as necessarily being synonymous with the nation. Instead he characterized the state as a largely administrative entity. For Foucault the state is neither universal nor immutable(Foucault 2008, 77/8), rather it is the synthesis of various rationales and technical procedures: "The state is nothing else but the mobile effect of a regime of multiple governmentalities."(Foucault 2008, 77)

³ C.f the 8 March 1978 lecture, in which Foucault surveys the early forms of governmentality.

Having said that, Foucault's definition of the state does not exclude the concept of the nation. Following the logic of Foucault's definition of the state, it would be more accurate to say the nation is the product of the state rather than the state being the product of the nation. Hence, so long as it serves an administrative purpose, the concept of nation is compatible with the state within the two principal forms of governmentality.

The concept of population also plays a particularly notable role in Foucault's analysis on governmentality. Indeed, Foucault argued that the administrative techniques associated with government in the context of politics could only emerge once "population" became an object of knowledge. That is to say, population enabled a political system in which the people living within a particular territory could be understood in quantifiable terms and, crucially, administered as a collective entity. It should be noted that the territory administered by the state could correspond to a national community, but this is not necessarily the case. Many different communities could potentially exist within a single territory.

Once population was conceivable, another critical element of governmentality emerged: that is an economic rationale to define the nature of the administration. The police and liberal governmentalities differ most pronouncedly in their economic rationales.

In the case of the police mode, the rationale is to maximise the growth of the population and in turn the state's wealth. For liberalism the imperative is to stabilise the economy by increasingly isolating it from the state. This allows economic forces to achieve balance, even if, from an individual perspective, equilibrium is periodically disturbed by crises that cause the economy to fluctuate wildly and result in individual hardship.

Further, although the police and liberal governmentalities envisage a network of states existing in harmony with one another; the relationship that establishes this harmony has a different character within the two forms of governmentality. In the police mode, the relationship is competitive. Each state must rigorously pursue its own self-interest but in so doing a balance will be achieved between states. Competition will ensure that no state will achieve dominance permanently and any desire to embark on large-scale war will be negated because it is in no state's

interest to undermine the system to a point where it is unbalanced and the potential for generating wealth is lost⁴:

“Raison d’État [Foucault is referring to the police mode here], on the other hand, accepts that every state has its interests and consequently has to defend these interests, and to defend them absolutely, but the state’s objective must not be that of returning to a unifying position of a total global empire at the end of time.”(Foucault 2008, 6)

In the liberal mode, the relationship is even less confrontational. If economic balance is to be maintained, all states must allow the free trade of goods and circulation of people so that commodities and labour can be allocated to where they are needed in the regional and global economies.

There is a final common feature between the two governmentalities: although Foucault did not employ this term, the final commonality could be defined as a continuum of authoritarianism, with both the police and liberal governmentalities occupying a space upon it.

Underlying the continuum is the relative adherence to the rule of law. In other words, the continuum would stretch from a system where the rule of law is sacrosanct, meaning that the power of authorities are defined and controlled by the law, to another extreme where authorities can assert power arbitrarily. At one extreme, individuals would possess significant freedoms to control the direction of their lives, while at the other the life of an individual is controlled through absolute coercion.

On the basis of the 21 February 1979 lecture, it is possible to situate the police and liberal governmentalities on the continuum. The police state would be associated with despotism in that neither system complies with the rule of law. However, the police state would not occupy the extreme edge of the continuum in that it differs from despotism in some significant respects. In despotism, the sovereign’s will forms the law, which is in turn enforced by public authorities. In the police state, a public authority sets the law and enforces it upon the ‘population’ (Foucault 2008, 168). Clearly there is some overlap here: the population has no voice in the creation

⁴ Obviously some parallels can be drawn here with notions of a “balance of power” in realist theories. However, Foucault’s description of balance in Europe shows no direct influence from this school of thought. Foucault’s emphasis on competition, his exclusive focus on Europe and the pre-eminence of economic matters in his theory, all serve to set him apart from the established approaches of International Relations theory. Nevertheless, in the future, these sections of the lectures may become the staple of subsequent critiques on the relevance of Foucault’s work to political theory.

of the law in both instances. The difference lies in that within despotism the law emerges from a single figure but in the police state it is created by a bureaucracy.

On the other extreme of the continuum, Foucault associated liberalism with the rule of law⁵. Under the rule of law, the power of public authorities is described and limited by the law: “The rule of law then appears as a state in which every citizen has the concrete, institutionalized and effective possibility of recourse against the public authorities.”(Foucault 2008, 170) Thus, in theory at least, public authorities should not be capable of imposing their will arbitrarily within liberal systems.

Further, a differentiation is made between universal sovereign law and administrative law(Foucault 2008, 169). In the case of liberalism then, the formation of a strong administrative law enables the creation of legal apparatus necessary to sustain a liberal economy. For Foucault, all variants of liberalism, recognize the rule of law as essential for the economy to function: “The economy is a game and the legal institutions which frames the economy should be thought of as the rules of the game.”(Foucault 2008, 173)

Although Foucault's account indicates that liberalism is at the opposite extreme to despotism and the police state, an insight missing from his account is that even liberalism will subject individuals to some form of coercion. A liberal government must be capable of enforcing rules and it can only do so by retaining the monopoly of violence. Hence the separation of administrative and sovereign law has not yet resulted in the complete diffusion of sovereignty.

1.2 Neo-liberalism

Up to this point, the discussion on governmentality has focused on tracing the concept's history from the medieval era to the development of liberalism. The discussion will now shift to more contemporary developments to examine modern socialism and neo-liberalism. Foucault did not explicitly refer to socialism and neo-

⁵ Although this paper will not discuss this issue at length, it should be noted that several critics have questioned the claim that liberalism establishes a gap between sovereign law and administrative law. Indeed, Giorgio Agamben's *Homo Sacer* demonstrates that this divide collapses when the system itself is threatened. Further, he argues that in recent times liberal rights have been suspended so frequently that the suspension of rights is no longer an exceptional circumstance but the norm. Hence Agamben believes that effectively the rule of law no longer exists (Agamben 1998).

liberalism as governmentalities. However, on the basis of his detailed analysis on neo-liberalism in the 1978 lectures, it is clear that neo-liberalism was set to assert itself as an alternative to classical liberalism. Foucault was more exact in his assessment on socialism, as it has been already noted, he argued that socialism has yet to develop an autonomous governmentality. This section will concentrate on describing how neo-liberalism operates as a governmentality⁶.

The first point to note, as the neo suffix might suggest, is that neo-liberalism marks a break with the liberal tradition. It was argued above that the liberal governmentality is characterised by a rigid separation of the state and the economy. Liberalism holds that some elements within society demand administration according to political reasoning while others require economic reasoning. Consequently, the greater the separation between the economy and the state, the more effectively both spheres will operate. Further the logic of classical liberalism would suggest that when the state attempts to manage the economy negative consequences for both politics and the economy will inevitably follow.

However, the fundamental problem with classic liberal theory is that the attempt to divide the state and economy never proves entirely successful in practice. History shows that even states with loose regulation and free markets have been forced periodically to intervene within the economy. Generally, these interventions are only justified when major economic crises occur but they may also happen in less extreme circumstances for instance to break up monopolies.

The relationship between the state and economy is also central to neo-liberalism, however neo-liberalism advocates a significantly different interpretation of the ideal relationship between both entities. According to Foucault, neo-liberalism did not regard the economy and politics as being two entirely separate spheres. In fact neo-liberalism holds that politics is essential for economic activity. If the economy is to function, there must be an agent to enforce the rules. Taking the economy as the starting point then, neo-liberal theory attempts to build the minimal state necessary

⁶ C.f. Burchell, 1993 – Burchell’s article provides an excellent overview of Foucault’s analysis on neo-liberalism. His account is based entirely on audio transcripts, as the lectures had yet to be published in French at the time of writing. For this paper a particularly salient point Burchell made regarding neo-liberalism and governmentality was that: “The market exists, and can only exist, under certain political legal and institutional conditions that must be actively constructed by government.” (Burchell 1993, 23)

out of the needs of the economy. Thus for neo-liberals the fundamental basis for all political structures should be the requirements of the economy:

“...broadly speaking the problem of the liberalism of the eighteenth century and the start of the nineteenth century was to distinguish between actions that must be taken and actions that must not be taken... This is a naïve position in the eyes of neo-liberals, for whom the problem is not whether there are things that you cannot touch and others that you are entitled to touch... The problem is the way of doing things, the problem, if you like, of governmental style.”(Foucault 2008, 133)

In summary, the fundamental break neo-liberalism makes from the liberal tradition is the result of a willingness in neo-liberalism to engage with the mechanisms of the state. This argument may seem counter-intuitive, given the fact neo-liberalism is often characterised as an ideology seeking to reduce the state to virtually nothing. However, neo-liberals are not anarchists, they seek to shrink the state and subordinate it to the economy, but they do not desire its destruction.

Following Foucault’s analysis, the transition from liberalism to neo-liberalism might be described as a movement from a society of consumption to a society of enterprise:

“...what is sought is not a society subject to the commodity effect, but a society subject to the dynamic of competition. Not a supermarket society, but an enterprise society. The *homo oeconomicus* sought after is not the man of exchange or man the consumer; he is the man of enterprise and production.”(Foucault 2008, 147)

This enterprise imperative is manifest in the relationship established between the state and the individual. In contrast to the police-state, in particular, the gulf between the individual and the state is wide. The neo-liberal state provides the absolute minimum of services and only in instances in which a private provider cannot be established and the absence of the service would undermine the economy⁷.

Essentially then, according to Foucault’s analysis, a neo-liberal society would consist of individuals competing against one another, completely unprotected by

⁷ Comparisons may be drawn between Foucault’s notion of a neo-liberal state and Robert Nozick’s concept of a night-watchman state (Nozick, 2003). In both instances the state is cleaved to the minimum, with only its basic institutions remaining: the police, judicial systems, prisons and the military.

the state against fluctuations in the economy. However, this competition should, according to neo-liberal theory, result in a balancing of forces, which will eventually lead to a balance between individuals, between the individual and the state, and ultimately between states:

“Perpetual peace is guaranteed by nature and this guarantee is manifested in the population of the entire world and in the commercial relationships stretching across the whole world. The guarantee of perpetual peace is therefore actual commercial globalization.”(Foucault 2008, 58)

To reiterate, this imperative towards enterprise does not necessarily imply the loss of the state. As Foucault notes(Foucault 2008, 149) with individuals across the world engaging in enterprise, there is a need for the state to provide strong regulations. The more enterprises present in society the more likely it is that disputes will emerge between individuals and arbitration becomes necessary.

An illuminating example of the complex relationship advocated by neo-liberals between the state and the economy can be found in public education policy. For instance, Milton Friedman recognized a need for the state to ensure a minimal standard of education across society. He was willing to accept the state’s role here, not out of a moral conviction, but because without a minimum standard of education across society, citizens would lack the basic training necessary to participate in the economy.

Thus he argued that the state must enforce a rule that all children must be educated but acknowledged that it would be unfeasible to expect all parents to be capable of privately educating their children. This does not mean that Friedman accepted current education policy; he felt that the existing public school system was deeply flawed. As an alternative, he proposed a voucher-system in which parents would have the option of taking their children out of the public sector, placing them in private schools and receiving an allowance towards the cost of their children’s tuition. Friedman believed this policy would vastly improve both public and private school as: “It would permit competition to develop. The development and improvement of all schools would thus be stimulated.”(Friedman 1962, 93)

Friedman’s analysis on education typifies the neo-liberal view of the state as an entity capable of establishing market structures across society. Indeed, in the 1978 lecture Foucault noted an imperative within neo-liberalism to re-evaluate all existing structures within the state in order to determine where elements of markets exist.

Once they are found, reform is justified in order to develop these nascent market structures.

Another example of this tendency would be the extensive privatization of public services within Britain since the 1980s. These instances follow a pattern. The state searches for sectors with no tradition of market-orientated administration but that could be reformed to accept management according to market-based indicators. In Foucault's words:

“...to the same extent that governmental intervention must be light at the level of the economic processes themselves, so must it be heavy when it is a matter of this set of technical, scientific, legal, geographic, let's say, broadly, social factors which now increasingly become the object of governmental intervention.”(Foucault 2008, 141)

State-intervention cannot however extend to interfering with the economy itself. Foucault writes: “government must not form a counterpoint or a screen, as it were, between society and economic processes.”(Foucault 2008, 145) By that he means in a neo-liberal system the state cannot shield individuals from economic risk.

There are several implications of the role risk plays in neo-liberalism, particularly the emphasis placed on risk and the individual, who must bear the risk of each of her economic decisions.

For one thing, it leads to the fundamental principle that the state cannot engage in economic planning. According to neo-liberal theory as far as possible individuals should be responsible for their own actions in the economy.

In terms of political institutions, the implications of neo-liberalism's stance on risk would require that government institutions concerned with economic management (central banks and financial regulators) to undergo significant reform. It would require such institutions to avoid taking any kind of direct intervention within the economy. Friedman's analysis on the Great Depression and the failure of government institutions to respond adequately to this crisis typifies the neo-liberal stance on economic risk and political institutions.

Essentially Friedman claimed that the severity of the Great Depression was prompted by a failure of government, in the form of the Federal Reserve, to act. Thus, in a certain sense, Friedman might seem to favour some kind of central banking authority in that the Federal Reserve's failure would at first glance appear to

be a crime of omission. However, Friedman concludes that even a stronger, more dynamic, Federal Reserve could not have side-stepped the Great Depression. Rather, for Friedman, the Great Depression illustrated the ineptitude of central banks.

He claimed that the Federal Reserve existed fundamentally to prevent such crises from occurring, yet when the time came it did not respond: “it [the Federal Reserve] exercised this responsibility so ineptly as to convert what otherwise would have been a moderate contraction into a major catastrophe.”(Friedman 1962, 38) Consequently Friedman argues that such governmental structures are worse than useless. Indeed, he goes on to argue that when the government finally acted, “... the Great Depression, like most periods of severe unemployment, was produced by government mismanagement rather than by any inherent instability of the private economy.”(Friedman 1962, 38)

The example of the Great Depression led Friedman to draw several conclusions on political systems and the law. Philosophically, he took the view that crises such as the Great Depression are inevitable because human-beings are inherently fallible: “Any system which gives so much power and so much discretion to a few men that mistakes – excusable or not – can have such far-reaching effects is a bad system.”(Friedman 1962, 50)

In contrast, he felt that collective entities, were no single individual held control, most notably the market, did on the whole much better:

“The Great Depression in the United States far from being a sign of the inherent instability of the private enterprise system, is a testament to how much harm can be done by mistakes on the part of a few men when they wield vast power over the monetary system of a country.”(Friedman 1962, 50)

Thus Friedman advocated the creation of a system of robust legal authorities, capable of limiting the powers of individual agencies or interests. The political system Friedman described is analogous to Smith’s notion of an invisible hand guiding the economy. For Friedman, a fair political system does not presuppose economic equality. Rather it would constitute a society in which no single agent or individual is capable of directing that society to a particular end.

In practical terms, he argues that just as government is premised on a system of rights, economic authorities should be driven by broad principles rather than

specific objectives. For instance, that the economy should grow by X amount each year, X being somewhere between 3 and 5 percent, rather than according to a detailed plan of precisely how the economy will develop in the year ahead.

The core principal of neo-liberalism then, is that modern government should emerge out of the requirements of the economy. Hence, for neo-liberalism, only the minimum amount of government as necessary should exist and it should be guided by broad rules, such as those Friedman associates with sound monetary policy.

1.3 Neo-liberalism, the Rule of Law and Planning

Like the police-state and liberalism, it is possible to put neo-liberalism on the scale of authoritarianism. Neo-liberal theorists would certainly regard their principles as supporting the rule of law, meaning that they would place neo-liberalism at the opposite end to authoritarianism. It should be noted that critics of neo-liberalism would claim that it is a profoundly authoritarian system. Indeed, Hardt and Negri made such an accusation in their essay *Postmodern Law and the Withering of Civil Society*, which will be examined in more detail below. However, these criticisms will be reviewed later: this section will concentrate on examining neo-liberalism's relationship to the rule of law.

The treatment of the rule of law, in neo-liberal theory, is another feature that differentiates it from the liberal tradition. Like liberal theory in general, the rule of law is a core principal of neo-liberalism. However, within neo-liberalism the rule of law is also used as a theoretical concept to contrast their vision from their ideological enemy: socialism.

A useful way to grasp the essence of how the rule of law serves to differentiate neo-liberalism from socialism is to understand the analogy neo-liberal theorists draw between natural and economic processes. Within neo-liberal theory the economic cycle is viewed as a "natural process". The periods of fair conditions, bad weather and the occasional cataclysm that occur in nature are synonymous with the fluctuations of the economy. Neo-liberal theorists acknowledge that painful downturns may occur but they argue that these downturns are inevitable. Hence, for neo-liberals, any intervention by the state is useless. In fact, intervention may only result in prolonging a crisis.

In order for a government to base the economy on natural principles, neo-liberal theory holds that certain preconditions must be in place. These "natural" processes cannot take place, or operate efficiently, unless the government is under the rule of law. Further, contracts must be protected and property rights exist. This requires the establishment of an entire legal framework. This means the sovereign must also respect the law, by refraining from intervening within the economy. The kind of economic planning employed by socialist regimes is anathema to neo-liberalism.

Having said that, the stance neo-liberal theorists take in relation to the rule of law and economic planning is nuanced. To clarify how these issues are treated in neo-liberal theory this paper will turn to Hayek's *The Road to Serfdom*, a text comparable in status within neo-liberal circles to *Capitalism and Freedom*.

In relation to the rule of law, Hayek's arguments reinforce the points noted above. He emphasised that in formulating the law, authorities must not attempt to anticipate all possible situations. Practically, this is impossible, and it could lead eventually to economic planning. Instead Hayek argues that legislation should take the form of broad guidelines:

“As soon as the particular effects are foreseen at the time a law is made, it ceases to be a mere instrument to be used by people and becomes instead an instrument used by the law-giver upon people and for his ends. The state ceases to be a piece of utilitarian machinery intended to help individuals in the fullest development of their individual personality and becomes a moral institution.”(Hayek 2001, 80)

With this point, Hayek indicates that, once the state begins to plan certain aspects of society, the state will inevitably take on further characteristics of socialism.

Modern societies would appear in Hayek's work to be virtually bound to become socialist, but for the fact their governments exist under the rule of law. Within the ideal circumstance, Hayek envisioned that:

“The state should confine itself to establishing rules applying to general types of situations, and should allow the individuals freedom in everything which depends on the circumstances of time and place, because only the individuals concerned in each instance can fully know these circumstances and adapt their actions to them.”(Hayek 2001, 79)

This comment compares with Friedman's thoughts on the appropriate rules for monetary policy. Just as policy should be driven by broad principles so should the law be general in character. If the economy is guided by broad principles the result

should be that the economy serves no particular interest. Just as, under the rule of law, politics should serve no particular interest.

Hence, neo-liberal theory holds that the economic planning typical of socialist regimes fails and leads to an erosion of individual liberty with the state determining the course of its citizens' lives. For instance under socialism citizens cannot choose their own profession and have restrictions placed on their mobility.

Hayek, and neo-liberal theory in general, believed that any derivation from free market principles would inevitably lead to the state acquiring new powers. On 7 February 1979 Foucault provided an account on how neo-liberal theory understands the process whereby socialism encroaches on liberalism. In this lecture, Foucault comments on the decisive influence the Nazi-era had upon the German ordoliberals, a group that was a precursor to neo-liberalism. For this group, Nazism acted as the ideological enemy. In particular, Foucault emphasised three fundamental features that the ordoliberals believe led to the establishment of an authoritarian socialised economy:

1. Nazism, or authoritarianism in general, will be the inevitable conclusion of state intervention in the economy.
2. Nazism is characterised by the unchecked and uncontrollable growth of the state across all levels of society.
3. Through the complete control of the economy and expansion of the state, Nazism leads to the collapse of social communities. (Foucault 2008, 112)

In relation to the first point, the ordoliberal argument was that authoritarianism emerged through a gradual intrusion upon the economy by the state. Even intervention along Keynesian lines will eventually lead to authoritarianism:

“The neo-liberals say: Take any of these elements, a protected economy or Keynesian-type intervention. These are, of course, apparently different things, but you will never be able to develop one without arriving, in one way or another, at the other.”(Foucault 2008, 110)

In relation to socialism then, the problem is how to avoid this slide into authoritarianism while completely planning the economy.

The last points, in the summary, underline a crucial argument neo-liberal theory puts forward against the national socialist critique of capitalism. It is often argued that capitalism leads to the complete breakdown of communities and an atomizing of individuals, where people are purely driven by consumption of increasingly

standardized products. Hence the logic of Nazism is that a strong state, underpinned by a powerful national identity, is necessary to maintain communities. In fact, as Foucault noted, exactly the opposite occurs under fascism. The individual is even more atomised, completely subject to the whims of the state.

Similarly production is standardized to an even greater extent under fascism than capitalism. Foucault cites the Volkswagen as one example of this standardization (Foucault 2008, 114). As a consequence of this neo-liberal theory concludes: "These mass phenomena of standardization and the spectacle are linked to statism, to anti-liberalism, and not a market economy." (Foucault 2008, 114)

The argument being that as the size of the market increases the variety of products and services available will diversify. Particularly as an unfettered business cycle will lead to more frequent purges of antiquated industries and enable new players to enter and exploit niches. Further, given the market would appear to be the superior social mechanism, under the neo-liberal view at least, it can also be used as the basis for a political system that will cut back the state:

"Since it turns out that the state is the bearer of intrinsic defects, and there is no proof the market economy has these defects, let's ask the market economy itself to be the principle, not of the state's limitation, but of its internal regulations from start to finish of its existence and action." (Foucault 2008, 116)

The challenge then that neo-liberalism puts to socialism is that it may not be capable of resolving the issues it finds within capitalism. In fact, ultimately, it may only serve to further isolate individuals under an abstract social system. It may not be capable of valuing labour fairly. This then is the challenge Hardt and Negri face.

1.4 Socialism and Governmentality

"I would say that what socialism lacks is not so much a theory of state as a governmental reason, the definition of what a governmental rationality would be in socialism, that is to say, a reasonable and calculable measure of the extent, modes and objectives of governmental action." (Foucault 2008, 92)

In the 1979 series, Foucault made some important reference to socialism's relationship to governmentality. Unlike liberalism and the police-state, Foucault concluded that socialism lacks an autonomous governmentality. As a consequence of this absence, he argued that socialism has only functioned as a kind of checking mechanism to liberal governments, or as an ideological foundation underpinning authoritarian regimes (Foucault 2008, 92).

The major problem with the sections of the lectures in which Foucault comments on socialism is the uncharacteristic vagueness of his argument. Foucault raises some fascinating insights on how socialism might fit into his theory of governmentality. However it is not clear why this absence of governmentality in socialism will necessarily result in it becoming an element of an authoritarian or liberal regime.

Foucault's analysis indicates that socialism has not successfully developed autonomous political institutions from liberalism or the police mode, meaning that socialist governments rely upon techniques and mechanisms associated with liberalism and the police mode. The most significant issue that this analysis raises, however, is that authoritarian regimes, even those inspired by a socialist ideology, frequently compound the inequalities and injustices they claim to correct in capitalism. The question then is are the flaws generally associated with capitalism the fault of capitalism or do they emerge from some other agent?

Foucault clearly intended to set his critique in opposition to the prevailing interpretations of neo-liberalism. He felt other critics had not grasped the essence of neo-liberalism, that socialism had not fully appreciated the challenge of neo-liberalism:

“You can see that these three types of responses ultimately make neo-liberalism out to be nothing at all, or anyway, nothing but always the same thing, and always the same thing but worse. That is to say: it is just Adam Smith revived; second, it is the market society that was decoded and denounced in Book 1 of *Capital*; and third, it is the generalization of state power, that is to say it is Solzhenitsyn on a world scale.”(Foucault 2008, 130)

Further, as mentioned above, Foucault suggests that this absence of an understanding regarding neo-liberalism and governmentality, has been instrumental in the failure of socialism to so far develop an alternative to liberalism and the police-state:

“...socialism can only be implemented connected up to diverse types of governmentality. It has been connected up to liberal governmentality, and then socialism and its forms of rationality function as counterweights, as a corrective, and a palliative to internal dangers.

We have seen it function, and still see it function, within governmentalities that would no doubt fall more under what last year we called the police state, that is to say, a hyper administrative state in which there is, so to speak, a fusion, a continuity, the constitution of a sort of massive bloc between government and administration. At that point, in the governmentality of a police state, socialism functions as the internal logic of an administrative apparatus.”(Foucault 2008, 92/3)

This is a most provocative claim, but it does not make clear how precisely Foucault believed socialism becomes the instrument of liberal or police modes. The general impression emerging from the lectures is that it is the result of a lack of an autonomous governmental rationale in socialism. Foucault notes that, like liberalism and the police-state, socialism has a historic and economic rationale, but it currently lacks a governmental reason (Foucault 2008, 91/2). The question then is if Hardt and Negri have developed an autonomous socialist governmentality through the concept of multitude? The following chapter will evaluate the core features of multitude in order to determine if it does indeed constitute such a governmentality.

2 The Theory of Multitude

Hardt and Negri have not explicitly discussed the concept of governmentality within *Empire* or *Multitude*. Hence this may not seem an obvious concept through which to reevaluate the theory of multitude. However, many of the issues Foucault commented on within the lectures are relevant to the theory of multitude. Indeed, related concepts such as biopolitics are important elements within the theory of all three authors. In order to illustrate the relevance of governmentality to multitude, this chapter will isolate the core features of multitude and describe their relationship to Foucault's theory.

Of these issues, the topic of central importance is sovereignty. It is from their interpretation of sovereignty's role in politics that Hardt and Negri derive a critique on a range of increasingly complex notions: such as immanence and transcendence and political and cultural imperialism.

The interpretation of sovereignty Hardt and Negri present differs from that found in Foucault's lectures. The difference hinges on the extent to which sovereignty is treated as a force relevant to politics today. As noted above, for Foucault, sovereignty has become largely irrelevant. Governmentality has transformed politics from the preserve of monarchs, engaged in territorial struggles to an administrative entity. That is not to say war is no longer an issue, as will become apparent later, if anything, administrative politics vastly increases the scale of war.

In contrast to Foucault, Hardt and Negri believe sovereignty is still a political force. In *Empire*, they describe how sovereignty emerged in the middle-ages and has transformed progressively, from an expression of national interest to a global transcendental order. Essentially then, for Hardt and Negri, sovereignty and empire are synonymous. Thus sovereignty functions to undermine the ability of multitude to find political expression.

The only remnant of sovereignty in Foucault's account is civil society. Within Foucault's theory, civil society refers to a cultural identity that has the property of binding citizens to the community of their birth and early-years. Hardt and Negri might recognize this description to an extent; however, they would most likely consider this notion of communal identity as a kind of nationalism. The issue of nationalism is a vital topic within *Empire* and *Multitude*. Foucault did not explicitly

discuss nationalism within the lectures, meaning that it is useful to compare the analysis Hardt and Negri present on the subject with Foucault's theory.

Similarly, it is useful to compare *Multitude* and *Empire* with Foucault's work as Foucault's account on governmentality reveals a flaw in the theory of multitude. Although there is significant value in the arguments Hardt and Negri make, Foucault's account indicates that multitude may be compatible with neo-liberal practice. For instance, a belief in the importance of personal mobility and an absence of national boundaries is essential to both neo-liberal theory and the theory of multitude. It is obvious that Hardt and Negri advocate mobility, but it may not appear immediately obvious that this is also the case in neo-liberalism. However, the lectures indicate that, in its most extreme manifestation, a neo-liberal global order would consist of individuals across the world independently selling their labour on a unified global market. The effect of each individual independently engaging with the market will drive the global economy, and ultimately global politics.

The reason this possible overlap between multitude and neo-liberalism exists lies in the fact multitude exhibits certain characteristics of governmentality without developing its own unique institutions.

This argument is explored in more detail in the next chapter. For the moment however, it is sufficient to note that in placing the source of multitude's political strength in biopolitical production, a concept that combines Foucault's theory of biopolitics with Marx's theory of labour, Hardt and Negri establish an economic rationale for multitude. Although, Hardt and Negri repeatedly emphasise in *Empire* and *Multitude* that multitude is an entity that defies quantification, it is fundamentally an economic rationale because Hardt and Negri place the source of multitude's political system in the labour of the multitude itself.

As a consequence of this, multitude may once again repeat the fundamental failing Foucault attributed to socialism in the lectures: that socialism either operates as a checking mechanism within a liberal system or as an internal logic within an authoritarian system. In the case of Hardt and Negri then, multitude would function as a check on neo-liberalism. If it was implemented it would, for instance, challenge nationalism and forms of cultural racism. For that reason then, applying the theory Hardt and Negri propose may well qualitatively advance global politics.

2.1 Sovereignty and Governmentality

The concept of sovereignty is a central topic within *Empire*. Through the course of that text, Hardt and Negri observe sovereignty's formation, transformations and ultimately its destruction. Sovereignty is also tied to other important concepts within *Empire* such as the nation-state, imperialism, immanence and transcendence. The interpretation of sovereignty Hardt and Negri present goes somewhat beyond governmentality in that Hardt and Negri situate the concept and the multitude's challenge against it, within a long tradition of European political thought: from Spinoza, to Marx, to Deleuze and Guattari. However, it remains an abstract concept in the work of Hardt and Negri and it is not entirely clear how the multitude should respond to it.

A significant feature of the interpretation of sovereignty presented by Hardt and Negri is that it exists in a permanent state of crisis. The following comment on modernity is analogous to the nature of sovereignty:

“Modernity itself is defined by crisis, a crisis that is born of the uninterrupted conflict between the immanent, constructive, creative forces and the transcendent power aimed at restoring order.”(Hardt and Negri 2001, 76)

Within this quotation, Hardt and Negri describe the fundamental conflict between sovereignty and multitude. Sovereignty, which within modernity has transformed into imperial sovereignty, occupies a transcendent space above society and seeks to conserve established power structures.

Hardt and Negri trace the crisis of modernity all the way back to the middle-ages: it was sparked by a rupture in conventional authority. This rupture was the self-realisation of the multitude. However subsequent to that initial break, various political structures, from the nation-state to imperial sovereignty, have successively emerged to prevent the multitude from realising its power.

Hardt and Negri regard the multitude as the final, just, political system. Multitude might be understood as a global community, yet Hardt and Negri do not see it as homogenising in any way. Smaller, localised communities will continue to exist, and new groups will emerge, but all communities will have a global awareness and a common sense of humanity.

Thoburn captures the minute scale of the multitude, as well as its novelty as a collective identity, in the following passage in which he outlines the influence of

Deleuze and Guattari on Negri, in particular the effect of their notion of “small peoples”:

“Deleuze and Guattari propose a model of politics which emerges not in a space of plenitude, coherence and social mobility – in a People or an identity – but in ‘cramped spaces’ and ‘impossible’ positions – in ‘minorities’ and ‘small people’. Small peoples find themselves traversed by determining social forces that cramp their movement; they have no possibility of settling into coherent and autonomous self-determined identity.”(Thoburn 2001, 79)

However, Hardt and Negri take something of a different stance than Deleuze and Guattari, in that Hardt and Negri see a common element underpinning the multitude. For all its fractures and seeming disparities, Hardt and Negri believe the multitude is pulled together through the accumulation of labour.

To reiterate, the conclusion of this paper is that the major contribution Hardt and Negri have made to political theory is this concept of multitude, which offers a novel way to conceptualise identity in an increasingly globalised political and economic environment.

2.2 Immanence and Transcendence

The interpretation of sovereignty Hardt and Negri present is based on two theological concepts: immanence and transcendence⁸. It is important to understand the role these concepts play in their theory because they illustrate that Hardt and Negri base their concept of politics on a different source than the sociological foundations of Foucault’s reading. This may suggest that Hardt and Negri have developed a concept of politics beyond Foucault’s administrative understanding. However, as will become apparent later, implementing the theory Hardt and Negri describe in practice is fraught with challenges. As Hardt and Negri would themselves recognise, the danger is that any progress made through direct action will be lost once power is re-organised and subsequently distributed to new elites. However, for the moment, this account will focus on examining how Hardt and Negri translate these theological concepts into politics.

Immanence is the notion that some aspect of God is present in all living things. For Hardt and Negri, this notion relates to politics in that they believe all individuals are

⁸ Drawing on such theological concepts puts Hardt and Negri in a unique position within contemporary Marxist theory. Murphy, for example, has praised them for re-introducing ontology into Marxism (Murphy 2001). An area he claims was last touched on by Lukács (Murphy 2001, 17).

linked through labour. In the absence of any transcendent government to exploit the productive capabilities of the multitude, Hardt and Negri claim that a just political system will spontaneously emerge from the synthesis of the multitude's labour.

The notion of immanence is also associated with the emergence of multitude and its increasing awareness of itself as a political agent. The following quotation on the origins of multitude and empire illustrates this connection:

“...first, the revolutionary discovery of the plane of immanence; second, the reaction against these immanent forces and the crisis in the form of authority; and third, the partial and temporal resolution of this crisis in the formation of the modern state as a locus of sovereignty that transcends and mediates the plane of immanent forces.”(Hardt and Negri 2001, 70)

Thus the emergence of the multitude and empire followed three phases. At the close of the middle-ages, a fissure appeared in conventional power structures, that enabled the multitude to recognise itself as a political agent. Hardt and Negri characterise this as the discovery of immanent power. They describe immanence as a creative force that will enable the multitude to produce a truly just politics. They repeatedly refer to Spinoza as the pre-eminent philosopher on this subject:

“Spinoza's philosophy of immanence... is a philosophy that renewed the splendors of revolutionary humanism, putting humanity and nature in the position of God, transforming the world into a territory of practice, and affirming democracy of the multitude as the absolute form of politics.”(Hardt and Negri 2001, 77)

In the second and third stages of the process, the emergence of the multitude prompted a response from the dominant powers in society, which took the form of the generation of sovereignty and the nation-state. The second phase then is the recognition by the established powers of the multitude's self-realisation and the third is the development of new institutions and structures capable of controlling the multitude, albeit temporarily.

Hardt and Negri describe these new forms as transcendent. Within theology, transcendence contrasts immanence. Transcendence holds that God is a completely separate entity from the world. Hardt and Negri situate this notion within political theory by associating it with empire, characterising it as an abstract system that prevents multitude from actualising itself as a political subject. Over time, empire has generated transcendent structures such as the nation state and sovereignty in order to undermine multitude.

With the beginning of modernity, the nature of transcendent power altered as the nation-state and sovereignty were increasingly challenged. Hardt and Negri describe this new transcendent power as imperial sovereignty.

Imperial sovereignty is characterised as a global structure, lacking a specific territory, and, like previous transcendent political systems, it is sustained through the exploitation of multitude:

“Along with the global market and global circuits of production has emerged a global order, a new logic and structure of rule – in short, a new form of sovereignty. Empire is the political subject that effectively regulates these global exchanges, the sovereign power that governs the world.”(Hardt and Negri 2001, xi)

In summary then, for Hardt and Negri, transcendence within the context of politics is characterised as a gradual movement from the multitude accepting a Hobbesian sacrifice of power, to the democratic ideal of representative government, to an abstract system guided by capital.

The alternative to politics emerging from this transcendent power is politics emerging from immanent power. It is not clear what an immanent system would look like, as it has never existed. However, it would appear to be something like a system that would spontaneously adjust to the requirements of the multitude.

The abstract capitalist system could be associated with neo-liberalism, which raises the question of whether the alternative immanent form Hardt and Negri propose could go beyond the neo-liberal governmentality and actually establish a genuine alternative to neo-liberalism. To address this issue, this paper will examine Laclau's criticisms of Hardt and Negri, which are focused on the difficulties of implementing the theory of multitude and so indicate why it may not be capable of displacing neo-liberalism.

Laclau was most critical of the application of immanence within the context of politics. He argued that in situating immanence within the multitude, Hardt and Negri deny politics expression, meaning that, for Laclau, their theory is in fact anti-political: “What is totally lacking in Empire is a theory of articulation without which politics is unthinkable.”(Laclau 2004, 46)

Laclau challenges multitude by engaging with the theological debate Hardt and Negri drew on to formulate the concept. Laclau approaches the principal theological

question that influenced Hardt and Negri from a different angle. The issue that Laclau takes up is how can God allow evil to persist if he is almighty, unless God is in some way subject to evil. One response to this issue is the immanent critique, which indicates that God is present within the world itself, and that evil constitutes some kind of phase of development in Him becoming almighty. Hardt and Negri adapt this principle to politics by situating immanence within the multitude and treating this long struggle with empire as a series of steps towards perfection.

Laclau argues that within theology immanence is not the only way to resolve the presence of evil within the world. Hence there may be alternative ways to translate this theological idea into politics than that proposed by Hardt and Negri. Laclau posits an alternative solution to the theological problem. His argument is that evil is merely a property of the world and in no way connected to God. In political terms, his point then is that there can be no final political system: any engagement with politics is necessarily only partial. Hence, for Laclau, Hardt and Negri have neglected the “asymmetry between actual political subjects and the community as a whole.”(Laclau 2004, 25)

Laclau argues that in not recognising this asymmetry, Hardt and Negri ultimately make politics unthinkable. The reason for this Laclau suggests is that there can be no universal subject, for that to happen one identity would have to be enforced across the world.

For Laclau the epitome of the attempt to universalise a single subject is found in Marx’s theory, specifically in his description of the transition to a completely proletarian society: “... the universality of the revolutionary subject entails the end of politics – that is, the beginning of the withering of the state and the transition... from the government of men to administration of things.”(Laclau 2004, 24)

There are two problems in the critique Laclau presents against Hardt and Negri. First, he has mistakenly conflated the multitude with the proletariat. Although Hardt and Negri argue that the multitude is a manifestation of collective labour, it differs from the proletariat in several respects.

The multitude does not seek to impose a single identity across the globe, nor even upon a specific territory. Multitude does not preclude the emergence of new and different communities, in fact this is one aspect of its function.

In *Multitude*, Hardt and Negri discuss in detail how multitude differs from other communal identities.

For instance, they argue that it differs from the notion of “the people” in that: “The people is one... The multitude, by contrast is not unified but remains plural and multiple.”(Hardt and Negri 2005, 99)

Hardt and Negri affirm that the multitude is not underpinned by a single identity, as in the case of the nation. They believe the multitude can function as a unifying element but, unlike the nation, it does not achieve unity by setting itself against other identities.

Multitude also differs from other loose collective identities such as the crowd or mob. The crowd, for Hardt and Negri, is largely an indifferent mass of people. The mob is agitated, but this anger is unfocused, meaning it can become destructive. A charismatic leader can easily manipulate the mob's hysteria.

In contrast: “The multitude is an internally different, multiple social subject whose constitution and action is based not on identity or unity (or, much less, indifference) but on what it has in common.”(Hardt and Negri 2005, 100) The concept of “the common” is referred to frequently in *Empire* and *Multitude*. It is an amalgamation of the labour of each individual within the multitude. Hardt and Negri see this amalgamation as the true wealth of humanity and believe it can serve as the basis for all political structures.

The second problem in Laclau's critique on Hardt and Negri is that he dismisses too quickly the attempts by Hardt and Negri to define alternative political arrangements to the nation-state, which is premised on exclusion. Laclau does not properly evaluate the reasoning behind the stance Hardt and Negri adopt. For Laclau politics necessarily involves some kind of division between groups: “The “people” is the specific subject of politics and presupposes a sharp division in the social body that cannot be led back to any kind of immanent unity.”(Laclau 2004, 21)

Where Laclau's criticisms are apt is in highlighting some potential pit-falls in establishing the multitude as a system of collective identity. Indeed the issues Laclau raises against multitude are relevant to its application as a governmentality.

If Laclau's stance that forming a political identity involves some kind of exclusion or differentiation between peoples is correct, then there is a danger that the claim

multitude can encompass all humanity is merely rhetoric. This leaves multitude open to subversion by authoritarian regimes that merely claim to respect the principles of inclusion and diversity.

However, even if Laclau's arguments on political identity and exclusion are incorrect, his analysis more broadly points to problems in the theory of multitude in respect to governmentality. Underlying Laclau's argument is the issue that implementing such grand visions as those of Hardt and Negri is tremendously difficult within today's political reality.

Hence, multitude may never entirely displace neo-liberalism. The plurality of identities sustained through multitude is not necessarily incompatible with neo-liberalism. As long as multitude remains confined to a cultural rather than political identity, it is compatible with the global economic and political structures of neo-liberalism.

Having said that, there is no prior example of the kind of collective identity Hardt and Negri propose. Perhaps then even if the multitude could only manifest itself in a cultural identity, it would still constitute a qualitative step forward and could check some of the excesses of neo-liberalism.

It may be the case that Hardt and Negri overestimate the multitude's potential to transform contemporary politics. However, if we do not attach such grandiose claims to the multitude, it becomes a more viable concept. If rather than regarding it as the final political system, it is instead treated as an alternative way of conceptualising political communities aside from the nation-state, then the virtue of the concept reveals itself.

2.3 Constituent and Constituting Power

Before moving on to examine the specific criticisms Hardt and Negri make against the features of existing political institutions, this paper will once again evaluate an ontological aspect of the theory of multitude. This section will consider the concepts of constituent and constituting power in Negri's theory⁹.

⁹ This section will focus on Negri's theory, as it is in his individual works that he most explicitly explores the issue of constituent and constituting power. However, these concepts significantly inform the theory of multitude.

Both concepts are related to immanence and transcendence. Constituting power, which in Negri's theory describes an animating force that generates novel political institutions, corresponds to immanence. While constituent power, which is the embodiment of constituting power in institutions, today corresponds with transcendence; although it is conceivable that, under the framework of Negri's theory, future institutions could better embody constituting power.

It is vital for this paper to review constituent and constituting power because Negri's stance on their relationship indicates how multitude might generate political institutions. This in turn has implications for multitude's position as a possible alternative to neo-liberalism.

This section will focus on Neilson's critique of Negri's theory in order to examine the two concepts (Neilson 2004). Neilson's analysis is especially notable in that he compares Negri's work directly with another significant Italian scholar within political theory: Giorgio Agamben. In analysing Negri against Agamben Neilson touches on a number of topics that will be examined in greater detail later in the paper: topics such as biopolitics, methods for conceptualizing political change, and sovereignty.

Indeed, the opposition Neilson finds between Negri and Agamben stems from a difference in their understandings of sovereignty. Fundamentally they both agree that sovereignty, which was the ultimate embodiment of an outburst of constituent power, no longer exists in the traditional sense. The difference Neilson finds between the theories is that Negri maintains faith in the possibility of constituting power offering an alternative to the traditional political institution of sovereignty; whereas, for Agamben, constituent and constituting power have become dangerously intermixed, which leads Agamben to question the value of the entire Western tradition of political thought.

This combination of constituent and constituting power is central to the theory Agamben presents in *Homo Sacer* (Agamben 1998). There Agamben suggests that politics in modernity is characterized by a permanent state of exception: that the suspension of law, which traditionally only occurs in times of revolution or war, has become the normal condition of politics. As a result, Agamben argues that today everyone occupies the space of *Homo Sacer*. That is to say anyone can be divested of their political rights arbitrarily by the state.

Negri accepts the notion of the bare life, but interprets it in an entirely different way: “[For Agamben] The apparatus of the sovereign ban condemns humanity to inactivity and despair. By contrast, Hardt and Negri claim that the bare life must be raised up to the dignity of productive power.”(Neilson 2004, 68)

Later, this paper will explore in more detail why Hardt and Negri believe there is so much productive potential within the bare life. In summary, Neilson characterizes Negri’s position as: “Signal of Negri’s argument here is the claim that constituent power destroys all the concepts of the modern while at the same time producing others.”(Neilson 2004, 69)

In relation to governmentality, Negri’s stance on constituent and constituting power is somewhat ambiguous. The fact that Negri, unlike Agamben, believes constituent power still has the potential to generate just political institutions would indicate that multitude is capable of establishing a novel governmentality. However, since it is not apparent within Negri’s theories precisely what structures he believes could represent multitude, the danger that multitude will become an element within a neo-liberal system cannot be excluded¹⁰.

Having said that, Hardt and Negri have described in some detail the problems with existing examples of constituted power. The next section will examine these criticisms in order to determine if they could form the basis for a vision on how multitude would operate in reality.

2.4 The Nation State and National Identity

Although multitude may not transform politics to the extent Hardt and Negri imagine, Hardt and Negri offer a richer understanding of how political identity is formed in *Empire* and *Multitude* than Foucault presented in the lectures¹¹. This

¹⁰ Neilson concludes his essay by attempting to resolve the opposing positions adopted by Agamben and Negri. He turns to the theory of Paul Virno, who he claims resolves the tension between constituent and constituting power by introducing a temporal dimension:

“Virno argues that the statement ‘there is potential only when there is act’ holds only if one adds a small clause: ‘in time’. In other words, potential exists *in time* only when there is an act.” (Neilson 2004, 75).

¹¹ Foucault commented on the issues, and connections between, nation, race and class in the 1976 lectures (Foucault 2004), but these issues do not feature to a significant extent in the two series reviewed in this paper. However, that is not to say there have been no accounts on the issue of nationalism in relation to biopolitics and governmentality. Agamben

section will evaluate the concept of political identity Hardt and Negri submit. It will examine their interpretation of the relationship between the nation-state and national identity. As well as their view on the American Revolution, which constitutes the clearest account on how they conceive multitude operating in practice.

Primarily, Hardt and Negri argue that sovereignty and the nation-state exist to manage conflict within multitude, thereby preventing it from overthrowing the established authorities. Both elements are essential to each other, without a notion of sovereignty the nation-state lacks a rationale and the transcendent nature of sovereignty is meaningless without the material apparatus of the nation-state to enforce its authority.

Having said that the multitude has consistently challenged the structures of sovereignty and the nation-state over time, meaning that the nation-state and sovereignty have been forced to adapt. As noted in the previous section, sovereignty and the nation-state first emerged as a response to the immanence of the multitude.

The emergence of sovereignty and the nation-state might be regarded as consisting of three actions. First, it operates to manage, and so control, the immanent power of the multitude. Second, it relies upon an imagined community. Finally, this imagined identity is sustained through division and exclusion of people.

The first point was covered in the previous section. The second two are the main issues of this section. Essentially they both concern the maintenance of social cohesion within a turbulent political environment.

Both sovereignty and the nation-state emerged as responses to a crisis in authority during the middle-ages. The nation-state became an increasingly essential element as sovereignty became more abstract. Initially, sovereignty maintained order through a hierarchy of roles across society. Hardt and Negri place the origins of the nation in the monarchical state, where the state was considered the monarch's property. God Himself appointed the monarch, so through the monarch the people

provides a particularly good example of how biopolitics relates to nationalism. Indeed, he finds it strange that, "Foucault never brought to bear on what could well have appeared to be the exemplary place of modern biopolitics: the politics of the great totalitarian states of the twentieth century." (Agamben1998, 119).

were connected to God. This established a social hierarchy(Hardt and Negri 2001, 94).

However, bourgeois culture destroyed this structure. With the rise of the bourgeoisie this spiritual notion had to be replaced by an abstract cultural identity. Here, the basis of the nation was the idea that a particular territory belongs to a specific community.

Finally with the integration of capitalism and sovereignty, Hardt and Negri argue we have reached a point where: "...sovereignty becomes a political machine that rules across the entire society."(Hardt and Negri 2001, 87)

For Hardt and Negri the concept of the nation is premised on establishing a collective identity through exclusion:

"The identity of the people was constructed on an imaginary plane that hid and/or eliminated differences, and this corresponded on the practical plane to racial subordination and social purification.

The second fundamental operation in the construction of the people, which is facilitated by the first, is the eclipse of internal differences through the representation of the whole people by a hegemonic group, race, or class."(Hardt and Negri 2001, 103/4)

In establishing this homogenous identity, differences within "the people" are, albeit temporarily, displaced. Hardt and Negri believe that the nation-state has been so effective in instituting difference that national identities appear "natural".

A crucial component of this naturalisation of national identity is establishing a notion of "other". Following a strand of post-colonial theory Hardt and Negri claim that the construction of a European "self" was premised on the creation of a non-European "other" against which the European identity could be defined: "The negative construction of non-European others is finally what founds and sustains European identity itself."(Hardt and Negri 2001, 124)

Hardt and Negri emphasise that the nation-state is transitory. Similarly they argue that national identity will disappear, as the exclusions it is premised on are arbitrary and cannot be sustained indefinitely:

"Precisely because the difference of the Other is absolute, it can be inverted in a second movement as the foundation of the Self. In other words, the evil, barbarity, and licentiousness of the colonized Other are what precisely make possible the goodness, civility, and propriety of the European Self. What first

appears strange, foreign and distant thus turns out to be very close and intimate."(Hardt and Negri 2001, 127)

Over time Hardt and Negri argue the other and the European self will merge, meaning that the notion of the other becomes unthinkable. The further a community is pushed away, the closer it becomes.

With multitude Hardt and Negri are not seeking to exclude difference and establish a single global identity. They repeatedly assert the importance of recognising a common humanity, the issue they have with the nation state is that there is no understanding of this common project.

A similar detailed analysis on the construction of identity does not appear in Foucault's account on governmentality. Hence examining the work of Hardt and Negri alongside Foucault's analysis on governmentality is complementary to Foucault's work in that it exposes another dimension of politics.

For all their criticisms against the nation state, however, there are some contexts in which Hardt and Negri acknowledge the concept of the nation has had a positive effect. Yet they are careful to qualify these points, arguing that once the nation-state is finally established, it inevitably adopts the negative characteristics noted above.

Examining the passages of *Empire* in which Hardt and Negri consider the more beneficial aspects of the nation is important as it is in these sections that Hardt and Negri engage most overtly with political reality rather than theory.

Positive instances of nationalism for Hardt and Negri include when the subjects of colonies have asserted themselves against an illegitimate government, and, in particular, the American Revolution. However, Hardt and Negri believe that none of these instances have entirely fulfilled their promises of liberty.

In the first example Hardt and Negri characterise this potential positive form of nationalism as subaltern nationalism(Hardt and Negri 2001, 105). They associate subaltern nationalism with peoples outside of Europe who were subject to colonial occupation. However, Hardt and Negri are still cautious in their praise of these instance because for them nationalism is always ultimately a poison chalice:

"We should emphasize, however, that these ambiguous progressive functions of the concept of the nation exist primarily when nation is not effectively linked to sovereignty, that is, when the imagined nation does not

(yet) exist, when the nation remains merely a dream,”(Hardt and Negri 2001, 109)

Hardt and Negri argue that once disparate groups have successfully asserted themselves as nations, they will inevitably embrace the negative aspects of the nation-state, which all nations must do eventually to establish one community as dominant.

There is, however, another beneficial instance of the concept of nation: the American Revolution.

The case of the United States is significant in that for Hardt and Negri the establishment of the US constitution marks the turning point from the dominance of the classical transcendent sovereign to a new era of, what they term, “imperial sovereignty”. The novelty of the US constitution for Hardt and Negri is that it draws power directly from the multitude, despite the fact that this power is ultimately reconfigured into a sovereign form:

“The new sovereignty can arise, in other words, only from the constitutional formation of limits and equilibria, checks and balances, which both constitutes a central power and maintains power in the multitude.”(Hardt and Negri 2001, 161)

Hardt and Negri discuss the constitution, and the subsequent history of the United States, in some detail. Their tone changes significantly when they come to examine the more recent history of the United States. Their analysis on the modern era is more controversial. However, their reading of the period initially following the revolution, up to the civil war is noteworthy because in these passages on early US history they hint at how the multitude might operate as a political agent in reality.

There are two elements within the constitution and the early years of US history that Hardt and Negri identify as particularly significant. First is the fact that the constitutional structure of the United States enabled the multitude to play a decisive role in the generation of the political system. They suggest that the US constitution is founded on constituent power.

They praise in particular the network of checks and balances established across the post-revolutionary American government by the constitution, despite the fact that ultimately a new form of sovereignty emerged.

The constitution achieves a balance between the requirements of central authority and a vibrant multitude. It is capable of this because it effectively harnesses the power of the different groups within the multitude. Rather than conflict splitting the multitude into disparate groups, conflict accumulates power leading to mutual benefits:

“The constitution was designed to resist any cyclical decline into corruption by activating the entire multitude organizing its constituent capacity into networks of organized counterpower in flows of diverse and equalized functions, and in a process of dynamic and expansive self-regulation.”(Hardt and Negri 2001, 163)

The other element Hardt and Negri comment on extensively is the expansive quality of the constitution. They are careful to distinguish between an imperialist strategy of expansion and the expansive tendency of constituent power(Hardt and Negri 2001, 166).

It is in this section that Hardt and Negri come closest to indicating how multitude could operate in practice. Multitude would appear to be a revolution in the Arendtian sense of the word(Arendt 1990). That is to say in action, multitude would mark a return to a spirit of expansion and inclusion that characterised the post-American revolutionary era:

“This democratic expansive tendency implicit in the notion of network power must be distinguished from other, purely expansionist and imperialist forms of expansion. The fundamental difference is that the expansiveness of the immanent concept of sovereignty is inclusive, not exclusive. In other words, when it expands, this new sovereignty does not annex or destroy the other powers it faces but on the contrary opens itself to them, including them in the network.”(Hardt and Negri 2001, 166)

Perhaps Hardt and Negri avoid claiming that the US experience was entirely synonymous with multitude because they do not believe the post-revolutionary United States empowered the multitude. For instance, they moderate their praise for the period by noting that the freedom established by the revolution could only be enjoyed by one section of the community. Blacks, Native Americans and women were not granted equal rights from the start. Nevertheless, over time these groups were incorporated into the system, meaning that the post-revolutionary experience still remains an important, if partial, model of how the multitude could operate in reality.

However, as time moves forward, Hardt and Negri argue the US adopted an increasingly imperialistic agenda. Their claims on US imperialism are contestable. Indeed, perhaps the low point in their argument is the purely militant role they assign to the United States in modern global politics.

Hardt and Negri argue that once the boundaries of the contiguous United States were reached a dilemma emerged. Without continuous expansion this multitude could not regenerate itself. This provoked two responses. First a retreat back to old European-style colonial adventures, an approach Hardt and Negri associate with Theodor Roosevelt. Second a strategy to expand the principles of the constitution globally, an approach pioneered by Woodrow Wilson. Although Wilson was not entirely successful in his day, his efforts prefigure the creation of international organisations.

In the end, however, Hardt and Negri argue that the United States' role has diminished. They see the United States as operating as just one agent in a global complex of imperial sovereignty. The analysis Hardt and Negri present on the American Revolution and other instances of colonial rebellion help to clarify how they envisioned multitude operating in reality. Hence this material contributes to the general stance Hardt and Negri adopt in relation to political identity and further complements Foucault's account on governmentality as the realization of an administrative politics.

2.5 Imperial Sovereignty and Governmentality

Hardt and Negri claim that once the nation-state has been displaced the final form of sovereignty emerges: imperial sovereignty. Hardt and Negri characterise imperial sovereignty as constituting a global force that functions much like a network. This final section will discuss imperial sovereignty by concentrating on one aspect of its effect, the emergence of cultural racism, and then move on to evaluate the recommendations Hardt and Negri make to undermine imperial sovereignty.

This paper ultimately draws the conclusion that these recommendations are impractical. However, the broad principles they are founded upon, such as global freedom of movement, may help global politics move a step forward even if they are compatible with the neo-liberal governmentality.

Beginning with the issue of cultural racism then, Hardt and Negri argue that the practices of exclusion traditionally associated with racism persist to this day although the practices have adapted to the changing political environment. Racism is no longer associated with biology, but instead with culture. Empire is tolerant of difference but social inequality persists because assumptions are made of a person because of his social background:

“This pluralism [of empire] accepts all the differences of who we are so long as we agree to act on the basis of these differences of identity so as we act our race... The theoretical substitution of culture for race of biology is thus transformed paradoxically into a theory of the preservation of race.”(Hardt and Negri 2001, 92)

Hardt and Negri argue that the effect of this cultural racism is most apparent within industry, where it splits the work-force into national factions. Such division undermines workers’ ability to band together and demand recognition of their rights.

Hardt and Negri propose three stages to this process: inclusion, differentiation, and management and control of difference through cultural racism(Hardt and Negri 2001, 198). If, however we treat it as a general tendency in an increasingly globalised market then the account Hardt and Negri offer of racism within modern industry appears rather astute.

It is a recognisable process. The first stage Hardt and Negri propose is that empire claims cultural difference is irrelevant. Many multi-national organisations and governments indeed claim to adopt policies that preclude the effects of cultural difference. However Hardt and Negri suggest this is only a temporary measure. They argue that empire merely ignores difference so that it can spread across the globe as a seemingly universal system.

In respect to industry, the fundamental difference between empire and multitude as global identities is that empire does not emphasise the commonality of labour and it has no interest in establishing new communal identities. Once empire is firmly established in a region, tensions emerging from old differences are not challenged. In fact such differences are celebrated. Indeed, as populations migrate across the world these tensions are solidified in new Diasporas. This is a point of fundamental contrast between imperial sovereignty and the colonial projects of European nation-states: “Whereas colonial powers sought to fix pure, separate identities, Empire thrives on circuits of movement and mixture.”(Hardt and Negri 2001, 199)

Hardt and Negri provide a number of practical examples of the kinds of exclusions they believe imperial racism prompts within the work-force. In general, Hardt and Negri suggest that large corporations exploit cultural divisions in their work-force because it is easier for them to manipulate their employees if they are split along ethnic, linguistic and national lines.

Examples of this manipulation include the management practices of Central American banana plantations, where a lack of cultural assimilation undermines a diverse work-force banding together collectively to demand better working rights (Hardt and Negri 2001, 200).

Hardt and Negri propose multitude as an alternative political system, capable of respecting difference and yet at the same time emphasising a common element across all human societies. It contrasts with empire in that it does not seek to sideline difference or endorse policies of exclusion.

Once again the terminology Hardt and Negri employ may seem rather abstract, but at its core is a sound argument. For instance, despite increasing integration of markets across the globe, cultural and national issues still generate resentment. As a result, analysing how multitude could operate as a communal identity, with a global reach, is vitally important: even if multitude does not realise the substantial global political aims Hardt and Negri advocate.

Towards the end of *Empire* Hardt and Negri propose three recommendations to displace imperial sovereignty. All three are intended to achieve this by enhancing workers' rights. In summary, they are:

- Enable current illegal migrant workers to receive full citizenship within their territory of employment.
- Establish a general social wage for everyone across the world.
- Re-appropriate the means of communication. (Hardt and Negri 2001, 396-403)

The first measure stems from a commitment to the principle of global mobility. Hardt and Negri assert: "The general right to control its own movement is the multitude's ultimate demand for global citizenship." (Hardt and Negri 2001, 400)

Hence one of the defining features of multitude is freedom of movement. The faith Hardt and Negri place in mobility and migration as a means to undermine Empire

has been questioned in some quarters. Returning to Laclau's essay, he is skeptical of how Hardt and Negri interpret migration's potential in altering global politics.

Laclau's major criticism against migration's role in Empire is that Hardt and Negri treat migration as a deliberate, conscious act against empire: "Needless to say, this martial concept of the migratory process does not correspond to any reality: reasons for various groups to migrate are very different and are not unified around any anti-Empire crusade."(Laclau 2004, 29) His second criticism is that Hardt and Negri generalise the concept of migration so much that it becomes meaningless.

Although Hardt and Negri could refine their concept of mobility, Laclau offers a rather glib reading of the role of migration in Empire. Hardt and Negri do not argue that people choose to migrate in a conscious effort to undermine empire.

It is true that Hardt and Negri present a grand vision of borderless free movement, but they also note that today the only people who enjoy anything close to this kind of freedom is an elite. For the vast majority of people migration is not a choice:

"Certainly from the standpoint of many around the world, hybridity, mobility, and difference do not immediately appear liberatory in themselves. Huge populations see mobility as an aspect of suffering because they are displaced at an increasing speed in dire circumstances..."

For them, mobility across boundaries often amounts to forced migration in poverty and is hardly liberatory. In fact, a stable and defined place in which to live, a certain immobility, can on the contrary appear as the most urgent need."(Hardt and Negri 2001, 154/5)

Thus, the role of migration in the theory of Hardt and Negri is far more complex than Laclau recognises. Hardt and Negri do not simply argue that people migrate in order to disrupt empire.

They observe that the rise of global capitalism has prompted a greater freedom of movement for some. However for the majority, migration means illegal migration for work and forced migration due to war and oppression. Hence the function of migration is somewhat ambivalent within the theory of multitude. Migration works both for and against empire. There must be a certain amount of freedom of movement across borders for the global economy to function but in resisting artificially imposed borders people undermine empire. Nevertheless Hardt and Negri maintain that migration is ultimately an essential component on the path to liberation.

As an initial step toward realising freedom of movement for all they recommend establishing a procedure for all migrant workers to claim citizenship in the country they work within. They note that this is their most practical recommendation, as it is essentially an argument to take the principles of free-market liberalism to their logical conclusion: "Hence, the political demand is that the existent fact of capitalist production be recognized juridically and that all workers be given full rights of citizenship."(Hardt and Negri 2001, 400)

The fact that this opening of borders does not run against liberalism is important to recognise as this is one area in which multitude would appear to be compatible with neo-liberalism.

The second measure advocated by Hardt and Negri, however, clearly runs counter to a liberal economic policy.

The concepts of labour and value in the theory of multitude forms the basis of the notion of a social wage. The key factor to note is that Hardt and Negri believe labour has become more diffuse and detached from traditional notions of labour, such as manual activities. They now believe everyone is constantly engaged in labour. Whether that be within an office, entering figures into a database, or even in leisure activities. For that reason they believe everyone across the world should be entitled to a social wage, even if they do not engage in activities conventionally referred to as work. This second recommendation is less convincing than the first: implementing a social wage would be politically problematic.

The final recommendation Hardt and Negri make is more speculative. It is speculative in that the action consists of establishing a telos for the multitude to unite behind. Essentially the third recommendation consists of, what they describe as, the re-appropriation of the means of communication(Hardt and Negri 2001, 406). They do not mean re-appropriation in the traditional sense of workers seizing the means of production. They see it more along the lines of acquiring control of the means of communication. This instruction might seem vague, however, re-appropriating the means of communication could consist of such actions as citizens of authoritarian regimes using the internet to disseminate opinions different from the official line.

However, there is perhaps a less benign aspect to this telos. Hardt and Negri believe establishing such a telos is necessary because:

“The problem we have to confront now is how concrete instances of class struggle can arise, moreover how they can form a coherent program of struggle, a constituent power adequate to the destruction of the enemy and the construction of a new society.”(Hardt and Negri 2001, 404)

This reference to "enemy" is of concern. It indicates that multitude will have to engage in the processes of exclusion that Hardt and Negri previously associated with empire and the nation-state.

This reference to enemy may be a momentary slip on the part of Hardt and Negri, but it does point towards a possible problem in implementing multitude. This point could support the argument that neo-liberalism will ultimately engulf multitude. Putting multitude into practice while preventing neo-liberalism, or other ideologies, exploiting its rhetoric is challenging. Neo-liberalism is a particularly difficult case because it clearly shares some elements of the economic rationale that underpins multitude.

3 The Function of Civil Society

The previous chapter focused on issues that were not examined in detail within Foucault's lectures but that are important in the work of Hardt and Negri: issues such as sovereignty, the nation-state and political identity. That is not to say, however, there is no reference to these topics in Foucault's writing or that they are incidental. Within the lectures, these topics are frequently approached indirectly, most notably through a discussion on the relationship between civil society, and neo-liberalism. Hardt and Negri have also commented on civil society, but in texts aside from *Empire* and *Multitude*. It is in these texts that Hardt and Negri most thoroughly critique neo-liberalism.

The following quotation is an effective summary of the role of civil society in Foucault's theory of governmentality:

“Civil society is, I believe, a concept of governmental technology, or rather, it is the correlate of a technology of government the rational measure of which must be juridically pegged to an economy understood as a process of production and exchange. The problem of civil society is the juridical structure (économie juridique) of a governmentality pegged to the economic structure (économie économique).”(Foucault 2008, 295)

This quotation illustrates that, for Foucault, civil society is not a domain autonomous from politics. Rather it operates as a response by established powers to the challenge that the liberal governmentality puts to sovereignty.

This challenge emerges from a conflict between the economic imperative of liberalism and the old legal structures of classical sovereignty. Foucault argued that the economic imperative of liberalism generated an economy that is unintelligible to the sovereign, or for that matter any individual. This established a situation in which the sovereign was obliged to renounce power. This renunciation puts strain on the institutions of sovereignty. A strain that neo-liberalism made all the more intense.

Foucault claimed that civil society emerged in order to compensate for the pressures a free market economy puts on sovereignty and the nation-state. This, in part, explains why an entirely open terrain for free-trade, such as that advocated by neo-liberals, has yet to emerge.

Finally, the instrumental quality Foucault associates with civil society is tied to a change in the nature of law. It is part of a shift towards a purely administrative,

rather than rights-based system. There is a strong sense in Foucault's account that this shift comes at a political cost.

Hardt and Negri have also commented on civil society, however, they submit an interpretation that has some notable differences from Foucault's in respect to its nature and function. Hardt and Negri present an interpretation of civil society which, in common with Foucault's interpretation, treats civil society as an instrument of the dominant powers. However, Hardt and Negri believe civil society no longer exists: a situation that in turn enables global politics to adopt a neo-liberal character.

Hardt and Negri recognize that neo-liberal theory seeks to establish an unmediated relationship between the state and the individual. Yet they argue that the rhetoric neo-liberal theory employs to describe this relationship is misleading. Hardt and Negri do not believe neo-liberalism has led to a dramatic shrinking of the state. Instead they argue that neo-liberal governments have, counter-intuitively, significantly increased the size of the state by substantially increasing military spending.

Further, they argue that neo-liberalism has expunged identity from politics, but in doing so, they believe it facilitates the enforcement of just one perspective within politics, which gives politics, what they describe as, a dangerous moral imperative. Hence, the analysis Hardt and Negri present indicates that neo-liberalism has in practice led to politics becoming even more authoritarian.

This paper will argue that Hardt and Negri adopt an entirely negative view of neo-liberalism because their account lacks a developed understanding of governmentality. In the absence of such an understanding, they fail to appreciate that neo-liberalism, like any form of governmentality sits on a scale of authoritarianism. Hence, there is always the possibility of a neo-liberal governmentality sliding into authoritarianism. Further, in conflating authoritarianism and neo-liberalism in this way, Hardt and Negri ignore the possibility that multitude could also adopt authoritarian characteristics.

Indeed, drawing these comparisons on the subject of civil society reveals a host of areas in which the theory of multitude overlaps with neo-liberalism. In particular, the challenge neo-liberalism makes to national sovereignty and in the necessity of freedom of movement. As a consequence of these comparisons, it may be the case that Hardt and Negri do not offer such a radical alternative to neo-liberalism. The

result of this is that they fall inline with Foucault's comments on the general failure of socialist theory to respond to neo-liberalism. Nevertheless, the multitude represents an important strategy in cultivating novel collective global identities.

3.1 Neo-liberalism's Challenge to Classical Sovereignty

The principal issues to comment on are the nature of the challenge neo-liberalism puts to classical sovereignty, and, consequently, why civil society became a necessary element to protect traditional sovereignty from the extreme implications of neo-liberalism. This opposition to classical sovereignty on the part of neo-liberalism connects neo-liberalism to the theory of multitude despite the fact Hardt and Negri would vehemently oppose such an assertion.

Foucault's account indicates that an intellectual and practical review of the notion of sovereignty was almost inevitable once government moved from the household into politics.

Prior to the sixteenth-century the sovereign had a distant, or transcendent, relationship to the people of his territory. Foucault cited *The Prince* as the most complete exposition on the traditional mode of sovereignty. He found in Machiavelli's account, the transcendent sovereign. Transcendent because he is in no permanent sense bound to his people. The sovereign either inherits or acquires his territory through force.

Hence, Foucault argued that later concerns such as managing the well-being and wealth of his subjects were of little interest to the sovereign. All that matters within Machiavelli's theory is that the sovereign retains power. The sovereign's focus is on territory, not the people, and his overriding concern is protecting this territory from an external enemy or internal rebellion. In this scheme, government plays no role in politics.

However, at some point in the sixteenth century, a change occurred. It is at this point that the notion of population emerges, and it is assumed that the sovereign has a responsibility to protect its "well-being". Institutions such as the police came into existence under the rationale for protecting the safety of citizens. Similarly it was increasingly expected that the sovereign should ensure that citizens could enjoy good health and a reasonable degree of financial stability.

This assumption becomes permissible because of the emergence of population as an object of knowledge. Foucault suggests that before the sixteenth century, government was confined to the household and pulpit because it had no political object. The intellectual development of population enabled certain forms of knowledge and subsequent practices to develop. Now the sovereign in the form of an individual, or an institution, must conceive instruments, such as the police, capable of enforcing standards and conduct to ensure the population remains healthy and prosperous.

Osborne offers a practical example of this new governmental procedure in action. He has demonstrated how a concept of public health drove forward extensive state intervention within major industrial cities in the seemingly laissez-faire regime of Victorian-era Britain. Of course this intervention was undertaken for purely calculated and rational reasons, rather than out of a sense of compassion. Ultimately it cost the state less to prevent illness than to clean up the mess when the poor died out (Osborne 2005).

Essentially Foucault sums up the difference between the object of politics in the era of classical sovereignty and that of the governmental era as: "... government is not related to the territory, but to a sort of complex of men and things... "Things" are men in their relationship with things like customs, habits, ways of acting and thinking." (Foucault 2008, 96)

In general, Foucault argues that government increasingly penetrates all levels of society: from the home to the church and ultimately to the sovereign himself. Good governance is seen as essential not just on a personal or familial level, but also in the highest domains of politics.

Thus the remit of government is far more encompassing than that of classical sovereignty. This remit puts incredible pressure on the established concept of sovereignty. The pressure is exerted on two fronts corresponding to the police and neo-liberal modes. However, the challenge neo-liberalism puts to classical sovereignty is far greater than that of the police rationale.

The classical concept of sovereignty is challenged in that it alters the system through which the sovereign asserts power. No longer is the sovereign simply transcendent and he cannot exclusively devote himself to retaining power over a particular territory. Instead he must immerse himself in the administration of the

population. Indeed, sovereignty increasingly moves from being embodied by a single individual to bureaucracies capable of managing such large tasks as administering an entire population.

Further, as noted above, territorial expansion is not the principal goal of the police governmentality. Rather it is a balancing and organising of forces into a strong and stable network of powers.

Neo-liberalism challenges classical sovereignty in an even more fundamental way. The domain of government in this system is significantly reduced from previous eras. The core belief is that no single person, not even the sovereign, can fully understand the economy and this same model should be applied to politics. Hence, even in the older liberal tradition, in which the imperative was to keep politics and the economy as separate as possible, it was an overall economic imperative that determined society's political structures.

That being the case, it is useful to unpack the concept of *Homo Œconomicus*, which Foucault discusses in the final two lectures, in order to appreciate the increasing influence of economic forms on political systems. In particular how neo-liberalism undermines classical sovereignty.

We might regard this figure as the ideal subject of a neo-liberal regime. He has no connection to the state, or community in any deep sense, and is motivated purely by self-interest. Foucault contrasts *Homo Œconomicus* with 'the subject of right'. The subject of right is an older figure, imbued with a legal status that is lacking from *Homo Œconomicus*:

“...the subject of right is integrated into the system of other subjects of right by a dialectic of the renunciation of his own rights or their transfer to someone else, while *Homo Œconomicus* is integrated into the system of which he is a part, into the economic domain, not by a transfer, subtraction, or dialectic renunciation, but by a dialectic of spontaneous multiplication.”(Foucault 2008, 292)

These two regimes then tend to work against each other, *Homo Œconomicus* in particular challenges classical sovereignty. The reason for this, once again, is that the economy is such a complex entity that no single person can understand it in its entirety. Indeed, opportunities and risks are created precisely because different individuals within the economy possess different amounts and kinds of information.

Foucault characterises the increasing dominance of the economy as a serious blow to classical sovereignty:

“*Homo Œconomicus* strips the sovereign of power inasmuch as he reveals an essential, fundamental, and major incapacity of the sovereign that is to say an inability to master the totality of the economic field.”(Foucault 2008, 292)

Accepting that liberalism undermines classical sovereignty does not necessarily connect Hardt and Negri to neo-liberalism, despite the fact neo-liberalism also challenges classical sovereignty. In order to establish that there is indeed some connection between the theory of multitude and neo-liberalism through this subject, this paper will highlight a series of features from *The Constitution of Liberty* that challenge conventional notions of sovereignty in a manner similar to the challenge put by multitude.

The core issue with this analysis is the concept of freedom. Hayek traces the notion of freedom back to ancient Greek society. In this society, freedom contrasted starkly with slavery. In the modern world, with complex structures such as the nation-state, defining freedom might not seem such a simple task. However, Hayek maintained that the ancient Greek example was still relevant. The fundamental difference between freedom and slavery then as now, Hayek claimed, is an absence of coercion: “...‘freedom’ refers solely to a relation of men to other men and the only infringement on it is coercion by men.”(Hayek 1960, 12)

For Hayek, coercion “...implies both the threat of inflicting harm and the intention thereby to bring about certain conduct.”(Hayek 1960, 134) In this quotation, Hayek voices the notion prevalent across all neo-liberal theory that a liberal state cannot compel an individual to do a particular action towards a specific end.

From the single principle that freedom is defined by the absence of coercion, Hayek develops a series of political implications. These implications are significant in that they reveal the radical strain within neo-liberalism, which Foucault felt socialism had not confronted. Hayek’s analysis thus indicates why neo-liberalism challenges conventional sovereignty.

Hayek claimed that the freemen of Greek city-states possessed four fundamental rights not granted to slaves:

- i. legal status as a protected member of the community
- ii. immunity from arbitrary arrest

- iii. the right to freely choose a profession
- iv. the right of free travel(Hayek 1960, 18)

Hayek also adds to this list, the right to own property, he chose not to include this right in the main list as even slaves had the right to own property in ancient Greece(Hayek 1960, 18).

It may not appear immediately obvious how these points connect Hayek's analysis with Hardt and Negri. However, if this list of rights, with the exception of the right to own property, were fully implemented across the world, the result would be such radical political changes that the world might not be too far removed from the ideal Hardt and Negri describe in *Empire* and *Multitude*.

The vision that anyone could have automatic legal status in the community of their choice, that no one could be arrested arbitrarily and that anyone could travel and work in a profession of their choosing in any country is by today's standards a radical ideal. This concept of freedom is comparable to that found in the theory of multitude in that in both instances the principles of freedom of movement and for individuals to engage in economic activities are central.

That is not to say Hayek's theory and that of Hardt and Negri parallels entirely. For instance, Hayek argued strongly that an established elite is necessary to guide civilisation forward. Although he qualified this point by arguing that the gap between rich and poor should not be so great as to allow anyone to fall into desperate poverty. Nevertheless Hayek maintained that a relative gap between rich and poor was necessary to ensure continued social progress.

Another important characteristic of Hayek's concept of freedom is that freedom is defined in private rather than public terms:

“Freedom thus presupposes that the individual has some assured private sphere, that is some set of circumstances in his environment with which others cannot interfere.”(Hayek 1960, 13)

Thus we might characterise Hayek's notion of freedom as granting the individual freedom from politics. Applying this principle would vastly reduce the scope of the state. Indeed ultimately the only purpose left for the state would be to enforce the law. Of course it is unlikely that the state would ever shrink to such an extent. In *Capitalism and Freedom* Friedman discusses in some detail situations in which the

state would be obliged to adopt a monopoly¹². However, he argues this should only occur grudgingly when no private provider for the service can be found. In that sense state involvement beyond enforcement of the law goes against neo-liberal principles, even if in reality, it is unlikely that the state could ever be reduced to such an extent.

The issues involved in enforcing the law raises a further problem of maintaining freedom within society. According to Hayek, the difficulty in protecting freedom is twofold. On the one hand, there is a danger individual citizens might abuse their freedom, and attempt to coerce their fellow citizens. On the other, it is possible that a profoundly illiberal faction could abuse their freedom and attempt to establish an illiberal government. For these reasons Hayek argues that the state must have the option of deploying coercion if an individual or group threatens the freedom of society as a whole.

However, the crucial point is not that Hayek's analysis and that of Hardt and Negri is interchangeable. The point is that there is sufficient overlap between the two approaches that if multitude were established in practice there would be sufficient space for neo-liberalism to encroach on its position. For this reason then, Hardt and Negri have not gone sufficiently far to develop a unique socialist governmentality.

3.2 Sovereignty and Civil Society

It was suggested above that, for Foucault, civil society was pivotal in preventing neo-liberalism toppling sovereignty. The reason why Foucault believed this to be the case may not seem obvious at first. This section will explore the logic behind this aspect of Foucault's analysis. This section will also further examine how neo-liberalism undermines civil society and how this action connects neo-liberalism with the theory of multitude: thereby indicating that multitude may not offer a true alternative to neo-liberalism in practice.

Across the span of the lecture series, Foucault developed a detailed description of the structures and key features of a neo-liberal society. However, clearly this description does not match the reality of politics today. Indeed, Foucault believed that a pure neo-liberal system had yet to come into existence.

¹² C.f. "Monopoly and the Social Responsibility of Business and Labor" (Friedman 1962).

One of the reasons why this has not occurred, Foucault suggested, was due to the enduring presence of civil society. According to Foucault's theory, civil society works against neo-liberalism. However, Foucault does not attribute this to the common assumption that civil society possesses some autonomous quality that distances it from politics and so neo-liberal policies. Rather Foucault argued that civil society functions to maintain conventional forms of national sovereignty threatened by neo-liberalism.

Civil society is capable of undermining the challenge neo-liberalism puts to classical sovereignty because it challenges the application of tough free-market principles in some crucial respects. Where capitalism requires self-interest, a mobile population and freedom to move across borders, civil society, in Foucault's view, seeks to root individuals within communities. It does not impose restrictions on movement across borders, because this is not necessary. The bonds established within communities would be such that individuals would feel great attachment to their homes and have little desire to leave(Foucault 2008, 303).

This argument holds true to conventional interpretations of civil society, in its emphasis on the importance of community. However, this aspect of civil society enables national sovereignty to persist despite the tendency of neo-liberalism to undermine sovereignty. Thus for Foucault civil society is not autonomous from the dominant political system but rather it is its instrument.

Foucault's notion of civil society is quite novel and his account on how it formed reveals some important connections between neo-liberalism and the theory of multitude.

The final lecture of the 1979 series is devoted to the issue of civil society. Foucault's primary source was Ferguson's *An Essay on the History of Civil Society*. From Ferguson, Foucault draws four key points:

- i. Civil society should be understood as a historical-natural constant.
- ii. Civil society is based on a principle of spontaneous synthesis.
- iii. Civil society is a matrix of political power.
- iv. Civil society is the motor of history(Foucault 2008, 297/8)

This section will now comment on these four topics and discuss how Foucault developed his own interpretation of civil society on based on Ferguson's account.

The idea that civil society is a historic constant is important, as it justifies the established political systems on the basis of historic precedent, by indicating that present structures are in some way “natural”.

Ferguson believed civil society was an inherent property of human interaction, that it naturally emerged when a group of human-beings met. Thus civil society is, at its most basic, simply a loose community of individuals living and working together. Ferguson cited a group of children shipwrecked on an island, who eventually agree to work as a community in order to sustain themselves, as the ideal example of his concept of civil society.

The second point that Foucault draws from Ferguson is the notion of “spontaneous synthesis”. Foucault developed two further points from this insight. The first point concerns spontaneity and follows on from the argument regarding the “naturalness” of civil society. Ferguson emphasised that not only was there a natural tendency for people to form civil society groups, but that these groups emerge spontaneously instituting conventions over time.

However, Foucault found that even this characteristic served a utilitarian function. These civil society groups do not just emerge on isolated islands, they appear everywhere and serve to compound established norms and conventions. However, since it appears that these communities emerge spontaneously, they exhibit a seeming naturalness despite the fact they are ultimately the products of convention.

There is another element to the second point: that of synthesis. The issue of synthesis is somewhat more complicated than the first aspect in that, this element enables the current system to utilise liberal principles without altering the nature of present-day sovereignty.

Essentially, this process of spontaneous community formation is not only necessary for civil society but also, to a certain extent, for liberalism to function. Economic activity establishes a form of spontaneous community in that it brings together people unknown to each other. For instance, today trade increasingly brings together people from different countries and cultures. There must be some degree of trust between these parties if a successful economic exchange is to take place.

Yet there is also an individualising tendency in liberalism. It is necessary for individuals to pursue their own self-interest if the economy is to function. As a

consequence of these contracts are drawn up to protect individuals within exchanges. Thus it is perhaps not so much that individuals trust one another but that they trust in the legal framework.

Foucault suggested that this legal structure, compounded with the international focus of liberalism and requirements of people to be mobile and prepared to leave their communities ultimately undermines civil society. Foucault characterised this situation as a spontaneous synthesis: "... a spontaneous synthesis within which the economic bond finds its place, but which this same economic bond continually threatens." (Foucault 2008, 303)

Foucault then went on to outline how civil society helps to maintain the nation state. Through the process of spontaneous synthesis, the economic virtues of liberalism are exploited, but only to a limited extent. The potential for liberalism to breakdown territorial boundaries is curbed by civil society.

The third point Foucault drew from Ferguson's account is that civil society constitutes a matrix of political power. Foucault developed this notion of a matrix in order to differentiate the current system from the rights-based structure of classical sovereignty.

Foucault argued that the current system of national sovereignty is unique in that it is based on quasi-natural rather than conventional or established rights. Historically nation-states may have been established on the bases of constitutions with legal force. However, the lectures indicate that nation-states only persist today on the bases of the seemingly natural agent of civil society. Hence this matrix of political power applies an impoverished model, that emerges from civil society, across politics.

Obviously, within the context of politics, following the structure of civil society cannot equate to generating new political institutions constantly. Rather it has two characteristics: First it means that power is determined according to the agent within the system who happens to possess the most power at that moment. Second, spontaneous or natural systems do not require the renunciation of power by individuals. Instead power, emerges spontaneously from the talents and abilities within the population. In positive terms, this means there is far greater social mobility than previous eras. The downside of this, however, is that it does not necessarily offer any of the protections of a rights-based constitution. As Foucault

noted: "...there is no constitution of sovereignty by a sort of pact of subjection."(Foucault 2008, 300) Thus there is nothing to constrain the sovereign's power.

In summary, Foucault expressed the rationale behind this logic in the following quotation:

"... individuals have assumed authority and others have allowed these to acquire authority over them. Consequently the fact of power precedes the right that establishes, justifies, limits, or intensifies it; power already exists before it is regulated, delegated or legally established... The juridical structure of power always comes after the event of fact of power itself."(Foucault 2008, 304)

It is important to note at this point that neo-liberal theorists repeatedly emphasise that the rule of law is sacrosanct to any liberal system. Therefore they see liberalism as part of a constitutional tradition. In many ways Foucault's argument on civil society reveals what happens when liberal ideals are only partially manifest.

Hence, following the principles of liberalism through to their conclusion, although sovereignty would no longer exist, the values of a rule of law system would remain. This stands in contrast to the prevailing tendency of civil society.

To a certain degree Foucault's closing remarks on civil society contradict his argument that it is in the service of the nation state. In the closing lecture of the 1979 series Foucault considers the question, if people are capable of forming societies spontaneously through civil society then where is the need for the apparatuses of the state, why not simply dispense with the state and its apparatuses?

"Could not society exist without government, or at any rate, without a government other than that created spontaneously and without need of institutions which take charge of civil society, as it were, and impose constraints which it does not accept."(Foucault 2008, 310)

However, this argument is not so much a contradiction as the end-point of Foucault's discussion on civil society.

At a certain point the processes Foucault associates with civil society may become so extreme that even the nation-state is no longer necessary. Under this scenario all political structures will emerge from quasi-natural processes.

This argument relates back to the theory proposed by Hardt and Negri in the sense that the concept of civil society described by Foucault is analogous to empire.

The final issue Foucault remarked upon in Ferguson's account is that civil society represents the motor of history. By that Foucault means that the matrix of political power Ferguson described now occupies the ground for all social, political and economic transformations. This notion is comparable to the argument Hardt and Negri present that empire imposes itself globally through similar structural transformations.

The fact that liberalism so strongly opposes this natural paradigm for politics closes the gap between neo-liberalism and the theory of multitude. The fact that the concept of civil society Foucault described so closely resembles empire means that like multitude the political systems within liberalism are opposed to empire.

Having said that, Hardt and Negri have written on the subject of civil society. They draw some notably different conclusions to Foucault on its nature and function. This paper will now move on to consider their interpretation and consider if their analysis challenges any aspects of the comparison between the theory of multitude and neo-liberalism.

3.3 Civil Society and the Theory of Multitude

Although there is little reference to civil society in *Empire* and *Multitude*, it is an important issue within the work of Hardt and Negri more broadly. Indeed, reviewing the texts in which Hardt and Negri present their theory on civil society is particularly important for this paper as it is in these texts that Hardt and Negri most thoroughly examine the concept of neo-liberalism.

Unlike Foucault, Hardt and Negri believe that civil society is today largely irrelevant. The redundancy of civil society is related to their understanding of labour. For Hardt and Negri, civil society may have been relevant to earlier periods when labour was not completely isolated from politics. However, with the expulsion of labour from today's politics the role of civil society has diminished.

There are aspects of their argument analogous to Foucault's thoughts on civil society. Neither Foucault or Hardt and Negri recognise an autonomous civil society; they all see it is the product of dominant powers.

However, what function civil society served historically has been largely displaced according to Hardt and Negri. This interpretation of civil society differs significantly from Foucault's view, in that, according to Foucault, for sovereignty to remain civil society must continue to exist to temper the excesses of liberalism.

This point highlights another significant difference between Foucault's interpretation of civil society and that of Hardt and Negri. For Foucault, civil society is still present and tends to undermine the more progressive aspects of neo-liberalism. Whereas, for Hardt and Negri, civil society constituted another form of oppression that has been superseded by neo-liberalism. Hence, the relationship Foucault defines between civil society and neo-liberalism differs significantly from that assumed by Hardt and Negri.

The progressive aspects of neo-liberalism, which Foucault proposed, reveal a connection between neo-liberalism and the theory of multitude. This connection stems from the central role labour plays within the theory of multitude. Labour connects multitude to other forms of governmentality. In deriving their political theory from labour, Hardt and Negri inadvertently endorse a core attribute of governmentality: that politics must derive from an economic rationale. It is these two elements then, an oversight on the part of Hardt and Negri regarding the potential merits of neo-liberalism and the emphasis on labour in their political theory, that leaves multitude open to the influence of the neo-liberal governmentality.

3.4 Wither Civil Society I

Prior to writing *Empire* with Negri, Hardt wrote a short essay on the subject of civil society (Hardt 1995). Despite drawing on Foucault as one of his principal sources, Hardt presents an interpretation of civil society that differs from Foucault's in some crucial respects. Having said that, Foucault and Hardt broadly share the view that civil society serves the agenda of the dominant ideology. In relation to governmentality, this difference of opinion does not have a significant impact. It is when Hardt, in collaboration with Negri, turns to the subject of neo-liberalism's relationship with civil society that the political implications of Hardt's analysis on civil society become apparent. In order to fully appreciate these implications it is necessary to first understand Hardt's interpretation of civil society.

Hardt focused upon three theorists: Hegel, Foucault and Gramsci. Hegel's interpretation of civil society is the lynchpin of Hardt's essay. Hardt suggests that it

is from Hegel that the notion of civil society, as it exists today, developed. Before Hegel, Hardt argues, civil society was largely synonymous with political society. That is to say in the accounts of theorists such as Hobbes and Rousseau, civil society is one part of a dualism. Civil society is the counterpart to natural society. Hence, within this intellectual framework, civil society encompasses what we would designate as politics today(Hardt 1995, 28).

Hegel is the first to define an autonomous domain for civil society, separate from politics and nature.

As a consequence of setting civil society outside politics, civil society becomes an element potentially opposed to politics: “Hegel focused primarily on the contrast not between natural society and civil society but between civil society and political society that is between civil society and the state.”(Hardt 1995, 28)

Equally, however, Hardt demonstrates that Hegel’s concept of civil society can also operate as an instrument of the state. It is through its educative attributes that civil society trains citizens in the norms and procedures of the state: “Hegelian education in civil society is a process of formal subsumption, a process whereby particular difference, foreign to the universal, are negated and preserved in unity.”(Hardt 1995, 29)

Aside from defining civil society as an autonomous sphere from politics, Hardt suggests that Hegel’s other major contribution to our notion of civil society is in establishing a connection between civil society and labour.

Hardt situates Hegel’s philosophy in the context of the rise of bourgeois culture. In particular, Hardt suggests that the economic principles of bourgeois society informed Hegel’s theory on civil society. Fundamentally, Hardt’s argument is that the notion of labour put forward by Hegel serves bourgeois interests.

Hardt notes that Hegel has a disdain for “concrete labour” that is basic labour, essential for the survival of humanity(Hardt 1995, 30). In Hegel’s view this is the labour closest to that of animals and so should be associated with natural rather than political or civil society. Civil society, on the other hand, is based upon abstract labour: that is individuals seeking self-realisation and, through this process of discovery ,arriving at a universal consciousness.

The key point then is that although civil society is autonomous from political society, and may conflict with it up to a certain point, both ultimately aim to reconcile themselves in the same universal consciousness: that is “the state”.

The emphasis Hardt places on labour in his account of civil society serves to differentiate his work from that of Foucault. It also illustrates the centrality of labour in his understanding of politics. The next section will consider in more detail the implications of the prominent role labour plays in the political theory of Hardt and Negri.

In addition to Hegel, Hardt also drew influence from Foucault and Gramsci. Hardt believed that Hegel established the basis for the modern understanding of civil society: hence Hardt argues that Gramsci and Foucault emphasise different aspects of Hegel's theory.

For instance, Hardt argues that Gramsci took the potential antagonism between civil and political society that Hegel observed, but inverted Hegel's position. Where Hegel saw civil society ultimately leading to the state, for Gramsci, politics is only a temporary step towards a global civil society. According to this view, “When civil society does manage fully to fill its role, the state as such will no longer exist; or rather, state elements will continue to exist only as subordinated agents of civil society's hegemony.”(Hardt 1995, 30)

It is unfortunate that Hardt did not pursue Gramsci's argument more thoroughly as there is a certain similarity between this notion of a globalised civil society that absorbs the state and the expansive character of multitude as a political force. However Hardt and Negri would most likely dispute Gramsci's view, arguing that civil society will inevitably be in the service of some agency.

The third theorist Hardt commented on was Foucault. Hardt argues that Foucault drew on a different strand within Hegel's thought. Where Hardt suggests Gramsci treated civil society as an entity greater than the state, according to Hardt, Foucault believed the state exploits civil society in order to promote its own interests.

Although this point is not incompatible with the argument Foucault made within the lectures, when the position Foucault took is scrutinised in detail against that of Hardt, the difference becomes apparent. The difference centres on the issue of the relationship between neo-liberalism and civil society.

The following section then will focus on evaluating the nature of this opposition, and its implications in relation to governmentality.

3.5 Wither Civil Society II

Several years after writing *The Withering of Civil Society*, Hardt examined civil society in more detail with Negri in their essay *Postmodern Law and The Withering of Civil Society*. It is in this essay that Hardt and Negri consider the relationship between civil society and neo-liberalism. Hardt and Negri approach this discussion from an unusual perspective in focusing on Rawls's *A Theory of Justice*. Their reading on Rawls's text is contestable, however this paper is more concerned with the implications of the analysis they proposed on the basis of Rawls's theory than the merit of the reading itself.

Essentially, Hardt and Negri characterise Rawls's liberal theory as the epitome of a capitalist system that has been entirely displaced from labour. Although Hardt and Negri believe such a displacement is impossible in reality, they argue that Rawls's work represents the theoretical extreme of this view. Overall they draw two conclusions on the basis of Rawls's account:

- i. They associate Rawls's theory with neo-liberal policies enacted since the 1980s. That is to say a rhetoric that advocates a thin state and precipitates a dramatic cutback in the welfare state, but counter-intuitively prompts a massive expansion on spending for military and police forces.
- ii. A proliferation of communitarian critiques on neo-liberalism that emphasise the importance of strong national values. (Hardt and Negri 2003, 28)

Hardt and Negri associate both points with a decline in civil society and the increasing dominance of neo-liberalism. To a certain extent, the interpretation Hardt and Negri present of the relationship between neo-liberalism and civil society compares with that Foucault proposes, in that neo-liberalism also appears to displace civil society in Foucault's analysis. However, the conclusions drawn regarding the outcome of this displacement is significantly different in the work of Hardt and Negri. For Hardt and Negri the rise of neo-liberalism is another, more intense, form of bourgeois oppression.

There is also a certain connection between Foucault's understanding of neo-liberalism and that of Hardt and Negri, in that all three argue neo-liberalism establishes a stark relationship between the individual and the state. However, the

nature of the challenge neo-liberalism puts to civil society is notably different in the account Hardt and Negri present.

Hardt and Negri principally associate the rise of neo-liberalism with changes in labour-forms; specifically, the transition from the formal to the real subsumption of labour. Hardt and Negri derive the concepts of real and formal subsumption of labour from the *Grundrisse*.

Thoburn provides a useful summary of the transition (Thoburn 2001, 77/8) and shows how Hardt and Negri transpose this aspect of Marx's theory into their own work. He describes the formal subsumption as the phase in which capital first attempted to situate itself within the labour system. This process was messy, with labour exposing many contradictions in capital. The real subsumption occurs when capital has firmly entrenched itself within society, and, through technological advance, forces new forms of labour to emerge. As a result of this labour appears to be no longer the principal source of value. Instead capital appears to determine value independently of labour. In the words of Hardt and Negri:

“The subsumption is formal insofar as the labor processes exist within capital, subordinated to its command as an imported foreign force, born outside of capital’s domain...

The subsumption of labor is said to be real, then, when the labour processes themselves are born within capital, and therefore when labor is incorporated not as an external but as an internal force, proper to capital itself.” (Hardt and Negri 2003, 224)

Hardt and Negri argue that Rawls’s theory constitutes an account of a political system in which the real subsumption of labour has been successful. That is to say Hardt and Negri believe Rawls describes a political system in which labour has been completely displaced.

This system could be thought of as the antithesis of multitude: a political system that stems entirely from labour. It is useful then to focus on the interpretation Hardt and Negri present of Rawls’s theory to gain a sense of the system that constitutes the principal opposition of multitude.

Hardt and Negri fundamentally associate Rawls with a mechanistic and procedural notion of politics. They suggest that in cleaving politics of labour, Rawls’s system attempts to displace social conflicts that would be capable of undermining the system. However, the conflict that emerges from inequality within society, and unfair

labour practices, are not resolved, just set aside. It is as a result of the procedural character of the system that this displacement can occur: “Rawls detemporalizes the ruptures of innovative and creative forces, and formalizes them in a hypothetical or ideal contractual procedure: a passage without crisis.”(Hardt and Negri 2003, 220)

However, they argue that Rawls’s theory has been superseded by that of Rorty, as an account on the displacement of labour by capital. They argue Rorty describes a system in which: “Questions of labour, production, gender difference, racial difference, sexual orientation, desire, value and so forth are discarded because they are personal affairs thus matters of indifference for politics.”(Hardt and Negri 2003, 236)

Hardt and Negri suggest this disinterested political system is given an almost unstoppable momentum by excluding these social issues from politics. For instance, once a group of public utilities have been privatized, a tendency for further privatizations within the public sector emerges.

This augmentation of the system is complemented by what might be described as a stilted process of political change. That is to say although certain progressive initiatives can gain ground in the short term, ultimately society returns to the same starting point.

The arguments Hardt and Negri make on difference and imperial sovereignty provide good examples of this stilted process. To re-iterate their argument is that difference appears at first to be tolerated, but in fact, difference is only temporarily accepted. The conflict difference generates is never entirely resolved.

Hardt and Negri take this argument a step further in *Postmodern Law* when they comment on the avoidance of difference in liberal systems:

“The thin [liberal] state avoids such engagement: this is what characterizes its “liberal” politics. In effect, this line of argument extends the thin concept of state to a thin conception of politics. Politics, in other words, does not involve engaging and mediating conflicts and differences but merely avoiding them.”(Hardt and Negri 2003, 238)

This quotation is typical of the position Hardt and Negri outline on thin state rhetoric within neo-liberalism. Hardt and Negri argue that despite claims to advocate a significantly smaller state the application of neo-liberalism has resulted in a vast

increase in the size of the state. More precisely, although the welfare state has been reduced, spending on the military has increased significantly. Hardt and Negri cite the policies of the Regan and Bush governments as examples of this trend.

As a consequence of the increasing militancy of neo-liberal society, Hardt and Negri argue: "The police, even if it remains in the shadows and appears only in the final instance, is the lynchpin that guarantees the order of the postmodern liberal State."(Hardt and Negri 2003, 239)

The argument Hardt and Negri put forward here could indicate the separation Foucault makes between the police and liberal governmentalities is invalid because, according to Hardt and Negri, the "freedom" neo-liberalism advocates can only exist within the setting of a powerful police environment. However, as noted in the first chapter, Foucault does not draw an absolute dividing line between the police and liberal modes; rather, they are stages along a continuum.

In relation to governmentality, the critique Hardt and Negri present on neo-liberalism may, despite their intentions, indicate that multitude could become subservient to neo-liberal practice. The major criticism Hardt and Negri cite against neo-liberalism is that it displaces labour from politics. However in deriving their own political system from labour, Hardt and Negri approach politics from an economic standpoint, like liberalism and the police state. Hence, their political system is not capable of entirely displacing neo-liberalism or the police state.

There is another aspect to the critique on neo-liberalism Hardt and Negri present in *Postmodern Law*: that is the communitarian response. It is important to review their understanding of communitarianism because there is evidence within this analysis that indicates they have mistakenly attributed the recent expansion of the state to neo-liberalism.

Once again, Hardt and Negri use *A Theory of Justice* as the basis of their analysis. The common characteristic of communitarian interpretations of Rawls, Hardt and Negri suggest, is a belief in strong communities and strong subjects. That is to say through developing a strong national identity, individuals will feel empowered as part of a community. Hardt and Negri argue that in assigning the state the responsibility of establishing a communal identity it becomes a moral agent. They attribute the moralisation of the state directly to neo-liberalism. The decision of neo-

liberal governments to avoid political engagement, Hardt and Negri argue, forces the state to become a moral agent:

“The intervention of the moral planner-state (or rather the moral welfare state) is the only way to avoid the catastrophe brought on by liberalism’s chaotic free-market approach to value; it is the only way to produce the stability necessary for the mass production of subjectivity for the development of a coherent community of values.”(Hardt and Negri 2003, 225)

Hardt and Negri thus go on to argue that essentially neo-liberalism and communitarianism are two sides of the same coin. They argue that the connection between neo-liberalism and communitarianism is apparent in the entry of a moral imperative into political discourse during the Reagan era: “The communitarians, then, envision a program that would finally make good on Reagan’s promise of a national moral community.”(Hardt and Negri 2003, 257)

This paper argues that the association made between liberalism and moral agency is incorrect. Essentially, the position of this paper is that the connection Hardt and Negri establish between neo-liberalism and communitarianism is specious. As noted above, neo-liberalism tends to undermine national boundaries; instead emphasising the goal of achieving economic stability, through rigorous pursuit of self-interest.

If anything, their observations on the communitarian interest in establishing a strong state in order to facilitate strong individual identities has greater resonance with Foucault’s analysis on the rise of civil society than his thoughts on liberalism. Like the interpretation of communitarianism Hardt and Negri propose, Foucault’s account of civil society emphasises the importance of establishing strong communities to maintain the current configuration of national sovereignty.

Indeed, many of the issues Hardt and Negri raise against liberalism stem from deviations from liberal theory and the principles of the rule of law. For instance, the increase in the size of the military may be more an expression of a worrying rise in nationalism rather than the application of liberal theory. The fact that socialist theory, including that of Hardt and Negri, has not yet been able to propose an alternative to the, albeit imperfectly applied, system of the rule of law suggests fundamentally Hardt and Negri have not advanced socialist thought to the point where it can offer an entirely autonomous alternative to neo-liberalism.

4 The Economic Rationale of Multitude

The issue of civil society reveals an important, albeit somewhat problematic, relationship between Foucault's theory and that of Hardt and Negri. The theme of this chapter, biopolitics, establishes a more direct connection.

The concept of biopolitical production is a central issue within the theory of multitude combining elements from the work of Foucault and Marx. Biopolitical production is based on a particular concept of labour that Hardt and Negri derive from Foucault's concept of biopolitics and some esoteric sections of Marx's *Grundrisse*. They draw from Foucault's theory the division between biopolitics and biopower. However, they offer a different interpretation of the nature of this division. Hardt and Negri associate biopower with control and exploitation, while they see biopolitics as a representation of the multitude's creativity. This gives biopolitics a virtuous quality in the theory of Hardt and Negri, a quality that it is altogether lacking in Foucault's theory.

Further, Hardt and Negri, like Foucault, believe that politics is never autonomous from power. However, they have deviated from Foucault's position in that, for Hardt and Negri, all political structures emerge from labour. Whereas, the relationship between labour and politics would constitute just one expression of power within Foucault's framework¹³.

In relation to Marx, Hardt and Negri follow a tradition that emphasises the existential aspect of Marx's theory: particularly Marx's analysis on labour as the fundamental human (species) behaviour.

The emphasis Hardt and Negri place on the role of labour within their interpretation of biopolitics is indicative of labour's role more broadly within their theory. Essentially, for Hardt and Negri all political systems emerge from labour¹⁴. This is a

¹³ Rabinow and Rose have written a useful, short summary on revisions of biopolitics by contemporary theorists. It does not explore these alterations in sufficient detail to warrant extended discussion in this paper (Rabinow and Rose 2009). Negri is among the theorists they examine, however, they suggest his insight is limited: "This [Negri's] version of the concept of 'biopower' is emptied of its analytical force." (Rabinow and Rose 2009).

¹⁴ The emphasis Hardt and Negri place on labour as a source of politics has proved controversial. Fitzpatrick, for instance, has argued that labour performs a function comparable to the law in the theory of multitude (Fitzpatrick 2002). In the absence of a strong legal theory, Fitzpatrick claims that the theory of multitude is ultimately too vague to constitute a complete political system. To a certain extent, this argument compares with the

crucial implication for how multitude relates to governmentality, and thereby, modern socialism's stance in relation to governmentality.

In connecting politics so explicitly with labour, Hardt and Negri establish an economic rationale for their theory, which connects it to other forms of governmentality. This would have an advantage in that it may enable multitude to exist under the constraints of current politics. However, this paper will argue that there is a risk that multitude's economic rationale could be usurped by neo-liberalism.

Consequently, multitude may not offer the radical new political system Hardt and Negri claim. However, that is not to say multitude has nothing innovative to offer, it presents a significant new way to conceive collective identity in an increasingly globalised world. Hence multitude may nevertheless qualitatively advance global politics.

4.1 The Influence of Foucault

Hardt and Negri have largely based their concept of biopolitics on Foucault's account of it in the concluding chapter of *The History of Sexuality*, vol.1. Hence it is important to review how the concept of biopolitics differs in the lecture from that of *The History of Sexuality*. *The History of Sexuality* was published several years before Foucault delivered the lectures. The account of biopolitics in the chapter differs in some important respects. Generally, Foucault provides a broader overview of biopolitics in this chapter. Indeed, the concept of biopolitics is not discussed in much detail within the lectures, however, it is in the background throughout.

Within the chapter, Foucault makes an important distinction between biopower and biopolitics. Foucault characterises biopower as an ideology while biopolitics refers to political structures and mechanisms that emerge from the ideology.

Hardt and Negri submit a different interpretation of the relationship. Where biopolitics seems to flow out of biopower in Foucault's account, Hardt and Negri associate biopower with Empire and biopolitics with Multitude:

claim that has been made a number of times in this paper that multitude, as Hardt and Negri present it at least, is too vague a concept to offer an alternative to neo-liberalism. Hence, Fitzpatrick raises an important point, the development of a legal structure for multitude may indeed assist in enabling it to move from theory to practice. However, this is not a paper on legal theory, so the connection will not be considered in detail.

“Biopower stands above society, transcendent, as a sovereign authority and imposes order. Biopolitical production, in contrast, is immanent to society and creates social relationships and forms through collaborative forms of labour.”(Hardt and Negri 2005, 95)

Thus, although they would recognise the danger implied in Foucault’s account of biopower, they would associate this threat with empire. In contrast, they see in biopolitics the potential for the multitude to establish itself as the principal political agent. They believe that if biopolitics were the tool of multitude, it would use it creatively. The multitude would use biopolitics to generate new identities rather than exploit people in the manner of empire.

Another feature that serves to differentiate the chapter from the lectures is the analyses on the connection between biopolitics and governmentality. This connection is discussed in significantly more detail within the chapter. However, Foucault’s examination on biopolitics and governmentality within the chapter complements his analysis on sovereignty within the lectures.

Biopolitics fundamentally alters the nature of sovereignty. Indeed, within the chapter, there is the sense that biopolitics is the force behind governmentality. Foucault traces the transformations of sovereignty over the span of centuries, just as he did within the lectures. Within the chapter, Foucault focused on the juridical aspects of sovereignty. In particular, he commented on two issues: first, how sovereignty can confer certain legal rights upon citizens, and the form through which sovereign power is asserted. These issues were touched on only briefly in the lectures.

Historically, Foucault claimed sovereignty was only asserted in exceptional circumstances, when it became necessary for the sovereign to take the life of a subject. This would only occur on two occasions: when the sovereign’s existence was threatened directly by war, or if a subject broke the sovereign’s law (Foucault 1991, 252).

In modernity, sovereign power is no longer expressed in this fashion. Today, power is diffuse and ever-present. It is no longer apparent only in these exceptional seizures of life¹⁵. Now subjects’ lives are entirely subsumed by politics. As a

¹⁵ This is the starting point for Agamben’s *Homo Sacer* (Agamben 1998).

consequence of this, sovereignty has transformed. Properly speaking, there is no sovereign, in the classical sense at least, instead there is only government.

Foucault's account in the chapter indicates government necessarily displaces sovereignty because power is derived from a fundamentally different source. Foucault suggested the principal difference between government and sovereignty is that sovereignty focuses on the lives of subjects rather than their deaths:

“The right which was formulated as the ‘power of life and death’ was in reality the right to *take* life or *let* live. (Author's italics)

Power in this instance was essentially a right of seizure: of things, time, bodies, and ultimately life itself; it culminated in the privilege to seize hold of life in order to suppress it.”(Foucault 1991, 259)

This concentration of power is notably different from that of governmentality. As noted in the first section, governmentality results in the politicising of lives of subjects. This is most obvious in the police mode, where the basic rationale is to build a strong and healthy population in order to increase the state's wealth. However, it is also present in the liberal governmentality albeit more subtly. The paradigm for economic sustainability within liberalism, most overtly within neo-liberalism, is nature. As far as possible, economic processes must resemble the character of natural entities. These entities are not individual organisms but larger elements such as the weather or tide. Hence liberalism has an even broader focus than the police mode: it is concerned with the entire life-process of a society rather than single individuals.

This transition has a series of serious implications for the relationship between subjects and political authorities.

Clearly the description of governmentality Foucault offers in the chapter has parallels with his account on the police state. The police-state focuses on ensuring the continued health and prosperity of its population. Hence, one implication of the transition to government has already been noted, it is possible that the state could descend into authoritarianism as a result of government.

However, Foucault went further within the chapter, there he argued that the change in rationale had dramatic implications for war:

“Wars are no longer waged in the name of a sovereign who must be defended: they are waged on behalf of the existence of everyone, entire

populations are mobilized for the purpose of wholesale slaughter in the name of life..."(Foucault 1991, 260)

Consequently, with the emergence of governmentality genocide becomes a real possibility:

"If genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population."(Foucault 1991, 260)

Hence, the transition to purely administrative politics is far from benign.

Reviewing Foucault's analysis on biopolitics and governmentality within *The History of Sexuality* is crucial for this discussion. Hardt and Negri have not considered sufficiently the issues Foucault raises in relation to administrative government. Indeed, although Hardt and Negri could not have been aware of this at the time of writing *Empire*, Foucault closely associated biopolitics/biopower with the emergence of capitalism:

"This bio-power was, without question, an indispensable element in the development of capitalism; the latter would not have been possible without the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes."(Foucault 1991, 263)

Since Hardt and Negri advocate biopolitics so enthusiastically, this may indicate that they have not fully considered the implications of the practical application of multitude. The danger is that multitude merely recapitulates liberalism's focus on the life-process, meaning that the same extreme dangers for war and genocide are present within multitude.

However, Foucault's concept of biopolitics is just one part of biopolitical production. To fully appreciate the concept it is also necessary to understand Marx's influence.

4.2 Influence of Marx

The concept of biopolitical production is significantly influenced by Marx's theories of labour. However, Hardt and Negri, for the most part, draw upon obscure passages from Marx.

Hardt and Negri share with Marx the belief that labour is the fundamental human behaviour. The closing pages of *Empire*, in which Hardt and Negri adopt a strong eschatological tone, make clear the centrality of labour within their theory:

“Indeed, labor is the productive activity of a general intellect and general body outside measure. Labor appears simply as the power to act, which is at once singular and universal: singular insofar as labor has become the exclusive domain of the brain and body of the multitude: and universal insofar as the desire that the multitude expresses in the movement from the virtual to the possible is constantly constituted as a common thing.”(Hardt and Negri 2001, 358)

This quotation gives an impression of how Hardt and Negri understand human nature. However, they also accept the more technical arguments made by Marx in relation to labour. For instance, Hardt and Negri endorse Marx's arguments that any attempt to assign a quantifiable value to labour is ultimately futile and that previous attempts to do so have favoured a ruling elite.

Hardt and Negri have modified Marx's theory in some important respects: most notably in their concept of immaterial labour. Yet, even in this instance, they are still embedded within a Marxist tradition, with their insights on immaterial labour stemming from the *Grundrisse*.

This section will concentrate on tracing the influence of Marx on Hardt and Negri in respect to their theory of labour, as well as, how they have developed Marx's arguments in order to develop their own novel ideas.

In contrast to the aspects of biopolitical production derived from Foucault, the elements with their origin in Marx follow quite closely the arguments Marx originally proposed. As a consequence of this multitude is imbued with the anticapitalist spirit of Marx's work. This point raises a problem for this paper. How can multitude be subject to a neo-liberal political system if it resists capitalism so absolutely? The answer to this question is that multitude's economic rationale, a feature common to all forms of governmentality, is ultimately compatible with neo-liberalism. This point may not seem obvious, however, examining how Hardt and Negri have taken aspects of Marx's theory and modified them for their own purposes makes apparent the compatibility.

Beginning with how Marx's concepts of labour and value influenced Hardt and Negri, Hardt and Negri accept Marx's stance that within capitalist societies labour and value become increasingly abstract. This abstraction of labour is a complex process. An effective account of labour's abstraction can be found in *Alienated Labour*. In this essay Marx provides a thorough account of the relationship between the worker and capitalist. Although this text is one of the early, unpublished, *Paris*

Manuscripts, it offers an excellent summary of the process. This abstraction of labour is a recurring theme across the whole of Marx's work, there are even references to it in the more esoteric sections of *Capital*.

The relationship Marx described between the worker and capitalist is rooted in his thoughts on the nature of labour. Marx argued that in creating any object through labour, an individual's labour is objectified (Marx 2004). This means that any labour activity involves some abstraction of labour from the creator. Hence, there is always a gap between an object and its creator. In itself the objectification of labour is not problematic for Marx. His concerns emerged from how the objectification of labour was transformed by the relationship between the capitalist and worker. He felt the process of abstraction was taken a step further under this relationship, changing objectification into alienation.

The process of alienation has several phases. It begins with the capitalist appropriating the worker's labour. This is possible because the capitalist controls the means of production and so dictates the terms according to which workers make a living. This situation means that workers have no control over their standard of living.

Hence according to Marx working conditions will continually decline as exploitation intensifies. It is worth noting here that Marx was writing at a particularly low point in working standards, meaning the situation has change significantly from his day. However, aside from the terrible physical conditions Marx felt capitalism had brought to workers, he was equally if not more, concerned by the psychological impact of capitalism.

Marx characterised this psychological dimension of capitalist exploitation as alienation. That is to say, for Marx, capitalism results in a degradation of the worker that amounts to a loss of his humanity. Sayers offers an excellent summary of the importance Marx assigns to labour as the fundamental human activity:

“Through this process we establish a relation to the natural world and to our own natural desires that is mediated through work. We objectify ourselves in our product, and come to recognize our powers and abilities, embodied in the world. We develop as reflective, self-conscious beings.” (Sayers 2007, 433)

For Marx the defining characteristic of human beings, against animals, is that humans can work to produce objects for reasons aside from survival. Humans can work for aesthetic and creative reasons, rather than just out of instinct:

“Therefore when alienated labour tears from man the object of his production, it also tears from him his species-life, the real objectivity of his species and turns the advantage he has over animals into a disadvantage in that his inorganic body, nature, is torn from him.”(Marx 2004, 91)

Hardt and Negri would endorse this characterisation of capitalism. However, they believe that capitalist production has advanced significantly from Marx’s day, consequently, Marx’s theory of alienation must be revised. Hardt and Negri see the labour process itself becoming increasingly abstract. The next section will comment in more detail on this abstract, “immaterial labour”, which Hardt and Negri believe is the fundamental site of capitalist exploitation today. However, there is a further dimension to the influence of Marx’s concept of alienated labour upon Hardt and Negri¹⁶.

With *Capital*, Marx advanced his notion of alienated labour a step further by examining two practical implications of the alienation of labour: the monetary system and wages.

The monetary system, according to Marx, is pure abstraction. It was established, Marx claimed, in order to enable qualitatively different commodities to be valued quantitatively against one another. For Marx this system detracts from the true value of commodities because the value system is skewed to favour one section of society, the bourgeoisie, over the rest.

The great strength of these passages of *Capital*, is that Marx disrupts entrenched notions of value to the extent that his critique is still relevant today. It is taken for granted that a particular product has a greater or lesser monetary value against

¹⁶ Hardt and Negri have commented on labour, value and alienation directly in a pair of companion essays, written individually, for the *boundaries 2* journal (Hardt 1999) (Negri 1999). These essays engage directly with the concepts, however they are not reviewed in this paper because they were written several years before *Empire*’s publication and make no reference to multitude. Even at this stage, however, the sense of an entity such as multitude, confounding the influence of capitalist forces, is apparent, especially in Negri’s essay:

“The more the measure of value becomes ineffectual, the more the value of labor-power becomes determinant in production; the more political economy masks the value of labour power; the more the value of labor-power is extended and intervenes in a global terrain, a biopolitical terrain.” (Negri 1999, 79)

others: everyone seems to have some intuitive understanding of how the market operates. For Marx, however, the market value of a commodity is not a reflection of its true value.

The problem Marx has with the market is that value is derived from exchange rather than labour:

“When these proportions have, by custom, attained a certain stability, they appear to result from the nature of the products, so that, for instance, one ton of iron and two ounces of gold appear as naturally to be of equal value as a pound of gold and a pound of iron in spite of their different physical and chemical qualities...These quantities [of value] vary continually, independently of the will, foresight and action of producers.”(Marx 1999, 45/6)

It is unsurprising then that markets collapse on occasions because they are ultimately not founded on any true source of value.

The establishment of wages is another example of an attempt to quantify labour. This particular abstraction involves first ignoring the qualitative differences between different forms of labour. Labour is then organised into a hierarchy, in which certain forms of labour are deemed more socially valid than others(Marx 1999, 15).

As a consequence of the establishment of wages, the individual qualitative differences between workers are ignored. Gradually it becomes assumed that the labour of one individual is interchangeable with that of another. Indeed, it is essential that qualitative differences are negated. If labour is to be measured quantitatively, there must be an abstract notion of how long it takes “the average man” to do a certain task:

“The total labour-power of society, which is embodied in the sum total of the values of all commodities produced by that society, counts here as one homogenous mass of human labour-power, composed though it be of innumerable individual units.”(Marx 1999, 16)

Hardt and Negri share Marx's derision for attempts to quantify labour. However, as in the case of alienation, they believe the situation has changed from Marx's time. Today, Hardt and Negri argue, this quantification is disrupted by biopolitical production:

“...biopolitical production is on the one hand immeasurable because it cannot be quantified in fixed units of time, and, on the other hand, always excessive with respect to the value that capital can extract from it because capital can never capture all of life.”(Hardt and Negri 2001, 146)

Hardt and Negri have not, however, addressed the problem of standardisation that Foucault raised in his analysis of socialism versus neo-liberalism. Marx, Hardt and Negri may be correct in their shared assertion that capitalism tends to undermine the qualitative differences between labour and the products of labour, but it is questionable if socialist regimes have done much better. Indeed, on the basis of current evidence, their record would seem to be much worse.

However, this may be to dismiss the contribution Hardt and Negri have made to socialist theory too quickly. Clearly Hardt and Negri believed that their notion of immaterial labour had something new to offer. Hence the final section of this chapter will evaluate the role of immaterial labour in the theory of Hardt and Negri.

4.3 Immaterial Labour and Technological Advance

Immaterial labour is central to the theory of multitude and empire because it is through the emergence of immaterial labour that Hardt and Negri believe capitalist exploitation of labour will be ultimately undermined. It is closely tied to the concept of biopolitical production in that both share an expansive, unquantifiable notion of labour¹⁷.

The concept of immaterial labour not only draws on the theory of Marx but also the work of Deleuze and Guattari. This paper will use Thoburn's critique on immaterial labour in order to outline the core features of the concept. In particular, Thoburn provides an effective reading of how Negri integrates aspects of the *Grundrisse* and the theory of Deleuze and Guattari on "minor peoples". Thoburn's critique on Hardt and Negri indicates that even this novel idea of immaterial labour is not sufficient for Hardt and Negri to avoid replicating the deficiencies of neo-liberal theory. This is because multitude relies upon an economic rationale, like all forms of governmentality, meaning that the possibility of multitude becoming an element within a neo-liberal system, or descending into authoritarianism, cannot be excluded.

Thoburn raises three important issues for this enquiry:

¹⁷ This division between material and immaterial labour has been questioned. Sayers, for instance, argues: "Just as all "immaterial" labor necessarily involves material activity, so conversely all material labor is "immaterial" in the sense that it alters not only the material worked upon but also subjectivity and social relations. There is no clear distinction between material and immaterial in this respect." (Sayers 2007, 448)

- i. The role of technology and general intellect.
- ii. The transition from the formal to the real subsumption of labour
- iii. The political role of a “small people”(Thoburn 2001, 82)

Beginning with the first point then, Thoburn argues that Hardt and Negri derive their faith in technology from Marx, specifically the “Fragment on Machines” passage from the *Grundrisse*(Thoburn 2001, 80-85). Like Marx, Hardt and Negri believe that progressive advances in industrial technology will inevitably lead to a decline in the amount of labour expended in the manufacture of commodities. In the short term, capitalists will benefit from not passing on the gains accrued through the diminishing value of labour, but ultimately, labour will become worthless. At this point the entire value system of capitalism will implode because, if labour has no value, then there is no site for capitalism to exploit. This will grant people more time to pursue their own intellectual interests; meaning that work will be conducted for pleasure rather than out of economic necessity:

“An explosive ‘contradiction’ arises because capitalism continues to measure these forces in terms of (increasingly unproductive) labour and labour time, and the possibility emerges of the valuation and creation of life based on the needs of the ‘social individual’ and ‘free time’.”(Thoburn 2001, 82)¹⁸

Turning to Hardt and Negri, this conviction that technology will transform labour clearly permeates the theory of immaterial labour.

Hardt and Negri share with Marx the belief that the quantifying of labour in capitalist societies leads to exploitation. However, they note that the nature of labour has fundamentally altered since Marx’s day: that labour is becoming increasingly immaterial. This leads Hardt and Negri to expand the rather speculative arguments in the “Fragment on Machines” in several directions.

First they characterise immaterial labour as hegemonic. By hegemonic they do not mean that the majority of people in the world are engaged in immaterial labour,

¹⁸ Labour-time describes one way in which capitalism quantifies and exploits labour. Essentially the creation of any commodity requires a certain amount of time on average. Advances in technology reduce the average amount of time required to create commodities. If the capitalist chooses not to pass on the savings made through technological advance, then he gains a surplus value. He can do this because he controls the means of production. The point then Hardt and Negri make with immaterial labour, in brief, is that technology will eventually become so advanced that no labour is required to create commodities, or if some labour is required it is of such a different quality than traditional labour that it cannot be exploited.

rather that all labour is becoming increasingly immaterial. They suggest the situation is analogous to that in the nineteenth century, when industrial labour replaced agriculture as the hegemonic form. To begin with only a minority of the work-force were engaged in industrial labour, but, over time, industrial labour became the dominant labour form (Hardt and Negri 2005). There are a number of implications of this transition to immaterial labour.

For Marx, the proletariat was the only class capable of initiating the revolution because they alone bore the exploitation of capitalism. Hardt and Negri argue that, with the develop of immaterial labour, everyone across the world is potentially engaged in labour. Even in leisure they suggest people are engaged in labour. As a consequence, Hardt and Negri reject the classic Marxist notion that the proletariat will initiate the revolution because they believe everyone today engages in immaterial labour and so faces capitalist exploitation. Hence, the revolutionary identity is, for Hardt and Negri, much looser that it is for orthodox Marxism.

The second area of the “Fragment on Machines” that appears to have had significant influence on Hardt and Negri is Marx’s analysis on “general intellect”. This idea informs their notion of “the common”, which Hardt and Negri introduced in *Empire* and discussed in greater detail in *Multitude*. However, Thoburn’s analysis reveals some contradictions between Marx’s stance on general intellect and that of Hardt and Negri.

For instance, although the idea of general intellect parallels that of the common, Thoburn’s text indicates that there is a critical difference. Where the common is associated with the multitude, general intellect is associated with capital.

General intellect is the other side to the process of technological advance. Labour-time can only be reduced because machines become increasingly sophisticated and capable of replicating the work of highly skilled artisans. Marx refers to this accumulation of skills in machines as “general intellect”.

On the one hand Marx, like Hardt and Negri, recognizes that there is tremendous potential for liberation in the increasing sophistication of technology: “[Marx] posits communism not on a militarization of work, or an unalienated work, but on the destruction of the category of work enabled through complex mechanical processes and a life of expansive creativity, art and science beyond the drudgery of repetitive manual labour, or, indeed, work at all.” (Thoburn 2001, 83)

However, Thoburn's analysis shows that Marx was deeply concerned that the continual advance of industrial technology would not necessarily precipitate liberation for the working class. The problem Thoburn suggests Marx observed was that advances in industry had only served to make labour consist of less complex activities, in turn reducing the skills required of workers(Thoburn 2001, 82). Hence qualitative differences between workers became increasingly incidental. Advances in technology then had not fundamentally altered the nature of work: "...work is not emptied of content, but filled with different content."(Thoburn 2001, 84)

More than that in fact, there is the potential for alienation of labour to become more intense.

In order to appreciate why alienation could intensify as technology advances, it is useful to compare Marx's analysis on general intellect with the concept of the "common". The two ideas broadly share a notion that the labour of each individual is objectified and accumulated into a body of universal knowledge:

"The real wealth, which is an end in itself, resides in the common; it is the sum of the pleasures, desires, capacities, and needs we all share. The common wealth is the real and proper object of production."(Hardt and Negri 2005, 149)

The difference between Marx's understanding of technology and that of Hardt and Negri is that Marx saw that knowledge embodied within machines could be re-appropriated by capitalism. Rather than enhancing workers' lives, Marx was concerned that technology could debase their work further by reducing the skill their jobs required. This could in turn lead work to become even more arduous and reduce the qualitative differences between workers.

Whereas, Hardt and Negri, interpret technological advance, almost exclusively, in a positive light. They see any exploitation of the common as only temporary. The nature of the common, according to Hardt and Negri, means that it will ultimately shatter any attempt to quantify it.

It is perhaps the combination of biopolitics and labour that enables Hardt and Negri to develop this largely positive notion of general intellect:

"Labour and value have become biopolitical in the sense that living labour and producing tend to be indistinguishable. Insofar as life tends to be completely invested by acts of production and reproduction, social life itself becomes a productive machine."(Hardt and Negri 2005, 148)

The argument here is that production becomes so connected with life that alienation is impossible.

However, Thoburn's argument shows that for Marx, technological advance was just one part of the liberation of the proletariat. If the assumption Hardt and Negri make regarding technology proved to be wrong, this is one area through which neo-liberalism could encroach upon multitude.

Having said that Hardt and Negri combine their analysis on technology and the general intellect with their notion of biopolitical production. It is thus necessary to examine the role of biopolitical production to determine if multitude would be capable of refuting neo-liberalism.

4.4 Biopolitical Production as an Economic Rationale

This final section will attempt to demonstrate that biopolitical production is the multitude's economic rationality. Hence, like other forms of governmentality, for multitude politics fundamentally emerges from an economic rationale. This economic rationale then is the ground for neo-liberal practice to impinge upon a political system founded upon the ideology of multitude.

This is no doubt a conclusion that Hardt and Negri would resist because they are convinced that the establishment of biopolitical production will undermine all attempts to quantify labour :

“...biopolitical production is on the one hand immeasurable because it cannot be quantified in fixed units of time, and, on the other hand, always excessive with respect to the value that can be extracted from it because capital can never capture all of life.”(Hardt and Negri 2001, 148)

In combining labour and biopolitics, Hardt and Negri establish an economic basis for politics that in some crucial aspects parallels elements of the relationship between economics and politics in neo-liberalism. This may require a re-evaluation of certain elements of the theory of empire and multitude.

Essentially the theory Hardt and Negri propose shares with neo-liberalism the notion that the economy is the driving agent of civilization. That is not to say that these two theories can be reduced to the same simple concept. The point is rather that there are some significant areas of overlap between the two approaches. Consequently, although the establishment of the multitude could substantially improve global

politics, it may not offer the radical alternative to neo-liberalism Hardt and Negri suggest.

For instance, an integral element within the concept of multitude is a conviction to freedom of movement. This position is ultimately compatible with neo-liberalism. The establishment of tight national boundaries keeps the workforce of states across the world artificially low, thereby impairing economic advance. Thus, there remains the possibility that multitude could become a checking mechanism particularly to an intensely globalised economy.

Indeed, Thoburn's analysis on the limitations of multitude complements the argument that there is some continuity between neo-liberal theory and multitude. He suggests that Negri has not followed through Deleuze's thought on minor people and capitalism. Thoburn suggests that Negri has expanded the breadth of the concept of a minor people too far in the notion of multitude:

“...whilst the minor is premised on cramped impossible minority positions where social forces constrain movement, Negri suggests that the minoritarian contributed to a new ‘concept of the majority’ of the autonomous multitude.”(Thoburn 2001, 89)

Thus for Thoburn the concept of the multitude is too expansive. Further, Thoburn is also critical of Negri's optimism regarding communication and the establishment of new identities: “He [Deleuze] suggest that instant communication is less concomitant with communism than with the intricate feedback mechanisms of the open spaces of control...”(Thoburn 2001, 89)

Although Thoburn might not put it in such stark terms, his basic point is that Negri has distorted Deleuze's argument by replicating elements of capitalist society. That is to say Thoburn suggests multitude is not radical enough to displace capitalism. It may be argued that Thoburn has overlooked the more positive attributes of multitude, that it offers novel ways to conceptualise political identities, however, he does raise a valid point. There are aspects of the theory of multitude that are compatible with capitalism, most notably biopolitical production.

Biopolitical production shares with neo-liberalism a large-scale focus, a species view, of humanity. Further, biopolitical production is driven purely labour. Fundamentally neo-liberalism, as Hardt and Negri would accept, is driven by labour. The difference is only in how the labour of the system is organised and

accumulated. Hence it is not guaranteed that if multitude were put into practice, it would entirely displace neo-liberalism.

Methods of Conceptualising Political Change

At one point in *Empire* Hardt and Negri survey how European thought has traditionally approached criticising established political systems and devising alternatives (Hardt and Negri 2001, 181-190). On the whole, they are dissatisfied with the ambition and scope of imagination. They feel that European thought has yet to devise a critical strategy capable of resolving entirely the flaws associated with established systems.

The lectures are historical surveys meaning that Foucault did not propose any specific critical strategy within them. However, in his short essay *What is Enlightenment?*, which was first published some years after his death, Foucault tackled the subject of how seeking and implementing change within politics could be approached.

This final section will compare the critical strategy proposed by Hardt and Negri against Foucault's reflections in *What is Enlightenment?* There is one topic in which the differences between the two approaches crystallise: both approaches examine the European tradition through the paradigm of an inside/outside dichotomy. However, the conclusions drawn by the authors regarding the value of this dichotomy are opposed.

This is an apt topic on which to end this discussion. Underlying this exploration on governmentality, and its relationship to socialism, has been an interest to determine if it is possible, and indeed desirable, for an alternative to the liberal and police traditions to emerge. Comparing these two critical strategies indicates that the best way to proceed may prove to be a cautious, piecemeal, approach.

Hardt and Negri contend that the tradition in European political thought has been to conceive the flawed existing structures as an "inside" and imagine an alternative utopia as an "outside". They find this exercise to be self-defeating because the imagined alternative is conditioned by existing circumstances: "In all these cases the critique of modernity is situated *within* the historical evolution of forms of power, *an inside that searches for an outside.*" (Hardt and Negri 2001, 185)

Hardt and Negri believe it is imperative for political analysis to become more creative, to not be bound by convention in any way:

"The power of the modern critique of modernity resides precisely where the blackmail of bourgeois realism is refused - in other words, where utopian

thought, going beyond the pressures of homology that always limit it to what already exists, is given a new constituent form."(Hardt and Negri 2001, 185)

They include Foucault in this summary of the European tradition. They claim that Foucault falls largely inline with political thought since the Enlightenment, albeit that he inverted the inside/outside dichotomy:

"In the end, Foucault's philosophical critique of the Enlightenment returns to the same Enlightenment standpoint. In this ebb and flow between inside and outside, the critique of modernity does not finally go beyond its terms and limits, but rather stands poised on its boundaries."(Hardt and Negri 2001, 184)

Hardt and Negri are correct to suggest Foucault adopts a position on the borderline of convention. However, they do not consider at any length why Foucault chose to adopt this perspective. Evaluating Foucault's reasoning reveals a significant weakness in the critical method proposed by Hardt and Negri. More positively, however, Foucault's analysis also indicates how the concept of multitude could be revised in order to make it more likely to achieve the kind of goals Hardt and Negri envisage.

Foucault's method is more intricate than Hardt and Negri recognise. Indeed, the critical strategy Foucault outlined in *What is Enlightenment?* is certainly more subtle than that presented by Hardt and Negri.

Bruns provides an effective summary of Foucault's approach. In his essay, *Foucault's Modernism*, Bruns traces parallels between Foucault's theory and philosophical notions associated with the modernist movement: in particular, Bruns compares Foucault's work with that of Baudelaire and Mallarmé. Foucault's work follows such modernist tropes as a fascination with discourse and the subject.

The inside/outside dichotomy was also an important idea within modernism in general. The reading of Foucault Bruns presents reveals an understanding of this dichotomy different from that put forward by Hardt and Negri.

Although there is a certain connection between the strategy proposed by Foucault and that of Hardt and Negri, in that both approaches challenge the conventional inside/outside dichotomy, the nature of the challenges put to the dichotomy are distinct.

Foucault, following modernist reasoning, emphasised the role of the outside, arguing that the subject (inside) is conditioned to a significant extent by the external milieu. Bruns describes this aspect of Foucault's thought as pure exteriority:

"Pure exteriority means: an outside not correlated with an inside, not the object of a subject, but instead an outside that cannot be objectified, fixed or determined and so held in place or at bay."(Bruns 2005, 357)

That is not to say Foucault adopted a determinist view of human nature. In his thought, human-beings are conditioned by their environment, but the conditioning is not absolute. Consequently, the role of discourse in modernism is comparable with Foucault's thought: "Discourse is not transcendent, that is, it is not outside the order of things, but neither is it altogether containable within it. Discourse is never fully digestible."(Bruns 2005, 359)

Over time regimes evolve and change, further individuals act and react in numerous different ways. Hence it is impossible to say for sure that the environment determines individuals, or for that matter, that individuals determine the environment. As a consequence of this complexity, Bruns suggests that Foucault's work calls for a reevaluation of the subject, that it should be regarded as, "an impersonal refractory subject without an interior, a subject turned inside out."(Bruns 2005, 352) Ultimately then: "The idea is rather to conceptualise subjectivity in a new way - to frame the subject without recourse to the canonical concepts of cognition, self-identity and rational control."(Bruns 2005, 369)

Hardt and Negri challenge the inside/outside dichotomy on different grounds. As mentioned above, they felt that focusing on the outside had resulted in a lack of imagination within political thought. However, they went as far as to contest the notion that any external order could exist after modernity. Hence, they challenge the dichotomy from almost the opposite viewpoint of Foucault:

"In the passage from modern to post-modern and from imperial to Empire there is progressively less distinction between inside and outside... The process of modernization, in all these varied contexts, is the internalization of the outside that is, the civilisation of nature."(Hardt and Negri 2001, 187)

For Hardt and Negri the distinction between inside and outside has been displaced with the internal engulfing the external. Hardt and Negri do not show the same interest in subjectivity as Foucault, they see the encroachment of the inside on the outside as an encroachment of the private onto the public: "The public spaces of

modern society, which constitute the place of liberal politics, tend to disappear in the postmodern world."(Hardt and Negri 2001, 188)

Hardt and Negri argue that this privatisation of public space precipitates a decline in public culture. They suggest different communities have dwindling opportunity to meet, which serves to strengthen boundaries between peoples. As evidence of this trend, they cite urban planning in cities such as Los Angeles and São Paulo, which they feel have created ghettos, thereby further entrenching class and ethnic stereotypes.

The difference then in the critiques on the inside/outside dichotomy lies to a significant extent in the scope. Hardt and Negri devise a critique that emphasises public values. They believe theorist must be creative and unrestricted in their visions of a new politics. Foucault's critical approach works on a smaller scale, emphasising the individual's role in criticising and challenging conventions.

That is not to say Foucault found the present situation acceptable. Rather it is argued here that Foucault had a greater awareness of the challenge involved in establishing a new politics under today's circumstance than Hardt and Negri, as well as of the potential hazards involved in undertaking such an action. In his account on the role of political theory in Foucault's writing, Simons presents an effective summary of what Foucault felt was at stake:

"Our present political ethics is irreparably scientific, establishing fast bonds between power, truth and ethics, the three axes of Foucault's genealogy. If there is no available scope for an alternative ethics, there is none for an alternative subjectivity. The axes of our subjectivity are so tightly entangled that the possibilities we are limited to are not enabling boundaries but constraining confinements."(J. Simons 1995, 46)

In some respects, this concern regarding boundaries compares with the imperative to redefine what constitutes a boundary within the theory of multitude. The major difference is the method applied to challenge such social boundaries.

It is the view of this paper that Foucault's approach is ultimately more likely to yield successful results. There is a danger that the overly ambitious approach advocated by Hardt and Negri could lead to the hijacking of their idealism by more radical groups, who could use the imagined ends to justify profoundly illiberal means to get there.

This is precisely the aspect of *What is Enlightenment?* that Hardt and Negri missed in their reading on Foucault. Foucault's analysis indicates that the kind of grand visions of change Hardt and Negri advocate have dangerous precedents in European history. The implementation of such radical ideals has traditionally had disastrous consequences:

“...we know from experience that the claim to escape from the system of contemporary reality so as to produce the overall programs of another society, of another way of thinking, another culture, another vision of the world, has led only to the return of the most dangerous traditions.”(Foucault 1991, 46)

Foucault has in mind here the radical ideologies of totalitarianism, which were based on the principle that human civilisation could be transformed entirely, irrespective of the means employed to reach this goal.

In contrast, Foucault claimed that the more limited and targeted agendas of groups such as the civil rights movement or women's liberation have ultimately yielded greater qualitative improvement for the lot of their members:

“I prefer even these partial transformations that have been made in the correlation of historical analysis and the practical attitude to the programs for a new man that the worst political systems have repeated throughout the twentieth century.”(Foucault 1991, 47)

By enabling traditionally disempowered groups to participate in politics these movements have improved society as a whole. They have broken down arbitrary divisions that prevented people from entering the workforce or politics. All without attempting to fundamentally alter human nature.

Another important dimension to Foucault's strategy, which Hardt and Negri did not comment upon, is that the strategy is situated at the individual level. Foucault's theory indicates that individuals have an ethical obligation to reflect on and question their limits:

“We have to move beyond the inside-outside alternative; we have to be at the frontiers. Criticism indeed consists of analyzing and reflecting upon limits. But if the Kantian question was that of knowing what limits knowledge has to renounce transgressing, it seems to me that the critical question today has to be turned back into a positive one... The point in brief, is to transform the critique conducted in the form of necessary limitation into a political critique that takes the form of a possible transgression.”(Foucault 1991, 45)

In contrast to Kant, who sought to define the limits of reason, Foucault argues that the critical process is unending. Reason's limits must be constantly challenged, which will precipitate a gradual shift in dominant ideas, and eventually initiate institutional and political change. An important feature of Foucault's strategy then, apparent within the quotation above, is that there is no definite objective, there is only continual reassessment and testing of limits. Hardt and Negri on the other hand describe a clear trajectory from the rupture in authority in the middle ages, to imperial sovereignty and multitude. Foucault's account indicates that it is this assuredness in their ideals that may lead the theory of multitude to be usurped by agents with less benign intentions than Hardt and Negri.

Up to this point this discussion has not considered how these critical strategies for political change relate to the concept of governmentality. This is an important topic to consider because appreciating the connection between Foucault's analysis on methods for critique and governmentality indicates how the concept of multitude could be modified, thereby making it more likely to succeed.

Lemke, in revealing how Foucault's lectures challenge conventional criticism of neo-liberalism, provides an effective way to bring governmentality into this analysis on methods.

Lemke believed that the majority of critiques on neo-liberalism have been beset by a fundamental failure in method. He noted that often these analyses are characterised by a tendency to dismiss neo-liberalism and mistakenly claim to offer liberating alternatives. Lemke argued that these two factors result in such commentaries, counter-intuitively, reemphasising the structural flaws that led to the establishment of the problems associated with neo-liberalism in the first place. Hence he called for:

"[A] "strategical" conception of theory [that] prevent[s] us from a very serious flaw that dominates much contemporary critique: the "essentialisation of the critique of essentialism". What do I mean by this? When social and political scientists increasingly claim the importance of categories like "invention", "fiction" and "construction" for their work, they often double the theoretical attitude they initially set out to criticise: By firmly believing the "poststructuralist" or "anti-essentialist" stance they adopt does signal a "right" or "true" knowledge, they actually take up a theoretical position, Foucault once criticized as 'juridico-political discourse'."(Lemke 2000, 14)

In relation to the theory of multitude, Lemke's analysis indicates that the emphasis Hardt and Negri place on the creativity and radical quality of their theory may be a

sign that their theory will not challenge convention to the extent they believe. In fact multitude could prove to be one aspect of a more deeply entrenched neo-liberal hegemony.

The wider point that emerges from Lemke's account is that there is a danger in establishing a new "liberated" politics simply by opposing it to a seemingly defunct rival. His analysis suggests that such an approach will not resolve governmental systems' core imperfections. Indeed, it was noted above that there is exactly such a connection existing between neo-liberalism and multitude, through the economic rationales associated with both forms.

Since the theories proposed by Hardt and Negri have never been put into practice, it is impossible to assert that this will definitely occur. Having said that, as Foucault argued, it is necessary to constantly question the limits of convention, and multitude offers a powerful way to do this. Following the strategy Foucault proposed in *What is Enlightenment?* indicates how multitude can be put into practice, while minimising its potential dangers.

Foucault's account suggests that there are two fundamental problems with multitude. First, the extent of the change Hardt and Negri expect through its implementation; second is their belief, which informs the theory of multitude significantly, that progress is achieved by moving society through a series of political configurations.

For Foucault "progress" does not mean following a predefined path. Rather it is more haphazard and, potentially, unending. The following quotation gives an impression of how Foucault regarded modernity more as a struggle to maintain progress that had been made already, than as a simple project with clearly defined steps towards an obvious end:

"I wonder whether we may not envisage modernity rather as an attitude than as a period of history... And consequently, rather than seeking to distinguish the 'modern era' from the 'premodern' or 'postmodern,' I think rather it would be more useful to try to find out how the attitude of modernity, ever since its formation, has found itself struggling with attitudes of 'countermodernity'."(Foucault 1991, 39)

Within the lectures, there is also the sense that history is not strictly sequential:

"... we should not see things as the replacement of a society of sovereignty by a society of discipline, and then say, of government. In fact we have a

triangle: sovereignty, discipline, and governmental management, which has population as its main target and apparatuses of security as its essential mechanisms.”(Foucault 1991, 107/8)

Any change in a social system then is not necessarily permanent, it may become hegemonic, but ultimately it only adds to existing forms and will inevitably be superseded by future configurations. Any progress achieved is fleeting, and can only be sustained through permanent vigilance. The danger in the method Hardt and Negri employ is that it assumes there is an end-point. This is problematic. There is an assumption that complete political liberation is possible, such an argument on liberation has been used as a justification by many regimes to enact draconian measures. Further assuming there is an end-point could result in an attitude of complacency, that may allow space for the undermining of any progress made.

Perhaps then, we should see multitude as another element in the mix of governmentalities existing today. It may not completely displace the other forms, but it may nevertheless significantly alter the present situation. It could, for instance, undermine conventional attitudes to nationalism, thereby undermine cultural racism and break down arbitrary conventions that prevent migration and hinder freedom of movement.

Conclusion

This paper began by examining the core elements of governmentality and how the concept relates to socialism. It then proceeded to consider how governmentality relates to the theory of multitude, a particularly important development in contemporary socialist theory. Finally, this paper sought to evaluate the viability of multitude as a political system by examining it against Foucault's analysis on history and progress within the lectures and *What is Enlightenment?* Thereby determining if this branch of socialist thought had in fact established a socialist governmentality.

Ultimately, the conclusion of this paper is that multitude does not constitute a unique socialist governmentality, nor is it likely to successfully operate as a political system without modification.

The reason why multitude does not offer a unique socialist governmentality lies in the fact that it, like all forms of governmentality, relies upon an economic rationale. This rationale is different from that of other governmentalities in that it is derived from a concept of labour. Consequently, it would be unfair to suggest that multitude amounts to either liberalism or authoritarianism, as Foucault claimed of socialist theory in general. However, there is not sufficient reason to believe that if multitude were put into practice it would be substantive enough to stand against neo-liberalism.

The objectives Hardt and Negri propose are not entirely incompatible with neo-liberal theory. The undermining of national borders and the imperative to enable free circulation of people, are also goals of neo-liberalism, which would require both elements to allow a truly global free market to develop.

However multitude is not reducible to neo-liberalism. The economic rationale behind multitude is derived from a series of unorthodox ideas with their origins in the *Grundrisse* and Foucault's concept of biopolitics. The concepts of immaterial labour and biopolitical production are based on these sources.

Hardt and Negri believe that technology has advanced to such an extent that labour-time becomes irrelevant, meaning that capitalist exploitation can no longer occur. They see immaterial labour and biopolitics as forming the basis for a new political system that will unleash the creative potential of the multitude.

A significant problem then with the theory of multitude is the expectations Hardt and Negri associate with it. They believe that it can radically alter modern politics. This paper argues that it cannot achieve such a transformation because its economic rationale is too close to that of the dominant governmentality, neo-liberalism. Further, there is a more fundamental issue concerning the critical method employed by Hardt and Negri.

As Foucault illustrated in *What is Enlightenment?* there is a danger that such idealism can be exploited by malicious regimes. Indeed adopting the more cautious, gradual approach, of challenging the limitations of established reasoning may make it more likely that the objectives Hardt and Negri outlined in *Empire* and *Multitude* are achieved.

The value of multitude lies in its capacity to offer a novel way to conceive collective social identities, particularly in an increasingly globalised political environment. The concept challenges nationalism and cultural racism. Hardt and Negri have also been instrumental in the revival of Marxist studies.

There remain a number of questions that this paper will leave for future studies to consider. For one thing, there are many different branches of contemporary Marxist theory aside from Hardt and Negri. Hence investigations into how governmentality relates to the theory of such authors as Gramsci, Bourdieu and Wallerstein may be of interest. Further, more could be written on whether it is desirable for socialism to adopt governmentality or if it should seek to establish political structures on the basis of some alternative ideology.

For the moment then, while Hardt and Negri have certainly not developed a unique socialist governmentality, there are still many potential benefits within their theory.

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