One of the longest lasting problems in the discussion about Foucault has been the problem of freedom. More precisely the question is: How can freedom and resistance be thought and explained in a theory of power and subjectification?

I will address this problem not by talking about Foucault himself, for example by offering a new interpretation of his writings. Rather, I claim that the problem can only be addressed by looking at the social-philosophical debate kicked off by his works. The problem of freedom does not originate in Foucault, but was first articulated in discussions of his work by political theorists. These interpretations, through constructing the problem, go beyond mere exegesis. They are complex philosophical works in themselves and as such they are the main object of my analysis.

The social-philosophical debate about freedom in Foucault’s works began when political theorists such as Jürgen Habermas, Nancy Fraser and Charles Taylor treated Foucault as one of them, as a political theorist, and criticized him for having an implausible account of freedom due to his Nietzschean concept of power. Other interpreters, who were both interested in political theory and sympathetic to Foucault, came up with interpretations of his work aimed at constructing a coherent theory of freedom within the Foucaultian framework of subjectification and power. In my talk, I reconstruct exemplary versions of the three main types of approaches to make Foucault a coherent political theorist, and criticize them for failing to solve the problem of freedom they aimed to solve, proposing a new approach of my own. The three approaches are:

1. “Foucault corrects himself”. As exemplary of this hypothesis I take Thomas Lemke’s *A Critique of Political Reason* (Eine Kritik der politischen Vernunft, 1997). Foucault, Lemke argues, had a deficient concept of freedom in his genealogical works, but he corrects his mistakes and develops a coherent concept of freedom in his late works, especially the lectures on governmentality, the volumes 2 and 3 of the *History of Sexuality*, the important article *Subject and Power*, and some interviews. This strategy is the most common one and is unchallenged in the current debate; one can find the “correction thesis” in many articles, monographs and introductions to Foucault; one might call this the standard reading of Foucault’s political theory.
2. “Foucault criticizes coherently”. As exemplary of this approach I take Martin Saar’s *Genealogy as Critique* (Genealogie als Kritik, 2008). Foucault’s method of genealogical critique works with rhetorical dramatizations. His statements about how power determines subjects are such dramatizations and do not intend to be social theory, and therefore they do not constitute a social theoretical problem. Moreover, genealogical critique assumes that readers are free enough to be addressed by it and potentially transform themselves.

3. “Foucault is not enough”. I take Amy Allen’s *The Politics of Ourselves* (2008) as the exemplar of this hypothesis. In order to understand freedom within a framework of subjectification, we have to regain the ability to differentiate between repressive and emancipating subjectification. This project is not incompatible with Foucault, but cannot be archived through a reconstruction of his works alone. It can be done by combining Foucault’s account of power with Habermas’ account of autonomy.

Now I come to my analysis and internal critique of these three approaches:

1. Foucault corrects himself

My criticism of this approach is that it conflates different concepts of freedom. The problem of freedom described in *Discipline and Punish* is the problem of a determination of the subject by power. The subject is only an effect of power, produced by it, has no own agency, therefore no freedom; in short, it is determined by power. This problem can be successfully resolved by referring to Foucault’s later works. His refined notion of power as “government” presupposes activity of the governed; furthermore, in *Subject and Power*, he remarks that power always presupposes freedom, which argues that subjects are not determined by power in Foucault’s conceptualization.

But there is another problem. Governmentality studies points out that even though freedom is presupposed by government, this is not the type of freedom one would want, but rather a more subtle tool for domination than the disciplines of *Discipline and Punish*. The strategies of governmentality even incorporates resistance. No clear line can be drawn between the freedom to resist power and the freedom required and stimulated by governmentality. Furthermore, the technologies of the self Foucault analyzes in *The History of Sexuality* are not simply aspects of freedom missed in his former studies, as some commenters have argued. Rather, Foucault points out the historicity of the technologies of the self. Which technologies of the self a given subject can develop and use depends on how it was made into a subject, or subjectivated. The quality of freedom we have depends on power and the processes of subjectification. This is a whole different problem than determination. I call it the problem of subjectification.

One way to deal with the problem of subjectification is already given us by Foucault. Genealogical Critique seeks to explain how our thinking, values, desires, and bodies, are influenced by power so deeply that we might not even be able to see it. Genealogical critique aims at denaturalizing and putting into
question what we take for granted. This can be phrased in the language of freedom: The concept of freedom which is suitable to be an answer to the problem of subjectification is critique. In other words, freedom can be defined as the capability to critically reflect upon one’s own subjectification in order to emancipate oneself from it (and that means from oneself) in order to transform oneself into directions which were not even thinkable before.

Now, this concept of freedom – freedom as critique – is a very demanding concept. The capability to practice such reflection cannot be presupposed in the subject, as the very concept of subjectification argues that there is nothing in the subject prior to subjectification.

Here it becomes clear why the correction thesis does not work. The concept of freedom which can be explained through the action-theoretical framework of Subject and Power is only a weak concept of freedom: freedom as the possibility to always act differently. This serves well to solve the problem of determination – which is not an interesting problem in the first place – but it does not help to solve the problem of subjectification, which is the crucial problem. The problem of subjectification can only be solved by explaining freedom as critique. Interpreting freedom as the possibility to act differently is not sufficient. Something further is required to explain freedom in this stronger sense.

What is missing is a differentiation between different forms of subjectification. Because freedom as critique can only be the result of a certain subjectification, this subjectification has to be analyzed. I propose to call it critical subjectification as opposed to repressive subjectification. Critical subjectification is the subjectification which enables the subject to practice freedom as critique of its own subjectification.

I believe that this problem is prevalent in many interpretations of Foucault. Without differentiating the problems of determination and subjectification, once cannot distinguish between freedom to act differently and freedom as critique. Why, we might ask, do Lemke and other interpreters not make this distinction?

My hypothesis is that this is caused by an anti-institutionalist reading of Foucault. In his later work, Foucault differentiates power from domination, describing power as a free relational game and domination as a fixed state of affairs. Basically, domination is order and power is a fluid state. The normativity of this distinction (free power vs. domination) is directed towards less order. In order to explain freedom as critique, we have to differentiate different regimes according to their effects. I suggest that we think about whether certain forms of government (or domination) can subjectivate in such a way as to instantiate freedom. This way of critique – differentiating different forms of government normatively – is blocked by Foucault’s distinction between power and domination, because it marks government and domination as generally bad. There is, however, a more institutionalist reading in Foucault’s What is critique, where Foucault says that critique is about being governed differently, and not about not being governed at all.
My thesis is that either one follows the anarchist reading, then one can only deal with the problem of determination, which means one can explain freedom as acting differently. This, by the way, is a classically negative concept of freedom, because being free is defined as the absence of coercion, the absence of government and domination. Or one can follow the institutionalist reading and does what classical political theory does: differentiating forms of government normatively. Then one can deal with the problem of subjectification, because one can explain freedom as critique as an effect of critical subjectification through government.

One can find some evidence for both readings in Foucault. The anti-institutionalist one is hermeneutically more sincere to the spirit of his works and to his methodology of genealogy. Turning to the second approach (which I have called: “Foucault criticizes coherently”), it will become clear that this adherence to genealogy is another explanation for the anti-institutionalist reading’s inability to solve the problem of subjectification.

2 Foucault criticizes coherently

In his reconstruction of genealogy as a sound method, Martin Saar points out how it actually works. Genealogical texts present to the readers their own history within a framework of power, which points out both the violence and the contingency of the current state of affairs, addressing them on an existential level. Reading a genealogical text makes one reflect radically and fundamentally because it calls one’s very identity in question. Addressing the reader in this way renders key concepts blurry, especially freedom. Genealogy does not claim that in situation XY you are unfree, but it questions the fundamental difference between freedom and unfreedom. This is why it is so shocking and rhetorically effective.

The better understanding of how genealogy works offers two reasons to move away from it, given that the aim is to solve the problem of subjectification. First, the whole problem of subjectification and the search for a clear definition of freedom is already contrary to the genealogical method of blurring concepts. You cannot expect to get a clearly defined concept when you work inside the boundaries of a method which is aimed against normative definitions.

Second, the premise of the anti-institutionalist reading is a totalizing account of modern political power and knowledge. Both are taken be connected and to make us unfree, they are the domination which has to be overcome in order for there to be freedom. Every form of government and every form of scientific knowledge is taken to be repressive, including normative political theory. While these Adornian tropes can be certainly found in Foucault’s genealogy of modern governmentality and normalizing human sciences, they should not be understood as social theory, but as a rhetorical dramatization which is needed for genealogy’s effect of existential appellation. It follows that to base a critical political theory on this totalizing account is wrong: it misrepresents the status of the intervention.
Once the abolition of normative political theory is shown to be not the social-theoretical core of Foucault’s thinking, but a rhetorical dramatization, it is possible to take a more complex look and ask the question, which was forbidden before and which alone can address the problem of subjectification: how can regimes of subjectification be differentiated according to whether their subjectification instantiates the capability of critical reflexion of subjectification in subjects or not?

3 Foucault is not enough

Until now I have argued that freedom as critique can only be addressed through normative political theory, which Foucault rejected. This is also the premise of Amy Allen, who claims that a synthesis of Foucault and Habermas solves this problem. Details aside, the problem with Allen’s approach is that she locates freedom as critique in leftist counter movements, focusing on feminist and queer critique.

While I agree that there is certainly a better chance to find critical reflection in leftist political projects than in conservative ones, to locate freedom in one particular ethical political project is a fallback behind the post-fundamentalist level of reflection from which Foucault starts. No particular ethical political project has privileged access to the truth, and every political project is potentially repressive. The hermeneutics of suspicion cannot be suspended in a pre-defined social realm or group, but it has to be institutionalized everywhere and ongoing. I think that the only way to do justice to Foucault’s hermeneutics of suspicion in a theory of freedom is to take into account that freedom itself is always contested and to reflect the contestation processes themselves in a post-fundamentalist and pluralist theory of democracy.

In taking such an approach, the liberal difference between morality and ethics comes in again. Every theory of conflict has to discuss that which can be still universalized in the general state of disagreement: morality instead of ethics. I claim that freedom as critique should not just be defined as what progressives and leftists do anyway, but it should be made a normative venture point of a theory of democracy. Freedom as critique can then serve as the normative principle which still can be universalized in a post-fundationalist pluralist political theory.

In sum, if one asks questions of political theory, one will get answers in the language of political theory; staying sincere to these questions leads away from the orthodoxy of Foucault’s method. Yet this can be enormously productive, not only for a systematic understanding of freedom in Foucault’s works, but also as a starting point for a new discussion about the right concept of freedom in political theory.