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INTRODUCTION SPECIAL ISSUE

40 Years after *Discipline and Punish*

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ABSTRACT: This introduction diagnoses two tendencies among Foucaultian scholars with regard to Michel Foucault's *Discipline and Punish*: While the book was initially enthusiastically embraced and its central concepts – above all “discipline” and “panopticism” – were used almost too frequently, these very concepts were often thought to be superseded by Foucault's own development in the governmentality lectures and beyond. The articles in the special issue, however, demonstrate that *Discipline and Punish*, read carefully with neither uncritical enthusiasm nor progressivist dismissal, has still a lot to offer for today's critical theory and cultural analysis.

Keywords: power, discipline, panopticon, surveillance, prison, digital control

In June 1975, four months after publishing *Discipline and Punish*, Foucault expressed his expectations regarding his books in a remarkable image: “I consider my books as mines, as explosive parcels... I hope they are that!”¹ Having started the interview with Roger-Pol Droit by defining himself as a “blaster (*artificier*)”,² Foucault used this metaphor throughout the conversation, admitting disappointment that *Madness and Civilization* had not ‘detonated’ – “I felt I had ignited a fuse, and then one heard nothing”³ – and that he dreamed of a book that would be “an explosive as efficient as a bomb and as beautiful as fireworks.”⁴ Taking up this metaphor, this special issue of *Foucault Studies*, dedicated to *Discipline and Punish* and its relevance for us, is interested in the “explosive parcel” as well as the resulting “fireworks”: in closely re-reading Foucault's book and in examining the effects it might still have today.

¹ Roger-Pol Droit, *Michel Foucault, entretiens* (Paris: Odile Jacob, 2004), 105. All translations from Droit's books are ours.

² *Ibid.*, 92.

³ *Ibid.*, 100.

⁴ *Ibid.*

What effects did it have? Prisons still stand, disciplinary power surely has not been defeated – and where it has, we are best advised to ask at what price. So while we might question an unambiguous success story from an activist point of view, Alan D. Schrift correctly notes that “Foucault’s account in *Discipline and Punish* of the mechanisms of discipline have transformed irrevocably the way scholars in the humanities and social sciences understand and think about how relations of power are exercised in modern and contemporary Western societies.”⁵ And yet, although we cannot provide here a complete history of *Discipline and Punish*’s reception in the four decades since it was published, we would like to draw attention to a certain oscillation in the attitude of Foucauldian scholars towards *Discipline and Punish*.⁶ After the initial surprise,⁷ *Discipline and Punish* was enthusiastically embraced and put to use: The concepts of the “micro-physics of power”⁸, the disconcerting diagnosis of our “disciplinary society”⁹ and the striking analysis of “Panopticism”¹⁰ were taken up as tools for a variety of critical diagnoses of the present. Disciplinary power mechanisms were diagnosed almost everywhere: in accounting, the bodies of women, criminology, Disneyland... and the list goes on.¹¹ The diagnosis of a “disciplinary society”

⁵ Alan D. Schrift, "Discipline and Punish," in *A Companion to Foucault*, ed. Christopher Falzon, Ted O’Leary, and Jana Sawicki (Chichester: John Wiley & Sons, Ltd, 2013), 151. <https://doi.org/10.1002/9781118324905.ch5>.

⁶ For critics of Foucault like Axel Honneth, Nancy Fraser, Jürgen Habermas or Charles Taylor, to name just some of the best-known, it was specifically Foucault’s account of power which prompted their objections: see Axel Honneth, *The Critique of Power. Reflective Stages in a Critical Social Theory*, trans. Kenneth Baynes, 3rd ed. (Cambridge, MA: MIT Press, 1997 [1985]), chapters 5 and 6; Nancy Fraser, *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (Cambridge: Polity Press, 1989), chapter 2; Jürgen Habermas, *The Philosophical Discourse of Modernity. Twelve Lectures*, trans. Frederik Lawrence (Cambridge: Blackwell, 1998 [1985]), chapter X; Charles Taylor, "Foucault on Freedom and Truth," *Political Theory* 12, no. 2 (1984).

⁷ See e.g. Jan Goldstein’s review in which the author’s palpable puzzlement causes him to withhold his judgement: Jan Goldstein, "Book review: Foucault, Michel: *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan," *The Journal of Modern History* 51, no. 1 (1979). A fine example for the irritation *Discipline and Punish* provoked among German-speaking criminologists and sociologists is the special issue of *Kriminalsoziologische Bibliographie* (1978, Volume 5, No 19/20). See also the collection of initial reviews in Philippe Artières et al., eds., *Surveiller et Punir de Michel Foucault. Regards critiques 1975–1979* (Presse Universitaires de Caen 2010) and the reviews mentioned by Schrift, "Discipline and Punish," 148–150.

⁸ Michel Foucault, *Discipline and Punish. The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1977 [1975]), 26.

⁹ *Ibid.*, 193, 216–228.

¹⁰ *Ibid.*, part III, chapter 1.

¹¹ See respectively Keith W. Hoskin and Richard H. Macve, "The genesis of accountability: The west point connections," *Accounting, Organizations and Society* 13, no. 1 (1988); Sandra Lee Bartky, "Foucault, Femininity and the Modernization of Patriarchal Power," in *Feminism and Foucault: Paths of Resistance*, ed. Lee Quinby and Irene Diamond (Northeastern University Press, 1988); Judith Butler, "Foucault and the Paradox of Bodily Inscriptions," in: Eighty-Sixth Annual Meeting American Philosophical Association, Eastern Division, *Journal of Philosophy* 86, 11 (1989); David Garland, "The Criminal and His Science. A Critical Account of the Formation of Criminology at the End of the Nineteenth century," *British Journal of Criminology* 25, no. 2 (1985); Clifford

seemed spot on, even if such a totalizing description had to be sociologically and historically re-fined and its implication for political action had to be examined more carefully.¹² Perhaps the biggest “success story” was the image of the Panopticon, this infernal, fascinating machine for the automatic exercise of power. For some time, surveillance and Panopticism seemed to be the same thing, just as Foucault’s notion of power was identified with disciplinary power.¹³

This changed in the 1990s, when the seemingly endlessly confirmed diagnosis was forcefully put into question. Two texts were seminal for an increasingly common argumentative distancing from the concepts *Discipline and Punish* proposed: Gilles Deleuze’s small essay “Postscript on the Societies of Control”¹⁴ and the edited volume that would spark Governmentality Studies: *The Foucault Effect*.¹⁵ Both argued that “discipline” and “Panopticism” could not adequately grasp contemporary power relations that had become much more flexible, and both also suggested that “discipline” had not been Foucault’s last word on that matter. The latter argument became a common theme: Foucauldian scholars began to defend the continued importance of Foucault by granting that while “disciplinary power”, the “disciplinary society” or “Panopticism” might not adequately capture contemporary forms of power, he had already furnished us with the conceptual tools to do so. Exemplary in this regard is an exchange between Nancy Fraser and Thomas Lemke; against Fraser’s charge that Foucault is not just normatively confused, but is today not even empirically insightful, because his analytics of disciplinary power is merely suited for a fordist society,¹⁶ Lemke argues that Foucault developed his own analytic of power in the so-called governmentality lectures precisely to address the new forms of power in a “postfordist” society:

“Foucault recognized the inadequacy or at least the limitedness of his analyses, which in the first half of the seventies were in fact oriented toward discipline as the dominant technique of power.

Shearing and Phillip C. Stenning, “From the Panopticon to Disneyworld: the Development of Discipline,” in *Perspectives in Criminal Law: Essays in Honour of John LL.J. Edwards*, ed. Anthony N. Doob and Edward L. Greenspan (Aurora, ON: Canada Law Book Inc., 1984). These are of course merely some examples of a vast literature.

¹² Critical but generally affirmative of a “disciplinary society”: William E. Connolly, “Discipline, Politics, and Ambiguity,” *Political Theory* 11(1983); Stefan Breuer, “Foucaults Theorie der Disziplinargesellschaft. Eine Zwischenbilanz,” *Leviathan* 15 (1987). <https://doi.org/10.1177/0090591783011003002>.

¹³ On the identification of surveillance and Panopticism, see Kevin D. Haggarty, “Tear Down the Walls. On Demolishing the Panopticon,” in *Theorizing Surveillance. The Panopticon and Beyond*, ed. David Lyons (Cullompton: Willan Publishing, 2006), 26; on power being identified with discipline, see Thomas Lemke, *Eine Kritik der politischen Vernunft. Foucaults Analyse der modernen Gouvernementalität* (Berlin: Argument Verlag, 1997), 111. Both are critical of these connotations.

¹⁴ Gilles Deleuze, “Postscript on the Societies of Control,” *October* 59 (1992).

¹⁵ Graham Burchell, Colin Gordon, and Peter Miller, eds., *The Foucault Effect: Studies in Governmentality* (Chicago: University of Chicago Press, 1991).

¹⁶ Nancy Fraser, “From Discipline to Flexibilization? Rereading Foucault in the Shadow of Globalization,” *Constellations* 10, no. 2 (2003): 165–6.

From the middle of the seventies – and thus precisely from the time when the first clear cracks appeared in the fordist model of regulation – we can observe a growing theoretical distancing from the disciplinary model, which now appeared to Foucault as a peculiarly ‘uneconomic’ and ‘archaic’ form of power.”¹⁷

Notice how, according to this defence, *Discipline and Punish*’s diagnostic concepts are superseded by Foucault’s “analytic of governmentality.”¹⁸ Thus, instead of the diagnosis of a “disciplinary society,” the Governmentality Studies established neoliberalism or “advanced liberalism” as the contemporary political rationality to be examined if we want to criticize our present.¹⁹ As for the Panopticon, Surveillance Studies have rehearsed countless successor-terms as well as complete rejections of Foucault’s concept.²⁰

So, is *Discipline and Punish* fireworks that sparkle only in our memory? Have its diagnostic concepts become obsolete either by being replaced with Foucault’s subsequent work or because they are simply outdated in an era that is ruled by digital technologies? What other perspectives can *Discipline and Punish* offer us today, for instance with regard to its methodological approach? None of our contributors argue that we can simply affirm Foucault’s diagnosis as originally put forth in *Discipline and Punish*.²¹ Yet all of them show how his diagnostic concepts and the perspective offered by them are still useful today. We open the issue with Susanne Krasmann’s elegant, Deleuze-inspired proposal to read Foucault’s analytic of power in terms of visibility: how seeing, being seen and imagining being seen shapes our thoughts, our actions and our subjectivity. Krasmann uses *Discipline and Punish* to contrast the disciplinary regime of visibility with our own, focussing on the differences between the disciplinary and the contemporary digital subject. In Trevor Paglen’s calm pictures of the sites from which secret services run their ubiquitous surveillance, she finds a way of returning their gaze that refuses complicity with our regime of visibility.

¹⁷ Thomas Lemke, “Comment on Nancy Fraser,” *Constellations* 10, no. 2 (2003): 176.

¹⁸ *Ibid.*, 177.

¹⁹ Just a few examples: Andrew Barry, Thomas Osborne, and Nikolas Rose, eds., *Foucault and Political Reason: Liberalism, Neo-liberalism and Rationalities of Government* (Chicago: University of Chicago Press, 1996); Nikolas Rose, *Powers of Freedom. Reframing political thought* (Cambridge: Cambridge University Press, 1999); Mitchell Dean, *Governmentality. Power and Rule in Modern Society*, 2. ed. (London/Thousand Oaks/New Delhi: Sage, 2010 [1999]).

²⁰ A prominent critique of Foucault’s panopticon is Zygmunt Bauman, *Liquid Modernity* (Cambridge: Polity Press, 2000). For an impressive list of “-opticons” see Haggarty, “Tear Down the Walls,” 26. The debate about whether or not to abandon Foucault’s analysis of the Panopticon fills volumes; see e.g. the special issue on “Foucault and Panopticism Revisited” in *Surveillance & Society* 3.1 (2003) or the contributions in Kirstie Ball, Kevin D. Haggarty, and David Lyon, eds., *Routledge Handbook of Surveillance Studies* (London/New York: Routledge, 2012), section 1.1.

²¹ The articles in this special issue originate from the conference “Überwachen und Strafen heute”, held 2015 at the University of Bremen, Germany.

Tobias Matzner also uses Foucault's insights into the mechanisms of disciplinary power to understand contemporary forms of digital control and surveillance. He reads Foucault's description of the disciplinary examinations of prisoners, pupils or workers as early forms of data-gathering and –processing, and compares them to contemporary data-processing practices. Specifically, Matzner argues that “opening black boxes”, e.g. disclosing how algorithms used for surveillance operate, is not enough because it forgets the subjectivizing effects of disciplinary data-processing. He finally suggests that a different, performative concept of “data” is needed to understand how data-production and self-formation are intertwined.

Whereas these two articles take *Discipline and Punish* as their historical point of departure to map the similarities and differences of surveillance practices then and now, Petra Gehring returns to the text of Foucault's book: In her close reading of *Discipline and Punish*, she argues that the problem with using the Panopticon as a model of disciplinary power lies not in over-extending it to cover ever new practices today, but in the misleading conceptualisations of power and subjectivity to which it gives rise. In fact, the attention attracted by the Panopticon has led us to thoroughly misread Foucault, Gehring claims: not even *Discipline and Punish* uses it to analyse how discipline creates its subjects and their docile but able bodies. Thus, the panopticon should not be understood as a technique of subjectification, but rather as a transitory step in between sovereign and disciplinary power mechanisms. The historical and systematic importance of disciplinary power instead lies in the process of automatization.

The final two contributions explore the production of delinquency in very different registers: Thomas Biebricher tries to translate the categories Foucault used to analyse disciplinary power mechanisms – documentation of cases, organisation of geneses, normalizing judgements etc. – from the individual to national states. The European Union's regime of economic accounting- and sanctioning-mechanisms is, according to Biebricher's ambitious argument, an experiment to produce economic delinquency on a large scale: disciplining and punishing whole national economies, endowing them with a “soul” to entrap them.

Philipp Wüschner finally returns our attention to the practices of punishment in digital social media. Taking the case of public shaming, he argues that we should not dismiss the comeback of punitive sanctions intended to shame as a recurring anachronism. It rather signals a contemporary uneasiness with the ideal of a legal system solely built on guilt, Wüschner holds, and the newly emerging constellation of shame and guilt we can observe today produces new practices and forms of delinquency in the public.

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“I am a blaster (*artificier*). I fabricate something that in the end serves a siege, a war, destruction. I am not in favour of destruction but I am in favour of getting through, of advancing, of being able to take down the walls.”²² *Discipline and Punish*, read carefully with neither uncritical enthusiasm nor progressivist dismissal is still able, it seems to us, to provide tools and methods for tearing down some of the walls – at least in our thoughts and theories.²³

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²² Droit, *Michel Foucault, entretiens*, 92.

²³ A special issue is a collaborative endeavour that includes not just editors and contributors: We would like to thank our reviewers and the editors of *Foucault Studies* – particularly Jyoti Puri for her patience and help. It has been a pleasure!