

Foucault, Butler and corporeal experience

Taking social critique beyond phenomenology and judgement

Abstract

This article is concerned with the possibility of conceiving a form a social critique that has its locus in the human body. Therefore I engage in a close reading of the (later) work of Butler which can be analyzed as an elaboration of a Foucauldian critical ‘virtue’. In order to elaborate and to refine my ideas I go deeper into the criticisms McNay has uttered regarding the very impossibility of taking any distance from a given social or political order within a Foucauldian-Butlerian framework. I show that there is no need to have recourse to a phenomenological perspective, as McNay claims, in order to achieve ‘critical distance’. On the contrary, I argue that it is imperative to explore a register of bodily experience that entails self-expropriation and which is linked to an attitude or ‘ethos’ that renounces any judgmental perspective.

Keywords

Butler - Foucault – McNay – phenomenology - corporeality – social critique – limit-experience – critical ethos

The (im)possibility of a Foucauldian idea of critique

Ever since Michel Foucault introduced the notion 'biopower' (Foucault, 1978) to the field of philosophy and the social sciences, the human body has become a major focus of research. In Foucault's view our bodies are, since the advent of Modernity, increasingly shaped or subjugated by techniques of normalization, control and (self)discipline. This is to say that, whilst formerly power was exerted over territories (implying the power of the sovereign over the *death* of the subjects living on this territory), the Modern era is characterized by a growing seizure of power over *life*, in its most detailed aspects: our bodies have more and more become the object of a governance that aims at turning us into (more) reliable, predictable and productive beings. Therefore, according to this line of thought, anyone concerned with processes and mechanisms of social regulation – as well as the possibilities to resist or alter existing frames of social regulation – should pay attention to the political meaning of the body. This perspective not only stresses the importance of corporeality for understanding how subjectivity is constituted and social existence is organized. The most important implication is that we should give the body its fair share if we want to take a *critical distance* vis-à-vis the established social and political order (the organization of our communal life according to categories of identity and hierarchically defined roles), as well as the discursive regimes that support it.

This connection between corporeality and critique is the central issue in this article. More specifically, I defend an idea of critique that has its locus in a qualified form of *corporeal experience*. I substantiate this claim on the basis of the most

recent oeuvre of Judith Butler, a philosopher who is not only famous for proclaiming that *bodies do matter*, but who has also been engaged in a long and profound dialogue with Foucault. In a sense, her latest work can be read as a reply to the very question *what it means to be critical* (vis-à-vis a given order of things), in which she consistently develops a Foucauldian stance. Although Butler is more known for her contributions to the field of feminism and queer theory (which is the explicit focus of her earlier work), the scope of the Butlerian approach I develop in this article is much broader and actually concerns *every* form of social criticism. Nevertheless, my argument is based on a criticism of the views defended by Lois McNay, a prominent and contemporary feminist philosopher. This is not so much because the issue of women's oppression/emancipation is the main focus of this article, but because McNay discredits *any* attempt to develop a critical stance on the basis of the work of Foucault. Moreover, although many other (feminist) theorists have uttered similar criticisms (e.g. Fraser, 1989; Hartsock, 1990), I concentrate on McNay's point of view, precisely because she treats Butler as a representative *par excellence* of a Foucauldian framework (Cf. McNay, 1999, 2000, 2003 & 2004). Therefore, my discussion and refutation of McNay's position are meant to underline the potential, as well as the originality of a Butlerian concept of critique.

McNay acknowledges Foucault as a major resource for social critical theory and, from her earliest writings on (e.g. McNay, 1991), she actually takes sides with Foucault for his insights into the entanglement of corporeality and social oppression. After all, over and against the tendency, typical for mainstream western philosophy, to take for granted self-conscious subjectivity as an immaculate, stable and trans-

historical foundation, Foucault has drawn attention to the historically contingent circumstances (i.e. discursive, material and technological conditions) that structure processes of subject-formation, and more precisely to the way in which power seizes control over the body and imposes, *via the body*, various kinds of subjectivity. Nonetheless, McNay also accuses Foucault of a structural weakness in his way of thinking: '[t]he emphasis that Foucault places on the effects of power upon the body results in a reduction of social agents to passive bodies and cannot explain how individuals may act in an autonomous fashion' (1991, p. 125). Therefore it remains unintelligible for her how resistance towards social and political regimes might actually be possible.

McNay argues, more precisely, that a Foucauldian perspective lacks a sufficient idea of agency (i.e. the autonomous capacity for (subversive) action) and that it *therefore* doesn't allow to conceive a serious conception of criticality. Next to this, she finds it problematic that Foucault omits any reference to (bodily) *experience*. For Foucault, as a post-structuralist philosopher, any recourse to experience is by definition unreliable: experience *only seems* to offer a direct access to (corporeal) reality, and more often than not this alleged purity and authenticity conceal that experience is determined or even constructed by a given discursive regime. As such, this regime is indirectly supported. If Foucault is right on this point, this would imply – so McNay claims – that the oppressive situation she, as a feminist, fights against is only to be reproduced in the end. Or: '[w]hereas feminists have recognized the need to show that women are more than passive victims of domination – through the rediscovery and re-valuation of their experiences and

history – Foucault’s understanding of individuals as passive bodies has the effect, albeit unintentional, of pushing women back into this position of passivity and silence’ (Ibid., p. 137). In sum, as the result of an overestimation concerning the impact of power regimes on the body, a lack of any substantial idea of agency, and of a deep mistrust vis-à-vis (bodily) experience as a potentially emancipatory force, Foucault leaves no room for taking distance from the way social existence is ordered (viz. on the basis of male/heterosexual hegemony).

McNay claims furthermore that we need to complete this view with a *phenomenological* perspective. Originally, this school of thought tried to elucidate everything we think, feel and do on the basis of concrete experiences of the ‘transcendental subject’. This is to say that our consciousness, by relating to others and to the world (i.e. according to the original modus of ‘intentionality’), is the source of all meaning. McNay is especially interested in contemporary versions of phenomenology, which - in line with Merleau-Ponty’s work (1995) - see the ‘corps-sujet’, i.e. the subject as a fully *bodily* self, as source primary locus of meaning and intentionality. In her view, Bourdieu’s ‘social phenomenology’ (2000) might do this job. However, in this contribution I argue that there is no need whatsoever to appeal to a phenomenological approach for conceiving the possibility of critique. On the contrary, the work of Foucault and Butler offers *itself* opportunities for this. First, these thinkers argue for a possibility to distance oneself from and to resist current orderings of social life which precisely demands that we transcend any notion of agency, at least in any traditional meaning of this expression. To see this, a particular ‘critical ethos’ is required (Foucault, 1984). Second, critical distance is,

according to them, precisely realized when one is willing to go through a moment of 'limit-experience' (Foucault, 1991, p. 31). As I show throughout this contribution, Butler, in her more recent oeuvre, locates this potential for social and political change in the *bodily experience* of exposure.

In the next part of this article I first turn to the earlier work of Butler, and more specifically, the ideas she defends there regarding identity formation on the basis of performativity and reiteration. This will help me to refine, in the next two parts, McNay's precise objections against the position Foucault and Butler take regarding the possibility of critique, and to show that McNay's approach is based on a very partial reading of Butler's oeuvre (dealing solely with a specific set of texts that are not representative for the whole of Butler's thinking). In the last parts, I then develop a Foucauldian-Butlerian framework that leaves room for an effective form of criticality - without any need to refer to phenomenology.

Butler's theory of performative subject-constitution

The core of McNay's criticism concerns Butler's influential books from the 90's (e.g. Butler 1990, 1993, 1997a & 1997b), which are shown to possess a weaknesses characteristic of Foucauldian perspectives (and of the post-structuralist paradigm in general). In the aforementioned texts Butler develops a discursive model of identity formation and social structure. At the basis of this model there is the idea, first, that there is no subjectivity prior to symbolic categories that form the cornerstone of a given social and political order. Second, there is the idea that the coming into being of subjectivity (as a stable form of identity) is the result of the repetitive

performance of these categories in our daily conduct. This means that subjectivity is never a starting point (as was taken for granted by most traditional western philosophies), but always the result of, on the one hand, categorizations that precede the level of the individual being, and, on the other hand, the ritual repetition of these categories.

To be clear on this point, this is not to say that there are first pre-existing roles such as 'male' or 'female', 'straight' or 'queer', 'white' or 'black' which we subsequently take on: there is no 'we' before or behind subjectification. Or, as Nietzsche remarks, there is no *doer* behind the *deed* (Butler, 1990, p. 13). There is no identity outside ritual performance. It is *only* through the enactment of such roles that something like a 'we' might come into being. It is *only* by performing these categorizations that they become real and produce our identities. The existence of a social order and the distribution of different identities and hierarchical positions within that order is thus wholly dependent upon the constant repetition or even better re-enactment of specific roles and their consolidated meanings: performing these roles again and again a social order gets reproduced.

In view of this analysis it is useless to turn to 'the subject' in order to conceive of a possible transformation of a given order or of any form of resistance against an unjust or oppressive (e.g. heteronormative) organization of social existence. After all, for Butler there is no undefiled core of subjectivity that exists independently of the given identities that are mandated under specific social and political regimes. Consequentially any form of opposition that pretends to act on behalf of such a repressed essence of humankind is doomed from the start to fail, for it will assume a

fiction that serves only to sustain the existing order of things. After all, the continuous repetition of certain behavioural patterns might generate the idea of something 'originary' behind our performances, but this is only a 'false stabilisation' (Butler, 1990, p. 172) of identity. Moreover, believing that such a foundational self exists might cause the illusion of being able to detach ourselves from regulatory norms.

Nevertheless, it is also the dependency of an existing order on the *reiteration* of certain roles that precisely implies the possibility of a deviation of regulatory norms and thus the promise of real transformation. Since iterability is an infinite process of rehearsal, it is also undeterminable. This is to say that the *citational* character of identity-constitution also renders it decontextualisable, offering the possibility of parodic recitation and thus of counter-hegemonic practices. Drag illustrates a real and effective destabilization and contestation of the existing regime (Ibid., p. 174). This practice makes abundantly clear that *every* identity, also the 'normal' ones, is mere performance, and nothing but that. In other words: because an existing social regime always relies on *concrete bodily acts of individuals*, precisely here resides the very possibility of opposition and change.

Corporeality appears, according to this view, at the same time as the very bearer of identity formation (it is *as bodies* that we keep a discursive regime in operation) *and* as a site of resistance and potential change (it is *as bodies* that we might destabilize the existing regulative norms that produce stable identities). However, analogous to the way in which there exists no subjectivity outside of a regime of categorizations, the body has no real existence outside discursive

structures and regulative practices (Butler, 1990, p. 24). The whole idea that there would exist something like 'a body as such' is not only unintelligible, it is also quite dangerous. This is because this view makes us believe that there is an eternal substance called 'the body', whilst withdrawing from view the contingent conditions that make us have a particular conception of the body. For the same reason it is also problematic to speak about an immediate bodily experience that would offer direct access to the realm of corporeality.

Two nuances should be made at this point. First, although Butler has often been reproached to claim the opposite, her view doesn't exclude *all* form of agency. In her oeuvre there clearly is a notion of anti-essentialist, *performative agency* at work. It is, more precisely a form of agency that is fully to be located at the level of bodily action. Second, even if corporeality is conceived as an effect of a discursive order, this doesn't preclude that bodies *really do matter*. Butler's approach in the texts I mentioned doesn't deny that we may actually do something of positive political impact with our bodies. On the contrary, transfigurative bodily practices and gender parody possess a real subversive potential. Furthermore, it doesn't make sense to deny that we also *are* biological realities, the functions and structures of which are described and explained by the natural sciences. However, any attempt to conceive this factual reality, already implies that one has to rely on language and thus that one finds oneself - and one's body - objectified according to a given discursive order. So one never has direct and unmediated contact with 'the body', even if it is maintained 'that we are our bodies' (biologically spoken). Corporeality unavoidably escapes full grasp (see Butler, 2001). So, the question regarding the

precise relation between physical existence and identity/subjectivity is a *non-decidable* one.

McNay's plea for a phenomenological account of agency

McNay's basic opposition to Butler's approach is that a conception of agency in terms of performative body-acts lacks substance and efficacy. It concerns

not an account of agency *per se*, but an account of some of the discursive pre-conditions that must prevail for certain types of linguistic innovation to be possible [...]. The possibility of linguistic agency is linked to the reiterative structure of language itself but this is a necessary and not a sufficient account of agency. Butler posits agency as a property of language conceived as an abstract structure, rather than as a situated type of action or interaction. This conception of agency is problematic because it does not adequately address central features of agency as intention and reflexivity. [...] Ultimately, the conflation of an idea of agency with the idea of instability within meaning systems results in a symbolic determinism [...] (McNay, 2004, p. 182)

In other words, Butler might well have identified circumstances that create opportunities for resistance and change, but her analysis is *not in itself sufficient* for understanding that subjects might *effectively* distance themselves from the

identities and positions that are conferred upon them inside a given discursive regime: even if the fundamental instability of the reiterative processes of subject-constitution leaves an opening for escaping an oppressive order, it remains unintelligible how this process of transformation can ever be appropriated by the resisting subject as her own 'act'. For Butler, '[a]gency is a quality of structures rather than subjects' (2003, p. 143). In spite of her attempt to rescue some form of agency, Butler tends to a form of linguistic determinism, presupposing an 'essential passivity of the subject' (Ibid., p. 140)

Or, so McNay argues, sustained that Butler tries to conceive the possibility of 'changing' the given order of things, this is always conceived in a *purely negative* manner: she 'tends to conceive of action mainly through the residual categories of resistance to, or the dislocation of, dominant norms' (Ibid.). Such action, again, is not the result of an ability inherent to the subject, but is wholly dependent upon existing (unjust and oppressive) structures: distance and opposition only have meaning in view of the negation of a reality to which it remains dependent in the end. *Therefore there is no possibility of real change.* McNay even argues that we might spur here some reminiscences of the 'voluntarism' of the later writings of Foucault (Ibid., p. 141). The reverse side of an exaggerated view on the impact of discursive regimes, is that any possibility of contestation is always understood as something extremely reactive and violent: it is as if we are *either* completely constrained by the symbolic realm *or* that we should escape it by an act of the most radical subversion (Ibid., p. 144), which in the end presupposes a merely negative

account of agency (the only real form of agency consists in an unreserved negation of the existing, i.e. resistance for the sake of resistance).

Therefore, McNay continues, a more positive and substantive idea of agency is required. This also means that we should look for an alternative theoretical framework, which McNay calls 'hermeneutic' (2003) and 'phenomenological' (2004). This point of view allows to conceive agency no longer 'as the indeterminacy of symbolic structures' (which might well be a necessary, but not a sufficient condition), but 'as a social practice' (McNay, 2003, p. 143). At the same time, the identities and roles we take should be thought in terms of 'lived social relations' instead of as 'locations within discursive structures' (McNay, 2004, p. 183). According to McNay, this alternative perspective might be found in the work of Pierre Bourdieu.

This reference might seem odd, as Bourdieu is mostly interpreted as a defender of a stringent social determinism. Evidently, Bourdieu is also interested in the ways in which corporeality supports existing social regimes, stressing the role of pre-reflexive corporeal dispositions (*habitus*) that keep existing distinctions between dominant and underprivileged groups intact (Bourdieu, 1992). For instance, the embodied know-how regarding the right things to say when being confronted with a work of art or what clothes to wear during a social event, constitutes an unsurpassable border between various classes. But, this also seems to imply that there exists only a 'unidirectional causality' (McNay, 2004, p. 180) from the pre-given social field to the individual level: the objective social structures we live in

constrain us almost mechanically, meaning that the opportunity for the slightest deviation is excluded a priori.

However, this criticism is only valid at the surface, because Bourdieu's analysis actually presupposes a complex concept of agency (Cf. *Ibid.*, p. 181). And this is, not unsurprisingly, because Bourdieu stresses the mediating role of experience and reflexivity. Although distance in social positions is indeed sustained by corporeal dispositions, '[t]his process of inscription does not attribute determining priority to structures over representations, because it is conceived as a generative rather than determining process' (*Ibid.*, p. 184). This is to say that Bourdieu attributes an important role to the *symbolic representation* of those aspects of (embodied) life that are structured by the social field (such as know-how, clothing and speaking styles, cultural competence). Precisely the role of representation guarantees an element of 'uncertainty' and therefore there is room left for action and contestation. To be clear on this point, this is not to reintroduce an ontological concept of 'the subject', which clearly follows from Bourdieu's preference to speak about 'social agents' (See Bourdieu, 1992, p. 137 as discussed by McNay, 2003, p. 143).

According to such a view, identities are always *more* than merely a position within an objective social structure. They are *lived social relations*: granted that there is a 'structuring structure' that precedes identity-formation (i.e. social relations), identity *only has meaning* in so far it is something we actually experience (i.e. *lived social relations*). As such, it is possible to reintroduce the vital concept *experience*, without reducing it to something with an 'apodictic or essential status'

(McNay, 2004, p. 184). Rather, experience has to be understood as an element that has meaning *only within* the borders of a relational phenomenology. Or, if our identities are constituted through the impact of social regimes on our bodies, this impact is also dependent upon lived experience – which is not an ontological category, but part of what makes ‘the social’ to function in the first place.

To make this more concrete, Bourdieu’s notion of *habitus* should be understood in temporal categories, and more precisely as an elaboration of the basic phenomenological idea (Husserl, 1928) that consciousness is necessarily structured by the presence of what has already passed-by (retention), but also by a relation of anticipation to what is yet-to-come (protention). Or, as McNay (2003, p. 143) comments: ‘*Habitus*, or the construction of the body within cultural norms, is understood not simply in unidirectional terms of the body’s retention of exogeneously imposed norms, but also in terms of the anticipatory dimension of protention, or the living through of those norms’. We begin to relate to the future, because we anticipate others’ reactions to our appearance (i.e. of (dis)approval in view of socially regulated norms). So, our social existence becomes temporalized at a practical level. And this means that the adoption of certain dispositions (e.g. a taste for what are ‘fashionable’ clothes) is not solely a matter of limiting our bodies’ potential, but that it *at the same time* constitutes a precondition for agency: ‘[i]t is this idea of the practical anticipation of the immanent tendencies of a social field that generates a concept of agency’ (Ibid.).

This idea of a practically based *protention* is in sharp contrast with Butler’s theories on *reiteration*. The last concept lacks, according to McNay, any dynamic

dimension. Even if reiteration implies at first sight the opposite (as repetition obviously presupposes the course of time), there is no reference to temporality (Cf. *Ibid.*, p. 142): reiteration concerns a ceaseless succession of the *same* acts, over and over again. If change takes place, this must always be thought as a radical ‘disruption’ that ‘only seems to come from the outside’ (*Ibid.*). This is to say that transformation doesn’t follow from a substantial and positive intervention on behalf of the social actor, but only from a totally unplanned interruption of the course of things (the abject, the abnormal, the counter-hegemonic). Again, if what happens here could be called ‘agency’, it is only a characteristic of a system of signification and positioning that is potentially instable. Therefore, McNay argues, we have to oppose Butler’s symbolic determinism and take sides with Bourdieu’s social phenomenology, in order to conceive a genuine idea of agency – and therefore of the possibility of emancipation and social emancipation.

Conceiving criticality within or beyond phenomenology?

McNay’s objections to Butler’s view on criticality might be refuted in different ways. Diana Coole for instance argues that Butler actually does take into account much of what is essential to a phenomenological approach, such as the dialectic and inseparable interaction between matter and meaning, or the central role of lived experience (Coole, 2008, p. 13). Moreover, referring to Butler’s earlier work (e.g. Butler, 1988), she argues that notions like performativity and constructivism themselves can only be adequately grasped when taking phenomenology into account, and more precisely the ideas developed by Merleau-Ponty (1995) concerning

the body as simultaneously a source of meaning (i.e. a bearer of intentionality itself), *and* as a material reality that has its own history and that constrains our actions (i.e. a whole of ‘sedimented practices and habits’) (Coole, 2008, p. 15). Making exactly the opposite claim in respect to McNay’s view, it might be argued that phenomenology and structuralism are closely related theoretical frameworks, and that the real opposition should be located within the phenomenological tradition itself. To be more precise, the real opposition is to be found in the conflict between ‘non-Cartesian and Cartesian versions of phenomenology’ (Ibid., p. 14), i.e. views that do and views that don’t take corporeality into account as constitutive for the meaning human action.

Of course, Coole is not blind for the opposite ideas Butler often bluntly formulates in her texts published in the 90’s. But, these utterances are to be seen as rhetorical, meaning that (non-Cartesian) phenomenology continued to inform her views, even at those moments at which she seems to lean completely over to linguistic constructivism. However, Butler clarifies that this last characterization of her work is erroneous and that she has always been close to a Merleau-Pontian view (Cf. Ibid., p. 23). She admits not being ‘a very good materialist’ and continues: ‘[e]very time I want to write about the body, the writing ends up being about language. This is not because I think that the body is reducible to language; it is not. Language emerges from the body [...]’. And therefore: ‘performativity is not just about speech acts. It is also about bodily acts. The relation between the two is complicated, and I called it a “chiasmus” [...]’. With this last expression she is referring to Merleau-Ponty (1995), pointing once more to the materiality of the body

as being a structuring force as well as a source of meaning and intentionality. Moreover, so Coole claims (2008, p. 25-27), Butler's attachment to the phenomenological tradition returns in all clarity in her most recent work (e.g. 2005), in which she tries to conceptualize a non-essentialist ethics that is related to concrete bodily experiences of violence, exposure and loss of self-control.

In this article, I also like to draw attention to Butler's latest oeuvre, but I argue that there is no need to fall back on a phenomenological perspective in order to conceive a Butlerian idea of critique. I think that the ideas she develops in her text *What is Critique?* (2002) precisely demonstrate the possibility of a true and effective form of criticality outside of the confines of a phenomenological framework. More specifically this can be linked to what Foucault terms 'limit-experience' (1991), meaning that (contrary to McNay) a Foucauldian-Butlerian concept of critique does take the experiential level into account, but (contrary to McNay and Coole) without any necessity to presuppose a substantial and positive account of agency. Therefore I first go deeper into Butler's elaboration of Foucault's notion of critique.

Critique as a matter of virtue (rather than of judgment)

Being a great defender of a genealogical point of view, Foucault explicitly opposes his own approach to any phenomenological perspective. Genealogy is a deconstructive reading of history that invalidates the claims of a foundational subject over the meaning of experience and action (a point which is central to a phenomenological perspective): genealogy precisely reveals that the 'founding subject' is *itself* a historically situated construction (Cf. Foucault, 1989; Butler, 2005,

p. 115). This is to say that rather than assuming the existence of a ‘transhistorical subject’, this subject should be placed back in a ‘history of reason’, showing *that this presumed ground actually is no ground* (Cf. Ibid.). This is to say that approaches, like McNay’s, which found the possibility of critique vis-à-vis a given order of things upon a substantial account of agency are not critical enough: although McNay certainly sustains that ‘the subject’ has a particular history, in her work neither the notion of subjectivity *itself* (as being constitutive of the meaning of one’s experiences, actions and representations), nor that of a transcendental basis of agency is ever put in question.

The challenge for Foucault is then how to think criticality within a framework that discredits the legitimizing ground behind every critical project we have known since the Enlightenment. In a sense, this question concerns a very pressing issue, because it might be argued that precisely today a ‘trivialisation of critique’ is taking place (Masschelein, 2004, p. 355). This is to say that ‘autonomy and critique can no longer be brought to bear against the existing social order and power, but have become part of that order and power’ (Ibid.). Criticality is the expression of a historically produced power regime that no longer operates through forms of direct control and oppression (sovereign or biopolitical forms of power), but ‘through the intensification of self-reflexivity and critique’ (Ibid., p. 362). The highly cherished opinion that we should all be constantly self-reflective and willing to examine presuppositions, to diagnose our own strengths and weaknesses, to be creative and to decide ourselves what to believe and how to live our lives has *itself* become a tool that sustains the existing order of things, viz. the regime of the ‘entrepreneurial self’

(Cf. Bröckling, 2007): social order functions optimally when everyone relates to him/herself as a subject interested in critically strengthening him/herself – *and this idea itself cannot be criticized*. Thus, there seems to be no ‘outside’ to the ‘system’ we find ourselves in (Cf. Masschelein, 2004, p. 356-357; Lyotard, 1997). In other words: *today the very idea of emancipation as well as that of taking distance from an established order seems to have become utterly meaningless*.

If all this is true, what else can we do but to resign ourselves to our fate? However, to react in such a way is exactly what Foucault, in his famous essay *What is Enlightenment?* (1984, p. 42), describes as giving in to ‘the blackmail of the Enlightenment’. To escape this deadlock, Foucault proposes to take a certain ‘attitude’ related to a critical ‘ethos’ (Ibid., p. 39). More precisely, ‘[t]his philosophical ethos may be characterized as a *limit-attitude*. We are not talking about a gesture of rejection. We have to move beyond the outside-inside alternative; we have to be at the frontiers.’ (Ibid., p. 45). Advocating the necessity of a ‘practical critique’ he continues to state that this kind of critique ‘will separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think’ (Ibid., p. 46). Instead of contenting ourselves with ‘the empty dream of freedom’ we should take an ‘experimental attitude’ (Ibid.). To unpack these claims and to argue that a true and effective, Foucauldian strategy of criticism is possible today, I turn to Butler’s comments (2002) on the essay from which these quotes are taken.

In her essay *What is Critique? An Essay on Foucault’s Virtue* Butler argues that what is at stake for Foucault is a politics of ‘desubjugation’ (Ibid., p. 214), being

her translation of 'désasujétissement' (Ibid., p. 220). This consists of finding a manner to distance ourselves from the way in which we are being subjectivized today – which is always also a form of subjection. More precisely, we should distance ourselves from the current 'regime of truth', i.e. the established, though contingent system of categorizations that regulate social life. Central to this form of critique, so Butler claims, is no longer the idea that this distance will be gained by passing judgments (the 'gesture of rejection', i.e. the way in which criticality has been defined since Modernity). It rather concerns a practical and ethical endeavor: Foucault's aim is 'to try to think the problem of freedom and, indeed, ethics in general, beyond judgment: critical thinking constitutes this kind of effort.' (p. 213)

There are two important reasons to argue for such a radical suspension of judgment. First, there is the logical difficulty that 'judgmental subjectivity', although it might seem to be a universal category, is in fact itself a historical contingency and more specifically our *contemporary fate*. It constitutes in Foucault's words the 'contemporary limits of the necessary' (Foucault, 1984, p. 43). This is to say that we, as heirs of the Enlightenment, are inclined to define criticism in terms of judgment founded on principles of autonomy and self-reflection (Cf. Masschelein, 2004, p. 364). However, this immediately precludes the possibility to take distance from the present situation: 'our reigning discourse has produced an impasse' (Butler, 2002, p. 215). Second, there is an ethical issue. As Butler explains in greater depth in later texts (e.g. Butler, 2005, p. 105), to adopt a judgmental attitude testifies to what Adorno calls 'moral narcissism': even if this attitude might be self-critical (requiring that we disavow highly cherished, though false ideas, and that we change

our lives), in the end it always implies an affirmation of the safe position from which we pass judgment. Thus, this kind of criticism leaves our comfortable position (as critical subject, as sovereign judge) intact. Therefore, there is no *real* possibility of transformation.

I go deeper into this second objection towards a judgmental attitude in the final section of this contribution. At this point I return to Butler's comments on Foucault's essay. What is of central importance to Foucault, Butler argues, is 'trying to understand the possibility of desubjugation within rationalization without assuming that there is a source for resistance that is housed in the subject or maintained in some foundational mode' (2002, p. 223). Rationalization refers here, once more, to the modern power regime that is based on the critical activity of the judgmental subject. In order to realize a true and effective distance to this regime ('desubjugation'), a 'moral experience' is required that has to do with 'self-transformation' rather than with 'following objectively formulated rules or laws' (2002, p. 215-216) – such as the fundamental laws of reason prescribed by the Kantian critical philosophy ('the conditions under which the use of reason is legitimate in order to determine what can be known, what must be done, and what may be hoped', Foucault, 1984, p. 38).

This is because there is no subjectivity that pre-exists power. Power operates through the very act of subjectivization itself and therefore critique always refers to the possibility of desubjectivization: '[t]o gain a critical distance from established authority means for Foucault not only to recognize the ways in which the coercive effects of knowledge are at work in subject-formation itself, but to risk one's very

formation as a subject' (Butler, 2002, p. 225). *And therefore critique should certainly not be a matter of judgment, but a matter of virtue.* Criticality, in the Foucauldian sense, relates to an 'ethos', a particular stance towards life in view of which one, on the one hand, is ready to leave behind any judgmental attitude and the rules and laws that sustain the judgmental apparatus, but also to act, on the other hand, in accordance with a 'limit-attitude': 'critique is precisely a practice that not only suspends judgment [...], but offers a new practice of values based on that very suspension' (Ibid., p. 212). This is to say, first, that a certain 'effort' or a continuous 'work on the self' and a 'cultivated relation of the self to itself' (Ibid., p. 216) are required: criticality is not something *given* (i.e. something one might discover through authentic self-knowledge), nor is it a matter of *merely deciding* to be critical. Second, the critical ethos that results from it refers to the willingness of undergoing a 'limit-experience' (Foucault, 1991, p. 31). But, to be sure, the experience that is at stake here is not the one privileged by phenomenology. Limit-experience has 'the task of "tearing" the subject from itself in such a way that is no longer the subject as such, or such that it is completely "other" than itself, so that it may arrive at its annihilation, its dissociation' (Ibid.).

As indicated above, the virtue of critique also refers to the readiness to risk oneself: critique is 'experimental' (Foucault, 1984, p. 46) in the etymologically original sense of the word (the Latin verb 'experiri' means *to put oneself at risk*). As may be clear by now, critique is not a matter of remaining within a regime of subjectivization (e.g. *as judgmental subject* accusing this regime for being inconsistent or hypocrite, cf. Butler, 2002, p. 220), but of transcending the very

parameters on the basis of which we have become subjects in the first place and by which we can give a coherent and intelligible account of ourselves. And so, *the very continuity of our 'self' is always put at risk*. Nevertheless, I should add here that in spite of the emphasis Butler lays on this dimension of desubjectivization in her reading of Foucault, it should not be understood as a plea for anarchism or as an expression of the utopian yearning that we might actually escape power (i.e. the working of discursive apparatuses): '[t]he question "how not to be governed?" is always the question of how not to be governed in this or that way. But this is not a question of not to be governed at all.' (Butler, 2009b, p. 786). Again, this 'empty dream of freedom' (Foucault 1984, p. 46) misses the point of what critique is: it only gives us the delusory feeling to be on the outside of power, whilst it is most likely that our subjectivity is defined (without being conscious of it) in terms of yet another truth regime, viz. one that constitutes us in (romantic) categories of purity and authenticity. To recall Foucault's remark to mind: 'We have to move beyond the outside-inside alternative; we have to be at the frontiers.' (Ibid., p. 45). The aim is not to regain a more authentic self and to realize full control over our lives, but to be willing to go through a limit-experience. This however demands effort and the willingness to endure discomfort. Hence the need of an 'ethos'.

'Being beside ourselves' as a critical experience

To elaborate more concretely the idea that limit-experience constitutes a site of criticality, I turn to Butler's latest oeuvre (2004a, 2004b, 2005, 2009a). Here she reflects on social and ethical matters from the perspective of corporeal experience.

Referring to the work of Adriana Cavarero, Butler emphasizes that there is *more* to social existence than the mediation of norms: ‘as a being [who is] constituted bodily in the public sphere [...] I am exposed and singular, and this is as much a part of my publicity, if not my sociality, as is the way I become recognizable through the operation of norms’ (Butler 2005, p. 33). This is to say that social existence is never solely a matter of encountering others on the basis of certain attributes or characteristics – i.e. interacting (or not) with one another according to identities and roles regulated by an existing regime (whiteness, blackness, straightness, queerness, etc.). Social existence is above all a *bodily* experience – and more precisely one of being ‘given over’ to one another, i.e. a form of ‘exposure’ that finally escapes our control. Therefore, Butler argues, we should focus on the inescapable vulnerability that comes along with our embodied condition (clearly present in situations of injury and violation). Consequentially, she draws attention to a radical passivity that is not the result of our dependency on discursive regimes (as she abundantly demonstrated in her earlier work), but rather of the frailty of our *flesh*. Due to corporeal vulnerability we are all reciprocally exposed to others’ harm and care: ‘[i]f I am wounded, I find that the wound testifies to the fact that I am impressionable, given over to the other in ways that I cannot fully predict or control’ (Butler, 2005, p. 84)

In this way the body reenters the scene, but no longer as the *non-decidable* site of performative self-constitution: now it appears as a dimension of *opacity*, a site of expropriation of the self. As corporeal beings ‘we are not only constituted by our relations [with others] but also dispossessed by them as well’ (Butler, 2004a, p. 24).

A careful analysis of experiences such as desire, grief and indignation illustrates this point. For instance, the experience of losing someone whom one was attached to clearly shows that we are but who we are thanks to our bond to a particular other. The grief we feel, which is always a heavily embodied emotion, follows from the fact that what singularises us has to do with the uncontrollability of our social relations. As she explains: ‘grief contains within it the possibility of apprehending the fundamental sociality of *embodied* life, the ways in which we are from the start, and *by virtue of being a bodily being*, already given over, beyond ourselves, implicated in lives that are not our own’ (Butler, 2004b, p. 22, italics added). Something similar might occur when one is *beside oneself* with anger and indignation because one belongs to a socially or politically marginalized group. Butler argues that we shouldn’t try to reduce this experience to the desire for a society that safeguards the possibility for every individual to be respected in her own subjective rights. This liberal and legalist vision, frequently shared by feminists and partisans of gay emancipation movements, misses the point: ‘it does not do justice to passion and grief and rage, all of which tear us from ourselves, bind us to others, transport us, undo us, implicate us in lives that are not our own, irreversibly, if not fatally’ (Butler, 2004a, p. 25). We would better take this bodily experience seriously, i.e. as *literally* ‘being outside ourselves’. It concerns a ‘disposition of ourselves outside ourselves [that] seems to follow from bodily life, from its vulnerability and its exposure’ (Ibid.). And so, the sense of resistance against an existing social or political order is not founded upon a rationalist or individualistic ethics, but refers to the experience of corporeal vulnerability i.e. the ‘precariousness of life’.

In these examples we are ‘transported beyond ourselves’ (Ibid., p. 24) and undergo ‘in our flesh’ a moment of self-dispossession: we are radically out-of-position, whether we like it or not. This implies that ‘the body has its invariably *public* dimension’ (Ibid., p. 26, italics added). When mourning or being outraged we can no longer claim to appropriate our existence as a *private* affair: ‘as bodies, we are always something more than, and other than, ourselves’ (Butler, 2004b, p. 25). And so, bodily experiences during which we lose control over the meaning of our lives, might constitute ‘limit-experiences’, in the Foucauldian sense.

At this point an important objection might be raised. If bodily exposure has an ‘invariable’ quality, why does Butler’s appeal to the ‘flesh’ constitute a difference: after all, if it concerns a dimension of human life that is ‘inescapable’, why is it necessary to draw attention to this condition and why should it become the object of virtuous self-exercise? I think this objection should be countered in two ways. First, Butler wants to make the point that as a rule we are inclined to adopt an attitude towards our existence which precludes the possibility to be dispossessed by our bodily entanglement with the other-than-ourselves. Coming back to the sense of the rage and grief oppressed people might feel, Butler claims that the most common reaction in fact protects us against a corporeal experience of self-loss. This is not to say that the usual way in which lesbians and gays frame their claims is without good grounds, but that another answer to this situation of injustice is *immediately precluded*: ‘[w]hen we argue for protection against discrimination [...] we have to present ourselves as bounded beings – distinct, recognizable, delineated, subjects before the law, a community defined by some shared features.’ (Ibid., p. 24) As such

it could even be said that a legalist perspective on these matters *immunizes* ourselves against the possibility of 'limit-experience'. Therefore we need to cultivate virtue, in the sense that we have to work on an appropriate attitude, viz. a way of living which *allows for* the precariousness of life.

It think it is of the greatest importance to oppose this willingness to accept in our lives this corporeal sense of self-loss to the idea that we should *acknowledge* a basic ontological condition and that we should draw the logical conclusions. And so I come to my second counter-argument against the criticism that Butler's vulnerability-approach makes no difference: what is at stake here is *not* that we come to agree with a 'relational view of the self' (Ibid.). If this were the case, then indeed it would suffice to become conscious of our entanglement with and exposure to others in order to generate social and political change. This would mean, however, that Butler eventually clings to a judgmental perspective: confronted with the truth about human existence (viz. that it is fundamentally relational), we *have to accept* another truth: from now on we must resist any political order that goes against humankind's social essence. Nonetheless, as I have tried to make clear, Butler's views are radically opposed to this. The point is not to accept a truth, but to be willing to undergo an experience. And Butler specifies that this 'has to do with agreeing to undergo a transformation (perhaps one should say *submitting* to a transformation) the full result of which one cannot know in advance' (Butler, 2004a, p. 21. italics in original).

To make more concrete how the possibility of resistance and transformation is dependent on corporeal experience of self-loss - rather than on a firm judgment the

subject makes - I turn once more to a remark Butler makes in connection with Foucault's idea of criticality. Foucault stages the figure of the 19th Century poet Charles Baudelaire as an example of the virtue of critique. This is more precisely because his 'ethos' consisted in practising the art of the *flâneur*, i.e. reaching a stance in life in which judgment is fully suspended by merely sauntering the streets – displaying a profound attention for whatever crosses the poet's path (rather than *a priori* defining what is of interest and thus deserves attention). Butler however suggests that Walter Benjamin's image of the anonymous existence within the crowd is an even more apt incarnation of a critical attitude: we should imagine 'that the operation of critique emerges neither from a radically unconditioned freedom nor from a radical act of individual will, but from a kind of jostling that happens in the midst of social life, the very scene of being impinged upon by those we do not know.' (Butler 2009b, p. 795). The praxis of the *flâneur*, even if it is concerned with transcending a judgmental perspective, is still too much modelled on the modern, individualist conception of subjectivity and therefore not critical enough.

When finding ourselves amidst a mass of (unknown) bodies, however, we fully coincide with the corporeal side of life (we are entirely 'flesh' so to speak) and are *literally* beside ourselves. These experiences preclude any possibility to stick to the narcissistic position of the sovereign judgmental subject (founded upon a loyalty to its own essence as rational and autonomous being), nor to that of the 'entrepreneurial' self (who appropriates criticality as a means for a strengthening of her own self). Moreover, these experiences invalidate any ordering of communal life on the basis of identity and position. This is because we are *just* bodies, and thus

completely out-of-position in our 'exposition' to one another. As bodies we find ourselves at a *distance* from the current ordering of society (which always demands a clear ordering according to identities and positions).

This of course implies that we look in another way at criticality and the possibilities for resistance against the existing societal and political order than we are used to. I think that Butler, in claiming this, comes close to what Giorgio Agamben, another philosopher greatly influenced by Foucault, suggests in connection with the 'coming politics' or 'whatever being' (Agamben, 2005). Agamben shows himself to be an opponent of any 'identity politics'. Real 'cracks' in the existing societal order do *not* appear when oppressed or marginalized groups of people stand up for themselves and strive for a recognition of their identity (as queer, as disabled, etc.). This is because the political regime can ultimately 'recognize any claim for identity' (Ibid., p. 86): including people *on the basis of clearly defined and substantive identities (and specific needs and interest that are linked to these identities)* is the very basis of the existing political apparatus. Therefore, the only thing that really threatens the current regime is a reaction against the established order that is not correlating to specific demands.

More positively spoken, this refusal, or even transcending, of any care for identity concerns the verification of another sort of communal existence which is not mediated by something one has in common, but that corresponds to an 'immediate life experience' (See Edkins, 2007). As Agamben advanced these ideas in the 90's, the 'case' he has in mind is the protest against the Chinese government at Tiananmen Square, which was (according to his reading) neither motivated by the

question for concrete recognition of needs or interests, nor supported by a community of people that shares a clear identity. More recently the Indignados Protest Movement and the Arab Spring Uprisings might form cases in point. These events have the force to bring together people from all walks of life, without a clear political program (which, however, doesn't prevent that *after the fact* these protests often get linked to concrete political demands and therefore privatized by groups with a precise political agenda). Moreover, although this revolt could only have come about thanks to social media, it is also unthinkable without the *physical* assembling of thousands and thousands of people. It seems as if the anonymous corporeal experience Butler refers to in her comments on the *flâneur* grants the possibility of a genuine form of resistance. This might be because during such events we are first of all gathered as *bodies* - and only as bodies: hence there is no interest in identity or social position whatsoever. As such any established societal and political order is being invalidated (because any such order relies on the willingness to relate to one another on the basis of clear similarities and differences in identity and position). More positively formulated, a completely 'new' and unforeseeable future (i.e. future forms of living together that are not necessarily conditioned by the categories that are in operation in the present) becomes possible.

In sum, this would mean that, contrary to what McNay argues, a true and effective mode of criticality and resistance can be conceived *within* a Foucauldian-Butlerian frame of thought. Thus, there is no need to have recourse to more substantial views on agency, nor to a phenomenological concept of experience. Taking a critical ethos and opening oneself to the possibility of limit-experience

constitute in and of themselves *an opening towards a future individual and social life that can be radically different.*

References

- Agamben, G. (2005). *The Coming Community* (M. Hardt, Trans.). Minneapolis: University of Minnesota Press.
- Bourdieu, P. (1992) *The Logic of Practice*. Cambridge: Polity Press.
- Bourdieu, P. (2000) *Pascalian Meditations*. Cambridge: Polity Press.
- Bröckling, U. (2007) *Das unternehmerische Selbst. Soziologie einer Subjektivierungsform*. Frankfurt a/M: Suhrkamp.
- Butler, J. (1988) Performative acts and gender constitution. An essay in phenomenology and feminist theory. *Theatre Journal* 40 (4), 519-531.
- Butler, J. (1990) *Gender Trouble: Feminism and the Subversion of Identity* (New York, Routledge).
- Butler, J. (1993) *Bodies that matter: On the discursive limits of sex* (New York, Routledge).
- Butler, J. (1997a) *The Psychic Life of Power* (Stanford, Stanford University Press).
- Butler, J. (1997b) *Excitable Speech. A Politics of the Performative* (New York: Routledge)
- Butler, J. (2001). How Can I Deny That These Hands and This Body Are Mine ? In T. Cohen et al. (Eds.), *Material Events: Paul De Man and the Afterlife of Theory* (pp. 254–276.). Minneapolis (Minn.): University of Minnesota Press.

- Butler, J. (2002) What is Critique? On Foucault's Virtue, in: D. Ingram (Ed.) *The Political* Oxford: Blackwell.
- Butler, J. (2004a) *Precarious Life. The Powers of Mourning and Violence*. London: Verso.
- Butler, J. (2004b) *Undoing Gender*. London: Routledge.
- Butler, J. (2005) *Giving an Account of Oneself*. New York, Fordham University Press.
- Butler, J. (2009a) *Frames of War: When is Live Grievable?* London: Verso.
- Butler, J. (2009b) Critique, Dissent, Disciplinarity. *Critical Inquiry* 35 (4), 773-795.
- Coole, D. (2008) Butler's phenomenological existentialism. In T. Carver & S. Chambers (Eds.) *Judith Butler's Precarious Politics* (pp. 11-27). London: Routledge.
- Erdkins, J. (2007). Whatever Politics. In M. Calarco & S. DeCaroli, (Eds.), *Giorgio Agamben. Sovereignty and Life*. Stanford: Stanford University Press.
- Foucault, M. (1978) *The history of sexuality 1. An introduction* (R. Hurley, Trans.). New York: Pantheon.
- Foucault, M. (1982). The subject and power. In H. Dreyfus & P. Rabinow (Eds.), *Michel Foucault: Beyond structuralism and hermeneutics*. Chicago: The University of Chicago Press.
- Foucault, M. (1984) What is Enlightenment? In P. Rabinow (Ed.), *The Foucault Reader*. New York: Pantheon.
- Foucault, M. (1989) How much does it cost for reason to tell the truth? (J. Honston, Tr.) In S. Lotringer (Ed.) *Foucault Live*. New York: Semiotext(e).

- Foucault, M. (1991) How an 'Experience-book is Born. In *Remarks on Marx. Conversations with Ducio Trombadori* (pp. 25-42). New York: Semiotext(e).
- Fraser, N., (1989) *Unruly Practices: power, discourse and gender in contemporary social theory*, Cambridge: Polity Press.
- Hartsock, N. (1990) Foucault on power: a theory for women?, in L. Nicholson (Edd.), *Feminism/Postmodernism*, London & NY: Routledge.
- Husserl, E, Heidegger, M. (Ed.) (1928). *Vorlesungen zur Phänomenologie des inneren Zeitbewusstseins*. Halle: Niemeyer.
- Lyotard, J. (1997) *Post-modern Fables* (F. Vandenabeele, Trans.). Minneapolis: University of Minnesota Press.
- McNay, L. (1991) The Foucauldian Body and the Exclusion of Experience. *Hypatia* 6 (3), 125-139
- McNay, L. (1994) *Foucault: A critical introduction*. Cambridge: Polity Press.
- McNay, L. (1999) Subject, Psyche and Agency. The Work of Judith Butler. *Theory, Culture & Society* 16 (2), 175-193.
- McNay, L. (2000) *Gender and Agency: Reconfiguring the Subject in Feminist and Social Theory*. Cambridge: Polity Press.
- McNay, L. (2003) Agency, anticipation and indeterminacy in feminist theory. *Feminist Theory* 4 (2), 139-148.
- McNay, L. (2004) Agency and experience: gender as a lived relation. *The Sociological Review* 52, 173–190.
- Masschelein, J. (2004) How to conceive of critical educational theory today ? *Journal of Philosophy of Education* 38 (3), 351-367

Merleau-Ponty, M. (1995). *Phénoménologie de la Perception*, Paris: Gallimard.