Aiming to practice freedom: a constitutivist approach to Foucault's ethics

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Abstract

In a 1984 interview, Michel Foucault introduced a distinction between two forms of freedom: freedom as the ontological condition of ethics, and ethics as the "practice of freedom" informed by reflection. This text suggests that a good understanding of Foucault's thoughts on freedom would require accounts of both ontological freedom and practices of freedom, but the secondary literature currently suffers from a shortage of work on these topics. This thesis attempts to fill this gap in the literature by offering a new account of practices of freedom which also shows the connection with ontological freedom. Drawing inspiration from the constitutivist approach to meta-ethics, I suggest that Foucault's notion of the practice of freedom is best understood by identifying the "constitutive aims" of the practice, in other words, the aims that make an agent's activity a practice of freedom. Such a framework allows us to understand how Foucault can make specific ethical suggestions without committing himself to substantive moral claims and also allows us to apply the notion of practices of freedom to a broad range of real-life examples. I first offer a new account of ontological freedom and then, using a constitutivist approach, engage in a close reading of Foucault's work in order to identify the constitutive aim(s) of practices of freedom. With the aims in view, I demonstrate what it means to successfully practice freedom and then apply the account in two close readings of historical individuals. The first, on Socrates as presented in the Platonic dialogues, shows that we can apply our account of the practice of freedom to existing individuals. The second, on Oscar Wilde, argues that Wilde's experience of agency in the practice of freedom was middle-voiced, rather than active, and thereby allows us to loosen the assumed connection between practices of freedom and active agency.

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Introduction

An account of the practice of freedom

In the 1984 interview, 'The Ethics of Concern for Self as a Practice of Freedom'
(henceforth EPF), we see the following exchange:

> Q.   You say that freedom must be practiced ethically…
>
> [Michel Foucault]   Yes, for what is ethics, if not the practice of freedom, the
> reflective [*réfléchie]* practice of freedom?
>
> Q.   In other words, you understand freedom as a reality that is already
> ethical in itself.
>
> M.F.   Freedom is the ontological condition of ethics. But ethics is the
> considered form that freedom takes when it is informed by reflection. (EPF 284,
> translation modified)[1]

This passage, which is one of Foucault's clearer explanations of the relationship
between freedom and ethics, introduces an interesting distinction between freedom
as the ontological condition of ethics and "ethics" as the practice of freedom informed
by reflection. This passage suggests that a good understanding of Foucault's
thoughts on freedom requires accounts of both ontological freedom and the practice
of freedom. Despite this, there is currently a paucity of literature on both. Some
commentators proceed straight to the level of Foucault's ethics, neglecting both
freedom as an ontological condition of ethics and the general notion of practices of
freedom. (McNay 1994, Taylor 1984). Other authors recognise a distinction between
ontological freedom and practices of freedom, but, through either mischaracterising

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[1] [Q]   - *Vous dites qu'il faut pratiquer la liberté éthiquement…*
[M.F.]   - *Oui, car qu'est-ce que l'éthique, sinon la pratique de la liberté, la pratique réfléchie de la liberté?*
[Q]   - *Cela veut dire que vous comprenez la liberté comme une réalité déjà éthique en soi-même?*
[M.F.]   - *La liberté est la condition ontologique de l'éthique. Mais l'éthique est la forme réfléchie que prend la liberté.* (DE IV, 711-712)

ontological freedom or insufficiently developing its relationship with practices of freedom, they finish with an account of the practice of freedom which is unclear and hard to apply. (Oksala 2005, Rajchman 1985). Still other authors recognise the existence of practices of freedom and their relevance for ethics, but engage with practices of freedom as such only as a pitstop on the way to a discussion of Foucault's ethics. (McGushin 2007) There is, then, a gap in the secondary literature on the subject of practices of freedom as such. In this thesis, we will address this gap by drawing out Foucault's account of practices of freedom. In doing so, we will highlight the main features of such practices, show how they connect to ontological freedom, and give examples of how Foucault's account can be applied to historical individuals.

In understanding Foucault's account, we draw inspiration from recent constitutivist approaches to meta-ethics, more specifically the work of Paul Katsafanas. (Katsafanas 2013) A constitutivist approach consists in identifying what we could call the "constitutive" aims of an activity: the aims which, if held by an agent, constitute that agent's behaviour as an instance of that specific activity. Accordingly, our account of practices of freedom identifies the aim(s) which, for Foucault, constitute certain activities as practices of freedom. Such an approach to Foucault's account of freedom is warranted in part by the criticism levelled against him, especially during the Foucault/Habermas debate, that he makes more or less implicit normative claims while simultaneously undercutting the possibility of such claims through his critical approach.[2] One of the key virtues of a constitutivist approach is that, while providing such a procedural account, it allows us to give Foucault's account of freedom, and hence of ethics, while simultaneously showing

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[2] See Kelly (1994), especially Fraser and Habermas' contributions.

that his account need not fall victim to accusations of crypto-normativity. As constitutive aims provide standards of success for an activity, they allow for normative statements about instances of an activity without committing us to substantive normative claims. We can, therefore, show how Foucault can make normative statements about the status of, for example, domination, while simultaneously refusing to make broader moral prescriptions. Constitutivism has shown itself to be a productive approach to ethics, not only in the work of Katsafanas, who has fruitfully applied the framework to Nietzsche's ethics, but also in that of Velleman and Korsgaard.[3] As of yet, however, no one has used a constitutivist approach to try and tease out Foucault's understanding of freedom.

A further strength of the constitutivist account is that it ties together well with Foucault's account of ontological freedom. As we will argue, an agent is free in the ontological sense if they experience themselves as faced with a field of possible actions that allow them to modify the power relations they are within. Ontological freedom is the condition of possibility of ethics because without it, it is not possible for individuals to be agents. Given this, the notion of a practice of freedom is not something abstract and hard to identify; instead, practices of freedom are activities in which we act on the possibilities provided by existing power relations with the aim of maintaining or developing our freedom. Close examination of Foucault's work shows that this aim can be specified according to three main axes: resisting domination, taking care of oneself, and engaging in the critical ontology of ourselves. We also see an interesting interdependency between ontological freedom and practices of freedom: to have practices of freedom, we must have ontological freedom, but to have ontological freedom, we must not engage in practices of freedom such that we

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[3] See Korsgaard (2009), Velleman (2006)

eliminate our ontological freedom.

Another benefit of this constitutivist approach is that it gives our account a broad range of applicability. Given that practices of freedom are not intended to be universal in content, we would expect to see a wide variety of practices of freedom across history. As engaging in the practice of freedom means holding certain aims, we are therefore able to identify apparently disparate practices as practices of freedom. Some of this applicability will be demonstrated in two engagements with historical individuals undertaken towards the end of the thesis: Socrates and Oscar Wilde. These two figures differ in their historical period, their ways of life, and even their experiences of agency; but it will be argued that both can be identified as practitioners of freedom.

The value of the practice of freedom

We might question the value of this project: why turn to Foucault to understand freedom? Foucault's account of the practice of freedom cuts across topics with apparently clearly demarcated sides, problematising distinctions and offering value to philosophers with disparate commitments. For instance, Foucault's accounts of ontological freedom and the practice of freedom cover both sides of Isaiah Berlin's famous distinction between negative and positive liberty. However, it would be inaccurate to simply reduce ontological freedom to negative freedom or to do the same with the practice of freedom. An individual who is being coerced, and hence who has restricted negative freedom for Berlin, could still be ontologically free for Foucault. On the side of positive freedom, Foucault gives us a model of an individual 'deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if [she] were a thing, or an animal', (Berlin 2008, 178) without

committing himself to a distinction between the individual's higher and lower selves,

a distinction which Berlin fears can be used to justify coercing an individual into

becoming her "higher" self (ibid., 180). Foucault, then, can give us an account which

allows us to defend "negative" and "positive" freedom simultaneously, without the

threat of support for positive freedom becoming authoritarian.

Similarly, Foucault's understanding of freedom is agnostic with regards to

questions of free will. The relevant kind of freedom for ethics is not metaphysical; it is

instead a matter of how one experiences oneself within relations of power. We argue

that the relevant distinction between ontological freedom and unfreedom is between

being within power relations on the one hand, and being within relations of violence

on the other hand. In other words, between experiencing oneself as an agent with a

field of possible responses and as a patient acted upon. Foucault's account, then, is

compatible with either libertarian or compatibilist approaches to free will; depending

on how we understand the field of possible responses, it is arguably even compatible

with a hard determinist view.[4]

A final point of interest is that Foucault's account of freedom does not simply

emphasise individual liberty. Foucault conceives the practice of freedom, in its

paradigmatic form, as an activity through which individuals create new forms of life,

not just for themselves, but for and with others. The practice of freedom, Foucault

maintains, allows for new communities, new relations with others, which are more

intense and less easily co-opted by authoritarian power. This, according to him, it is

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[4] This claim rests on the specific distinction between relations of power and relations of violence. In relations of violence (a Foucauldian term of art), an individual is physically coerced into some course of action and they have no recourse; they cannot even desist from the action. In relations of power, by contrast, an individual has a field of possible responses open to them. However, the difference in the responses open to them is determined by the relationship they are within; in other words, even on a hard determinist view where the agent could not do otherwise, it could be argued that there is still be a meaningful difference between ontological freedom and unfreedom. For a clearer discussion of ontological freedom, power relations and relations of violence, see Chapter 1.

the result of practicing freedom in concert with others who hold the same constitutive aim: 'The art of living is to eliminate psychology, to create, with oneself and others, individualities, beings, relations, unnameable qualities.' (Foucault 1996, 317)

The structure of the thesis

Chapter 1 begins with a discussion of the need for a new account of ontological freedom. We start with the work of Lois McNay and Johanna Oksala, arguing that shortcomings in their accounts show us, respectively, the importance 1) of starting from the level of ontological freedom and 2) of producing a new account of ontological freedom. We then give such an account, arguing that ontological freedom refers to being within power relations, otherwise characterised as "experiencing oneself as being faced with a field of possible actions".

In chapter 2, we draw from Foucault's work formal conditions of success for our account of the practice of freedom: that freedom has gradations; that there is a clear connection between ontological freedom and the practice of freedom; that the practice of freedom produces ethical content. We then clarify the approach we will be using to investigate Foucault's account. Foucault, we argue, has a procedural, not a substantive, account of freedom. Drawing on the work of Paul Katsafanas, we argue that this account is best understood using a constitutivist framework; in other words, to practice freedom is to hold the "constitutive" aim of the practice of freedom. We further clarify that constitutive aims need only be held pre-reflectively, not consciously, and also argue that holding a constitutive aim is both a necessary and a sufficient condition for engaging in an activity.

In chapter 3 we identify from Foucault's work three candidates for the constitutive aim: resistance to domination, the care of the self, and the critical

ontology of ourselves. Although all three of these activities play important roles in Foucault's ethics, we ultimately conclude that the aims can only be necessary, not sufficient, conditions of the practice of freedom. We suggest, however, that the three aims might be jointly sufficient to characterise the practice of freedom.

Chapter 4 takes up this line of argument. We examine all three aims taken together and conclude that this tripartite aim is the constitutive aim of the practice of freedom. We note that this tripartite structure gives a variety of degrees of success and failure at practicing freedom; we also note that within these categories of successful and failed practices of freedom there are further gradations. Finally, we explore the possibility of a paradigmatically successful form of the practice of freedom, which we call "the creation of new cultural forms".

In chapter 5, we show how Foucault developed his model of the practice of freedom in his reading of Socrates. Examining Socrates' practice of philosophical *parrhesia*, frank or free speech, we argue that it meets all three necessary aims and, therefore, that according to Foucault's criteria Socrates was an active practitioner of freedom.

In chapter 6, we turn to Oscar Wilde and his experiences of the practice of freedom. Here our emphasis is less on *whether* Wilde practiced freedom at all, and more on the transformation he underwent in his experience of agency in practicing freedom. After his imprisonment, Wilde went from practicing freedom in an active, deliberate way, to experiencing the practice of freedom in a middle-voiced way; that is, as a process going on within him that he participates in while not having reflective control over it. As Wilde's activity can still be read as a practice of freedom, his experience opens up a new way of understanding the practice of freedom, pointing beyond the more active form discussed elsewhere in the thesis.

Chapter 1: Ontological Freedom

Introduction

As we noted in our introduction, our point of departure for this project is the 1984 interview, 'The Ethics of Concern for Self as a Practice of Freedom' (henceforth EPF), specifically the following passage:

> Q.   You say that freedom must be practiced ethically…
>
> [Michel Foucault]   Yes, for what is ethics, if not the practice of freedom, the reflective [*réfléchie]* practice of freedom?
>
> Q.   In other words, you understand freedom as a reality that is already ethical in itself.
>
> M.F.   Freedom is the ontological condition of ethics. But ethics is the considered form that freedom takes when it is informed by reflection. (EPF 284, translation modified)[5]

As we said before, this passage introduces a distinction between freedom as the ontological condition of ethics, and "the practice of freedom". This distinction is important for Foucault's account, but is not always maintained by commentators. A number of accounts of Foucault's ethics begin directly from the discussion of the aesthetics of existence or the practices of the self, and do not take into account this underlying notion of freedom. However, as we have suggested, if we are to get a clear understanding of Foucault's ethics, we must recognise the distinction he draws between ontological freedom and the practice of freedom. In this chapter, therefore, I

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[5] [Q]   - *Vous dites qu'il faut pratiquer la liberté éthiquement...*
[M.F.]   - *Oui, car qu'est-ce que l'éthique, sinon la pratique de la liberté, la pratique réfléchie de la liberté?*
[Q]   - *Cela veut dire que vous comprenez la liberté comme une réalité déjà éthique en soi-même?*
[M.F.]   - *La liberté est la condition ontologique de l'éthique. Mais l'éthique est la forme réfléchie que prend la liberté.* (DE IV, 711-712)

will answer the question: what is ontological freedom? And what is its relation to the practice of freedom?

The value of the question

Before we investigate ontological freedom, there is an important question to be asked: why look at ontological freedom at all? As mentioned above, many commentators have left this subject to one side and instead begun at the level of the practice of freedom. In this thesis, we could also move straight to the level of the practice of freedom. However, operating on the level of practices of freedom would leave us having to make a number of assumptions about what underlies those practices, and may leave us failing to understand them appropriately. This can lead us into certain difficulties. I will illustrate these difficulties by looking at the work of Lois McNay, in her very useful *Foucault: A Critical Introduction*. McNay argues that Foucault's ethics relies on an unexamined notion of masculine agency. I will argue that, in starting from the level of the practice of freedom, McNay draws conclusions about Foucault's underlying account which do not fit with his actual discussions of ontological freedom.

A second question is, granted that it is worth examining ontological freedom, why should we try and produce a new account of it? As other philosophers have recognised this distinction, we could simply reference their account and then continue on to look at the practice of freedom. One of the few such accounts was given by Johanna Oksala in her excellent *Foucault on Freedom*.[6] Oksala recognises

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[6] The others I am aware of are Han-Pile (2016) and Rajchman (1985). Oksala's account has the virtues of 1) coming paired with an account of the practice of freedom, and 2) also drawing heavily from Rajchman. Han-Pile comes to a similar conclusion to our account, that experiencing oneself as free is a condition for ethics, but does not go deeply into what this experience of freedom consists in.

the distinction between ontological freedom and practices of freedom and offers accounts of both. However, I maintain that her discussion of ontological freedom does not fit with Foucault's own text and, further, would not allow us to ground an account of the practice of freedom. In the following sections, then, I will discuss McNay's and Oksala's accounts, argue that we need to carry out our own investigation into ontological freedom, and then attempt to give a new account.

McNay on the 'Aesthetics of Existence'

In *Foucault: A Critical Introduction*, McNay gives a detailed and critical account of Foucault's ethics. As part of this critique, McNay argues that Foucault's discussion of 'a Baudelairean notion of the heroization of the self' and his debt to Greek ethics introduce an implicitly masculine notion of agency, which is a problem for an account which is supposed to begin with the individual and the practices they already find themselves within. McNay writes:

> The idea of a heroization of the self is a development of the theme of "virile self-mastery" that characterised the classical practices from which the model of an ethics of the self is originally derived. By failing to problematise these themes of heroization and self-mastery, Foucault's theory of an ethics implicitly relies on a conventional notion of the sovereign self, which in turn rests on an unexamined fantasy of male agency. (McNay 1994, 149)

McNay offers two different demonstrations of Foucault's failure to examine the place of masculine agency in his account. First, with regards to Baudelaire, McNay argues that the view of the artist 'as a free agent of creativity is based not only on a mystification of the social conditions of privilege that lead to such a notion, but also…

is a profoundly gendered category.' (ibid., 150) The idea of the free artist was made possible, McNay claims, firstly, by the division of labour within capitalism, and secondly, by gender differences in social norms. Citing Griselda Pollock, McNay argues that this view of the artist 'drew on bourgeois norms of masculinity that allowed men to step easily between the two realms of public and private in a way that was infinitely more problematic for women.' (ibid., 150) The Baudelairean artist, far from being a historical universal, was located in a specific historical and social context and was inherently gendered.

McNay's second line of criticism is directed towards the Greek notion of self-mastery. She notes that the practices of care of the self provided a model for Foucault's ethics and argues that these practices 'turned around the notion of *enkrateia*, or self-mastery seen in terms of the domination of one's desires', and as a result was explicitly gendered. For the Greeks, femininity was linked with passivity, and so to be passive in the face of one's desires, to be immoderate, was to be effeminate. Self-mastery, therefore, 'involved a struggle against the immoderate and womanly side of one's character' with the aim of maintaining oneself as active, and hence as masculine. (ibid., 151) Although Foucault maintained that we cannot uncritically draw on the classical practices of the self for a model of ethics, McNay claims that he nevertheless carried this theme over mostly intact. She further argues this by reference to Foucault's notion of government, which she defines 'as an agonistic and combative struggle between free individuals.' (ibid., 152) In this struggle, McNay claims, the relation with the self is prioritised over relations with others, and she suggests that this mirrors the social implications of the Greek notion of self-mastery, where self-mastery was prerequisite for mastery over others. If McNay is correct, then a version of self-mastery, reliant on masculine agency, has a

central place in Foucault's ethics.

McNay, then, has argued that 'an unexamined and nostalgic fantasy of masculine agency' is implicit in Foucault's account of ethics. (ibid., 153) This would be a problem, McNay says, as for Foucault the 'starting point for an ethics of the self is a critical ontology or politics of location that is as "precise as possible", that is oriented to the "contemporary limits of the necessary."' (ibid., 151) Such a starting point should allow the practitioner to interrogate the limits of their current identify and thereby allow themselves to increase their capacity for independent thought and action. With this in mind, we can see the force of McNay's critique. If Foucault's ethics relies on specific historical conditions or implicitly masculine experiences of agency, then it will simply fail to be applicable to certain people, as it is not oriented towards their limits. More than this, even for individual who can operate in Foucault's ethical model, there will be limits of their identity that they cannot interrogate as they are baked into the ethics itself; for instance, notions of masculine activity. As a result, Foucault's ethics would be unable to have the critical and transgressive force he intended.

One immediate response to McNay would be to maintain that, although she is correct in her points, these specific models – Baudelaire and Greek care of the self – are not essential to Foucault's ethics and so can be discarded while preserving the core of his account. However, McNay argues that this unexamined masculine notion of agency is indicative of deeper problems with Foucault's account of ethics. She asks how, having stressed the necessity of rigorous self-critique, Foucault could have put forward an ethics with implicit masculine agency: 'the detail that remains significantly unaddressed in Foucault's own politics of self-location is the deflection or identification that permits him to situate a conventional and gendered notion… at

the centre of a radical ethics.' (ibid., 151) McNay suggests that, rather than a self

genuinely embedded in practices, Foucault is instead working with a '"disembedded

and disembodied" notion of the self, which… covertly represents aspects of a

specific male experience.' (ibid., 154) For McNay, this shows a lack of a genuine

ethical moment in Foucault's account. The ethics of the self, she argues, consists of

a critical examination of the practices by which individuals constitute themselves in a

cultural milieu. These practices are not created by the individuals themselves,

instead being drawn from or imposed by one's culture or society. The ethical

moment should come when the practices of the self are raised to 'a level of critical

self-awareness or reflexivity' and are therefore shown to be contingent, allowing for

new practices and new forms of experience. However, McNay argues, Foucault's

reliance on an unencumbered self prevents him from fully analysing the process.

This unencumbered self means that Foucault's ethics cannot properly contextualise

itself within social and power relations. As a result, it becomes impossible to

determine the distinction between mere conspicuous consumption and genuine

gestures of resistance when it comes to constructing one's life as a work of art.

McNay's argument is that the implicit gendering of agency, itself a problem, is

symptomatic of a deeper problems with Foucault's account, namely that he is

working with a sovereign notion of the self. However, it is not clear that she can

establish this conclusion, as we need not grant that Foucault privileges masculine

notions of agency. First, I would argue that the reference to Baudelaire is not

intended to valorise the romantic model of the artist, but rather to draw our attention

to a way of understanding self-constitution as a creative, rather than investigative,

project.[7] Second, although Foucault does discuss Greek care of the self in contexts where he is talking about ethics, he is also careful to distance himself from Greek ethics. Even if we grant that his ethics does privilege a masculine notion of agency, this does not establish that Foucault's project is committed to an unencumbered notion of the self. As we noted above, McNay has taken a top down approach: beginning from Foucault's discussion of the aesthetics of existence, she has attempted to determine the nature of his underlying account. However, as we have noted Foucault already *has* an underlying account in his notion of ontological freedom. Even if McNay does establish that Foucault's top-level account of ethics implies an unencumbered notion of the self, it does not follow that there is no account of the self as embedded within practices in his work. It is possible that ontological freedom would provide such an embedded self, but that Foucault had failed to correct build his ethics on top of that foundation. This is a rather damning defence, but there is still a difference between concluding that Foucault's account has a workable foundation and concluding that the whole project should rejected. Furthermore, this defence only becomes necessary *if* we grant that Foucault's account of the practice of freedom implies a masculine agency, which, as we will show in chapters 4 and 6, it does not.

Here, then, is where the utility of the distinction between ontological freedom and practices of freedom becomes apparent. Rather than, like McNay, having to begin with the account of ethics and work downwards, we can take the notion of ontological freedom as our starting point and thereby investigate precisely what concepts of agency underly the account of ethics. We can then move from the

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[7] The sixth chapter of this thesis, which engages with Oscar Wilde, can be read as a further elaboration of this point. Wilde is in many ways a prototypical dandy yet, as we will argue, he provides us with an instance of the practice of freedom that does not involve masculine, assertive agency; nevertheless, his activity can be understood using Foucault's analysis of freedom.

ground up in analysing practices of freedom. McNay's critique is vulnerable to this kind of response, as if we are able to establish that Foucault's ethics is not reliant on a sovereign self, then McNay's critique demonstrates, at best, that Foucault's elaboration of the ethics of the self needs to be reworked in accordance with the underlying account of freedom and, at worst, that McNay has misread the account of ethics. Again, the former conclusion would be a damaging concession for Foucault, but I do not think it is one we need to accept. Nevertheless, taking up the distinction between ontological freedom and the practice of freedom, will allow us to get the clearer view of the structure of Foucault's ethics we need.

On Oksala on Foucault on freedom

Oksala's work differs significantly from McNay's in that she, like us, recognises distinctions between different forms of freedom. In *Foucault on Freedom*, Oksala cites the same quote we took as a point of departure – 'freedom is the ontological condition of ethics. But ethics is the considered form that freedom takes when it is informed by reflection' – and uses it as a way of framing Foucault's different notions of freedom. Oksala argues that freedom, as the ontological condition of ethics, does not refer to a concrete capacity of the subject: 'Freedom is not an ontological characteristic of the subject. We are not born free, nor do we have an inherent capacity to realise our freedom.' (Oksala 2005, 188) On her account, freedom attaches, not to the subject, but to 'practices, forms of experience, or the being of language.' (ibid., 191) More specifically, freedom refers to 'the ontological contingency of the present: freedom is the opening up of possibilities of an age.' (ibid., 188) Our current practices and subjectivities do not necessarily follow from the types of beings we are and they could, in principle, be otherwise. It is the

contingency of our practices and forms of life that ontological freedom refers to.

Oksala explains freedom as ontological contingency with reference to two areas of Foucault's work: "discourse and language", and "bodies and pleasures". With the former, freedom refers to 'the indeterminacy of discursive structure.' By this, Oksala means that currently existing forms of discourse can only ever be a subset of the forms that could possibly exist, and so there can always be 'unexpected orders and unimaginable conjunctions of meanings.' (ibid., 189) For instance, scientific discourses, for Oksala, form a way of ordering language, but this cannot exhaust language as 'avant-garde writing is capable of forming alternative, unscientific, and irrational ontological realms', and these allow for different experiences of order, and hence different perceptions and practices. (ibid., 189)

Oksala makes similar arguments regarding the body and pleasures. She says that 'Subjection sets the limits for normal experiences, but those limits make possible transgressions that affirm the limitlessness of bodies and pleasures.' (ibid., 189) In the same way that scientific discourse establishes an experience of language, subjection establishes an experience of embodiment. However, transgressive behaviours can go beyond these normalised experiences and so reveal an element of freedom in disclosing an outside to the discursive order. For Oksala, freedom as ontological contingency refers to the contingency of the discursive structures and practices which constitute our experiences, and this freedom is the ontological condition for practices of freedom.

Having discussed ontological freedom, Oksala goes on to discuss the practice of freedom. Following the quote we saw above, the practice of freedom is the form ontological freedom takes when it practiced with a deliberative dimension. For Oksala, the subject exercises its freedom by 'critically reflecting on itself and its

behaviour, on beliefs and the social field of which it is part.' (ibid., 190) This critical

activity opens up space for creative activity, for 'exploring possibilities for new forms

of the subject, new fields of experiences, pleasures, relationships, modes of living

and thinking.' (ibid., 190) The final aim of this critical activity, Oksala says, is

'developing forms of the subject that are capable of functioning as resistance to the

normalising power.' (ibid., 190)

Although I agree with Oksala that we need to pay attention to the different

forms of freedom in Foucault's work, I disagree with her account of ontological

freedom. There are two main arguments for this position: first, ontological freedom

underdetermines the practice of freedom; second, Oksala's reading of our point of

departure quote does not seem to match the text from which it is drawn.

If we grant that Oksala's interpretation of ontological freedom is correct, it

does not seem to help us towards an account of the practice of freedom. We saw in

our point of departure quote that ethics is the form that freedom takes when it is

informed by reflection. However, given Oksala's account of ontological freedom, it is

unclear what this means for the practice of freedom. In one section, Oksala writes

that 'the subject *exercises* freedom in withdrawing from itself and problematising its

behaviour.' (ibid., 181, emphasis mine) In this statement there is a lack of fit between

the verb and its object: if freedom refers not to a capacity or an aspect of the subject,

but to the ontological contingency of our practices, then "exercise" seems to be the

wrong word to use here.[8] This lack of clarity is not merely a grammatical problem,

however, but a more substantive one. In Oksala's work, there is significant ambiguity

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[8] As I understand it, the things that can be exercised tend to have a predisposition to certain kinds of (literal or metaphorical) motion, where exercising them means making use of that predisposition. For instance, I can exercise my body or I can exercise a right, where rights have a normative force. Contingency, which only implies that things can be otherwise, does not seem to be the kind of thing that can be exercised. Imagine exercising a rock: the rock can be moved, but we can't make use of a predisposition to motion.

about what exactly it means to practice freedom. Freedom is 'embedded in critical

inquiries and practices'; freedom 'is a practice'; 'the subject exercises freedom in

withdrawing from itself…'. (ibid., 181) Given that freedom simultaneously *is* a

practice, is embedded in practices, and is something that is exercised, it is unclear

what exactly freedom is.[9] Further, it is not clear what the connection is between

ontological freedom and the kind of freedom that is being exercised here. Oksala

argues that freedom aims to develop 'forms of the subject that are capable of

functioning as resistance to… normalising power.' (ibid., 190) But how is the notion

of resistance to normalising power derived from freedom defined as the contingency

of our practices? In other words, there is no way for us to ground a fully fleshed-out

account of the practice of freedom in Oksala's account of ontological freedom.

Ontological freedom may make certain critical and creative practices possible, but it

also leaves open the question of what makes certain practices genuinely critical and

creative. It also leaves unclear how these practices are possible, what kind of

agency or freedom they involve, and what allows them to be put into practice given

the subject's embeddedness in power relations. Oksala's concern to keep freedom

an aspect of practices or discourses leads her to posit an account which is unable to

explain the possibility of reflective and critical practices of the self. Oksala herself

seems to recognise this problem, although she casts it as a paradox of Foucault's

thought:

> [S]eemingly paradoxically, the subject does not invent itself, but only deploys
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> modes of behaviour and forms of thinking of its cultural context… The questions

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[9] Note the distinction between "exercising" and "practicing". For instance, we can practice medicine, but we cannot exercise medicine. We can exercise our medical skills, but this is rather different from practicing our medical skills. In other words, "practice" and "exercise" take different types of nouns. A further discussion of this topic would go beyond the scope of our chapter.

that follow are questions about the 'freedom' of the subject. How can we understand the capacity of the subject for critical self-reflection? How is the constituted subject capable of engaging in truly critical practices? (ibid., 192)

Rather than being inherent to Foucault's thought, this unresolved paradox may be the result of Oksala grounding the practice of freedom in a notion of freedom that is not embedded in practices. It is possible, therefore, a different conception of freedom may allow for a better understanding of this.

The greater problem with Oksala's account is that it does not seem to fit with the text of the interview being taken as a point of departure. When Foucault talks about freedom in EPF, he does not talk in terms of the contingency of our discursive practices; instead, he talks about freedom in relation to power. When discussing the Greeks, he talks about freedom in terms of civic liberty or non-slavery; the rest of the time, he talks in terms of power relations. Immediately after making the claim that "freedom is the ontological condition of ethics", he argues that 'In the Greco-Roman world, the care of the self was the mode in which individual freedom… was reflected as an ethics.' (EPF 284) Further on, he claims that 'insofar as freedom for the Greeks signifies non-slavery… the problem is already entirely political… in that non-slavery to others is a condition: a slave has no ethics.' (ibid., 286) Further, when Foucault talks about power relations, he discusses freedom in a way which makes it clear that freedom is not a matter of ontological contingency. He says:

It should also be noted that power relations are possible only insofar as the subjects are free. If one of them were completely at the other's disposal and became his thing, an object on which he could wreak boundless and limitless violence, there wouldn't be any relations of power. (ibid., 292)

The notion of freedom under discussion here is inconsistent with Oksala's account. Remember that Oksala defined freedom as the ontological contingency of our practices. With this definition, freedom should be constantly present as, presumably, all our practices are contingent and could be otherwise. This would continue to be true in the case where an individual is entirely within another's power: although the individual would have no ability to change the situation, it is not true that the situation is ontologically necessary. Therefore, contra Foucault, the individual would still be free. Clearly, however, Foucault has a notion of freedom in mind that implies that sometimes we can be unfree and, further, that is closely entangled with power relations.[10]

Although Oksala does recognise Foucault's distinctions between different forms of freedom in his work, we have shown that her account of ontological freedom 1) does not seem to match with Foucault's texts and 2) is not particularly useful for determining what the practice of freedom is. We have therefore justified both looking at ontological freedom at all and, further, offering a new account of ontological freedom.

Ontological freedom, power and violence

Having justified why we need a new account of ontological freedom, we are now going to construct one. Given our critique of Oksala, it is important that we should take the text of EPF as our point of departure. The clearest discussion of the

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[10] It is worth noting that Oksala does recognise a form of freedom which seems closer to the one depicted in this quote, which she calls "negative freedom". However, Oksala maintains that this form only appears in texts written by Foucault for American audiences (which I take to refer primarily to "The Subject and Power", his afterwords to Dreyfus and Rabinow's *Michel Foucault: Beyond Structuralism and Hermeneutics*) and is of little importance to his work as a whole, as it was intended to appeal to trends in American political philosophy. However, as we have seen, this approach is in fact present in EPF as well.

relationship between power relations and freedom comes in the paragraph we mentioned above:

> It should be noted that power relations are only possible insofar as the subjects are free. If one of them were completely at the other's disposal and became his thing, an object on which he could wreak boundless and limitless violence, there wouldn't be any relations of power. Thus, in order for power relations to come into play, there must be at least a certain degree of freedom on both sides.[11]
>
> (ibid., 292)

As we noted above, there are cases in which an individual is unfree and in those situations they cannot be within power relations. We therefore need to discuss freedom with reference to two kinds of relations: relations of power and what Foucault calls, in 'The Subject and Power' (henceforth SP), relations of violence. In the following sections, we will begin by examining the relationship between power and freedom, and then turn to cases of unfreedom, i.e., relations of violence.

What are power relations?

When Foucault uses the term "power", he is not referring to an existing entity. Instead, power is a shorthand for "power relations" or "relations of power". Foucault's understanding of power relations is nominalistic: 'Power exists only as exercised by some on others, only when it is put into action.' (SP 240) Power relations are not general: they are discontinuous, local, specific. More specifically, they are

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[11] We might wonder whether Foucault here is talking about ontological freedom or the practice of freedom. However, earlier in this same interview he clarifies that the practices of freedom can be non-existent within situations of domination. Given that "domination" refers to a specific possible state of power relations, it cannot be the case that the practice of freedom is a necessary condition for power relations; otherwise in a situation of domination power relations would cease to exist and therefore the situation of domination would also cease to exist.

'relationship[s] in which one person tries to control the conduct of the other.' (EPF 292) In other words, a power relation is a relationship in which one individual is trying to cause another to act in a certain way. While power relations are often (if not always) accompanied by relations of communications, of production, and so on, they are a distinct kind of relation. Next, 'what defines a relationship of power is that it is a mode of action that does not act directly and immediately on others. Instead, it acts upon their actions: an action upon an action, on possible or actual future or present actions.' (SP 340) Power relations do not involve acting *directly* on the bodies of others, but rather aim to modify the conduct of others.[12] Finally, while these relations are asymmetrical they are not unidirectional. Power relations can, in principle, be reversed and have control exerted in both directions: 'These power relations are… mobile, reversible, and unstable.' (EPF 292)

Power relations, then, are relations between subjects in which they attempt to control each other's behaviour. As we noted, freedom is defined in relation to these power relations and this freedom must meet certain conditions. First, if power involves acting on actions, free subjects must be able to act; second, if power relations are reversible, it must be possible for free subjects to act in such a way as to reverse relations of power. When talking about ability to act, "action" here must have a specific meaning, as presumably there are some actions which, although we can perform them, would be unable to modify a power relation. For instance, although there may be cases when small actions are able to modify such relations, breathing, blinking, or flexing one's fingers will normally fail to count as relevant actions. Freedom, then, must account for the two conditions we mentioned as well

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[12] Of course, these actions may indirectly modify the bodies of individuals as in the disciplines described in *Discipline and Punish*, but they do this by changing behaviour. Bodily dragging someone into a cell would not be an instance of this kind of relation of power, but using a timetable to cause them to be there at a certain time would be.

as providing criteria for determining relevant actions.

Foucault himself offers the following definition of freedom:

Power is exercised only over free subjects, and insofar as they are "free." By this we mean individual or collective subjects who are faced with a field of possibilities in which several kinds of conduct, several ways of reacting and modes of behaviour are available. (SP 342)

From this we can determine several things about freedom. First, a free subject must be able to act in a variety of different ways and is faced with a "field of possibilities" for action. To put it another way, a free subject must have two or more possibilities for action, as a "field" of possible actions implies the existence of at least one alternative possibility.[13] Second, the relevant possible actions are characterised, not as one-off actions, but as patterns or strategies of behaviour: "kinds of conduct", "ways of reacting," "modes of behaviour". Foucault's definition, then, takes us some way towards an account of freedom. However, it so far does not tell us what makes these strategies of behaviour relevant to freedom, rather than being simply random collections of actions.

We noted that power relations are possible only insofar as the subjects involved are free, and, further, Foucault also argues that freedom is not simply something that power acts on, i.e., it is not simply a field of possible actions, rather freedom actively struggles with power: freedom necessarily involves resistance. Foucault claims that 'in power relations there is necessarily the possibility of resistance because if there were no possibility of resistance (of

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[13] Another way to think about this would be to try and imagine a case where an individual only has one possible action open to them. However, if an individual has a possible action they can take, they actually have a second possibility: to refrain from that first possibility. For an individual to only have one possibility, they must be in a situation where they have no choice to take a different action and hence they are not faced with a field of actions.

violent resistance, flight, deception, strategies capable of reversing the situations), there would be no power relations at all.' (EPF 292) Here Foucault gives us several examples of resistance. "Flight" seems to refer to the possibility of leaving the power relationship, but the other ones seem to reduce to the notion of "reversing the situation", reversing the power relation. To be capable of resistance is to be capable of deploying strategies which could allow one to modify, or even fully reverse, the power relationships one finds oneself in. In other words, the kinds of conduct or behaviour are possible when an individual is free are those which offer resistance, which provide the possibility of modifying or reversing power relationships. To be ontologically free, then, is to be faced with a field of two or more possible actions which can allow one to modify the power relations one is embedded in.

This account allows us to offer the beginnings of a response to McNay's critique. Foucault's account, at least at its foundations, does not rely on a sovereign subject. Ontological freedom, the freedom that makes ethics possible, is freedom *within* power relations and to be free is to be faced with a field of possible actions that is constituted by power relations. Rather than a sovereign subject, the subject is free in the ontological sense insofar as she is embedded in a field of power relations. This does not indicate a freedom inherent to the subject since, as we shall now explore, the field of possibilities can be removed and the subject can become ontologically unfree. This discussion will also allow us to answer a further question: namely, does freedom mean actually *having* alternative possibilities, or only *understanding oneself* as having them?

Relations of violence

To explore when individuals lack ontological freedom, we first need to introduce the concept of a relation of violence. A helpful way to explain relations of violence is in comparison with power relations. As we noted earlier, power does not act directly on others; rather power functions as a "conduct of conducts" in which a subject acts on the field of possibilities of another subject. With violence, however, it is otherwise: 'A relationship of violence acts upon a body or upon things; it forces, it bends, it breaks, it destroys, or it closes off all possibilities.' (ibid., 340) Whereas power modifies a subject's field of possibilities, violence acts directly through the body and, through physical coercion, produces its effects. This leads to substantial differences in the relationships between individuals in relations of violence and relations of power. An indispensable element of a power relation is 'that "the other" (the one over whom power is exercised) is recognised and maintained to the very end as a subject who acts.' (ibid., 340) Violence, by contrast, has no need for a subject and instead attempts to destroys them and their field of possibilities. As a result, violence is unidirectional and has no room for reversal or resistance: 'its opposite pole can only be passivity, and if it comes up against any resistance it has no other option but to try to break it down.' (ibid., 340)

Given that violence eliminates freedom and therefore the possibility of power relations, it might seem – counter-intuitively – that violence cannot form part in any strategies of government. However, the relationship between violence and power is more complicated than this. Foucault writes that: 'Obviously the establishing of power relations does not exclude the use of violence… no doubt, the exercise of power can never do without [violence].' (ibid., 340) This might seem to contradict what we said above, but there are several possible explanations. First, we could note

that violence can be used as part of a broader strategy of power. For example, most governments threaten violence in certain situations: for these threats to carry any weight, the government must sometimes display its willingness to use violence. Bearing in mind the discontinuity of power relations we discussed earlier, there is no contradiction in the establishing of a relationship of violence at one point, followed by the re-establishing of relations of power. Second, there are also instances of violence which seem to form part of power relations, rather than excluding them, and that leave open possibilities of action and resistance. For instance, in *Discipline and Punish* Foucault discusses the institution of judicial torture, where torture was used to try and elicit confessions which would then be used as evidence in court. In this institution, torture took the form of a "battle" between torturer and magistrate, and it was this 'battle, and this victory of one adversary over the other, that produced truth according to a ritual.' (DP 41) If the accused confessed, the magistrate obtained a significant piece of evidence, but 'if the accused "held out" and did not confess, the magistrate was forced to drop the charges. The tortured man had then won.' (ibid., 40-14) In this relationship there was therefore at least the possibility of resistance; that is, judicial torture seems to be an example of power, even though violence was involved.

This case indicates that we must be careful to clearly determine what constitutes a relation of violence. The presence of physical violence is clearly not a sufficient condition for a given relationship to count as a relation of violence. A good illustration of the distinction between power and violence can be found in Foucault's Tanner Lecture at Stanford, '"Omnes et Singulatim": Towards a Critique of Political Reason'. Foucault explains:

> The characteristic feature of power is that some men can more or less entirely
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> determine other men's conduct – but never exhaustively or coercively. A man
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> who is chained up and beaten is subject to force being exerted over him, not
>
> power. But if he can be induced to speak, when his ultimate recourse could have
>
> been to hold his tongue, preferring death, then he has been caused to behave in
>
> a certain way. His freedom has been subjected to power. He has been submitted
>
> to government. If an individual can remain free, however little his freedom may
>
> be, power can subject him to government. (Foucault 2000, 324)

Here we see a clear contrast case: the person whose conduct is being determined

"exhaustively or coercively" is explicitly distinguished from a person who can be

induced to speak. What, here, is meant by coercion? We may at first think it would

include such cases as being forced to do something at gunpoint. However, given

Foucault's account of power, this cannot be part of a relation of violence. Foucault

argues:

> Even when the power relation is completely out of balance, when it can truly be
>
> claimed that one side has "total power" over the other, a power can be exercised
>
> over the other only insofar as the other still has the option of killing himself, of
>
> leaping out the window, or of killing the other person. (EPF 292)

Coercion at gunpoint, which would give us the possibility of letting ourselves be shot

or attempting to grab the gun, would seem to come under the heading of "total

power", not of violence. When talking about relations of violence, then, the relevant

sense of coercion seems to be specifically physical coercion, physically manipulating

someone's body to make them carry out an action. Power causes people to do

things by acting on their actions, while violence causes them to "do" things by acting

on their body as upon an object.[14] Given this, a person is subject to a relation of violence when their field of possible actions has been destroyed, either because they have been stopped from carrying out any actions or because they have been physically coerced into acting.

Having vs. *understanding oneself* as having

As we have argued above, to be ontologically free is to be have two or more possibilities of action which would allow one to modify the power relations one finds themselves within. Our discussion of relations of violence also allows us to clarify what it means to "have" these possibilities. There are two possibilities: first, being free in an ontological sense means *having* the possibilities, as seen from a hypothetical objective point of view; second, being ontologically free means *understanding oneself* as having these possibilities. In principle, this means the difference between accepting false negatives, cases in which one falsely believes oneself to be unfree, and false positives, in which one falsely believes oneself to be free. In practice, however, given our definition of relations of violence, it is unclear how far the experience and the reality can come apart.

In the case of false negatives, the individual must experience herself as having no other possibilities, when in fact she does; this does not mean "no viable courses of action", this means "no courses of action whatsoever". In a relation of violence, the agent's only course of action is the "action" she is being forced to take; for instance, being physically dragged into a cell. There may be cases in which an individual falsely believes she has no alternative courses of action. Assuming false

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[14] Think again of the example in footnote 3, of causing someone to be in a cell using a timetable versus dragging them there by force.

belief rather than delusion, a possible example could be an individual who mistakenly thinks she has been paralysed and is therefore unable to resist (perhaps she has only been given a sedative but was told otherwise), but these cases are very rare.

False positives also seem rare, as they would require experiencing oneself as faced with possibilities when you have none, not even the possibility of stopping an activity. An example, again assuming false belief, might be mistakenly thinking that one could break free of a set of restraints, but maintaining that one is choosing not to.[15]

These examples seem extremely rare, but insofar as they show anything they suggest that the correct way to understand ontological freedom is a *understanding oneself* as having possible actions. In the false negative example, it is unclear how the fact that one actually has other courses of action, without realising that one does, could possibly be a condition for the practice of freedom: if the practice of freedom is about shaping one's relations to oneself and others, experiencing oneself as possibilities seems to be a necessary condition for this activity. Similarly, if one falsely believes oneself to have other possibilities, this seems to give oneself leeway for practicing freedom, even if this is in a very limited way.

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[15] The assumption of false belief rather than delusion seems more important in the case of false positives. If we allow delusion or self-deception, then this will lead us to conclude that individuals can practice freedom entirely within their own heads, regardless of their external circumstances. For instance, imagine a restrained individual who does not even believe herself to be restrained; instead, she is choosing to sit in a very particular position as part of a practice of self-constitution. It is unclear to me what conclusion we should reach for such deluded individuals; Foucault's work does not seem to touch on it. However, we will briefly return to this point in Chapter 2 in the section titled "Relation to ontological freedom".

Ontological freedom as understanding oneself as having alternative possibilities

We have argued, then, that ontological freedom refers to a subject's experiencing themselves as having a minimal field of actions. Freedom can also be cashed out in terms of the types of relations one is subject to. In freedom, the ontologically free subject is embedded within relations of power; by contrast, the ontologically unfree individual (who is no longer maintained as a subject) is within a relation of violence.

We can indicate this distinction by comparing the earlier example of judicial torture with a case where an individual is being tortured for torture's sake. In judicial torture, violence – in the everyday sense – was used upon the "patient". However this does not constitute what we referred to as physical coercion: the aim of this violence is to induce the patient to act in a certain way and so this counts as a power relation. They are faced with a minimal field of possibilities: they can either 1) remain silent and hold out, or 2) confess. Both of these options are actions which have an effect on the power relation between the patient and the magistrate.

We can also imagine an instance of torture where the aim is simply to hurt the victim. This would count as a relation of violence where the victim's body is being acted on for its own sake. As there is no attempt to modify the victim's behaviour, there are no options for reversal or resistance as the power relations simply does not exist. The victim is not faced with a field of possible counter-strategies and so the actions they can perform are arbitrary with regards to power. This is how violence works: it destroys the possibility of meaningful action by acting directly on the body and treating the individual as an object. As the individual has no meaningful actions, there are also no actions for power to act upon and so there is no possible support for power relations.

Conclusion

We have established, then, what freedom as the ontological condition of ethics consists in: to experience oneself as having options that will have effects on the power relations one is within. In other words, to be free is to be within power relations, while to be unfree is to be within relations of violence. It is only while we are within power relations, while we experience ourselves as faced with a field of possible actions, that we have the possibility of practicing freedom informed with reflection.

This conception of freedom conflicts with both McNay's analysis of Foucault's underlying understanding of the self and Oksala's definition of freedom as ontological contingency. As we saw above, McNay argued that Foucault's ethics were reliant on a sovereign self with an implicitly masculine agency. However, we have now shown that ontological freedom in fact refers to a subject's having a minimal field of actions, where being able to act in the relevant sense does not depend on being a certain kind of agent but, rather, on being within relations of power. To be free, in this minimal sense, is simply to have options open to one that will have effects on the power relations one is within. This notion of agency, then, is ungendered. Further, contra McNay's claim that Foucault's notion of the self is unembedded, the Foucauldian free subjects is necessarily entangle within power relations.

Our account of freedom also helps us solve the difficulties with Oksala's approach. For Oksala, ontological freedom referred to the fact that our practices are contingent, thereby implying that we are always free; however, we have shown that there are instances where we are not free in Foucault's sense. Freedom refers, not

to the contingency of our practices, but to our being situated in power relations and so, when we exit such relations, we are not free in the relevant sense. Our account is also capable of responding to the objection we raised against Oksala, namely that there is no clear connection between ontological freedom and the practice of freedom. Given that being free means experiencing oneself as having a field of possible behaviours, we can see what it would mean to "exercise" freedom: to put some of these behaviours into effect.

We have determined what freedom as the ontological condition of ethics means. However, this form of freedom only represents a very minimal form of freedom. To return to the example of judicial torture, the "patient" has two options – confess or remain silent – and so she is ontologically free. The torturer, of course, is also free in this minimal sense: she is also faced with a field of possible behaviours and is taking part in a power relations. Nevertheless, we presumably see a difference between the situation of the torturer and the patient: the torturer seems to be more free in some sense. What are some of the aspects of this greater freedom? First, it is up to the torturer whether the relationship remains a power relation or becomes a relation of violence: she could simply stop caring about eliciting a response from the patient. The torturer can also choose how and when to end the torture. The torturer, then, seems to have more control over the continuation of the power relation. Second, with the relationship of power itself, the torturer has more power to affect the behaviour of the patient than the patient, both in the sense of having more options and in having more forceful options. We could go so far as to say that the torturer dominates the patient, that the power relations has become irreversible. Third, the torturer seems to have more leeway in the ways in which she can relate to her own behaviour: she can understand herself as a discoverer of truth,

an arbiter of justice, a sadist, a technician. The patient's experience of herself seems comparatively limited, in part because of the destructive and violating effects of pain and in part because of the fact her responses are limited to two: hold out or give in.

The question, then, is what makes the torturer freer than the patient. Is it the number of possibilities? Having more possibilities may not make one freer in a relevant way: being able to choose from more brands of clothing does not seem to make one freer in a way relevant to ethics. Is it having possibilities that the patient does not? Having different possibilities from someone else does not necessarily make one or the other person freer. Is the relations one can have to one's possibilities? My suggestion is that, on Foucault's account, this third solution is the correct one. In the following chapters, we will investigate this possibility.

Chapter 2: A Constitutivist Approach to Freedom

Introduction

Our point of departure for this project was a quote in which Foucault made two claims: 1) freedom is the ontological condition of ethics and 2) ethics is the reflective practice of freedom. In the previous chapter we gave a new account of ontological freedom, arguing that to be ontologically free is to be within power relations, rather than relations of violence. In power relations, an individual has a field of possible actions open to her, and others act on her actions by modifying this field; similarly, she modifies the actions of others by acting on their fields.

This account, however, could not allow us to explain why some individuals seem to be more free than others. For instance, on the ontological account, a victim of judicial torture is as free as her torturer as both of them have a field of possible actions open to them. The idea that all individuals are equally free within power relations is both counter-intuitive and in conflict with Foucault's own position. For example, in EPF Foucault argues that we should attempt to avoid situations of domination. (cf. EPF 299) Domination is explicitly contrasted with freedom, yet domination designates power relations when they are in certain kinds of states, and to be within power relations is to be ontologically free.[16] Individuals caught within situations of domination are less free than other individuals, but we currently have no way of explaining this difference. The next step, then, will be to discuss Foucault's account of freedom that can allow us to do so: the practice of freedom.

Before we can give an account of the practice of freedom, however, there are

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[16] Foucault defines domination as a situation or state in which 'the power relations, instead of being mobile, allowing the various participants to adopt strategies modifying them, remain blocked, frozen.' (EPF 283) We will return to the subject of domination in chapter 3 in our discussion of resistance to domination.

a number of methodological considerations we must attend to. This chapter, then, is dedicated to addressing these considerations, while chapters 3 and 4 discuss the practice of freedom itself. In this chapter, we begin by giving three criteria of success an account of the practice of freedom should meet. We then discuss the question of whether Foucault holds a substantive or procedural account of freedom, arguing in favour of the latter, and suggest that this account is best understood as a "constitutivist" account. Having defined constitutivism, we then argue that constitutive aims are necessary and sufficient conditions for an activity, and discuss the manner in which constitutivist aims must be held, namely pre-reflectively.

What are practices of freedom?

The "practice of freedom" is a deceptively simple term: presumably it is simply the way in which we put our freedom, i.e., our ontological freedom, the fields of possible action we are faced with, into practice. However, it is clear that Foucault does not consider every possible way of putting our freedom into practice to be a practice of freedom. For instance, a paradigmatic example of the practice of freedom is Baudelaire's account of the dandy, discussed by Foucault in 'What is Enlightenment?':

> Modernity for Baudelaire is not simply a form of relationship to the present; it is also a mode of relationship that must be established with oneself…. To be modern is not to accept oneself as one is in the flux of the passing moments; it is to take oneself as object of a complex and difficult elaboration: what Baudelaire, in the vocabulary of his day, calls *dandysme*. (WE 311)

Dandyism is not merely a collection of actions or a pattern of behaviour; it also involves relationships to the present and, more importantly, cultivating a certain relationship to oneself. However, it is also not enough to say that practices of freedom must involve cultivating relationships to oneself. In one interview Foucault references what he calls the 'Californian cult of the self', a modern culture of the self which is intended to identify one's true self. Such a "cultist" would seem to be establishing a relationship with themselves, and yet Foucault speaks negatively of such a movement: 'not only do I not identify [the] ancient culture of the self with [the Californian cult]… I think they are diametrically opposed.' (OGE 271) Even if we would grant that such "cultists" are engaged in the practice of freedom, Foucault would presumably want to say that they are less free than the dandy or the Stoic sage, which leaves open the question of what exactly makes them less free.

Contrary to our original expectations, then, the question of what exactly constitutes a practice of freedom is a complicated one; in fact, we will spend the next three chapters answering this question. First, however, it would be useful for us to set out several criteria which will determine what it would mean for our account of the practice of freedom to be successful.

1) Gradation

As we have noted, the practice of freedom is what will allow us to distinguish between individuals on the basis of how free they are. Freedom, therefore, should be conceptualised as an axis running from minimally free to maximally free, rather than as a binary opposition between freedom and unfreedom. Foucault's statements confirm that the practice of freedom has this kind of structure. For instance, he says that in states of domination 'practices of freedom do not exist or exist only unilaterally or are extremely constrained and limited.' (EPF 283) Although this implies the

possibility of unfreedom where practices of freedom do not exist, it also shows that, where there are practices of freedom the amount of freedom can vary, i.e., that freedom is a spectrum, not a dichotomy.

Given this, a successful account of the practice of freedom must allow for gradations in freedom: we must be able, in principle, to distinguish between individuals on the basis of how free they are.

2) Relation to ontological freedom

It is important that we are able to clearly see how ontological freedom and the practice of freedom are related to one another. In the previous chapter, we criticised Oksala's account of ontological freedom because it was not clear how it supported her account of the practice of freedom, and so we must avoid this same problem. As we saw in our point of departure quote, ontological freedom is a condition of possibility for practices of freedom and we should be able to see why this is the case.

More specifically, this will mean that our account of the practice of freedom must connected to an individual's understanding of their field of possible actions and their being within power relations. For instance, we could not offer an account of the practice of freedom where an individual could be free within their own head, regardless of their experience of the relations they were in, as this would be entirely distinct from ontological freedom and it would be unclear why ontological freedom should be a condition of possibility for it.[17]

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[17] In the first chapter, we raised the possibility of deluded individuals who believe themselves to be ontologically free, even though they should have reason to believe they are not: for instance, an individual who is restrained, but does not believe themselves to be, or an individual who, having tried and failed to break their restraints, still believes they could break free if they really wanted. One possibility was to argue that such individuals are not ontologically free. However, if we grant that they are ontologically free because they experience themselves as such, our considerations here suggest that they could still be engaging in the

3) Connection to ethics

Given that, as we saw in our point of departure quote, ethics is the practice of freedom, our account of the practice of freedom must be recognisable as an account of ethics. If our account of the practice of freedom does not have the right kinds of normativity, then there is something wrong with our account.

An important question here is what exactly we mean by "ethics". Foucault gives "ethics" a distinct meaning in his work, clearly separating it from morality understood as moral codes. In the *Use of Pleasure,* Foucault draws a distinction between three different aspects of morality: moral codes, moral behaviours and ethics. (UP 25-26) "Moral codes" are the prescriptions and rules which individuals are expected to follow; the "morality of behaviours" refers to the extent to which individuals' actions comply with the aforementioned moral prescriptions; "ethics" refers to the 'manner in which one ought to form oneself as an ethical subject acting in reference to the prescriptive elements that make up the code.' (UP 26) When we say that our account of the practice of freedom must show their connection to ethics, then, we are not saying that practices of freedom must provide moral codes. Rather, practices of freedom must involve forming oneself as an ethical subject.

Procedural versus substantive accounts of freedom

In investigating the practice of freedom, we will quickly run into the question of what exactly makes a given practice of freedom an example of freedom. Is a practice free because its results meet some standard of freedom, or is a practice free because the

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practice of freedom. As we will see in chapters 3 and 4, biting this bullet would not necessarily be a problem for Foucault. If one believes that one is practicing freedom because one is deluded about one's situation and fails to notice aspects of it, one will be failing to meet at least one part of the constitutive aim: see the section on "The Critical Ontology of Ourselves" in chapter 3.

practice has been carried out in accordance with certain standards? In other words, we are asking whether we are looking at a *substantive* or a *procedural* account of freedom.

Substantial and procedural accounts can be distinguished by whether they are evaluated based on outcomes or on the process itself. In substantive accounts, the standard is an external one against which the outcomes are measured. Taking practical rationality as an analogy, on a substantive account an agent can be criticised as irrational for lacking a certain desire 'whether or not the agent can rationally reach this desire from the beliefs and desires' they have. (Hooker and Streumer 2004, 59) For instance, Anscombe gives the example of an agent who has a desire to have, but not to do anything with, a saucer of mud. On a substantivist account, this noninstrumental desire would be considered irrational even if the agent could reason their way to that desire from their other beliefs and desire. (ibid., 67)

In a procedural account, however, it is a matter of seeing whether the procedures of the activity were carried out in accordance with certain standards. For example, on a procedural account an agent is irrational for lacking a desire only if they could reason their way to that desire from their current beliefs and desires. (ibid., 58) For instance, imagine an individual, Jack, who has a life-threatening disease which will kill him in thirty years if he does not take a medicine, with no negative side effects, now. On a proceduralist account, Jack can only be open to rational criticism if he currently holds beliefs or desires from which he can rationally reach a desire to take the medicine. If he cannot reach the desire, then he is not irrational if he refuses to take the medicine. (ibid., 58)

A substantive account, then, is satisfied if the outcome of a process measures up to an external standard which can be applied to any such outcomes; a procedural

account is satisfied when the procedures of a process are carried out in accordance with an internal standard.

The necessity of a procedural account of the practice of freedom

There are a number of reasons to think the practice of freedom should be conceptualised as a procedural, rather than a substantive account of freedom. First of all, even if he wanted to, Foucault could not coherently ground a substantive account of freedom with his explicitly nominalist, descriptivist and historicist approach. (McCarthy 1994, 272) This is clearest in the various accusations made against Foucault of "crypto-normativity", i.e., the claim that his work makes use of normative standards which his approach cannot justify or support.[18] However, Foucault's response to such accusations makes it clear that he does not *want* to give such accounts.[19] Throughout his work Foucault rejects calls for him to establish or to defend normative standards which could be applied to others. In an interview with Stephen Riggins, Foucault rejects a 'call for prophetism', arguing that 'people have to build their own ethics, taking as a point of departure the historical analysis, sociological analysis, and so on that one can provide for them.' (MF 133) Foucault regards it as inappropriate for intellectuals to give moral prescriptions; instead they should position their research as a starting point for individuals doing their own ethical work. This rejection is not limited solely to ethics: in the introduction to the *Use of Pleasure*, Foucault goes so far as to argue that '[t]here is always something ludicrous in philosophical discourse when it tries, from the outside, to dictate to

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[18] Cf. Habermas (1994), Fraser (1994), Taylor (1984).
[19] For an invaluable discussion of Foucault's responses to accusations of crypto-normativity, see Han-Pile (2016)

others, to tell them where their truth is and how to find it.' (UP 9) However, while Foucault does seem to reject external standards, this does not imply the rejection of all normative standards. Foucault engages in a number of critical and analytical practices within his work, and these aim to meet standards of internal consistency and rigour.[20] These considerations suggest that while Foucault does not have, or want, a substantive account of the practice of freedom, he does have room for a procedural one.

Third, Foucault's account of ethics suggests a procedural, rather than a substantive account. For Foucault ethics has four aspects: the "determination of the ethical substance", the definition of the part of the individual which will be the material to be worked upon, e.g., feelings, intentions, desires; the "mode of subjection," the way the individual relates herself to the code and understands herself as obliged to follow it; the "ethical work", the practices the individual undertakes to bring her actions into line with the code, and to cultivate the relevant mode of subjection; and the "*telos*", the mode of being that the individual aims to attain in and through acting morally. These aspects are capable of generating internal standards against which we can measure someone's ethical self-relations - they may be failing to relate to their ethical substance properly, their mode of subjection may be underdeveloped, their ethical work may be unsuccessful and they

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[20] An interesting discussion of the role of norms in non-substantive accounts can be found in Freyenhagen (2017). Freyenhagen argues that the strongest form of what he calls "content-neutral" accounts of autonomy (a broad category which covers all non-substantive accounts, including procedural ones), which claim to contain no normative content, is unworkable:

> None of the supposedly content neutral accounts of autonomy could avoid invoking some normative content in characterising the competencies or procedures it requires. Thus, Dworkin lists the ability for critical reflection and procedural independence as his supposedly content-neutral conditions on autonomy. Neither can be captured in norm-free ways. For example, procedural independence excludes influences such as manipulation or coercive persuasion, and these, I take it, are ineliminably normative notions. Critical reflection is an ability, which, *qua* ability, has an in-built standard that one can fall short of, or even fail to meet entirely; and to make the possession of this ability a condition of autonomy, is to endorse the (contestable) judgement that this norm should be authoritative in a certain context.' (Freyenhagen: 119)

may not be approaching their *telos* – but these standards cannot be wielded externally: for example, a Roman Stoic could not be criticised, in a way they would find intelligible, by accusing them of failing to establish a confessional relationship to themselves although, if they were transported through time and became a Catholic, one *could* accuse them of acting immorally by failing to attend confession. In other words, an ethics only provides internally motivating reasons for doing certain things, not externally motivating ones. [21] Foucault's ethics, therefore, lends itself to procedural rather than substantive accounts. We should therefore expect that practices of freedom will be best understood as a procedural account.

Introducing our constitutivist approach

Accepting that we need a procedural account of the practice of freedom, we next need to determine what this procedural account will look like. As we discussed above, we can understand ethics in terms of certain practices (the ethical work) which establish certain relations to oneself (determination of ethical substance), certain relations between oneself and moral codes (mode of subjection), and which aim at a certain mode of being (the ethical *telos*). Given that we are talking about freedom as a practice, and hence about activities, it seems that we can most productively talk about these aspects in terms of the *aim* of the practice or activity: we are talking about practices which aim to constitute certain relationships and ourselves in a certain state. What we are looking for, then, is a procedural account which takes aims as the source of internal standards. In producing such an account for the practice of freedom, I am going to draw on the constitutivist account of

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[21] Cf. Williams (1999)

agency proposed by Paul Katsafanas in his *Agency and the Foundations of Ethics.*

At the core of Katsafanas' account is the notion of a constitutive aim. He starts from the following principle:

(Success) If X aims at G, then G is a standard of success for X.

(Katsafanas 2013, 39)

In other words, by aiming at certain outcomes, actions generate their own internal standards of success. For example, if I aim to throw a ball at a target, this aim generates a standard of success for my action, namely, whether or not the ball hits the target. Katsafanas goes on to distinguish between aims in general and what he calls "constitutive aims". A constitutive aim is one which is intrinsic to the activity in which it is pursued: without having this aim, an agent simply fails to be participating in the activity.[22] Katsafanas gives the example of playing chess. The constitutive aim of chess, he argues, is achieving checkmate:

If you do not have that aim – if you are just moving pieces, without aiming

to win – then you are not really playing chess. Thus, the aim of checkmate

is non-optional for chess players: if you are playing chess, then you have

the aim. (ibid., 38)

We should note that this account can meet the criterion of gradation we earlier stated as necessary for our account of practices of freedom. What constitutes a practice as a practice of a certain kind is that it aims at a certain outcome, not that it achieves it:

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[22] An interesting feature of the constitutive account is that is that constitutive aims leave room for one to have other, non-constitutive, aims in the activities one undertakes. For example, when playing chess, one could have the additional aim of playing elegantly. This aim would also provide a standard of success, and hence normative criteria; however, these aims are also subject to a regulative principle, namely, the normative criteria put forward by the constitutive aim. If non-constitutive aims interfere with the achievement of the constitutive aim then this counts as a reason to discount the aim. For example, if one's attempt to play chess elegantly causes one to ignore moves which would either checkmate or have furthered the aim of checkmating your opponent, then you are either playing chess badly, or possibly, failing to play chess at all.

it is the fact that I aim at checkmating my opponent that constitutes my activity as playing chess, not that I achieve checkmate. For Katsafanas this aim gives me instrumental reasons to take a number of other actions and, insofar as the actions are taken with the constitutive aim in sight, they also count as part of the activity. For example, in playing chess I may take my opponent's pawn: this is not checkmating, but it contributes towards achieving the aim and therefore counts as part of the activity of chess.[23] However, all of these actions aim at checkmating the opponent, which gives all of them a standard of success, and so, insofar as they contribute more or less towards achieving this final aim, they can be rated as better or worse actions. This is where the gradation comes in: as long as the constitutive aim is one which can be more or less successfully approached, rather than being something which is either successfully achieved or failed, this leaves room for gradations of success.

Given that the account of freedom we are looking at is characterised as the "practice" of freedom, constitutivism seems to provide a useful model for understanding practices of freedom. Practices of freedom would all share a constitutive aim and therefore a standard of success. As this aim could be met with more or less success, this would meet our criterion of gradation; as the practice of freedom would be engaging with our field of possibilities with a certain aim in view, we can see why ontological freedom would be a necessary condition for the practice of freedom; finally, depending on the aim of practices of freedom, we can see how they could have ethical content. A constitutive account, then, would meet our three

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[23] That the aim is the important part of the action can be shown by examples like the following. Imagine playing an opponent whose only move (after getting to a certain point in the game) is to move their queen around the board in a square. They will take any piece which gets in the way of this square path, but otherwise will only repeat the same four moves. Now imagine they take one of your pawns which you have moved into their path. Would you count this as part of playing chess? What if they, somehow, checkmated you?

criteria.

 The account we will produce could be described as follows: practices of freedom have a distinctive structure with a shared constitutive aim, and this constitutive aim will allow us to derive normative criteria by which we can evaluate the freedom of such practices.

Constitutive aims as necessary and sufficient conditions

As we have suggested above, holding a constitutive aim is a necessary condition of an activity being of a certain type. Katsafanas' defines a constitutive aim as follows:

> (Constitutive Aim) Let A be a type of attitude or event. Let G be a goal. A constitutively aims at G iff.
> i) each token of A aims at G, and
> ii) aiming at G is part of what constitutes an attitude or event as a token of A
> (Katsafanas 2013, 39)

For an activity to be of type A, then, the constitutive aim *necessarily* must be present. However, it is an open question as to whether a constitutive aim is also a *sufficient* condition of an activity being of type A. In his account, Katsafanas only explicitly holds the weaker claim, that holding the aim is "part" of what constitutes the activity as an activity of type A. It is still possible that there must be some other criterion for an activity to be an activity of the relevant type. We could, however, make a stronger version of the claim: A constitutively aims at G iff. aiming at G is what constitutes an attitude or event as an instance of A. If this claim is true, then constitutive aims are necessary *and* sufficient conditions.

 The relevant question seems to be how much we are willing to build into the constitutive aim. For instance, one could argue that the aim of "achieving checkmate"

only means aiming to bring about the situation where one's opponent cannot move their king out of check. Now imagine that I simply rearranged the board such that you were checkmated. This action would satisfy the aim but could not count as an instance of playing chess. Therefore, holding the constitutive aim cannot be a sufficient condition for playing chess: in order to count as playing chess, one must *also* be playing according to the rules of chess, one must move their knights correctly and so on. However, this line of argument seems intuitively flawed: rather than arguing that I *was* aiming at checkmate, but going about it incorrectly, it seems more accurate to say that I was not really aiming at achieving checkmate. To aim at checkmating your opponent, I would argue, you *must* be aiming at doing so while playing according to the rules of chess, otherwise it is unclear why we should say you are aiming at achieving checkmate, rather than giving some other definition of your aim. If I act on my aim of achieving checkmate by simply rearranging the pieces on the board, you could not only deny that I am *playing chess*: you could also deny that I *achieved checkmate*.[24] In other words, it seems more accurate to maintain that the proviso of "playing by the rules of chess" should be understood as built into the constitutive aim of chess. Applying this line of argument to all constitutive aims, then, we should maintain that holding a constitutive aim is both a necessary and a sufficient condition of engaging in an activity. In the following chapters, we will use

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[24] Imagine that I have set up the board so as to illustrate a particular instance of checkmate. If we take holding a constitutive aim to be a sufficient condition for an activity, in setting up the board I was not aiming at achieving checkmate and so was not playing chess. On our other account, where checkmating an opponent has the minimal content of "having the board arranged such that the king has no legal moves out of check", in arranging the board to illustrate checkmate I *was* aiming at achieving checkmate, but I lacked necessary conditions such as "moving pieces according to the rules of chess" and so was not playing chess. My intuition is that the latter usage of "achieving checkmate" does violence to the language: it doesn't carry the meaning that "achieving checkmate" usually would.

this interpretation: holding the constitutive aim of the practice of freedom should be both a necessary and a sufficient condition for practicing freedom.[25]

Holding constitutive aims

We have specified that holding a constitutive aim is a necessary and sufficient condition for engaging in an activity, but it remains unclear what it means to "hold" an aim. For our purposes, there are two main questions: 1) how does the agent need to understand the constitutive aim?; 2) does the agent need to be reflectively aware that they are holding the constitutive aim? The first question can be answered relatively quickly. It is clearly not the case that there is one correct formulation of the constitutive aim that any given agent must hold in order to count as engaging in an activity. For instance, in the chess example, we could imagine a longer formulation of the constitutive aim as "to achieve checkmate and, failing that, to achieve stalemate." We can imagine an individual who, if asked to explain the constitutive aim of chess, would only say: "to achieve checkmate". Nevertheless, this individual would still be playing chess, as if we were to suggest that they were holding the longer version of the aim, they would also be able to recognise this aim as their own. Although the

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[25] At this point, we might be harbouring some concerns about the usefulness of chess as an analogy for the practice of freedom. Chess is an activity which is explicitly characterised by a set of clear rules: how to set up the board, how to move the pieces, how the game ends, etc. How far is this situation comparable to the practice of freedom? It is very possible that practitioners of freedom are never in a situation of this sort, i.e., with a clear aim and clear rules.

This objection would be correct if chess were to be understood as a 1:1 analogy for the practice of freedom, but we have not been using it in this way. Rather, we have been using chess as an example through which to illustrate the properties of constitutive aims: namely that they provide standards of success and constitute an activity as an activity of a certain kind. Chess is the example Katsafanas uses, and it is a useful example because it gives us particularly clear aims and rules. However, there are any number of examples we could choose with less clear aims and rules; for instance, "wooing" someone is an activity that we could characterise in terms of a constitutive aim; e.g., to get someone to enter a romantic relationship with you, or to fall in love with you, etc. Similarly, "wooing" has certain rules; for instance, the rules around dating in a given culture. However, these aims and rules will vary from person to person and are almost never clearly stated. Nevertheless, we can still distinguish between "wooing" and other activities on the basis of these aims and the rules they imply. (I am indebted to Matt Burch for this example)

formulations are different, they are still describing the same activity.

This consideration is important as, if individuals had to hold one specific formulation, then arguably practices of freedom would only have become possible after Foucault formulated the concept: before then, it would have been extremely unlikely that anyone would have held the constitutive aim of the practice of freedom. Instead, it seems reasonable to argue that an individual holds the constitutive aim of an activity if and only if they could be brought to recognise their activity as being in line with that constitutive aim. In our chess example above, the chess-player could be brought to recognise their chess-playing activity under the longer description of the constitutive aim.[26]

Our second question, whether the constitutive aim must be held reflectively, is somewhat more involved. Our main example, chess, seems to involve an aim we are reflectively aware of holding: when we are evaluating or making a move, we do so while keeping in mind the extent to which this move furthers our aim of checkmating an opponent. Now, this seems acceptable in the case of chess, but is this the case more generally?

Katsafanas does not explicitly say whether constitutive aims must be held consciously, but we can deduce his position from his broader project. Katsafanas' aim is to argue that action itself has a constitutive aim; regardless of his success in doing so, his project implies that he does not understand the holding of constitutive aims to be necessarily conscious. If constitutive aims were to be held reflectively, then this would interfere with our ability to hold constitutive aims in a variety of situations. If Katsafanas wants to argue that action itself has a constitutive aim, this

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[26] This heuristic has a further implication for our account: if, having determined our constitutive aim of the practice of freedom, there are practitioners of freedom who could not recognise their activity as involving the holding of our constitutive aim, then our account of the constitutive aim should be rejected.

would lead a bizarre doubling effect where every action we take would require we reflectively hold *two* constitutive aims: the constitutive aim of the activity we were engaged in *and* the constitutive aim of action itself. Not only does Katsafanas not argue that this happens, this doubling is also experientially inaccurate: when we engage in an action, for instance, making a cup of tea, we do not experience ourselves as both aiming to act *and* aiming to make a cup of tea. The constitutive aim, then, need not be held consciously.

We should note, however, that constitutive aims must be held in such a way that they can be brought to consciousness. If we believed we were playing chess with someone but, on asking them their aim in engaging in the game, they were unable to become conscious of their constitutive aim then we would believe that they had not really been playing chess, they had just appeared to be playing it. Such a way of holding aims is suggested by the work of Peter Poellner. In a 2015 paper, Poellner draws on the phenomenological notion of implicit conscious contents to suggest the possibility of having unarticulated conscious attitudes. He notes that we can have a conscious attitude towards some content of our experience, without being able to articulate what that attitude is. For instance, 'a person might… be undergoing an occurrent emotion towards some object without, at the time, having a conceptual grasp of her emotion.' (Poellner 2015, 204) In the same way, someone could be consciously holding an aim without having a conceptual representation of that aim. We can understand the holding of constitutive aims as *pre-reflective*: an individual might not be reflectively aware of holding a certain aim, but, with reflection, they could become aware of it.

An aside on the reflectivity of practices of freedom

Given our claim above, that to be holding a constitutive aim requires only that we are pre-reflectively aware that we are operating in accordance with a constitutive aim, we can briefly turn to an aspect of our point of departure quote that might raise some concerns. In EPF, Foucault asks the interviewer the following question: 'what is ethics, if not the practice of freedom, the reflective practice of freedom?' (EPF 284, translation modified) He goes on to explain that '[f]reedom is the ontological condition of ethics. But ethics is the reflective form that freedom takes.' (DE IV: 712, my translation)[27] In other words, Foucault identifies the reflective form of the practice of freedom with ethics. Now, the apposition in the first quote is ambiguous: it is unclear what "the practice of freedom, the reflective practice of freedom" is supposed to imply. One possibility is that Foucault is trying to highlight a subset of practices of freedom, namely "reflective practices of freedom", and claiming that ethics is this specific subset rather than all practices of freedom. A second possibility is that Foucault is intending to clarify something about practices of freedom, namely that they are reflective. In the former case, only some practices of freedom are reflective, and these reflective practices are ethics; in the second case, all practices of freedom of reflective. This latter case would raise a further possibility: perhaps all practices of freedom are reflective because reflection is (part of) the constitutive aim?

Clarifying the apposition

The first interpretation, that Foucault is highlighting specifically reflective practices of freedom, seems to be the correct one. Compare the repetition of "practice of

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[27] 'La liberté est la condition ontologique de l'éthique. Mais l'éthique est la forme réfléchie que prend la liberté.'

freedom" to an example like the following: I tell you that I went for lunch with "John, my friend John". The repetition of "John" here seems to imply that I am narrowing down the set of Johns to one specific John: "my friend John", rather than, say, "my brother John". Contrast this with: "I went for lunch with John, my friend." In this case, the apposition conveys more information about John, namely that he is my friend. Given this, Foucault seems to be specifying "*reflective* practices of freedom", rather than other kinds of practice of freedom.

In the context of ethics, this specification makes sense. Following Béatrice Han-Pile, Foucault's investigations involve two types of critical questions: "how possible" questions, which search for the 'epistemically enabling conditions' of a state of affairs, 'what *must* be the case for the state of affairs under consideration to be intelligible,' and "whether possible" questions, which look for 'ethically enabling conditions' – such questions 'tell us what ought to be the case if we are to live our lives in the best possible way.' (Han-Pile 2016, 85-86) If we understand ethics as a self-aware investigation into the conditions of the good life, then it makes sense that this investigation will be reflective.

The further question is whether we would expect all practices of freedom to be reflective. One reason to think they might be appears during a discussion of "processes of liberation". Foucault argues that, while processes of liberation can be important for removing situations of domination, they are not in themselves 'sufficient to define the practices of freedom that will still be needed if this people, this society, and these individuals are to be able to *define* admissible and acceptable forms of existence or political society.' (EPF 282-283, italics mine) Here Foucault suggests that practices of freedom aim to carry out the activity of "definition." He makes a similar claim later on: 'Isn't the problem [of sexuality]… that of defining the practices

of freedom by which one could *define* what is sexual pleasure and erotic, amorous and passionate relationships with others?' (EPF 283, italics mine) Again, practices of freedom are what allow us to carry out an activity of definition, both of forms of life and of objects of experience such as "sexual pleasure."

Now, we might be inclined to understand definition as an inherently reflective process. To define something is to determine its boundaries and set it apart from other phenomena, either spatially or conceptually. This activity, however, seems to imply a corresponding distancing of oneself from the object; for instance, in defining a word we "step back" from its use in a specific sentence. We then use the distance gained to get a better vantage point on the object to be defined, and use this point of view to distinguish the object from other related objects. For example, take the experience of struggling to define a word which we are familiar with, but have not explicitly thought about, for example, "grievance": we might think about how we would use it in a sentence, we might think about words that could be used instead, e.g., "complaint", and also how it differs from those words, and possibly things like the etymology of the word. We use the distance we get from the word to allow us to determine its meaning to the best of our ability.

This structure is a reflective structure. If we take the concept of reflection literally, such as reflection in a mirror, we see a similar dual movement: the object is reflected in the mirror, appearing as an image of the object. In the process the object is presented as an object for evaluation or appraisal. Taking reflection in a conceptual sense, to reflect upon an object is to constitute it as an *object of thought*, and this object is newly opened to evaluation. The work of practices of freedom, then, seems to be reflective work, and this suggests that practices of freedom are

inherently reflective.

Practices of freedom as pre-reflective

However, our above discussion is too quick to assume that definition implies conscious reflection. In the discussion above, we offered the example of defining a familiar word which we had not thought about before; given that proviso, there would be a clear need to undertake reflective activity in order to give a definition. By contrast, take the case of defining a familiar word with a clear meaning; for instance, imagine you are asked to define a word like "claustrophobia": a definition like "a fear of enclosed spaces" might come instantly to mind with no experience of reflection. Giving a definition, then, does not necessarily involve reflection. However, definition also cannot simply exclude reflection. To be able to give a definition implies that one would be able to reflect further on that definition; if an individual cannot, then it is unclear how they could have given the definition in the first place..

In a similar way, practices of freedom do not seem to need to be reflective; instead, a number of the examples Foucault gives seem to be pre-reflective. For instance, in the 1981 interview 'Friendship as a Way of Life', Foucault indicates two examples of the practice of freedom which seem to be pre-reflective. The first, a clear example of the definition of "amorous and passionate relationships", is the case of gay men of different ages, who lack a way of relating to each other:

> But two men of noticeably different ages – what code would allow them to communicate. They face each other without terms or convenient words, with nothing to assure them about the meaning of the movement that carries them toward each other. They have to invent, from A to Z, a relationship that is still

> formless, which is friendship: that is to say, the sum of everything through which
>
> they can give each other pleasure. (FWL 136)

It's important to note that the terms used here lack strong reflective connotations. Foucault talks about them "facing" each other, a "movement" towards one another and this language of physical proximity and activity suggests that the definition of their relationship is more a matter of interpersonal activity than it is thought. The term "invent" seems to imply both reflective activity – in terms of coming up with designs – but also implies physical activity, in terms of building and testing one's invention. Although this instance of the practice of freedom implies reflection, it seems to suggest pre-reflective activity that sometimes rises to the level of reflection.

The second, more extreme, example is that of the strong relationships that formed between the men in the trenches of World War I:

> One can wonder how, in these absurd and grotesque wars and infernal
>
> massacres, the men managed to hold on in spite of everything. Through some
>
> emotional fabric, no doubt. I don't mean that it was because they were each
>
> other's lovers that they continued to fight; but honour, courage, not losing face,
>
> sacrifice, leaving the trench with the captain – all that implied a very intense
>
> emotional tie. (ibid., 139)

Even more so than in the previous example, the men in the trenches were not reflectively creating their relationships which each other; in a number of ways these relationships were the result of the poor conditions they lived in, however, Foucault still suggests that this was an example of the definition of intense relationships with one another.

Our suggestion, then, is that Foucault maintains that ethics, as a theoretical

investigation into the conditions of the good life, is necessarily reflective; practices of freedom in general, however, only need to be pre-reflective.

Conclusion

In this chapter, then, we have identified a number of criteria for our account as well as the shape that the account will take. Our account of the practice of freedom will be a procedural one, where the status of a practice as a practice of freedom will be determined by whether engaging in the practice implies holding the constitutive aim of the practice of freedom. A practitioner of freedom need only be pre-reflectively aware that they hold the constitutive aim of the practice of freedom, in other words, although they may not be immediately conscious that they hold they aim, they must be able to become so. Further, they need not already understand their activity in the same terms that we give, but, if our account is correct, they must be able to recognise their activity in its terms.

Further, our account must meet three criteria: first, there must be gradations in freedom which can, to some extent, be distinguished between; second, freedom must be related to the power relations and fields of possibility of an individual, not free-floating; third, the practice of freedom must have ethical content.

With these preliminary considerations out of the way, in the next chapter we will begin our attempt to identify the constitutive aim of the practice of freedom.

Chapter 3: The Constitutive Aim(s) of the Practice of Freedom

Introduction

In the previous chapter, we argued that Foucault has a procedural account of the practice of freedom, best characterised by a constitutivist approach in which a practice is defined as a practice of freedom by way of its constitutive aim. The next step, then, is to attempt to identify the constitutive aim of the practice of freedom. Foucault's later work presents three strong candidates for this aim. In our point of departure interview, 'The ethics of the concern for the self as a practice of freedom', Foucault provides two. First, he suggests that the practice of freedom plays an important role in resisting the occurrence of situations of domination, raising the possibility that resistance to domination is the constitutive aim. Second, Foucault notes that the care of the self was the form in which the Greeks practiced freedom, suggesting that taking care of oneself could be the aim.[28] Additionally, in the 1984 article 'What is Enlightenment?', Foucault introduces the notion of the 'critical ontology of ourselves' as part of a broader philosophical attitude and assigns it a role in the practice of freedom. All of these activities, then, are either practices of freedom themselves or strongly related to practices of freedom; the question is: can one of these furnish us with the *constitutive aim* of the practice of freedom?

In this chapter, we begin by arguing that resistance to domination cannot be the constitutive aim of the practice of freedom, as taking it to be leads to circularity when we attempt to justify why we should practice freedom. Next, we move to the care of the self, but conclude that, while care of the self is valuable, on its own it has

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[28] The French title of the interview, '*L'éthique de souci de soi comme pratique de la liberté*', leaves it ambiguous as to whether the care of the self is *a* practice of freedom or *the* practice of freedom.

no way of directing itself properly. Finally, we turn to the critical ontology of ourselves, but find that, although it gives us a perspective from which to practice freedom, it lacks motive force. We conclude that, while these three activities are necessary conditions of the practice of freedom, taken individually none of them can be sufficient conditions for the practice of freedom and so none of them can be the constitutive aim. However, we also suggest the possibility of holding all three conditions jointly; a possibility we return to in the next chapter.

Resistance to Domination

The importance of resisting domination is indicated in a number of places in Foucault's work, both in EPF and elsewhere. In this section we introduce and define domination, note that domination seems to be inhibitory of the practice of freedom, and investigate whether resistance to domination is the constitutive aim of the practice of freedom. We also ask whether there are cases where an increase in domination might be desirable for some individual's practice of freedom.

What is domination?

In defining domination, we need to recognise an important distinction between power and domination.[29] While power is something that is exercised in power relations, where it refers to attempts to modify the behaviour of others, domination is *not* exercised. Instead, domination refers to a certain state of power relations, a state in which 'power relations, instead of being mobile, allowing the various parties to adopt

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[29] For much of his career, Foucault did not distinguish clearly between power and domination and sometimes used the two interchangeably. By the time of EPF, however, he had began using the two differently and in this chapter we shall make us of this distinction.

strategies modifying them, remain blocked, frozen.' (EPF 283) As we discussed in the second chapter, power relations are usually 'mobile, reversible, and unstable,' (ibid., 292) but in situations of domination this fluidity is imperilled in two ways. First, the individuals involved in the power relations are restricted in the strategies they can adopt, not only in their possibility for success but also in their diversity. Power relations shape the fields of possible action of individuals and situations of domination stop these fields from being reshaped. In other words, if you are in a power relation which greatly restricts your possible responses, if that relation becomes part of a situation of domination then you will not even be able to modify the power relation so as to expand your field of responses. Further, as you can no longer modify your field of responses, you are no longer able to uncover new possible responses that could allow you to reverse the power relation. This leads to the second problem: the existing asymmetry in the exertion of power crystallises. In other words, the power relation is no longer reversible. For example, in a patriarchal marital relationship, whatever options were open to a wife, 'they were still in a state of domination insofar as these options were ultimately only stratagems that never succeeded in reversing the situation.' (ibid., 292) Although the wife had some possible responses, none of these options could succeed in reversing the asymmetry in the exertion of power.[30]

Although domination does limit the field of possible actions of an individual, it should not be confused with what, in the first chapter, we called relations of violence.

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[30] This is the result of domination being a *situation* the parties are within, rather than something that is exerted. Imagine a wife who, within their relationship, exerts more power over her husband than he does over her. Even in this case, the situation is such that her husband can use external means, which she has very little ability to resist, to exert control over her. For example, under the legal doctrine of coverture the rights of married women were subsumed by their husbands'; as a result a husband had legal ownership over his wife's property and she would have no legal recourse against the exercise of this right.

In a relation of violence, the victim is entirely deprived of her field of possible actions. In a situation of domination, the field of actions is still in place, but it is now fixed and cannot be modified. As Foucault puts it:

> When an individual or social group succeeds in blocking a field of power relations, immobilising them and preventing any reversibility of movement by economic, political, or military means, one is faced with what may be called a state of domination. (ibid., 283)

The field of possible actions and the power relations which maintain and shape this field are still present, but the power relations, and hence the field of actions, are no longer open to change. Next, in relations of violence the aggressor treats the victim as an object and attempts to destroy her. In power relations, and hence in domination, '"the other"… is recognised and maintained to the very end as a subject who acts.' (SP 340) Domination, then, maintains the subject as a subject. However, in doing so domination not only locks down fields of action, but also, and as a consequence, locks down the subject of power as a *certain kind of* subject. Given that power relations shape the field of action available to a subject and that certain subjectivities have certain actions appropriate to them (e.g., the activity of voting is appropriate to the democratic subject), if domination locks down a field of possible actions, it also locks in the mindset of a subject faced with this field of actions. This leads to a positive feedback loop: a certain subjectivity has actions that are appropriate to it, and certain actions reinforce our recognition of ourselves as a certain subject. By locking down power relations, domination limits both the field of possible actions and the possible relations between ourselves and those actions.

As this discussion suggests, situations of domination are problematic for the practice of freedom. Practices of freedom are involved in the definition of ways of life

and the control of new power relations, and so situations of domination, which

restrict the strategies and actions which individuals can take by freezing the field of

power relations, will block the practice of freedom: 'in [states of domination], it is

certain that practices of freedom do not exist or exist only unilaterally or are

extremely constrained and restricted.'[31] (EPF 283) There is therefore good reason to

think that resistance to domination is necessary for the practice of freedom.

Additionally, Foucault explicitly tells us that practices of freedom play an important

role in resistance against domination:

> The problem in… practices where power… must inevitably come into play is
>
> knowing how to avoid the kind of domination effects where a kid is subjected to
>
> the arbitrary and unnecessary authority of a teacher…. I believe that this problem
>
> must be framed in terms of rules of law, rational techniques of government and
>
> *ēthos*, practices of the self and of freedom. (ibid., 299)

The practice of freedom appears here as one tool among others in the service of the

minimisation of domination. As we have suggested, then, the practice of freedom

plays a role in resisting domination and resistance to domination may well be a

criterion for the practice of freedom; in fact, some resistance to domination seem to

be necessary if freedom is to be practiced at all. The question, however, is whether

resistance to domination is the constitutive aim of practices of freedom. We need to

ask, then, whether aiming at resisting domination is sufficient for the practice of

freedom. My concern, however, is that maintaining that practices of freedom

constitutively aim at resisting domination leads to circularity if we ask *why* we should

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[31] This raises a question: why would this be a problem for individuals who are favoured by the situation of domination? Could such an individual not aim to produce and maintain situations of domination in which they could unilaterally practice freedom? We will return to this question later in the chapter.

practice freedom. To bring this out, we look at the possible reasons Foucault could give for resisting domination.

Why should domination be resisted?

Foucault clearly takes domination to be something to be resisted, but why? The simplest answer would be that Foucault takes domination to be bad. While Foucault does not express this so clearly, a number of passages suggest that he negatively values domination. For instance, in one passage Foucault responds to accounts of human relationships which rely on Habermasian "ideal speech situations" by noting that power relations are not something bad in themselves. Instead:

> The problem [of power relations]… is… to acquire the rules of law, the management techniques and also the morality, the *ēthos*, the practice of the self, that will allow us to play these games of power with as little domination as possible. (ibid., 298)

Given that power relations only become problematic when they turn into situations of domination, the implication is that domination is bad. The same attitude arises implicitly in a criticism Foucault makes of ancient Greek ethics:

> The Greek ethics of pleasure is linked to a virile society, to dissymmetry, exclusion of the other, an obsession with penetration, and a kind of threat of being disposed of your own energy, and so on. All that is quite disgusting! (OGE 258)

Greek ethics relies on the maintenance of asymmetrical power relations in which some individuals are excluded, in other words, situations of domination in which

individuals cannot modify the power relations they are within. For Foucault, such situations are not only bad; they are intolerable:

> A system of constraints becomes truly intolerable when the individuals who are affected by it don't have the means of modifying it. (SCSA 147-148)

As a result, Foucault rejects the possibility of salvaging the Greek ethics of pleasure.

There is, then, textual justification for considering domination to be bad and therefore worth resisting. However, there is a significant problem with the obvious answer: we have previously argued that Foucault cannot have a substantive account of the practice of freedom and hence of ethics. To argue that domination is bad *as such*, and so should be resisted, is to introduce a substantive normative claim into his procedural account, as move which we want to avoid.

A procedural justification for resisting domination

We are faced with a significant problem here: we are trying to avoid claiming that Foucault makes a substantive claim about the ethical value of domination. On the other hand, we also cannot argue that Foucault only considers domination to be negative in certain situations; from what we have seen, he is always aiming at a minimal incidence of domination.[32] The question, then, is whether we can give a reason within our procedural account why domination *always* ought to be resisted. Fortunately, it seems we can. As we noted before, situations of domination restrict, or even block outright, the practice of freedom and so, if we have reason to engage in practices of freedom, then we have reason to resist existing situations of

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[32] Cf. Patton (1998). Patton defines domination in terms of the removal of effective resistance, but argues this is a non-normative concept. Domination, for Patton, is only negative when it is used for negative purposes. (Patton 1998, 68) However, Patton misses what we have argued above: namely that Foucault considers any situation in which individuals lack effective resistance to be "intolerable".

domination and avoid the formation of new ones. This response, which is motivated by considerations internal to our account, would maintain its procedural form and explain why Foucault always considered domination to be negative. Support for this view can be found in EPF. Foucault draws a distinction between "practices of freedom" and "processes of liberation", where the latter are concerned with dismantling fixed power relations and situations of domination: 'when a colonised people attempts to liberate itself from its colonisers, this is indeed a practice of liberation in the strict sense.' (EPF 282) These practices, Foucault says, are important for the minimisation of domination and, therefore, for the practice of freedom.

> Thus, I agree with you that liberation is sometimes the political or historical condition for a practice of freedom… Liberation paves the way for new power relationships, which must be controlled by practices of freedom. (ibid., 283-284)

As situations of domination can block the practice of freedom, processes of liberation can be necessary for the opening up of power relations, and the creation of new ones, and therefore necessary for the practice of freedom. As a result, if we are committed to practicing freedom, we have reason to engage in processes of liberation to remove existing situations of domination, and to structure our practices so as to minimise future instances of domination.

This notion of domination as negative because it blocks the practice of freedom seems to be more in keeping with our account.[33] However, we should note that this approach leads to problems of circularity if we want to argue that the

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[33] One worry we may have about this account is that it seems to lose some of the normative weight that Foucault places on resistance to domination. As we saw, the Greek ethics was "disgusting" and situations of domination are "intolerable." Our reasons to resist domination, then, might look stronger that would be implied by a claim like "we have reason to resist domination because it restricts our practicing freedom".

constitutive aim of the practice of freedom is the minimisation of domination. We might grant the following:

1. We have reason to resist domination because i) it blocks the practice of freedom and ii) we are committed to practicing freedom.

But why are we committed to practicing freedom? If we grant that the constitutive aim is resisting domination, and assume that we are committed to the practice of freedom, then this follows:

2. Being committed to the practice of freedom means being committed to aiming to resist domination.

If we substitute 2) back into 1), we get:

1*. We have reason to resist domination because i) it blocks the aim of resisting domination and ii) we are committed to the aim of resisting domination.

This circular justification returns us to our original question: why should we seek to resist domination? Either we assert that domination is substantively bad, in which case we have rejected the possibility of producing a procedural account, or we argue that we should resist domination because practicing freedom gives us reason to, in which case we fall back into circularity.

This analysis suggests that resistance to domination alone cannot be the constitutive aim of the practice of freedom. It seems likely that, while practices of freedom do involve resistance to domination, there should be some other aims of the practice of freedom that would explain why we might be committed to it. The idea that aiming to resist domination cannot be a sufficient condition for the practice of freedom has already been confirmed by a concept we saw earlier, that of "processes of liberation". These processes aim at dismantling situations of domination, but

Foucault notes that they are not instances of the practice of freedom, as processes of liberation 'do not seem… to be capable by themselves of defining all the practical forms of freedom.' (ibid., 283) Practices of freedom are necessary because processes of liberation are unable to help us define forms of life; in other words, aiming at resisting domination is not sufficient for the practice of freedom.

An aside on the maximisation of domination

In this section, we proceeded under the assumption that domination obstructs the practice of freedom. However, Foucault's work seems to leave open the possibility of a form of domination that still allows the individual with more ability to exert power (from here referred to as the "dominant individual" opposed to the "subordinate")[34] to practice freedom. This would mean that, on our procedural account, the domination would not be blocking their practice of freedom and so they would have no reason to resist domination. Aiming to resisting domination, then, would not only be insufficient for the practice of freedom: it would also be unnecessary.

We earlier noted that Foucault identifies three possibilities for practices of freedom in situations of domination: they either 'do not exist or exist only unilaterally or are extremely constrained and restricted.' (ibid., 283) In looking at cases where a dominant individual might have no interest in resisting domination, we can disregard the first case, where there are no practices at all, and the third cases, where practices of freedom are restricted. We are specifically interested in cases where

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[34] I am using this language for the sake of clarity, as it is otherwise hard to refer to the individual favoured or disfavoured by the situation of domination. However, we should not fall into the trap of thinking that the "dominant" individual is dominant because they produced the situation of domination or because they are dominating the other individual. Rather, as we have discussed above, situations of domination exist on a broader level, and one individual is left in a more favourable position because the power relations have become fixed.

practices of freedom exist only unilaterally, i.e., where the dominant individual can practice freedom, but the subordinate cannot. However, there are two possible ways in which we can understand the unilateral practice of freedom:

1) The practice of freedom of the subordinate is totally blocked, while the dominant's ability to practice freedom is unrestricted.

2) The practice of freedom of the subordinate is totally blocked, while the dominant's ability to practice freedom is *only somewhat restricted*.

In both of these possibilities, freedom is being practiced unilaterally as only the individual in the dominant position is able to practice freedom. However, the dominant individual in the second case still has restrictions on their ability to practice freedom and so, if they were committed to practicing freedom, they would have reason to resist domination. By contrast, the dominant individual in the first case, who is able to practice freedom without restriction, *at least* has no reason to resist domination.

One possible response to this would be to simply bite the bullet: a commitment to practicing freedom might give us reason to bring about certain situations of domination. We might then be able to offer some pragmatic arguments against bringing them about at all: for example, as such situations of domination only make up a subset of possible situations of domination, we have reason to avoid the establishing of situations of domination as we run the risk of ending up in restrictive situations of domination. However, the main problem with this line of response is that it is clearly not Foucault's: in his discussions of domination, he doesn't give thought

to the possibility of embracing certain forms of domination.[35] As we saw earlier the problem is 'to play [the] games of power with as little domination as possible.' (ibid., 298) Our response, then, must line up with Foucault's rejection of all domination.

Returning to the distinction between unrestricted and restricted unilateral freedom, another line of response would be to deny that there are *any* cases of unrestricted unilateral freedom: there are only cases of *restricted* unilateral freedom. To argue for this, we need to look more closely at power relations and how they structure fields of action.

We noted in the second chapter that power relations involve the modification of the field of possible actions of the person over whom power is exercised:

> The exercise of power is a "conduct of conducts" and a management of
>
> possibilities…. To govern, in this sense, is to structure the possible field of action
>
> of others. (SP 341)

Foucault also draws a distinction between power relations and what he calls "relations of confrontation". In the latter, 'instead of manipulating and inducing actions in a calculated manner, one must be content with reacting to them after the event.' (ibid., 347) In such situations, the two adversaries are merely trading actions

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[35] To forestall any objections stemming from Foucault's positive discussions of S&M, we should note that, it is always described in terms which make clear that it is not an instance of domination. For example:

> the S&M game is… always fluid. Of course, there are roles, but everybody knows very well that those roles can be reversed. Sometimes the scene begins with the master and slave, and at the end the slave has become the master. (SPPI 169)

Or:

> What interests the practitioners of S&M is that the relationship is at the same time regulated and open. It resembles a chess game in the sense that one can win and the other lose..... This mixture of rules and openness has the effect of intensifying sexual relations by introducing a perpetual novelty, a perpetual tension and a perpetual uncertainty. (SCSA 151-152)

S&M, then, is not an instance of "positive" domination. If anything, it looks more like a practice of freedom, with its focus on modifying power relations and the intensification of experience.

and reactions. In power relations, by contrast, 'stable mechanisms replace the free play of antagonistic reactions. Through such mechanisms one can direct, in a fairly consistent manner and with reasonable certainty, the conduct of others.' (ibid., 347) As we said earlier, in relations of power we attempt to govern the conduct of others; this governing consists of structuring the field of possible actions of others, allowing us to direct their behaviour. What is important to note, however, is that the metaphor of power relations as "mechanisms" suggests that, in directing the behaviour of others, *our own behaviour* must fit into this mechanism.[36] We can illustrate this by way of an example. Imagine an employer who wants to reprimand an employee for the quality of their work. The employer is looking for a certain response from their employee - better quality work - and so they attempt to restructure their employee's field of possibilities accordingly. The employer has a number of options open to them for this restructuring: they could hold a disciplinary meeting, write up the employee and so on, with the aiming of modifying the employee's behaviour. This, however, is not their full range of possible responses. They could, for instance, threaten the employee with physical harm, key the employee's car, or have associates assault the employee on the way home. Now, these courses of action would probably also restructure the employee's field of possibilities, they would be unlikely to lead to the employee carrying out better work; they would be more likely to make the employee call the police.[37] If the employer wants to shape the employee's conduct in a certain way, then, their possible courses of action are limited. In other words, power

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[36] In order for a mechanism to go into actions, something needs to interact with it in a way determined by the structure of the mechanism. This interaction can take a very specific form, for instance, unlocking a door using a specific key, or it can be very general, for instance, using any number of objects (a hand, a foot, a stick) to press a button. Either way, the mechanism requires a specific interaction, which limits the ways in which it can be interacted with.

[37] This example assumes that this employer/employee relation takes place in situations similar to modern Western societies with certain kinds of employment law and so on. However, this will extent to situations with fewer safeguards for subordinates, although the field of actions of the individual exercising power will be less strictly structured.

relations not only structure the field of possible actions of the employee, but also of the employer.[38]

This observation, that power relations structure the field of possible actions of both participants in the relations, allows us to understand why situations of domination restrict the practice of freedom for both the subordinate and the dominant individuals. As we have noted before, situations of domination are not features of individual power relations and individuals do not bring about situations of domination on their own. Rather, domination is 'the domination of a group, a caste, or a class' which manifests 'at the level of the whole social body, the locking-together of power relations.' (SP 348)[39] Given what we argued above, when relations of power are immobilised in situations of domination, this limits the practices of both the subject of power – whose field of action is being shaped by the dominant individual - *and* the individual exercising power – whose field of possible actions is being shaped by their

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[38] One could question whether the employer is truly being restricted, as it is possible they would have no interest in these courses of action in any case. Here we've used clearly negative examples, but we should note that power relations can also restrict more desirable relationships and courses of action. For example, power relations can limit the possibility of genuine friendships or consensual romantic relationships between dominant and subordinate individuals. For an example from Foucault's own work, *parrhesia*, frankness in speech, requires a relationship of trust between a superior and a subordinate which can be rendered impossible through certain power relations: the recipient of *parrhesia* must be willing to 'recognise that they have to listen to this person who takes the risk of telling them the truth.' (HS 12) Failure to do this is to the detriment of the recipient.

[39] At a higher level of abstraction, we can take Foucault's discussion from *The Will to Knowledge*:

> Power relations are both intentional and nonsubjective. If in fact they are intelligible, this is… because they are imbued, through and through, with calculation: there is no power that is exercised without a series of aims and objectives. But this does not mean that it results from the choice or decision of an individual subject;… the rationality of power is characterised by tactics that are often quite explicit at the restricted level where they are inscribed… tactics which, becoming connected to one another, attracting and propagating one another, but finding their base of support and their condition elsewhere, end by forming comprehensive systems. (Foucault 1998, 95)

The suggestion here is that systems of power, and hence also systems of domination, have their intelligibility, but this stems from the interlocking of a series of power relations which are *locally* intelligible. In such an account, the strategies which produces such situations take their impetus, not necessarily from individuals, groups, or classes, but from the ways in which power traverses social relations – or rather, these individuals, groups, or classes draw their inspiration and practices from these interlocking power relations.

attempt to shape the field of actions of the subordinate.[40] It is important to note that the relevant aspect is *not* that the field of actions of the dominant is restricted; rather, it is the fact that, in situations of domination, the ability to modify power relations is restricted and, therefore, existing limitations to one's field of actions cannot be changed.

Conclusion: resistance to domination is a necessary, but not sufficient, condition

As we have seen, taking the minimisation of domination to be the constitutive aim of the practice of freedom leads us into a number of difficulties. However, it does seem to be a necessary condition of the practice of freedom: without meeting this criterion, the practice of freedom would not be able to play the role that Foucault ascribes to it in resisting situations of domination. That we have instrumental reasons to resist domination has support in Foucault's work: first, as we saw in the discussion of practices of liberation, we have reason to resist domination in order to be able to practice freedom. Second, in EPF, Foucault suggests that resistance to domination derives from another activity, the care of the self:

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[40] Examples of this can be found in James C. Scott's *Domination and the Arts of Resistance*. One such example is George Orwell's autobiographical short story 'Shooting an Elephant.' Orwell, serving as a policeman in the British colony of Burma, was called on to kill an elephant that had been rampaging through the marketplace. When he found it, however, it had calmed down and was now docile. Although Orwell wanted to leave it alone, he felt pressured to shoot it by the watching crowd. However, they did not pressure him directly: he was instead motivated by the sense that failing to shoot would mean failing to play his role, and that the crowd would laugh at him:

> I perceived in this moment that when the white man turns tyrant it is his own freedom that he destroys. He becomes a sort of hollow posing dummy, the conventionalised figure of a sahib. For it is a condition of his rule that he shall spend his life in trying to impress the "natives," and so in every crisis he has to do what the "natives" expect of him. (Orwell 1962, *Inside the Whale and Other Essays*, 95-96, cited by Scott 1990, 10-11)

As Scott summarises it: 'As he experiences it, Orwell is no more free to be himself, to break convention, than a slave would be in the presence of a tyrannical master.' (Scott 1990, 11)

> In its critical aspect – and I mean critical in a broad sense – philosophy is that
> which calls into question domination at every level and in every form in which it
> exists, whether political, economic, sexual, institutional, or what have you. To a
> certain extent, this critical function of philosophy derives from the Socratic
> injunction: "Take care of yourself," in other words, "Make freedom your
> foundation, through the mastery of yourself." (EPF 301)

Here, Foucault suggests that the task of the critical aspect of philosophy is the
questioning of domination. We may, therefore, be tempted to read this as
confirmation that the constitutive aim of the practice freedom is resistance to
domination. However, if we look more closely, we can see that the minimisation of
domination is *not* being posited as the aim; instead, the necessity to critically
evaluate situations of domination is being derived from another aim, from "the
Socratic injunction" to take care of the self. This suggests a new possibility for us,
which we will explore next; perhaps minimising domination is a necessary, but not
sufficient, condition of the practice of freedom because it derives from the true
constitutive aim: to take care of oneself.

The Care of the Self

What is the care of the self?

"The care of the self" translates the Greek "*epimeleia heautou',* a term which
Foucault glosses variously as 'care of oneself, attending to oneself, being concerned
about oneself,' (HS 2_ and, in the form of an injunction, as 'you must attend to
yourself, you must not forget yourself, you must take care of yourself.' (ibid., 5) The
care of the self, then, takes as its starting point an injunction to see oneself as an
appropriate object of concern and attention, as something that should be kept in

view. This injunction provides the impetus and guiding principle for the use of a set of practices that Foucault refers to variously as 'arts of existence' and 'techniques of the self.' (UP 10-11) These are:

> those intentional and voluntary actions by which men not only set themselves rules of conduct, but also seek to transform themselves, to change themselves in their singular being, and to make their life into an oeuvre that carries certain aesthetic values and meets certain stylistic criteria. (UP 10-11)

In its most minimal form, then, "caring for oneself" denotes an activity in which one takes oneself as an object of concern and, through a variety of practices, attempts to transform one's mode of being in line with this concern.

This activity implies certain relationships with knowledge. First, attending to oneself, not forgetting oneself, requires some form of self-knowledge; one needs to be willing to ask the question, "who am I?" and to take the answer to that question seriously. Second, if one is to transform oneself, one needs some knowledge of the aim and the method the transformation should take. Third, the transformation of one's mode of being produces new knowledge. For example, in EPF, when talking about the Greeks, Foucault equates having taken care of yourself with having a certain form of self-knowledge:

> If you have taken care of yourself, that is, if you know ontologically what you are, if you know what you are capable of, if you know what it means for you to be a citizen of a city… if you know all this you cannot abuse your power over others. (EPF 288)

We should note, however, that the knowledge produced is not theoretical knowledge. Having taken care of the self means knowing what you should do, not purely intellectually, but in such a way that your behaviour should spontaneously follow

from the principles you have taken up. This is illustrated by Epictetus' example of the moneychanger: we must play the role of 'moneychangers of our own representations, of our thoughts, vigilantly testing them, verifying them, their metal, weight, effigy.' (TS 240) This should not be confused with Christian self-deciphering, with seeing if one's representations follow from concupiscence; rather, it is a matter of bringing to mind the rules which one needs to evaluate one's representations: 'For Epictetus, the control of representations means not deciphering but recalling principles of acting, and thus seeing, through self-examination, if they govern one's life.' (ibid., 241) What we see, then, is that the care of the self is a way of instantiating a mode of being. This mode of being is not generic: it is not an idea of how people in general should be behaving. Rather, it is a mode of being that is indexed to a certain individual's ethical principles. Remember that the care of the self takes as its starting point the injunction to take care of *oneself*; the practices of the self are related directly to *oneself*.

As well as paying attention to who you *are*, the care of the self also takes direction from who you *aim* to be. We see this both in the case of Alcibiades, who must care for himself due to his political designs, and with Serenus, one of Seneca's correspondents. Serenus had recently arrived in Rome and was looking for philosophical advice in much the same way he was looking for political advice:

> Serenus says: I do not really know what philosophy to attach myself to, I feel ill at
> ease with myself, I do not know if I am sufficiently or insufficiently Stoic, what I
> should or should not learn, etcetera. And all these questions are of exactly the
> same type as requests for help: Whom should I approach in court, should I apply
> for this post or others? (HS 115)

The care Seneca offers to him is mediated by the situation within which Serenus must take care of himself. Seneca's advice is directed at someone insofar as they want to take up political office.

The care of the self, then, starts from self-knowledge and an awareness of the self, proceeds according to one's sense of who one should be - with an attitude of concern for oneself - and concludes by producing another form of knowledge, not theoretical knowledge of what one is, but practical knowledge that spontaneously directs a form of life.

All three of these forms of knowledge imply relations with others. First, many accounts of the care of the self maintain that the presence of a master, or some other guiding figure, is a necessary criterion for starting to engage in the practice. In Plato's *Alcibiades*, it is only when Socrates talks to Alcibiades that the latter is led to look at himself and realise his inadequacies: 'The *gnōthi seauton* is called upon… to encourage Alcibiades to reflect a little more seriously on what he is, what he is capable of doing, and the formidable tasks awaiting him when he will have to govern the city.' (ibid., 52) Socrates then leads Alcibiades to see that transformation is necessary and shows him the form it needs to take, instructing Alcibiades on what the self is and how to take care of it: 'the dialogue's game… consists in leading Alcibiades to the precept "take care of yourself" and, by developing what this precept must be, what meaning it must be given, we discover that "taking care of oneself" is to care about justice.' (ibid., 72) This knowledge, however, is not simply learned. Rather, practices of the self are used to integrate this knowledge into our way of being and so bring about self-transformation.

This model, in which the master is needed to lead the individual to self-knowledge and the care of the self, is also made visible in the Stoic care of the self

through the figure of the *stultus*, the individual who has never cared for herself. For the *stultus*, 'there is a disconnection between the will and the self, a nonconnection, a nonbelonging characteristic of *stultitia*, which is its most manifest effect and deepest root.' (ibid., 133) In other words, the *stultus* not only *does not want* to care for herself, she is structurally incapable of doing so: 'the care of the self, consequently requires… the other's presence, insertion, and intervention.' (ibid., 134) For the Stoics, this intervention meant teaching the *stultus* a number of fundamental principles and rules of conduct: 'You must proceed in such a way that these principles tell you in each situation and, as it were, spontaneously, how to conduct oneself.' (EPF 286) Again, we see the idea that this knowledge must be integrated into one's way of being: it is not enough to *know* the principles, rather the principles must guide your behaviour. The first two forms of knowledge, then, imply relations with the master or the guide and oneself; the first form insofar as we are led to ask the question "who am I?", and the second insofar as we are led to ask the question: "who do I want to be and how to I become that person?"

The third form of knowledge, the self-knowledge generated by the care of the self, *produces* certain relations with others. As we saw above, it is supposed to help us avoid abusive relations: 'the risk of dominating others and exercising a tyrannical power over them arises precisely only when one has not taken care of the self and has become the slave of one's desires.' (ibid., 288) More positively, it allows us to engage in correct or "proper" relationships: 'He who takes care of himself to the point of knowing exactly what duties he has as a master of a household and as a husband and father will find that he enjoys a proper relationship with his wife and children.' (ibid., 289) However, while the care of the self implies relations with, and even care

for others, we should note that this is not primarily what makes it ethical. Foucault says:

> I don't think that we can say that the Greek who cares for himself must first care for others. To my mind, this view only came later. Care for others should not be put before the care of oneself. The care of the self is ethically prior in that the relationship with oneself is ontologically prior.[41] (ibid., 287)

While the care of the self encourages certain forms of relations with others, this was as part of the cultivation of an *ēthos*, a 'way of being or behaviour… a mode of being for the subject, along with a certain way of acting.' (ibid., 286)

The care of the self as a necessary condition of the practice of freedom

There seems to be good reason for taking the care of the self to be a necessary condition of the practice of freedom. First, taking the care of the self as the constitutive aim would explain the relationship between knowledge and the practice of freedom. Foucault talks about the role of knowledge for creating an ethics in his interview with Stephen Riggins: 'People have to build their own ethics, taking as a point of departure the historical analysis, sociological analysis, and so on that one can provide for them.' (Foucault 1997, 132) What we need, however, is a mechanism by which the theoretical knowledge produced by these analyses can be transformed into individualised modes of being. Even if these analyses were to highlight previously existing modes of being, for example, the Stoic form of life, Foucault rejects the possibility of simply taking them up: 'you can't find the solution of

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[41] This should not be taken as saying that there are no forms of care of the self where care for others takes ethical priority, but we must not make the mistake of thinking that care for others took priority for the Greeks.

a problem in the solution of another problem raised at another moment by other people.' (OGE 256) Given that they are historically located practices, we cannot simply take up Greco-Roman forms of life. Take the example of Alcibiades: Foucault's injunction to us cannot be to attempt to transform ourselves into young Greek aristocrats with a view to governing the city-state. Rather, practicing freedom, when inspired by historical models, requires a moment of reactivation. The possibilities made available to us through historical models and historical analyses must be taken up in such a way as to make them meaningful possibilities for us:

> The whole Greek experience can be taken up again in nearly the same way by taking into account each time the differences of context and by indicating the part of this experience that one can perhaps save and the part that one can on the contrary abandon. (RM 470)

This is what the care of the self allows us to do: to index theoretical principles or modes of being to ourselves and so instantiate them in our way of life.

Secondly, there does seem to be some alignment between the aims of the practice of freedom and the aims of the care of the self. Practices of freedom allow us to define 'admissible and acceptable forms of existence' and to control power relations. (EPF 283-284) The care of the self seems to share this goal. Caring for oneself means giving one's mode of being a certain form, one which makes possible certain relations with others, and these relations to self and others are characterised in ethical terms: for example, Socrates encourages the Athenians 'to care for themselves and their own virtue.' (HS 6)

This ethical aspect has two sides to it. Negatively, the care of the self seems to encourage individuals to avoid abusing their power over others:

> The risk of dominating others and exercising a tyrannical power over them arises
> precisely only when one has not taken care of the self and has become the slave
> of one's desires. But if you take proper care of yourself… you cannot abuse your
> power over others. (EPF 288)

The care of the self, then, seems *prima facie* capable of meeting the negative criterion of the practice of freedom, namely that they must aim to resist situations of domination. Positively, the care of the self aims allows for the production of modes of being that meet certain aesthetic and ethical criteria. As we saw above:

> A man possessed of a splendid *ēthos*, who could be admired and put forward as
> an example, was someone who practiced freedom in a certain way….
> [E]xtensive work by the self on the self is required for this practice of freedom to
> take shape in an *ēthos* that is good, beautiful, honourable, estimable,
> memorable, and exemplary. (EPF 286)

This, again, fits with the idea that practices of freedom allow us to define both forms of life and relations with others. Furthermore, it also accords with Foucault's suggestion that practices of freedom can involve creative attempts to give one's way of life more intensity or beauty:

> At every instant... [living should be problematised as] trying to give a colouration,
> a form and intensity to something that never says what it is. That's the art of
> living. (Foucault 1996: 317)

The care of the self can be deployed in a similar way:

> This kind of ethics was only a problem of personal choice…. The reason for
> making this choice was the will to live a beautiful life, and to leave to others
> memories of a beautiful existence. (OGE 254)

Or:

> Sexual austerity in Greek society was a trend or movement, a philosophical
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> movement coming from very cultivated people in order to give to their life much
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> more intensity, much more beauty. (OGE 261)

The care of the self, then, seems to be what allows the practitioner of freedom to use their knowledge and principles to instantiate an individualised mode of being, and so there is good reason to consider the care of the self to be a necessary condition of the practice of freedom. Problems arise, however, when we come to suggest that the care of the self might be the constitutive aim of the practice of freedom.

The care of the self as insufficient for the practice of freedom

Problems in taking the care of the self to be the constitutive aim of the practice of freedom can be seen in two cases: first, in the Greco-Roman form of care of the self, and second, in the general structure of the care of the self.

In the previous section of this chapter we introduced resistance to domination as a necessary criterion for the practice of freedom: practicing freedom requires that we aim to resist existing situations of domination and avoid the creation of new ones. We also noted that the care of the self seems to be directed towards the avoidance of abusive relations with others, and suggested that this may equate to the criterion of resistance to domination. However, this is not the case. While relations between men and women varied among the different Greek philosophical schools, the care of the self existed, if not happily, then without direct contradiction, alongside the

domination of women, children and slaves.[42] Foucault himself comments

unfavourably on this insofar as it plays out in Greek sexual ethics:

> The Greek ethics of pleasure is linked to a virile society, to dissymmetry,
>
> exclusion of the other, an obsession with penetration, and a kind of threat of
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> being dispossessed of your own energy, and so on. All that is quite disgusting!
>
> (OGE 258)

Precisely what duties the master of a household has and what the "proper"

relationship will consist in, then, will be determined by the principles that the

individual has internalised and the form of life they have instantiated. This suggests a

problem for the idea that the Greco-Roman care of the self can be a sufficient

condition for the practice of freedom. Depending on what form of life one is led to

instantiate, one's practice of care of the self could result in conformism as one simply

takes up the same form of life as everyone around them.[43] This could lead to a

failure to resist, or even to the maintenance of, states of domination that

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[42] There is a question as to whether this is an indication of a failure to resist domination or a failure to *aim* at resisting domination. In the former case, the individual is simply doing a bad job at practicing freedom, in the latter, they fail to practice freedom at all. It seems that there are instances of both within the Greco-Roman care of the self. For instance, Marcus Aurelius is known to have regularly resolved legal cases involving slaves in favour of the slaves, often leading to their release. In comparison, Foucault presents a number of examples of Greek advice to husbands which describe the husband's duty to *train* his wife correctly; for example, Xenophon's *Oeconomicus* argues that there is a need 'for the husband to establish relations with his wife that are for the purpose of training.' (UP 154) The existence of cases of both kinds seems to show that the Greco-Roman care of the self does not *inherently* aim at minimising domination.

[43] One could object that this indicates, not only a failure to practice freedom, but also a failure to care for the self. If the care of the self means instantiating a form of life which is indexed to oneself, then an individual who simply took up the same mode of life as his peers would be failing to care for themselves. However, this won't be enough to get around our objection. We can imagine an individual who instantiates a form of life which is suitably indexed to them (i.e., they are not simply imitating their peers), but the principles behind it still lead to them maintaining certain situations of domination. For example, Diogenes of Sinope may have taken care of himself, but the fact he owned slaves (Diogenes Larties 2018, 285) and his attitudes towards women suggest that he still was comfortable with some forms of domination: 'Seeing women who had been hanged from an olive tree, he said, "Would that all trees bore such fruit." ' (ibid., 284)

contemporary forms of life uncritically accept. In a worst-case scenario, one could aim to instantiate forms of life which would lead more instances of domination.

Is there a form of the care of the self sufficient for the practice of freedom?

The Greco-Roman instantiation of the care of the self cannot be the constitutive aim of the practice of freedom, as it does not inherently aim at resistance to domination. But is this reason enough to reject the possibility that some form of care of the self may provide a sufficient condition for the practice of freedom? After all, given that there are a variety of forms of the care of the self, can we not find a form which would allow us to limit the care of the self to forms of life which to not allow for domination?

Remember that, by our definition, the care of the self produces an individualised mode of being, in line with the principle that one must attend to oneself. Inherently, none of this demands that one avoid domination, although specific interpretations of "take care of yourself" may. We could, then, argue in favour of a form of the care of the self where, acting under the principle "take care of yourself," one will only aim to instantiate modes of being which resist domination. The problem, however, is justifying why we should take up *this* form of care of the self over some other which does not resist domination. If we justify this on the grounds that we want a form of care of the self that resists domination, then we are appealing to an external criterion (that the care of the self should resist domination) and therefore the care of the self is not a sufficient condition. Another possibility would be to argue that aiming at taking care of oneself gives us instrumental reason to resist domination and therefore gives us an *internal* criterion by which to prefer forms of the care of the self that resist domination. However, we have no reason to

believe this to be true. The care of the self does not seem to require us to be able to modify the power relations we find ourselves within. We said before that the care of the self can allow individuals practical knowledge of the duties they have and we can imagine a slave who takes care of himself and therefore comes to know his duties *as a slave*.[44] To specify that only certain *forms* of the care of the self resist domination, then, is to imply that the care of the self *alone* is not a sufficient condition for the practice of freedom.

Conclusion: the care of the self as a necessary, but not sufficient, condition

The care of the self, then, cannot be the constitutive aim of the practice of freedom. However, it does seem accurate to maintain that the care of the self is a *necessary* condition for the practice of freedom. The practice of freedom, as we have said before, allows for the definition and instantiation of certain forms of life and, hence, relations with oneself and others. These forms of life take as their starting point our relationship to knowledge. What we need, then, are practices by which we can use this knowledge to bring about transformations in our mode of being – and this is exactly what the care of the self does.

This role of care of the self, however, indicates to us a problem that cannot be addressed within the practice. If the care of the self is to be carried out in such a way as to resist domination then we must be able to identify and avoid instantiating forms of life which will bring about or fail to resist domination. This suggests the need for some sort of critical capacity, identifying forms of life that support domination and

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[44] In fact, there are famous examples of individuals who took care of themselves while enslaved, e.g., Diogenes in Corinth: 'when captured and put up for sale Diogenes was asked what he was good at. He replied, "Ruling over men," and said to the herald, "Spread the word in case anyone wants to buy him a master." ' (Diogenes Laertius 2018, 273)

seeing how domination can be undone. In fact, at the end of our section on resistance to domination, we noted the importance of a critical aspect to the philosophical life. In our final section, we will investigate this critical capacity and examine its relationship to the practice of freedom.

The Critical Ontology of Ourselves

As we saw above, the care of the self seems to require some kind of critical moment if it is to be able to instantiate principles in modes of being that will avoid or resist domination, but such a function seems to be external to the care of the self as we have defined it. Foucault, however, does describe such a function elsewhere in his work, specifically in the 1984 essay 'What is Enlightenment?' In this essay, he presents a critical activity which forms part of a 'philosophical life' involving 'a patient labour giving form to our impatience to liberty.' (WE 319) This activity, which he calls "the critical ontology of ourselves", could well be the constitutive aim of the practice of freedom.

What is the critical ontology of ourselves?

In 'What is Enlightenment?' Foucault introduces an activity which he refers to, variously, as a 'permanent critique of our historical being' (ibid., 312, translated modified), a 'permanent critique of ourselves' (ibid., 313) and the 'critical ontology of ourselves.' (ibid., 316) This critique takes as its starting point the claim that our mode of being, the way we relate to ourselves when we act, is historically contingent. Against humanistic accounts which begin with a conception of human nature, this critique attempts to discover '[i]n what is given to us as universal, necessary,

obligatory, what place is occupied by whatever is singular, contingent, and the product of arbitrary constraints.' (ibid., 315) The aim of making clear these contingencies is to highlight the possibility of change: 'it 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., 316) The critique, then, is not a matter of evaluating our personal habits or practices, or of discovering what we "truly" are. Rather, it is a historical ontology, 'a historical investigation into the events that have led us to constitute ourselves and to recognise ourselves as subjects of what we are doing, thinking, saying.' (ibid., 315) The critique starts from what we are *now*, our historically contingent mode of being, and asks what brought us here in order to see how we might be otherwise.

Foucault tells us that the critical ontology consists of two aspects. First, there is a historico-critical side, which takes the form of 'a series of historical inquiries that are as precise as possible,' oriented towards what Foucault calls 'the contemporary limits of the necessary,' those historical phenomena incorrectly considered necessary for the constitution of ourselves as free beings. (ibid., 313) These inquires help us to gain distance from the present in order to see that what currently appears as necessary is merely contingent. As Foucault puts it in *The Use of Pleasure*:

> [T]he object [is] to learn to what extent the effort to think one's own history can
> free thought from what it silently thinks, and so enable it to think differently. (UP
> 9)

Note, therefore, that the critique is neither normative nor purely descriptive: it is not aiming to pass judgement or to simply clarify what happened. Rather, the critical ontology aims to re-problematise these events and show that other possibilities could have played out: 'it is seeking to give new impetus, as far and wide as possible, to

the undefined work of freedom.' (WE 316)

Secondly, there is a practical and experimental side. Foucault writes that, 'if we are not to settle for the affirmation or the empty dream of freedom… this historico-critical attitude must also be an experimental one.' (ibid., 315) It is not enough for the critique to show the *possibility* of change; rather, it must also 'put itself to the test of reality, both to grasp the points where change is possible and desirable, and to determine the precise form this change must take.' (ibid., 316) An experimental approach is required because we cannot derive a program of action from the historico-critical inquiries. We cannot get a clear overall view of what our historical limits are, how they can be changed, and the results of changing them. As Foucault says:

> [W]e have to give up hope of ever acceding to a point of view that could give us access to any complete and definitive knowledge of what may constitute our historical limits. (ibid., 316)

It is not possible, then, to carry out a theoretical critique and use that to produce a complete program of action, as there is no perspective from which to determine everything that can be changed and all the ways it could be changed. Foucault also warns against trying to produce even a modest program of action: 'the idea of a program of proposals is dangerous. As soon as a program is presented, it becomes a law, and there's a prohibition against inventing.' (FWL 139) Given our limited perspective, attempts at transformation will sometimes go wrong, resulting in domination, and programs limit the experimentation and inventiveness needed to respond to these dangers. This does not, however, mean that transformation must take place without direction:

> Without a program does not mean blindness… being without a program can be very useful and very original and creative, if it does not mean without proper reflection about what is going on, or without very careful attention to what's possible. (SPPI 173)

The practical critique, then, must take place locally and experimentally, not through a global program.

The *permanent* critique of *ourselves*

Due to the experimental nature of the critique and the lack of a complete overview, the critique must be a permanent critique, as in always ongoing: 'we are always in the position of beginning again.' (WE 317) First, every transformation will create the possibility of a new transformation: previously hidden constraints will come into view, or new methods of transforming old constraints will be discovered. Secondly, the critique must be ongoing because there is always the possibility of domination, either through transformations which lead to negative outcomes, or, due to the appropriation of our modes of being by institutionalised power:

> We can always be sure… that everything that has been created or acquired, any ground that has been gained will, at a certain moment be used [as a means of social control]. (SPPI 167)

Finally, we should note the usage of the term "ourselves", [*nous-mêmes*] the first-person plural, rather than "oneself" [*soi-même*] or "the self". Although Foucault does not explicitly discuss the important of this move, it becomes apparent from his examples of desirable transformations. He says:

> I prefer the very specific transformations that have proved to be possible in the
> last twenty years in a certain number of areas which concern our ways of being
> and thinking, relations to authority, relations between the sexes, the way in which
> we perceive insanity or illness. (WE 316)

Transformations, such as relations between the sexes or to authority, cannot be purely individual: it cannot be enough for me to transform my being while those around me remain the same. As we noted in our earlier discussion of domination, my field of actions is shaped by the power relations I am within, and this field of actions both constitutes and is constituted by my subjectivity. These power relations, however, are enacted by the people around me. Changing my mode of being while those around me stay the same will, then, limit how far I can actually change, as my behaviour will still need to be able to fit into the "stable mechanisms" of power relations.[45] In other words, part of what constitutes my historical being is the constitution of the historical being of others. The practical transformations Foucault prefers require that we locate the contingencies - and hence the possibilities of change - not only in my mode of being, but also of those around me.

The critical ontology as a candidate for the constitutive aim

The critical ontology, then, seems to play an important role in the practice of freedom. Insofar as the practice of freedom is concerned with defining new modes of being and relationships with others, the critical activity involved in the critical

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[45] Take the example of trying to turn over a new leaf with someone you have previously clashed with before. If only you change your behaviour, and the other person continues to act with hostility, you will probably get nowhere: either you need to revert to form, they need to change with you, or you need to end the interaction. (This is not to say that such a relationship is impossible: for instance, think of the Christian injunction to turn the other cheek. However, the failure of the other person to change still limits the possible practices you can take up and the relationships you can have. E.g., I am forced to turn the other cheek because of the other person's behaviour towards me.)

ontology has a necessary role to play. Additionally, the critical ontology fills gaps which we indicated in our discussion of the care of the self. The practice of freedom needs a mechanism by which we can produce principles and models of practical identity which can be instantiated in acceptable forms of existence and relations with others. It also needs a way of critically evaluating those principles and models in order to avoid new situations of domination and to help resist existing ones. The critical ontology seems able to fill both of these roles and we seem justified in taking it to be a necessary condition of the practice of freedom.

The critical ontology of ourselves also looks like a promising candidate for the constitutive aim of the practice of freedom. While a purely theoretical account of critique would clearly not be a sufficient condition for the practice of freedom, the critical ontology also has its practical side which 'put[s] itself to the test of reality.' (ibid., 316) Additionally, claiming that even the theoretical side of the critical ontology only produces knowledge would be reductive, as it also aims at transforming our relation to knowledge and our limits by making the present appear strange to us.

Second, the critical ontology seems to meet our first necessary condition, resisting domination. As we noted, the local and ongoing nature of the critique is directed towards defusing the possibility of instantiating situations of domination which cannot be resisted. Furthermore, the critical ontology is directed towards, not only the constitution of oneself, but the constitution of others' selves, as transformation should be a collective and not merely an individual, task.

The critical ontology as insufficient for the practice of freedom

On closer inspection, however, there are problems with both of these claims. First, while there is a practical side to the critical ontology, what exactly this practical side

involves remains undeveloped. Foucault tells us that the critique must also be practical and then immediately moves to discussing the kinds of transformations that this experimentation must focus on: local and specific, rather than global and general. What he leaves out, however, is a discussion of the mechanism that would allow us to put the products of the theoretical side of the critique "to the test of reality". This seems to suggest that the critical ontology is insufficient and that there needs to be a mechanism for taking up and instantiating the products of the critical ontology. My suggestion is that the care of the self, as discussed in the previous section, is the practice which fills this role. As we saw, the care of the self allows us to instantiate principles as modes of being which are indexed to the individual. What this means, however, is that the critical ontology of ourselves is not a sufficient condition for the practice of freedom, and so cannot be the constitutive aim.

Second, even if we were to grant that the critical ontology inherently contains or implies some mechanism of carrying out these transformations, it is by no means clear that the critical ontology does actually necessitate resistance to domination. While the form of the critical ontology under discussion does aim at resisting domination, we need to note that we are faced with a similar problem to the one we saw with the care of the self: we are looking at a specific instantiation of the critical ontology, not a general one. In 'What is Enlightenment?', Foucault is not dispassionately describing a specific analytic technique; rather, he is describing an activity that forms a part of what he calls a 'philosophical life' or a 'philosophical attitude.' (WE 319) By an attitude, Foucault means:

> a mode of relating to contemporary reality, a voluntary choice made by certain people; in the end, a way of thinking and feeling; a way, too, of acting and behaving that at one and the same time marks a relation of belonging and

presents itself as a task. No doubt, a bit like what the Greeks called an *ethos*.

(ibid., 309)

The critical ontology, as Foucault describes it, is not standalone. Instead, it forms part of a philosophical attitude which already takes as its task to show how 'the growth of capacities [can] be disconnected from the intensification of power relations.' (ibid., 317, translation modified) This orientation explains why the critical ontology Foucault discusses resists domination.

The critical ontology itself, however, is merely a 'historico-practical test of the limits we may go beyond,' (WE 316) and what limits we should go beyond, how we should go about this, and what outcomes would be desirable, remain undetermined. This means we can imagine instances of the critical ontology which are not directed towards resisting domination. Imagine a criminologist who carries out a critical ontology of the criminal subject, but uses the information gained to reinforce this subjectivity. Against such approaches, the critical ontology arguably gives us reason to resist domination as situations of domination will limit the practical side of the critique: if we can no longer change our practices, we cannot put the critique to the test of reality. However, this assumes that critical ontologies *must* be ongoing. Once we move away from Foucault's form of the practical critique, however, this is no longer an obvious assumption: some critiques could have a definitive endpoint.

We can derive such an example from one of Foucault's definitions of domination: 'I would consider domination to be any kind of power relation which, regarding its goals and values, can be judged from a rational point of view as efficient.' (Foucault 1996, 417) Here Foucault suggests that power relations which, in their exercise, subordinate all other values to efficiency should be considered to be

dominatory.[46] Imagine a deployment of the critical ontology of ourselves which seeks

to change the constitution of ourselves in the direction of maximal efficiency in

certain tasks. Now, it may be argued that such a critique has reason to resist

domination regardless, as domination would block the critical ontology at a certain

point. However, for such a critique this is a feature, not a bug: this critique does not

aim to be permanent. Instead, it aims at a specific endpoint, *maximal efficiency*, and

maximal efficiency may well require the removal of the activity of critical reflection.[47]

Given these considerations, then, the critical ontology of ourselves is a

necessary condition for the practice of freedom, but not a sufficient one.

Conclusion

Over the course of this chapter, then, we have identified three necessary conditions

for the practice of freedom: resistance to domination, the care of the self and the

critical ontology of ourselves. While each criterion is necessary, we can see that,

individually, they are insufficient. Resistance to domination on its own is without

content or motivation. The care of the self can lead to the uncritical instantiation of

modes of life and hence to rank conformism. The critical ontology lacks a

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[46] This seems to be a different definition of domination from the one we discussed earlier, but we can see continuities between the two. For instance, a relationship which is maximally efficient cannot be modified by the participants, as any modification will make the exercise of power less efficient. This results in the freezing of the power relation by whichever group or institution is enforcing the importance of efficiency.

[47] A science fiction example of this is provided by Nick Bostrom's work on artificial intelligence. Bostrom asks us to imagine a potential future where mass-produced artificial intelligences make up the vast majority, or all, of the population. These AIs, however, have been produced purely for efficiency in their assigned tasks and so are not conscious or recognisably human. Rather, they take the form of distinct mental modules collected together in the most efficient arrays: 'The bouillon cubes of discrete human-like intellects thus melt into an algorithmic soup.' (Bostrom 2014, 211) Such AIs would have no need for, or even the capabilities to carry out, the activities that, for Foucault, make life worth living: 'to create, with oneself and others, individualities, beings, relations, unnameable qualities.' (Foucault 1996, 317) As Bostrom puts it, 'It would be a society of economic miracles and technological awesomeness, with nobody there to benefit. A Disneyland without children.' (Bostrom 2014, 212) We could imagine a similar, albeit (probably) less extreme, approach being taken to the constitution of human beings.

mechanism for enacting the insights it generates, and could therefore lead to a form of despair, where one can identify the possibility of change while being unable to enact it. Alternatively, it can be turned to nefarious ends.

There is, however, an alternative approach to the problem which has been hinted at above. In our discussion of the necessary conditions, we have suggested that the aims might be able to play a role in covering over their individual shortcomings. This suggests the possibility of taking all three aims together as forming one jointly sufficient constitutive aim. In the next chapter, we will investigate this possible solution.

Chapter 4: The Creation of Cultural Forms

Introduction

In the previous chapter, we looked at three possible candidates for the constitutive aim of the practice of freedom: resistance to domination, the care of the self, and the critical ontology of ourselves. Ultimately, however, we concluded that none of them could be sufficient conditions. However, we also argued that there is good reason to think these aims are necessary conditions for the practice of freedom and, further, suggested the possibility that these conditions could, jointly, form the constitutive aim. In this chapter, we will investigate the possibility that the constitutive aim of the practice of freedom comprises the three necessary aims taken together. We will first argue that, jointly, these necessary aims can meet the objections they face individually. Next, with the constitutive aim in view, we will discuss what it means to engage in the practice of freedom. We will argue that engaging in the practice of freedom means holding all three constitutive aims and, further, that we can distinguish between different gradations of freedom by looking at success in achieving the constitutive aims. Finally, we will investigate the possibility that successfully achieving all three aims together can lead to a result that is more than the sum of its parts: the creation of new cultural forms.

The constitutive aim of the practice of freedom

Summarising our necessary, but not sufficient, aims

In the previous chapter, we identified three necessary conditions for the practice of freedom. The first was that practices of freedom must resist, or at least avoid, domination. Foucault claims that resistance to domination is a matter, at least in part,

of the practice of freedom; for instance: 'I believe this problem [of abuses of power] must be framed in terms of rules of law, rational techniques of government and *ēthos*, practices of the self and of freedom.' (EPF 299) However, resistance to domination alone cannot be sufficient for an activity to count as a practice of freedom. First, practices of freedom aim at transformations in our mode of being, while practices of resistance do not necessarily do this. For instance, Foucault gives suicide as a possible example of resistance (EPF 292), but not all cases of suicide count as practices of freedom, even when they are used to escape a situation of domination.[48] Second, aiming to avoid domination does not necessarily commit us to attempting to determine in what way we are being dominated and what methods or approaches would allow us to escape it. On its own, then, resistance to domination is non-transformative and unreflective.

The second condition is "the care of the self". This activity comprises both a principle of taking oneself as a worthy object of concern and a set of practices which allow us to carry out transformations in our mode of being in line with this principle. Alone, however, the care of the self is insufficient for the practice of freedom. First, there is no reason that our self-transformation should be in the direction of greater freedom. One could aim to transform oneself in line with one's understanding of oneself as a slave or, for that matter, a slave-owner. Second, aiming at self-

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[48] Arguably the destruction of oneself *is* a transformation in one's mode of being, but this doesn't seem enough - at least on its own - to count as a practice of freedom. Certainly Foucault does not consider all suicides to be positive; in one interview, entitled 'The Simplest of Pleasures,' he sardonically remarks: 'Suicide must not be left to unhappy people who might bungle it or make a mess of it.' (Foucault 1996, 296) Presumably, such individuals would at least fail to meet the necessary condition of aiming at the critical ontology of ourselves. However, this interview does also raise the possibility of suicide being a practice of freedom:

> We should consider ourselves lucky to have at hand (with suicide) an extremely unique experience: it's the one which above all the rest deserves the greatest attention… so that you can make of it a fathomless pleasure whose patient and relentless preparation will enlighten all of your life. (ibid., 296)

transformation does not imply that one reflects on one's apparent knowledge. One could be completely deluded about the way in which one takes oneself as an object of concern, what would count as a desirable mode of being, or the transformations that would be necessary for such a mode of being, and have no way of determining this.

Finally, the third necessary aim is an activity that Foucault calls the "critical ontology of ourselves" or "the permanent critique of or historical being". This activity consists of a series of inquiries through which we problematise our current mode of being, asking what in it is necessary and what contingent, and identifying where change is both possible and desirable. These inquiries are intended to give impetus and direction to attempts at self-transformation, which thereby provide a practical and experimental critique which allows us to see again where change is possible, the form this change can take, and the results of this change. However, this alone also cannot be sufficient for the practice of freedom. As with the care of the self, it is not necessary for these inquiries to be directed towards freedom; we can imagine inquiries directed towards creating, or further entrenching, situations of domination. Additionally, the critical ontology alone does not contain a mechanism for carrying out the transformations it is meant to inform. We can imagine situations in which we can successfully determine where transformations might be desirable and possible, but lack the capacity to enact them.

Combining the necessary aims

We have established that these conditions are individually insufficient, but they seem to function better together. We can illustrate this by first taking the conditions as pairs. Take resistance to domination and the care of the self together: acts of

resistance to domination now have the transformative quality we attributed to practices of freedom, while care of the self is directed against domination. However, the absence of the critical ontology means that the resisting actions and self-transformations will be unreflective and directionless, as there is no attempt to identify whether the transformations we engage in are actually in the direction of freedom or whether they are genuine transformations in one's mode of being.

For the pair of resistance to domination and the critical ontology, the agent will be engaging in inquiries into one's mode of being which are directed against domination. Additionally, their resistance will be informed by these inquiries and therefore feature attempts to determine what the domination is and how it can be effectively resisted. However, there will still be no attempt at producing the transformations in one's mode of being characteristic of the practice of freedom.

Finally, we have the care of the self and the critical ontology. In this case, our attempts at self-transformation feature the kinds of interrogation of one's self-relation and mode of being that could make sure these transformations are truly guided by the principle of taking oneself as an object of care. Additionally, the critical ontology is being actualised, rather than remaining impotent. However, as before, there is no intrinsic reason why these transformations should be directed against domination, and so these aims together are insufficient.

From the above, we can already see how our necessary aims function better together, even just as pairs. The final step is to take all three aims together. In this case, all the earlier objections are accounted for: the practices are directed against domination, they aim at the requisite transformations in one's mode of being and they involve inquiries into our historical mode of being which allow us to determine where changes are both possible and desirable. However, there seem to be further

positive features of the practice of freedom which we have not yet discussed, but which we must account for. The next question, then, is whether these three aims are sufficient to account for these further aspects.

Practices of freedom as collective and creative

The practice of freedom seems to have other positive features which are not clearly accounted for by the criteria we have given. In this section, we will discuss two of them – the collective nature of practices of freedom and the creativity involved in creating one's mode of being as a work of art – and attempt to show that our approach takes them into account.

First, practices of freedom do not seem to be solely individual. Rather, they involve the creation or modification of modes of being in concert with others, that can be shared with others, and that imply varied relations with those others. As we saw in the first chapter, this assertion runs contrary to commentators such as McNay, and so requires some justification.

A first reason to think of the practice of freedom as not purely solitary is the activity involved in caring for oneself. The care of the self is often characterised as individualistic; as Foucault himself said about the Greco-Roman form: 'care for others should not be put before the care of oneself. The care of the self is ethically prior in that the relationship with oneself is ontologically prior.' (EPF 287) McNay argues that Foucault's ethics are similarly individualistic:

> The importance that Foucault accords to the paradigm of struggle excludes alternative understanding of social relations as structured along the lines of normatively generated agreement or according to ties of solidarity, affection or tradition. The idea of ethics of the self remains within this agonistic framework

> prioritising the relation with the self over any form of intersubjective relation.
>
> (McNay 1994, 152)

While it may be the case that the relation with the self is prioritised, even in the Greco-Roman form the care of the self did not exclude caring relations with others. In the previous chapter, we briefly discussed the figure of the "master", the guide needed to bring one to take care of oneself in the first place. Contra McNay, the relation between the master and the learner was not one of struggle, but precisely one of affection. For instance, in a letter to his tutor Fronto, Marcus Aurelius concludes his summary of his day as follows:

> After coming back, before I turn over and snore, I get my task done and give my
> *dearest of masters* an account of the day's doings and *if I could miss him more*, I
> would not grudge wasting away a little more (Marcus Cornelius Fronto 1982,
> 183; cited in Foucault 1997, 220. Italics mine) [49]

Far from struggle or agonism, we see instead relations of care, even love.[50] Even the Greco-Roman care of the self, then, was not a purely solitary activity.

Moving beyond the care of the self, there are a number of reasons to see the practice of freedom as a non-solitary activity. As we have seen before, practices of freedom not only create forms of existence, they also define 'forms… of political society.' (EPF 283) Such forms, by definition, cannot be the province of the solitary individual; while we can independently theorise about the forms a political society can take, actually bringing any such society into existence will require interacting with others.

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[49] The point is made even more clearly in an earlier section of the same letter: Marcus Aurelius recounts a conversation with his mother in which they jokingly dispute 'which of us two [Aurelius and his mother] loved the one or other of you two [Fronto and Aurelius' sister] the better.' (op cit., 220)

[50] Similar sentiments can be seen elsewhere, such as in Foucault's discussion of the *First Alcibiades*, where Socrates proclaims himself to be Alcibiades' only true lover. See *The Hermeneutics of the Subject*.

Even if we look solely at the role of practices of freedom in the definition of forms of existence or modes of life, it is still not the case that this activity of definition should be taken to be a solitary activity. In one discussion of modes of life, Foucault suggests that the definition of forms of existence might require:

> The introduction of a diversification different from the ones due to social class, differences in profession and culture, a diversification that would also be a form of relationship and would be the "mode of life." (FWL 137, translation modified)

By "diversification", Foucault means the way in which individuals are differentiated from one another into categories they share with others. For instance, we can differentiate individuals on the basis of their social class. A mode of life, then, is not only an individual's relation to themselves, it is also a way in which sets of individuals are distinguished from others. These modes of life 'can be shared among individuals of different age, status, and social activity,' allowing for transformations of the social fabric which were not previously possible. (ibid., 137) Foucault illustrates this with the example of the "gay lifestyle".[51] Taking "being gay" as a way of life means creating a new diversification that cuts across class and social strata (given that gay people do not necessarily come from specific classes, professions and so on):

> Homosexuality is a historic occasion to reopen affective and relational virtualities, not so much through the intrinsic qualities of the homosexual but because the "slantwise" position of the latter, as it were, the diagonal lines he can lay out in the social fabric allow these virtualities to come to life. (ibid., 138)

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[51] This usage of "gay lifestyle" should be distinguished from "being gay" in a way roughly analogous to the distinction between "the LGBT community" and "LGBT people". In both cases, the former is not merely a descriptive label of one's sexual orientation: it also indicates a certain relationship to one's orientation.

The practice of freedom, then, is not always or solely about individual self-transformation: it also aims at producing or instantiating these diversifications, modes of life that are created and shared with others. The first question, then, is whether our necessary conditions can jointly account for this idea of the practice of freedom as a non-solitary activity.

The constitutive aim involves collective activity

We have already shown that the care of the self can require some cooperation with others through the figure of the master, the person needed to bring one to care for oneself in the first place. However, this does not go far enough. We might grant that relations with others are required to begin taking care of the self, while still maintaining that the activity could be solitary going forth. Here, then, we should turn to our other two criteria. First, the critical ontology has a role to play in the practice of freedom. To begin taking care of oneself, the question of the self needs to become visible as a problem for us: we need to be able to recognise that our subjectivity has a certain form and that it could be different. However, the critical ontology is an ontology of *ourselves*, not of oneself. Integral to the attempt to understand one's mode of being is the recognition that we share much of our mode of being with others. Together with the care of the self, the critical ontology leads us to see that transformations in our mode of being can lead to transformations in the mode of being of others, and vice-versa. As Foucault puts it

> Gay culture will be not only a choice of homosexuals for homosexuals – it would create relations that are, at certain points, transferable to heterosexuals (STSW 160)

The care of the self, then, if reflectively engaged in, must pay attention both to its effects on others and the effects the self-transformation of others can have on it.

However, a commitment to taking care of oneself and reflecting on the relations between our mode of being and those of others does not necessarily commit us to working together with others; on the contrary, I could be committed to working against them. The care of the self would be social, then, but not necessarily cooperative. For example, I may attempt to constitute myself as an employer who intimidates his employees in order to make them more productive. Here, then, we make reference to the aim of resistance to domination. Recognising that domination refers to a situation in which power relations are frozen, resisting at least some such situations will require collective action, self-transformation in concert with others. Similarly, aiming to avoid bring about situations of domination requires recognising the effects of our care of the self on others, and vice-versa. Practices of freedom, then, require at least a pre-reflective awareness of our relations with others and the ways in which our individual self-transformations will affect these others; in some cases, they will also involve collective action.

Creativity in practices of freedom

The second feature of practices of freedom to account for is the wealth of creativity some of them manifest, which is not present in our definition. We noted above the idea of practices of freedom as instantiating ways of life, which involves a certain inventiveness: the means-end rationality that will allow us to achieve the three aims. If we are to reflectively engage in self-transformation, such that we resist or avoid domination, we will need some creativity to identity the possible transformations and put them into practice. However, the practice of freedom seems to go beyond this.

An example of this appeared in the chapter 3, in the Greco-Roman care of the self, when we distinguished between the care of the self insofar as it allows us to avoid abusive relations with others, and the care of the self insofar as it allows us to cultivate an ethos which is beautiful, exemplary and memorable. Foucault suggests a similar direction for the contemporary practice of freedom:

> What strikes me is the fact that, in our society, art has become something that is related only to objects and not to individuals or to life… But couldn't everyone's life become a work of art? Why should the lamp or the house be an art object but not our life? (OGE 261)

Foucault is suggesting that not only can the practice of freedom allow us to create new modes of life, but these modes of life can also be beautiful, can even be works of art. This idea gets its most poetic expression in an interview with the director Werner Schroeter:

> The art of living is… to create, with oneself and others, individualities, beings, relations, unnameable qualities. If one fails to do that in one's life it isn't worth living. I don't distinguish between people who make of their existence a work and those who make a work during their existence. An existence can be a perfect and a sublime work. (Foucault 1996, 317)

The question, then, is whether our account can account for this kind of creativity involved in the practice of freedom.

We can make some progress towards answering this through reference to the aim of resisting domination. On occasion, Foucault suggests that novel or especially intense modes of being or relations to others serve as a way of resisting domination. For instance, he says:

> We live in a relational world that institutions have considerably impoverished.
> Society and the institutions which frame it have limited the possibility of
> relationships because a rich relational world would be very complex to manage.
> We should fight against the impoverishment of the relational fabric. (STSW 158)

In other words, given that an enriched relational world would be more difficult to manage, engaging in the kind of creation of artistic and intense modes of being we mentioned above could be a way of resisting domination. Tying this creativity to resistance to domination alone, however, fails to accurately portray Foucault's position, as at times he justifies this creative activity with no reference to domination. For instance, he elsewhere says that:

> The relations we have to have to ourselves are not ones of identity, rather, they
> must be relationships of differentiation, of creation, of innovation. To be the same
> is really boring. (SPPI 166)

While he does elsewhere express worries that taking identity to be paramount might lead to an 'ethics very close to the old heterosexual virility,' (SPPI 166) at the end the justification is aesthetic: "To be the same is really boring."

Non-constitutive aims of the practice of freedom

It is possible that we cannot definitively account for this kind of creativity within our account. There may well be forms of concern for oneself or the critical ontology which take a commitment to this kind of artistic activity as an aim, but it does not seem to be the case that they necessarily demand it. However, this is not necessarily a problem for us. Returning to Katsafanas, it is not the case that constitutive aims are the *only* aims that can be present in an activity. It is perfectly

possible for there to be other, non-constitutive, aims generating their own standards of success. For instance:

> Suppose [a chess player] has the aim not only of checkmating her opponent but also of enjoying her game. Then we have two standards of success: we can evaluate a particular move with regard to whether the move brings her closer to checkmate, and whether it makes the game enjoyable. These aims can interact with and modify one another: if move A would promote checkmate yet would be boring, while move B would be fascinating yet somewhat more risky, then the player might have reason to make move B. (Katsafanas 2013, 39)

Part of the role of the constitutive aim is to act as a regulative criterion for the non-constitutive aims: if pursuing these aims is blocking off the constitutive aim, then the constitutive aim provides reasons to reject or suspend these aims if we want to continue in this activity. If the chess player were to follow her aim of enjoyment far enough, for instance, by pursuing exciting and dramatic defeats with the result that she never achieved checkmate, she would no longer be playing chess; if she wanted to play chess, she would have to suspend or modify her aim of enjoyment.

My suggestion is that the same might be true of this commitment to avoiding boredom or to artistic creativity: it is a non-constitutive aim that can be overruled by the constitutive aim. This seems to fit with Foucault's own work. For instance, the interview 'Friendship as a Way of Life' ends with the following passage:

> We must make the intelligible appear against a background of emptiness and deny its necessity. We must think that what exists is far from filling all possible spaces. To make a truly unavoidable challenge of the question: What can be played? (FWL 140)

Although Foucault seems to suggest that we should explore all the possible games of power, this cannot be the case as, presumably, some of these possible games

and possible spaces would involve situations of domination. I take it for granted that Foucault does not intend for us to experiment with domination and abusive power. Here, then, the necessary aim of resistance to domination acts to regulate the aim of exploring new relations with others. In the case where the new relations are at risk of being abusive, the constitutive aim blocks the individual from continuing in that experimentation. Our account, then, can account for some creativity and make room for the rest: the practice of freedom requires some creative activity – the creation of modes of being – and allows for further artistic creation as long as it does not imperil the practice of freedom.

What does it mean to hold the constitutive aim of the practice of freedom?

In the previous section, we established that the constitutive aim of the practice of freedom is comprised of the three necessary conditions of the practice of freedom. Given this, what does it mean to engage in the practice of freedom? The answer is deceptively simple, as it appears we just need to return to our definition of constitutivism. Remember that, as we saw in chapter 2, an individual counts as engaging in an activity iff. they hold the constitutive aim: in other words, holding the constitutive aim is a necessary and sufficient condition for engaging in an activity. Take the example of chess: to count as playing chess, one must be holding the constitutive aim of chess, achieving checkmate. It is not necessary that you achieve the aim, or even have significant success in approaching it: it is sufficient that you pre-reflectively hold it. The same is true for the practice of freedom: to count as practicing freedom, it is sufficient that you hold the constitutive aims of the practice of

freedom. Again, you do not need to achieve the aim, merely to hold it.

However, further questions can be raised about the way in which you hold the aim. First, we should note that "holding" cannot mean something like "entertaining". When you hold the constitutive aim of chess, you are not entertaining the idea of checkmating your opponent: you are instead already acting under the idea of checkmating them.

Next, we have seen that our constitutive aim comprises three necessary aims: do all three aims need to be held simultaneously? Or is it enough that they be held consecutively? For instance, can I critically reflect on my mode of being, then carry out a self-transformation, then engage in an act of resistance, and thereby count as practicing freedom? The answer seems to be no. First, Foucault seems to implicitly raise and reject this possibility in EPF. There, Foucault draws a distinction between practices of liberation and practices of freedom. Practices of liberation seem to be activities which solely aim to resist domination, as they are distinguished from practices of freedom on the basis that they lack the self-transformative activity and creativity that characterises the latter: '[processes of liberation] have their place, but they do not seem to me to be capable by themselves of defining all the practical forms of freedom.' (EPF 283) While Foucault notes that practices of liberation are sometimes necessary for the possibility of practicing freedom, saying that 'liberation is sometimes the political or historical condition for a practice of freedom,' (ibid., 283) if the claim that the aims could be held consecutively was correct, we would expect him to see practices of liberation (as aiming at resisting domination) as *part* of the practice of freedom, not prior to and separate from them.

Second, allowing the aims to be held separately would seem to reintroduce the objections to taking the necessary aims as individually sufficient for the practice

of freedom. For instance, if the aim of resisting domination is not held in parallel with the other aims, it is again unclear why either the care of the self or the critical ontology should be directed against domination. The same is true for the other two necessary aims. It seems, then, that all three aims must be held simultaneously for an activity to count as the practice of freedom.

This claim, however, seems to risk heavily restricting the set of practices of freedom, as they would need to be practices in which we simultaneously 1) aim at resisting domination, 2) aim at taking care of ourselves, and 3) aim at engaging in the critical ontology of ourselves. However, this worry misunderstands what it means to hold the constitutive aim. Remember that, in chapter 2, we argued that holding an aim does necessarily require that we reflectively or consciously hold the aim. Rather, to hold the aim means merely that we hold the aim pre-reflectively, that is, that we are already operating in light of the aim and in such a way that we could become conscious of holding this aim. As a result, although the set of activities in which we could come to see ourselves as operating in light of all three aims will be a somewhat limited subset of what we could do, it will not be restricted in the way it would be if we needed to be conscious of holding all three aims.

The relationship between ontological freedom and the practice of freedom

As we noted in our discussion of criteria of a successful account of the practice of freedom in chapter 2, we should be able to see a clear connection between freedom as an ontological condition, and the practice of freedom. Having identified the constitutive aims of the practice of freedom and in what sense these aims must be held, we are now able to account for this connection. First, note that being within

relations of power, and not within relations of violence, is a necessary condition of the practice of freedom. In relations of violence, where the individual is forced into taking one course of action, there is no possibility of operating with the constitutive aim, as the individual is not acting in accordance with their own aims. In power relations, by contrast, the individual has the possibility of taking one of several courses of action and so the individual has the possibility of acting in light of the constitutive aims of the practice of freedom.

From this, we can also see that ontological freedom and the practice of freedom are closely connected. Ontological freedom consists of experiencing oneself as faced with a field of possible actions; the practice of freedom means taking up some of these possibilities while holding the constitutive aims.

Finally, and somewhat unexpectedly, there is the possibility that ontological freedom enforces a boundary on the set of possible practices of freedom. Given that ontological freedom is a necessary condition for the practice of freedom, if we are committed to practicing freedom then we are necessarily also committed to avoiding practices of freedom that might remove ontological freedom. In other words, we have reason not to engage in practices of freedom which involve bringing about relations of violence, either violence inflicted on ourselves or on others. Given that practices of freedom are intended to be permanently ongoing, it could even be argued that practices which aim at creating relations of violence, i.e., which aim at blocking the practice of freedom, are not practices of freedom at all.

Success in the practice of freedom

We have identified what it means to engage in the practice of freedom, namely, to pre-reflectively hold the three necessary aims simultaneously; in other words, to be

already acting in light of them. However, this is not the end of the matter. We can distinguish between two questions regarding the practice of freedom: first, what it means to practice freedom *at all*; second, what it means to practice freedom *successfully*. We can draw this out more clearly by analogy with the example of chess. To play chess means to hold the constitutive aim of chess; to play chess *successfully* means achieving the constitutive aim, i.e., checkmating your opponent.[52] Remember that constitutive aims not only provide a regulative criterion for an activity, they also provide a *standard of success*. Therefore, from the structure of the constitutivist account, it follows that there are at least two states of success in any activity that has a constitutive aim: success and failure.

As we suggested in chapter 2, our account of freedom must allow us to distinguish between individuals on the basis of their practice of freedom. More importantly, we need to be able to distinguish, not simply between unfree and free individuals, but between gradations of freedom. As we noted in chapter two, Foucault suggests that practices of freedom can be open, or in situations, either "restricted" or non-existent. (EPF 283) Cases in which practices of freedom are non-existent are cases in which individuals cannot hold the three constitutive aims; cases in which they are restricted are one in which individuals can practice freedom with limited success. The structure of our constitutivist account has taken us part of the way towards this, in that it allows us to distinguish between successful and unsuccessful practices of freedom on the basis of whether the individual achieves the constitutive aim. This gives us gradations within the practice of freedom: not only

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[52] As chess is a competitive activity, there is an odd disconnect in that playing chess "successfully" is not necessarily the same thing as playing "well". If your opponent is bad enough, you can play poor chess while still being successful. If we restrict ourselves to looking at the one player's performance, however, the distinction becomes clearer: holding everything else the same, you played better chess if you won than if you lost.

can we distinguish between practitioners of freedom and individuals who are not practicing freedom at all, we can also distinguish between individuals who meet with success in their practice of freedom and those who hold all the aims but meet with failure. Additionally, an interesting feature of our account takes us even further than this: given that our constitutive aim is composed of three necessary aims, we have three standards of success for individuals practicing freedom.

A composite aim gives multiple standards of success

We can illustrate how having multiple parts to a constitutive aim can give us more standards of success by complicating our chess example. We previously have suggested that we could give a more exhaustive constitutive aim for chess; something like: "aiming to checkmate your opponent, and, failing that, to bring about stalemate." This could be broken down into two aims: "to checkmate your opponent" and "if checkmate becomes impossible, to stalemate your opponent." As both aims provide standards of success, we can now generate the following distinct states of success or failure in chess:

		Stalemate	
		Success	Failure
Checkmate	Success	Success, N/A[53]	Success, N/A
	Failure	Failure, Success	Failure, Failure

[53] Note that, as the stalemate aim is conditional on checkmate becoming impossible, it becomes irrelevant in cases where checkmate is achieved.

This gives us further gradations for evaluating chess play: assuming the opponent remains the same, a player who successfully checkmates played better than one who achieves stalemate, who played better than a player who failed to achieve either. The case is similar for the practice of freedom, but instead of two axes we have three, and hence 8 different states:

Resistance to Domination (RD)	Care of the Self (CS)	Critical Ontology of Ourselves (COO)	Successful aims
F	F	F	None
F	F	S	COO
F	S	F	CS
F	S	S	CS, COO
S	F	F	RD
S	F	S	RD, COO
S	S	F	RD, CS
S	S	S	RD, CS, COO

We could categorise these states under four different heading:

1) Complete practices of freedom: {RD, CS, COO}

2) Uncritical practices of freedom: None, {RD}, {CS}, {RD, CS}

3) Unresistant practices of freedom: None, {CS}. {COO}, {CS, COO}

4) Non-transformative practices of freedom: None, {RD}, {COO}, {RD, COO}

We should bear in mind that these incomplete practices of freedom are different from the cases we described earlier in the chapter, where an individual only hold one or

two of the necessary aims. In those cases the individual failed to practice freedom at all, while in these cases the individual holds all three aims, but does not successfully achieve all of them.

While this table shows us a range of gradations of success in practicing freedom, this is still not enough for our purposes. First, we have no real way of distinguishing between these gradations. While a complete practice of freedom ({RD, CS, COO}) will be freer than any of the others, there is no way we can in principle distinguish between {CS, COO} and {RD, COO}. Second, while this shows a wide variety of gradations in what we could call "incomplete" practices of freedom, Foucault's work seems to suggest that there can be gradations within complete practices of freedom. For instance, in the introduction to the *Use of Pleasure*, he says the following in a discussion of his own philosophical activity:

> Did [my efforts] actually result in a different way of thinking? Perhaps at most they made it possible to go back through what I was already thinking, to think it differently, and to see what I had done from a new vantage point and in a clearer light. Sure of having travelled far, one finds that one is looking down on oneself from above. The journey rejuvenates things, and ages the relationship with oneself. (UP 11)

The activity described here looks to be a practice of freedom. However, note that Foucault questions the scope of this transformation. In response to his own question, he begins with "perhaps at most…". The implication here is that a greater transformation would have been possible, even though he had some success.[54] Even within complete practices of freedom, then, there are still gradations of

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[54] As Foucault puts it himself, his aim writing the book was 'to learn to what extent the effort to think one's own history can free thought from what it silently thinks, and so enable it to think differently.' (UP 8) Presumably, making more progress towards this aim would have made his activity more successful.

freedom. This suggests that we next need to determine what a completely successful practice of freedom is and, further, what the gradations within this category look like.

Gradations of success and failure in practicing freedom

What do we mean by gradations or degrees of success and failure? Remember that a constitutive aim provides a standard of success for an activity. Now, for some activities, it is possible to determine not only *whether* or not you succeeded in an activity, but how close you came to success or how well you succeeded. For instance, take chess. Imagine that Alice and Bob play chess against the same person. Alice plays a long, drawn-out game in which she takes a number of her opponent's pieces, puts her opponent in check several times, but eventually loses; Bob, by contrast, loses 4 moves in to "Scholar's Mate." While both players failed to achieve the constitutive aim, Alice came closer to achieving the constitutive aim than Bob.[55] By contrast, if your aim was to turn off a light switch, it doesn't seem to matter how close you came to success: either you succeeded or you failed.[56] The question, then, is what kind of aims our three axes are: do they have gradations on both sides? Neither? Only on one? In this section, we will look at the three axes and argue that they should be conceptualised as having both degrees of success and degrees of failure, examining both separately.

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[55] Note that the relevant factor is *not* the length of the game: you could play an incredibly long yet terrible game of chess. What matters is that Alice came closer to winning the game: she came close to winning at times, while Bob lost to an easily blocked opening.

[56] Note that I specified turning off the *switch*: if the example were turning off a *light*, there are different degrees of failure, given that I could turn off the light switch but have the light fail to go out due to faulty wiring, me hitting the wrong switch, and so on. The switch example is - of course - also simplified: what if the switch was broken and would not switch the whole way off?

Gradations in resistance to domination

First, take resistance to domination. Presumably if there are degrees of failure, they will be found in actions which aim to avoid or displace situations of domination but fail to do so; gradations, then, will be in terms of how close an action comes to meeting this aim. There do, therefore, seem to be degrees of failure. For instance, an industrial strike which just falls short of changing a situation of domination is more successful than one which is crushed immediately.[57] However, as this axis is concerned solely with resistance to domination, we have the counter-intuitive consequence that a comparatively small-scale action which comes closer to success would be ranked as a better practice of freedom than a large scale one that met with abject failure.[58]

Additionally, beyond failing to disrupt situations of domination, there seems to be a further category of failure, namely attempts at resisting domination which either create new situations of domination, or further entrench existing ones. For instance, imagine a revolution which brings a totalitarian party or dictator into power.

On the side of success, we could distinguish between actions based on how far they disrupt the previously existing structure of domination. Acts of resistance which only disrupted the structure of domination in a minor way would be towards the lower end, while actions which complete dismantled the situation of domination would be towards the higher end.

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[57] Note that we are not arguing that *mutatis mutandis*, a long strike is more successful than a shorter one. Like in the chess example, an act aiming at resistance could be very long lived without coming anywhere near to being successful.

[58] At least by the standards of this axis. It is possible that they would rank differently on the other two axes.

Gradations in the care of the self

Second, the care of the self. On the side of failure, we first have attempts at self-transformation that fail to lead to a transformation in line with the principle of caring for oneself. This category seems like it can be divided into two subcategories. First, there are attempts at self-transformation which fail to bring about either any transformation at all or any *meaningful* transformation. For an example of the latter, imagine that, in an attempt to change your self-relation, you changed your wardrobe from mostly dark colours to mostly pastel colours. While this could arguably be an attempt at self-transformation, it does not seem to involve a meaningful transformation in your mode of being.[59] Second, there are attempts at self-transformation which unintentionally bring about transformations opposed to the principle of caring for oneself. For instance, maybe you accidentally constitute yourself as a less empathetic person. My suggestion is that, as these transformations take you in the opposite direction from the driving principle of the practice of freedom, such transformations should be seen as worse failures than failing to transform oneself at all.

On the side of success, we have already seen the possibility of degrees of success in our discussion of the passage from the *Use of Pleasure*. Cases in which our relation to ourselves changes only minimally, e.g., getting a new perspective on our way of thinking, would be lower degrees, while greater transformations - e.g., entirely changing our way of thinking - would be higher.

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[59] This kind of example is complicated by the question of what a "meaningful" transformation is. One possible response is to note that one thing Foucault finds valuable in transformations in one's mode of being is the new values and new relations with others they make possible. A change of wardrobe does not generally do this.

Gradations in the critical ontology of ourselves

Finally, let's look at the critical ontology of ourselves. This an activity in which one undertakes historical inquiries into the events which constituted *our* mode of being. A second aspect of this activity is that the inquiry has both theoretical and practical sides: the results should be put to the test of reality. Success, then, presumably means carrying out these investigations in such a way that we come to recognise points of possible and desirable change. These investigations should also be into *our* historical modes of being: they should be reflections, not on personal psychological flaws, but on aspects of our constitution shared with our contemporaries. Furthermore, the results of these investigations should be put into action.

Like with the care of the self, it seems that we can distinguish multiple different categories on the side of failure. First, there are attempts at the critical ontology which, although they produce results, do so in such a way that we are unable to integrate them into our activity - for instance, perhaps they are too vague. Second, there are attempts at the critical ontology that simply fail to produce results: either they fail to identify possible changes in our mode of being, or they fail to identify desirable ones. Third, there are attempts which, while producing results, produce incorrect ones. For instance, we might misidentify an undesirable change as a desirable one (or vice-versa). Although the ordering of these outcomes is not exactly clear, my intuition is that it can be worse to have bad information than to have no information.

By contrast degrees of success will be determined by how far we produce knowledge of where our mode of being can be changed in desirable ways. Presumably we could distinguish between these outcomes on the basis of the distinctions we drew in Chapter 3. For instance, we argued that the COO must be

precise and directed towards specific, rather than global, transformation. They might also fail to be directed properly to our shared modes of being, overly focusing on our individual psychology. Knowledge which was overly vague, overly self-focused, or which only identified undesirable changes (when there were more desirable alternatives) would be a lower degree of success, while more specific, actionable, and desirable results would be of a higher degree.

The array of possible gradations

We should note that these distinctions we have identified above are at times rather vague, especially *within* the success and failure categories, and that we cannot abstractly determine the cut offs. This is not to say that distinctions cannot be drawn, but that they can only really be drawn on a case-by-case basis, not abstractly and generally. For instance, we might not firmly be able to distinguish between minorly and majorly successful attempts to resist domination in the abstract, but we can tell that a class of school children refusing to attend detention - if successful - would fit into the former category, while a revolution overthrowing a totalitarian government and replacing it with an equitable society would fit in the latter.

We can condense the above discussion into the following table:

	Resistance to Domination	Care of the Self	Critical Ontology of Ourselves
Major Success	Complete removal of domination	Major change in mode of being	Specific and actionable critical reflections
Minor	Partial removal of domination	Minor change in mode of being	Vague and overly self-focused reflections
Minor Failure Major	No removal of domination	No (meaningful) change in mode of being	Inactionable reflections
			No reflection
	Creation/further entrenching of domination	Negative change in mode of being	Incorrect critical reflections

This diagram shows the broad range of possible values for the practice of freedom. Not only are there the 8 combinations I discussed above, but within each of these combinations, there are further degrees of differentiation. For instance, we might succeed to a high degree at resisting domination, fail to a minor degree at the care of the self, and succeed at a lower degree in the critical ontology of ourselves. (We might have carried out a revolution which achieved our aims, but due to our vague understanding of our historical mode of being, failed to enact any real change in our mode of self-relation.

Minimally versus maximally successful practices of freedom

We have, then, our image of the different degrees of success and failure for each of

our three necessary aims. The next question, then, is: what counts as a successful

practice of freedom? The obvious starting position is to claim that anything with a

maximally failed aim *cannot* be a successful practice of freedom. A practice in which

one brings about a situation of domination, transforms oneself in a way opposed to

the care of the self, or engages in the critical ontology producing undesirable results

cannot be a successful practice of freedom. Similarly, at least some of the minor

failures must be rejected. A practice of freedom which fails to produce a

transformation in one's mode of being is an unsuccessful practice of freedom; so is

one which fails to identify possible desirable changes or to reduce domination. My

suggestion, then, is that for a practice of freedom to be a successful practice of

freedom, there must be at least minor success on all three axes.[60] This might seem

to be a high bar, but remember that this is not a criterion for determining *whether* we

are practicing freedom; it is a bar for determining where the standard of success

lies.[61] In other words, holding the constitutive aim of the practice of freedom means

aiming at membership of the category of activities denoted by this standard.

So what does this category look like? At the most minimal level, it contains

activities which 1) partially disrupt previously existing situations of domination and

avoid the creation of new ones; 2) involve minor changes in our mode of being; and

3) get their impetus from critical reflections which are somewhat vague, suboptimal,

or overly self-directed. All activities which meet these criteria, then, are successful

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[60] A possible exception might need to be made for resistance to domination. In the hypothetical case where there is no domination to resist, this would seem to indicate that this aim cannot be successfully achieved. We might either leave this as an exception, or maintain than successfully avoiding the instantiation of situations of domination should also be counted as a success.

[61] Specifically, the standard of success understood strictly with reference to the constitutive aim of the activity. There is the odd fact that successfully meeting a constitutive aim does not necessarily mean that you performed the activity *well*. As we have said before, you can checkmate your opponent without having necessarily played good chess.

practices of freedom. However, there are also superlative practices of freedom, in which all the aims are met to their highest degree. In these practices: 1) situations of domination are all but completely removed, and 2) there are major transformations in one's mode of being, and these outcomes stem from 3) precise, specific reflections which apply to the modes of being of both oneself and others.

Minimally Successful Practices of Freedom	Maximally Successful Practices of Freedom
Partial removal or disruption of situations of domination	Complete disruption or removal of situations of domination
Minor transformations of one's mode of being	Major transformations in one's mode of being
Vague or overly self-directed critical reflections	Precise reflections directed towards the modes of being of oneself and others

Paradigmatically successful practices of freedom

We have, then, a clear view on what successful practices of freedom consist in. Beyond this, however, I believe that we have a view of a qualitative difference within the category of the practice of freedom. Remember that, earlier in this chapter, we discussed the idea that the practice of freedom was a communal, rather than a solitary activity. Part of our argument for this claim was that practices of freedom play a role in the creation of cultural forms, diversifications which allow us to distinguish between groups of people. Now, one question is whether the practice of freedom simply allows us to modify already existing cultural forms, or whether it allows for the creation of *new* cultural forms. Certainly, we have established that it can modify already existing modes of being, but at times Foucault seems to make more extreme claims. For instance, in one discussion of the gay mode of life, he says:

> The fact of making love with someone of the same sex can very naturally involve
> a whole series of choices, a whole series of other values and choices for which
> there are not yet real possibilities. It's not only a matter of integrating this strange
> little matter of making love with someone of the same sex into pre-existing
> cultures: it's a matter of constructing cultural forms. (STSW 157)

The construction of cultural forms does not seem to be a matter of producing forms of life from older, previously existing ones. Rather, it means 'inventing ways of relating, types of existence, types of values, types of exchanges between individuals which are really new and are neither the same as, nor superimposed on, existing cultural forms.' (STSW 160) This certainly doesn't seem to be something that the minimal practice of freedom can support.

However, my suggestion is that the maximally successful practice of freedom is *qualitatively*, not merely quantitatively, different from the minimally successful practice of freedom. In the maximally successful practice, there is a synergy between the necessary aims which makes the result greater than the sum of its parts. We can see this by thinking about what it would mean to maximise the aims individually. If it is possible to completely remove situations of domination, this will require both reflection both our mode of being and the mode of being of others; it will also require and lead to transformations in these. Complete transformations in our mode of being will also require the removal of situations of domination, the recognition of how these changes can be brought about and the cooperation of others. Reflection on our shared modes of being will require enough disruption of domination to make space for this reflection, and care of the self in concert with others. It seems to me that practices of freedom, driven by a precise and actionable inquiry into our shared modes of being, which result in 1) major transformations in our mode of being and 2)

almost total disruption of domination must result in the creation of new modes of being, not only for ourselves, but also for those whom we act in concert with when we take care of ourselves. If our relations with them stayed the same, it is unclear how domination would have been completely removed; if their modes of being did not change, it is unclear how we would have enacted the results of the critical ontology of ourselves. The suggestion is that, in the highest form of the practice of freedom, the activity goes beyond the modification of our current mode of being into the creation of new diversifications, new cultural forms.

Conclusion

In the previous chapters, we have introduced and investigated a procedural account of practices of freedom according to Foucault. We identified three necessary aims for the practice of freedom – resistance to domination, the care of the self, and the critically ontology of ourselves – showed how they fit together, and concluded that when they are achieved with a high degree of success, they lead to the creation of new cultural forms.

With our framework in place, the next step is to test its application to actual cases, to see how well the framework works and identify any problems. The next two chapters, then, will be close engagements with historical figures drawn from Foucault's own work. First, we will look at a paradigmatic example of a practitioner of freedom. As we have noted in this chapter, the bar for successfully practicing freedom has been set rather high and we therefore want to test if any individuals actually can reach it. We will therefore spend the next chapter examining Socrates' philosophical activity, to see if he would count as a practitioner of freedom according

to Foucault. We are working with the logic that, if even Socrates cannot reach the bar, the bar is probably set so high as to be impractical.

Second, we will be looking at a quite different example. From our very first chapter, we have maintained that our account of the practice of freedom should be able to provide a rebuttal to the claim that Foucault's ethics requires a hyper-active subject. In our final chapter, then, we will go some way to respond to this by engaging with the Irish author and playwright Oscar Wilde. Although Wilde began as a fairly conventional practitioner of freedom, during his life he underwent a transformation through which he stopped seeing the practice of freedom as an active undertaking, towards seeing it as a "middle-voiced" process going on within and through him. In looking at Wilde, we investigate both epoch's of Wilde's practice of freedom and argue that, even during the latter part of his life, he was continuing to practice freedom. This, therefore, has interesting implications for how we understand the practice of freedom.

Chapter 5: Socratic Parrhesia as a Practice of Freedom

Introduction

In the previous chapter, we took the three necessary aims we identified in Chapter Three and argued that, taken together, they compose the constitutive aim of the practice of freedom. We also showed that it is possible to distinguish between failed and successful practices of freedom and, furthermore, that, beyond minimally successful practices, there are superlative practices of freedom which can be characterised as the creation of new cultural forms.

We will now apply our model of the practice of freedom in close engagements with two historical figures in order to test the usefulness and accuracy of the account. In this chapter, we take Socrates - as he appears in Plato's dialogues - as our example, for a number of reasons. First, Socrates seems like he should be a paradigmatic example of the practice of freedom. He is a pivotal figure in the history of philosophy, with his use of the elenchus and his way of life simultaneously distinguishing him from the pre-Socratics and the Sophists and providing a model for the Hellenic schools, especially the Stoics and the Cynics.[62] Furthermore, according to Foucault his philosophical activity inaugurated at least two distinct forms of care of the self: the "metaphysics of the soul" that runs through the neo-Platonists into Christianity, and the "art of life" that runs through the Cynics. (CT 127) These considerations show that Socrates was engaged in the creation of new cultural forms, which would imply that he is a superlative practitioner of freedom.

Second, Foucault's final lecture courses focus heavily on Socrates' philosophical activity, specifically his practice of parrhesia, as allowing for the

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[62] See, for instance, Long (1996) p.28

production of new modes of being. Foucault sees a thread running from Socratic parrhesia, through Cynic parrhesia, which connects to what he calls "the critical attitude"; in fact, in *Fearless Speech* a stated aim of the seminar is 'to construct a genealogy of the critical attitude in Western philosophy.' (FS 171) We saw this critical attitude in 'What is Enlightenment?', where it was strongly connected to the practice of freedom. This, then, suggests that Foucault himself sees Socrates as a practitioner of freedom.

Socrates as a parrhesiast

In this chapter, we will be focusing solely on Socrates as a practitioner of a certain form of truth-telling or, to use Foucault's term, veridiction. In *The Courage of the Truth*, Foucault distinguishes between four different modes of veridiction associated with four different types of truth-teller: the sage, the prophet, the technician or teacher, and the parrhesiast. (CT 28) While Foucault grants that Socrates at times plays all of these roles, his emphasis is on Socrates as a practitioner of parrhesia, of free or frank speech. In our study of Socrates, we will follow Foucault in this regard. Although there are disagreements within the secondary literature as to whether the Socratic elenchus can be accurately described as parrhesiastic, or whether Foucault's account of parrhesia accurately captures all of Socrates' philosophical activity, these questions are outside the scope of this study.[63] Instead, we take up the Foucauldian view of Socrates as primarily a parrhesiast for three reasons. First, we are attempting to understand Foucault's account of the practice of freedom and so using a view of Socrates shaped by his own reading allows us to avoid

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[63] See, for instance, Atack (2019), Bourgault (2014).

unnecessary complications. Second, using a Foucault-inspired reading of Socrates

lets us use Foucault's own readings of the dialogues as points of departure or

discussion. In this chapter, our aim is not to critique or push back against Foucault's

reading, but instead to show that our account of the practice of freedom can be

applied to Socrates as Foucault understands him. Generally, then, we will be

discussing Foucault's Socrates.[64] Finally, on Foucault's account, the innovations

Socrates produces are in the realm of parrhesia: Socratic parrhesia, which then

gives rise to Cynic parrhesia. If we are looking at Socrates as a practitioner of

freedom, then, this suggests we should be looking at parrhesia.

In this chapter, we will be analysing Socrates' parrhesiastic activity as a

practice of freedom. We will begin by explaining Foucault's account of parrhesia and

illustrating Socrates' use of parrhesia in the example of the *Apology*. We will then go

on to evaluate Socrates' parrhesiastic activity using the necessary aims we

established in previous chapters. This will mean showing, firstly, that Socrates holds

the necessary aims of the practice of freedom - resisting or avoiding domination,

taking care of the self, and critiquing one's mode of being - and secondly, that he

meets success in these aims.

The first task raises the question: how far do we need to show that Socrates

holds these aims? If we need to show that Socrates explicitly and consciously holds

these aims, we will have some difficulty: it is hard, for instance, to find places where

he explicitly endorses an aim to resist domination. However, as we suggested in

Chapter Two, this is not the only way in which one can hold an aim. Constitutive

aims need only be held pre-reflectively, i.e., such that they could be articulated

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[64] The exception to this comes in our discussion of the Laches, where I suggest that Foucault has
misinterpreted the way Socrates has directed the dialogue.

through reflection. It would therefore be sufficient to show that Socrates is acting in accordance with such an aim, even if he is doing so implicitly.

Finally, after showing whether Socrates is successfully practicing freedom, we will approach the relationship between parrhesia and the practice of freedom from the other side, asking whether there are important aspects of parrhesia that the practice of freedom fails to account for, suggesting shortcomings in our account.

What is parrhesia?

In his Berkeley lectures, Foucault first introduces parrhesia in a general form largely associated with democratic political "parrhesia", usually translated as frank or free speech. In democratic Athens, there were two distinct understandings of parrhesia: negative and positive. The negative sense, often used by critics of democracy, was 'a pejorative sense of the word not very far from "chattering," and which consists in saying any- or everything one has in mind without qualification.' (FS 13) In the democratic setting, the negative view of parrhesia developed from "saying anything" to "saying whatever is necessary to persuade the *demos*" and became associated with flatterers and demagogues.[65]

In contrast to this, there is a positive notion of parrhesia, a speech activity in which an individual tells the truth to others in a certain kind of relationship to themselves and to those others, in order to persuade them.[66] In his Berkeley lectures, Foucault identifies five characteristics of good parrhesia. First, parrhesia involves frankness: 'The one who uses *parrhesia*… is someone who says everything

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[65] See, for instance, GS 182

[66] At GS 174-180, Foucault gives Pericles as an example a practitioner of good democratic parrhesia.

he has in mind: he does not hide anything, but opens his heart and mind completely to other people through his discourse.' (FS 12) Unlike the bad parrhesiast, the good parrhesiast knows when to be quiet, but when he practices parrhesia he attempts to convey to his audience *exactly* what he thinks.[67] Furthermore, he doesn't attempt to obscure what he says using rhetorical flourishes: 'instead, the parrhesiastes uses the most direct words and forms of expression he can find.' (FS 12) This frankness has the result of tying the parrhesiast to his statements, as he is explicitly confirming that he is saying precisely what he believes: 'The specific "speech activity" of the parrhesiastic enunciation thus takes the form: "I am the one who thinks this and that."' (FS 13)

Second, the parrhesiast tells the truth. Foucault's formulation of this is rather odd: 'The *parrhesiastes* says what is true because he knows that it is true; and he knows that it is true because it is really true.' (FS 14) We should avoid the conclusion that Foucault is equating opinion and truth.[68] Rather, he is attempting to point to a model of truth rather different from our own: 'In the Greek conception of parrhesia, however, there does not seem to be such a problem about the acquisition of truth since truth-having is guaranteed by the possession of certain moral qualities: when someone has certain moral qualities, then that is the proof that he has access to truth - and vice-versa.' (FS 15) In parrhesia, then, the truth of one's utterances is

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[67] Some commentators, for instance Bourgault (2014), have suggested that in his emphasis on frank speech and saying everything, Foucault brushes aside the importance of silence for philosophy. However, while Foucault does seem to see parrhesia as involving frankness, it is important to note that parrhesia - taken as a specific form of truth-telling - is not exhaustive of philosophy. It is therefore not inconsistent to maintain 1) that frankness is important in parrhesia and 2) that there is a role in philosophy for silence and introspection. In fact, he elsewhere explicitly discusses the value in silence:

Young Romans or young Greeks were taught to keep silent in different ways according to the people with whom they were interacting. Silence was then a specific form of experiencing a relationship with others. This is something that I believe is really worthwhile cultivating. I'm in favour of developing silence as a cultural ethos. (Foucault 1997, 122)

[68] Cf. Bourgault 2014, 80: 'The word "truth" therefore seems to become almost interchangeable with the term "opinion" - as repeatedly suggested by Foucault in *Fearless Speech* and *Le gouvernement de soi*.'

guaranteed by the moral qualities that allow the individual to practice parrhesia in the first place.[69] Foremost among these qualities, Foucault suggests, is courage, the courage to tell the truth.

The necessity of courage stems from the third criterion, danger or risk. Someone is using parrhesia only if they are in a situation where telling the truth puts them at risk. This risk can range from the risk of death to the risk of angering a friend: 'In such a case, you do not risk your life, but you may hurt him by your remarks, and your friendship may suffer for it.' (FS 16) The broad range these risks can take is, in fact, part of what makes a given speech activity an instance of parrhesia. Normally, Foucault says, a performative utterance has a codified, predictable effect; in parrhesia, however, the utterance opens up the situation and makes possible unknown effects: '*[p]arrhesia* does not produce a codified effect; it opens up an unspecified risk.' (GS 62) These risks are what link courage and parrhesia: 'it demands the courage to speak the truth in spite of some danger.' (FS 16) This acceptance of risk, Foucault says, also means taking up a specific relationship to yourself: the parrhesiast 'prefers himself as a truth-teller rather than as a living being who is false to himself.' (FS 17)

The fourth criterion is criticism. The risk incurred in parrhesia derives from the type of interaction with the interlocutor; namely, in telling the truth to them there is the possibility of hurting or angering them. The other side of this risk is something Foucault calls the parrhesiastic pact: being the recipient of parrhesia means accepting that you risk being hurt or offended and restraining yourself from taking

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[69] In GS, Foucault suggests two other guarantees for the truthfulness of specifically philosophical parrhesia: first, speaking frankly means that one will be speaking "*logos etumos*", true speech, in line with 'the idea that… [simple] words and phrases have an original relationship with truth' (GS 314); second, in the discussion of the *Gorgias*, he suggests that the criterion of truth is *homologia* - the ability of two individuals, approaching one another with knowledge, friendship and frankness, to speak the same discourse. (GS 373-374) These criteria can both be understood in terms of the moral qualities of the individuals involved.

revenge on the parrhesiast.[70] The parrhesia involved might be a criticism of the interlocutor's actions or beliefs, advice on how he should behave, or even a confession of the faults of the parrhesiast. '[T]he function of parrhesia is not to demonstrate the truth to someone else, but has the function of criticism: criticism of the interlocutor or of the speaker himself.' (FS 17) Furthermore, Foucault claims that this criticism must be made from a position of inferiority with respect to the interlocutor: 'The parrhesiastes is always less powerful than the one with whom he speaks.' (FS 18) It is not parrhesia, for instance, when a father criticises his child.[71]

Fifth, the parrhesiast must be acting from a sense of duty. For truth-telling to count as parrhesia, it must be compelled by the speaker's own sense of what is right, not external compulsion: 'To criticise a friend or sovereign is an act of parrhesia insofar as it is a duty to help a friend who does not recognise his wrongdoing, or insofar as it is a duty towards the city to help the king to better himself as a sovereign.' (FS 19) As such, parrhesia is related to both freedom and morality.

Socratic parrhesia

Distinct from this more general account of parrhesia, Foucault defines a specifically

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[70] See GS 177-179 for the pact in democratic parrhesia, and GS 203 for the same in parrhesia towards a prince or sovereign.

[71] There is some controversy over this requirement. First, although Foucault introduces this requirement in *Fearless Speech*, in *The Government of Self and Others* one aspect of the democratic parrhesia of Pericles is "ascendancy," being a prominent or superior citizen who can persuade and exercise command over others. Second, as Carol Atack (2019) argues, Socrates' parrhesia rarely takes the form of an inferior speaking to a superior. Instead, '[p]ower relationships within the Socratic elenchus… suggest that Socrates is not the weaker figure speaking "truth to power," but a forbidding questioner… who can rely on the powerful position of his superior epistemic status, confirmed by the oracle.' (Atack 2019, 27) Responding to these worries is beyond the scope of this chapter, but one possible line of response could begin from recognising the differences between the relationship between Pericles and the *demos*, where parrhesia is possible, and a king and his advisors, where - on Foucault's account - it is not. Pericles, it seems to me, can put himself at risk in a way the king cannot, given that the *demos* can take legal action against him.

Socratic philosophical form which differs in several ways.

First, the relationship between the parrhesiast and the interlocutor takes on a different form. Whereas the democratic parrhesiast, such as Pericles, can talk to a crowd of people, Socratic parrhesia takes place in a 'personal, face-to-face relationship.' (FS 96) Furthermore, the Socratic parrhesiast addresses the interlocutor as a different kind of subject with a different aim in view. Rather than addressing a political subject in order to persuade him to take a certain course of action, the Socratic parrhesiast addresses a private individual in order to persuade him to take care of himself. (GS 345-346) This difference in aim requires a difference in the activity of the interlocutor; rather than listening and seeing if he is convinced, 'the listener is led by the Socratic *logos* into "giving an account"... of "himself, of the manner in which he now spends his days and of the kind of life he has lived hitherto."' (FS 96, citing *Laches* 187e-188a)

Finally, there is a further elaboration of the relationship to the self of the Socratic parrhesiast. The Socratic parrhesiast is able to practice parrhesia because of an adequation between his rational account of his way of life, his *logos*, and his actual way of life, his *bios*. In Socratic parrhesia, the harmony between *logos* and *bios* is the condition of possibility for parrhesia, is what the parrhesiast manifests in his parrhesia, and is what is under investigation when the interlocutor gives an account of himself: 'On the philosopher's side, the *bios-logos* relation is a Dorian [i.e., courageous] harmony which grounds Socrates' parrhesiastic role, and which, at the same time, constitutes the visible criterion for his function as… [a] touchstone. On the interlocutor's side, the *bios-logos* relation is disclosed when the interlocutor gives an account of his life, and its harmony tested by contact with Socrates.' (FS 101)

We could summarise Socratic parrhesia as follows: a speech activity in which the speaker, who manifests a courageous harmony between his words and deeds, puts himself at risk by subjecting his interlocutor's account of his way of life to a critical investigation, with a view to helping the interlocutor to bring his *logos* and *bios* into accord.

The *Apology* as an illustration of Socratic parrhesia

The *Apology* provides an excellent example for illustrating Socrates' use of parrhesia as there 1) Socrates discusses his manner of speaking, 2) he discusses both his philosophical activity and his motivations for engaging in philosophy and 3) there is an example of his parrhesia in action in the interactions with Meletus.

The *Apology* begins after Socrates' accusers, Meletus, Anytus and Lycon, have already given their speeches and it is now Socrates' turn to respond. He tells the audience that his accusers have falsely represented him as a good speaker, when in fact he is not. Instead, he points out that he has never been to court before and so does not know how to speak in the appropriate way. He will speak, instead, like a stranger to the lawcourts. In his discussion of the *Apology*, Foucault identifies three reasons why Socrates' speech is foreign, *xenos*: first, it is the language he uses every day in the market square; second, rather than using rhetorical artifice, Socrates speaks the words that occur to him in the order they occur to him; third, Socrates will say what seems right to him, what he believes. (GS 313) In other words, Socrates will speak frankly and without adornment, he will say everything that comes to mind, and he will say what he believes to be true: the mode of speech he is describing, then, meets the first two criteria of parrhesia.

After explaining his manner of speech, Socrates claims that, before

responding to his present accusers, he must respond to his "first accusers," who have persuaded the people of Athens that he claims to knowledge, that he makes the worse argument the strong and that he accepts payment for teaching these things to others. As part of his defence against these accusations, Socrates tells the story of how he came to engage in his philosophical activity. The oracle at Delphi claimed that no man was wiser than Socrates and Socrates, disbelieving this, set out to test this claim by examining those reputed to be wise. He goes onto characterise his activity as demanded of him by the god:

> So even now I continue this investigation as the god bade me - and I go around
> seeking out anyone, citizen or stranger, whom I think wise. Then if I do not think
> he is, I come to the assistance of the god and show him that he is not wise.
> (*Apology* 23b)

Socrates' philosophical activity, which is to critique those who consider themselves to be wise, is experienced by him as a moral duty stemming from the god: this meets our fourth and fifth criteria of parrhesia. Furthermore, Socrates' activity has put him at risk, as evidenced by the very trial he is currently undergoing. He suggests that his three accusers represent the three groups he offended by questioning their wisdom: Meletus for the politicians, Anyton for the poets, and Lycon for the craftsmen. (23e)

After he has defended himself against his first accusers, Socrates turns to refuting his current accusers, which he does by way of a dialogue with Meletus. In taking Socrates to court for corrupting the youth of Athens, Meletus seems to be demonstrating a serious concern for the wellbeing of the city. However, when Socrates asks him who improves the youth of the city, Meletus is led to argue that every single person *except* Socrates improves them, while Socrates alone corrupts them. Socrates says that this is clearly false and, furthermore, illustrates an ethical

failing on Meletus' part: 'You have made it sufficiently obvious, Meletus, that you have never had any concern for our youth; you show your indifference clearly; that you have given no thought to the subjects about which you bring me to trial.' (25c)

There are two further exchanges, one which concludes that, if Socrates was corrupting the youth, he was doing so unintentionally and Meletus was wrong to bring him to court rather than advising him privately (26a) and one which concludes that Meletus was wrong to charge Socrates with atheism. (27d-28a) These exchanges, Socrates claims, show that Meletus has failed to take any of these topics seriously. Not only do these exchanges give us examples of criticism, they also demonstrate the criteria we discussed under the heading of philosophical parrhesia. First, Socrates engages with Meletus, not as the democratic parrhesiast addressing the citizens, but in a face-to-face relationship where he speaks to Meletus as a private individual. Second, in this relationship, he is not attempting to persuade a silently listening Meletus. Instead, Meletus is led to give the rational account that is supposed to be underlying his behaviour: he has supposedly taken Socrates to court because he is seriously concerned with the wellbeing of the city, and genuinely believes Socrates to be intentionally corrupting the youth and disbelieving in the gods. Socrates then shows the disharmony between Meletus' *logos* and his *bios*: he is shown to have failed to think about these matters at all.

With an illustration of Socratic parrhesia in view, we are now well placed to analyse Socratic parrhesia through the lens of practices of freedom.

Socratic parrhesia as a practice of freedom

So far, we have given Foucault's definition of Socratic parrhesia and illustrated it further using the example of the *Apology*. The thesis of this chapter is that Socrates

is engaged in the practice of freedom and, furthermore, that he is successful in his practice. Establishing this will require 1) showing that Socrates holds the three necessary aims of the practice of freedom, whether reflectively or pre-reflectively, and 2) showing that he successfully achieves these aims. Now, in order to establish this, we are going to take three Platonic dialogues which allow us to demonstrate that Socrates does hold these aims and that he is successful in achieving them. This approach has several benefits. First, by looking at dialogues, rather than simply amassing evidence, we can avoid cherry-picking contextless quotes in order to make our point: taking specific dialogues means that we have to look at Socrates' parrhesiastic activity as part of his broader activity. This is important, as we established in the previous chapter that simply entertaining the aims is not enough: they need to be held as part of an ongoing activity. Second, using dialogues in this way means allows us to engage with Socrates in a more broadly useful way: not only are we testing the model of the practice of freedom, but we can also check that it actually has some explanatory value when applied to individuals and their practices.

In choosing dialogues, I have prioritised ones Foucault himself looked at: this serves the dual purpose of 1) being sure that we are looking at good - by Foucault's standards - examples of Socratic parrhesia and 2) giving us access to Foucault's analysis of the dialogues where applicable. We will begin by briefly returning to the *Apology* for evidence that Socrates holds the aim of taking care of the self, and cursory assurance that we are justified in thinking he might hold the other aims. We will then turn to a possible counterexample to the claim that parrhesia is a practice of freedom at all, Callicles, in the *Gorgias,* who some commentators have argued fits Foucault's criteria for parrhesia. Next, we look at the *First Alcibiades* for evidence that Socrates' holds the aim of a critique of one's mode of being, and to the *Laches*,

to investigate the aim of resisting or avoiding domination. Finally, we turn to Socrates' defence of the laws in the *Crito*, examining it as a possible objection to the claim that Socrates aims to avoid domination.

The *Apology*

The *Apology* gives a good overview of parrhesia in that it shows Socrates' parrhesia from various sides: we have both Socrates' own description and justification of his activity, as well as a demonstration. This also makes this a useful dialogue for examining whether we have good reason for thinking that Socrates might be engaged in the practice of freedom. We will begin by looking at the strong evidence in the dialogue that Socrates explicitly and reflectively holds the aim of taking care of himself and then turn to the weaker evidence that suggests it might be possible to see him as holding the other two aims.

In our earlier discussion of the *Apology*, we discussed the moral duty Socrates had been assigned by the god, although we only characterised it in terms of examining whether other people were wise. Later in the dialogue, however, Socrates gives a much clearer image of what his task is. He tells his judges: 'I was attached to this city by the god… as upon a great and noble horse which was somewhat sluggish because of its size and needed to be stirred up by a kind of gadfly'; (*Apology* 30c) his role, which he claims he never ceases to fulfil, is to persuade everyone to take care of themselves: 'I went to each of you privately and conferred upon him what I say is the greatest benefit, by trying to persuade him not to care for any of his belongings before caring that he himself should be as good and as wise as possible.' (36b) This is explicit evidence that, in his parrhesiastic activity, Socrates aims at leading *others* to take care of themselves. However, this doesn't

necessarily imply that Socrates takes care of himself.

There is, however, some implicit evidence that Socrates does take care of himself. First, in his introductory discussion of the way he will talk to the lawcourt, we can see that he is taking care to conduct himself in the way he thinks is right. He tells the judges to concentrate, not on his manner of speech, but on the justice of what he says, 'for the excellence of a judge lies in this, as that of a speaker lies in telling the truth.' (17d-18a) His judgement on how a speaker should behave lines up with his claim that he will tell the audience 'the whole truth' (17c); he is not concerned with rhetoric or even winning his case, but with the truth. We see the same concern for himself again when he discusses the common practice of supplicating the jury, using begging or tears to gain votes: 'I do not think it right to supplicate the jury and to be acquitted because of this, but to teach and persuade them…. We should not accustom you to perjure yourselves, nor should you make a habit of it. This is irreverent conduct for either of us.' (35c) Socrates has clear principles on correct conduct, he has clearly made some effort to bring himself into line with these principles, and he seems to have had some success.

Finally, there is some explicit evidence that Socrates does aim to take care of himself. After his conviction, when he is proposing a penalty for himself, Socrates raises the possibility of giving up philosophy. He claims that this is impossible, but that it is hard to convince the jury of this as he is hard to believe when he says the god has commanded him to practice philosophy. Furthermore: 'if I say that it is the greatest good for a man to discuss virtue every day and those other things about which you hear me conversing and testing myself and others, for the unexamined life is not worth living for men, you will believe me even less.' (37e-38a) This quote provides two reasons to conclude that Socrates' activity is not only taking care of

others, it is also taking care of himself. First, Socrates claims that discussing virtue every day is the greatest good for a man, while earlier he told the judges that the "greatest benefit" is to be persuaded to care for oneself, suggesting that to discuss virtue is either to be *persuaded* to care for oneself, or is actually caring for oneself. Second, Socrates describes his parrhesiastic activity as "testing himself and others." In these conversations, then, it is not the case that he is *only* testing his interlocutor and leading them to take care of themselves; he himself is *also* being tested. His philosophical activity, then, is not only caring for others: it is also caring for himself. I conclude that these passages provide strong evidence that Socrates holds the aim of taking care of oneself - not only entertaining the aim, but acting in light of it - and that he has met with success in this endeavour.

Next, we turn to the aim of the critical ontology of ourselves. The *Apology* provides both implicit and explicit evidence that Socrates holds the aim of critiquing one's mode of being. First, we see some evidence of this in the sections we mentioned above, when Socrates talks to the judges about the correct modes of being for judges and for speakers. Second, there is Socrates' interaction with Meletus where, rather than simply attacking Meletus' arguments, Socrates criticises Meletus' way of life. More explicitly, there is the statement Socrates makes when discussing the impossibility of his giving up philosophy; he tells the judges: 'the unexamined life is not worth living.' (38a) This suggests that Socrates explicitly and reflectively holds the aim of carrying out a critique of one's mode of being, but we need further evidence.

Finally, there is some weak evidence that Socrates could be operating, pre-reflectively, with the aim of resisting domination. When describing his philosophical activity, Socrates claims that he is willing to talk to anyone at all: 'I shall treat in this

way anyone I happen to meet, young and old, citizen and strangers, and more so the citizens because you are more kindred to me.' (29e) Although he does suggest that he has more concern for citizens, Socrates presents himself as willing to talk to anyone at all. This impression is only strengthened by a similar sentiment he offers in his discussion of the afterlife: 'What would one not give, gentlemen of the jury, for the opportunity to examine the man who led the great expedition against Troy, or Odysseus, or Sisyphus, and innumerable men and women one could mention.' (41c) Given the gender relations of the time, a commitment to practicing parrhesia with both men and women could be suggestive of some commitment to avoiding domination.

Additionally, throughout the *Apology* Socrates rejects any attempt to give him epistemic authority. He rejects the characterisation of him as a teacher: 'I have never been anyone's teacher…. I cannot justly be held responsible for the good or bad conduct of these people, as I never promised to teach them anything and have not done so. If anyone says that he has learned anything from me, or that he heard anything privately that the others did not hear, be assured that he is not telling the truth.' (33a-b) He also denies that the proclamation of the oracle means that he has any special knowledge; he recognises, for example, that the craftsmen know more than him: 'In this I was not mistaken; they knew things I did not know, and to that extent they were wiser than me.' (22d) He is wiser than them, however, because he has knowledge of his own ignorance. This image of Socrates, as refusing to be credited with special knowledge, refusing to act as a teacher to anyone, and willing to talk to any- and everyone, could imply a pre-reflective commitment to resistance to domination, although is probably not enough to establish this.

The *Apology* provides us with good reason to maintain 1) that Socrates holds

the necessary aim of taking care of oneself and 2) that he has met with success in this. It also gives us justification to continue with our examination: there is some reason to think that he might hold the other two aims. Before we turn to other dialogues to look at these aims in more depth, however, we need to deal with a possible counterexample to the idea that Socratic parrhesia is a practice of freedom.

Callicles as a parrhesiast(?)

In a 2014 paper, Sophie Bourgault argues that Callicles, as portrayed in the *Gorgias*, satisfies Foucault's account of parrhesia. She points to Foucault's apparent admission of this: 'he suggests that Callicles possesses true "*parrēsia socratique*," while quickly acknowledging that Socrates' parrhesia is not that of Callicles.' (Bourgault 2014, p.71n25) Furthermore, she suggests that, by Foucault's own criteria Callicles counts as a parrhesiast:

> First, he dares to speak with a brutal sincerity. Moreover, he defends with ardour
> the primacy of courage - not only when he describes the true statesman primarily
> with reference to courage, but also when he claims that an excess of philosophy
> will lead to cowardice. Finally, Callicles courageously stands by (almost all) his
> positions, and he seems to be ready to put his definition of justice into action.
> Just like Thrasymachus in the *Republic*, Callicles demonstrates - in words and
> deeds - a violent courage and an erotics of risk. (ibid., 84-85)

Callicles' sincerity implies that he is meeting the criteria of frankness and truth; his criticism of Socrates' philosophical activity and his willingness to tell Socrates how to live seems to satisfy the criteria of criticism and risk. Bourgault also maintains that he demonstrates an adequation between his *logos* and his *bios*: 'What various dramatic elements of the dialogue also reveal is that Callicles is capable of putting into action

his thoughts and his words - there is a harmony between his *logos* (violent and tyrannical) and his *ergon* (violent and tyrannical).' (ibid., 72)

Now, if Bourgault is correct, this leads to problems for our account. Callicles, while possibly a Socratic parrhesiast, is certainly not a practitioner of freedom: his commitment to the domination of the superiors over the many violates one of the necessary criteria. If Callicles is a Socratic parrhesiast, then, parrhesia can only be contingently a practice of freedom: resistance to domination cannot inherently be a part of it. In that case, it is not Socrates' engagement in parrhesia alone that makes him a practitioner of freedom; instead, there must be additional factors which distinguish Socrates from Callicles and make the former free and the latter not. However, while I think Bourgault is right to suggest that Callicles speaks with frankness, it seems incorrect to maintain that Callicles manifests a harmony between *logos* and *bios.* There are several points in the dialogue highlight this lack of harmony. First, Socrates himself illustrates the mismatch between Callicles' words and his actions. Pointing to Callicles' love for the *demos* and for Demos, the son of Pyrilampes, Socrates notes that Callicles constantly changes what he says in order to be in accord with what they want to hear. (*Gorgias* 481d-482a) If he cannot refute Socrates' argument, Socrates warns: 'Callicles will not agree with you, Callicles, but will be dissonant with you all your life long.' (482b) Socrates' here explicitly accuses Callicles of disharmony with himself.

Second, Callicles argues that superior men are greater than the many and so should rule over them and have a greater share. Callicles clearly considers himself one of the superiors and yet instead seems to be in a subordinate position to the many, forced to follow their laws and agree with their opinions. Bourgault notes that Callicles expresses an ethos of violence, aggression and domination, and argues

that he exhibits this ethos in the dialogue, but it bears remembering that he *only* enacts this ethos in this private encounter with Socrates. The rest of the time, then, there is a disharmony between his *logos* and his *bios*. Moreover, this harmony is not even maintained for the entire dialogue. Callicles entered the dialogue with the implication that, unlike Gorgias and Polus, he would not be cowed by shame. (482d-e) However, when Socrates argues that Callicles' hedonistic view leads to the life of a catamite, he responds: 'Aren't you ashamed, Socrates, to bring our discussion to such matters?' (494e)

A possible alternative would be to argue that Callicles' actual *logos* is not shamelessness or strength, but is instead demonstrated by the advice he gives to Socrates: to prioritise personal safety and survival. Callicles attacks Socrates for his lack of rhetorical skill and his inability to defend himself in court. (486a-c) He also agrees that you should use these skills to live as long as possible:

> [Socrates:] Or do you think that a man ought to make sure that his life be as long as possible and that he practice those crafts that ever rescue us from dangers, like the oratory that you tell me to practice, the kind that preserves us in the law courts?
>
> Callicles: Yes, and by Zeus, that's sound advice for you! (511b-c)

Seeing Callicles' true *logos* as being survival at any cost explains some of his behaviour better, but there is still disharmony here. Socrates notes that, if Callicles wants power in the city, he should be making himself as much like the Athenian people as possible:

> If you think that some person or other will hand you a craft of the sort that will give you great power in this city while you are unlike the regime… then in my opinion, Callicles, you are not well advised. You mustn't be their imitator but be

> naturally like them in your own person if you expect to produce any genuine
>
> result toward winning the friendship of the Athenian people. (513a-b)

Callicles, however, is clearly not doing this: his discourse of the domination of the superiors puts him at odds with the *demos* and so puts him at risk. Socrates' original claim was correct: there is no harmony between Callicles and Callicles, and so none between his logos and his bios. Callicles, then, is not a Socratic parrhesiast and so doesn't provide a counterexample to the claim that Socratic parrhesia is a practice of freedom.

The *First Alcibiades*

There are two sections we should examine in the *First Alcibiades*. First, there is the section in which Socrates reveals Alcibiades' lack of education, showing him that he needs to take care of himself, aiming to establish that Socrates is operating with the aim of the critique of ourselves. Second, we should look at the image of the eye discussed as part of the care of the self.

The historical critique of our mode of being

The dialogue begins with Socrates talking to a young Alcibiades for the first time. He leads Alcibiades to state his ambitions of being an influential political figure; to begin this project of governance, Alcibiades will soon present himself before the Assembly and attempt to impress them by giving advice. Socrates, however, notes that Alcibiades has only been taught three things: writing, wrestling and the lyre. After clarifying that Alcibiades does not intend to advise the assembly on any of these things, Socrates observes that if the Assembly need advice on construction,

shipbuilding and so on, they will ask a relevant expert. Eventually the two of them conclude that Alcibiades will give the Assembly advice on matters of justice and injustice. But, Socrates asks, how does Alcibiades know what justice is if he hasn't been taught it? Alcibiades offers two responses. First, he suggests that he may have learned it himself; second, he suggests that he may have been taught it in the same way as everyone else.

In responding to the first claim, Socrates argues that, in order to go about learning something for yourself, you must first think that you don't know it. However, Alcibiades has always thought that he knows what justice is; Socrates mentions having seen him playing knucklebones and other games with the other children and accusing them of cheating them and being unjust, 'not at all like someone who was at a loss about justice and injustice.' (*Alcibiades* 110b) If Alcibiades has knowledge of justice, then, it cannot be because he investigated the matter himself.

Alcibiades concedes this to Socrates, but then claims that he must have learned what justice is 'in the same way as other people,' by being taught by 'people in general.' (110d) Socrates responds that, in crediting people in general, he is 'falling back on teachers who are no good.' (110e) He argues that they are terrible teachers, who can't even teach you trivial matters. Alcibiades counters that they successful taught him to speak Greek, but Socrates argues that they can teach this because they know Greek well. People in general, however, do not know what justice is, as is evidenced by the extreme disagreements over the just:

Socrates: Are we to say that people understand something if they disagree so much about it that in their disputes with each other they resort to such extreme measures?

Alcibiades: Obviously not. (112c-d)

Alcibiades therefore concedes that he cannot have learned what justice is.

What is interesting about these exchanges is that, while Socrates is putting Alcibiades' mode of being to the test, he is not doing it by having Alcibiades explicitly give his *logos*, his account of his way of life. Rather than having Alcibiades give an account of what justice is and then refuting it, he is asking Alcibiades about the conditions of possibility of his *bios*, how he could have acquired his *logos*. Alcibiades is claiming that his mode of being is such that he is qualified to instruct the Assembly on matters of justice and injustice, but Socrates shows Alcibiades, not that his account is wrong, but that he cannot have acquired a correct account. My suggestion is that this shows an implicit, pre-reflective commitment to the critical ontology of ourselves: he is asking Alcibiades to investigate and evaluate the events through which he acquired his mode of being. We can also see from the fact that Socrates is able to guide Alcibiades through this process that he is capable of engaging in this activity with some success.

The care of the self as carried out with others

As we said in the previous section, we have good reason to think that Socrates holds the aim of the care of the self. Further evidence for this is given by Socrates' advice to Alcibiades, that he must take care of himself. Of interest, however, is the relations with others implied by the care of the self, as illustrated by the metaphor of the eye. When explaining to Alcibiades the meaning of the Delphic inscription, "know thyself," Socrates tells him to imagine that similar advice had been given to our eye: "see thyself." Socrates suggests that the eye would need a mirror and that the best mirror would be another eye, specifically the part of the eye that is used for seeing: 'So if an eye is to see itself, if it must look at an eye and that region of it in which the good

activity of an eye actually occurs, and this, I presume, is seeing.' (133b) In the same way, the soul must "see" itself reflected in the divine region of the soul if it is to see itself.

On Foucault's reading, the image of the eye tells us that the care of the self involves looking into one's own soul, 'the soul's contemplation of itself in the mirror of its divinity.' (CT 160) However, the image Socrates gives us suggests, not a solitary practice of reflection, but one carried out together with others, as the eye needs to see itself in *another* eye. Furthermore, in order to clearly see your eye reflected in the eye of another person, you would have to be stood very close to them, face-to-face. In this context, it seems relevant that the relationship between Alcibiades and Socrates is one of love: Socrates claims to be Alcibiades' first and only lover (*Alcibiades* 131e). By analogy the care of the self not only requires a relationship with another person, it must be a close relationship. Now, this is interesting for our investigation, as this version of the care of the self - carried out in concert with others - is something we previously associated with the exemplary practice of freedom, where there was success on each of the three activities. This provides further evidence that Socratic parrhesia is an exemplary practice of freedom.

The *Laches*

My aim in looking at the *Laches* is as an example showing that Socrates is operating in accordance with a pre-reflective aim of resisting domination. The Laches shows Socrates giving a great amount of leeway to his interlocutors in how he interacts with them, only turning to parrhesiastic criticism when they show a determination to persist in the topics under discussion. In arguing this, however, I run contrary to Foucault's reading of the dialogue, which sees Socrates as using an apparent shift

from a political to a technical mode of discourse to lead Nicias and Laches into a parrhesiastic relationship with him.

The *Laches* begins with Lysimachus and Melesius, mediocre sons of famous citizens who are looking for good teachers to educate their sons, asking Nicias and Laches, two Athenian generals, for their opinions on a demonstration of fighting in armour. When Nicias and Laches are unable to agree, they ask Socrates for his input. Socrates notes that what is really under investigation is the teaching of virtue and suggests that they should look for an expert at teaching virtue, in order that he might instruct the sons. The group agrees that there will be two characteristics of a good teacher: first, they will be able to point to multiple examples of people they have made good, and second - unless they taught themselves - they will be able to point to their own good teachers. (*Laches* 185e-186a) Socrates therefore puts the following task to the group:

> If we say we have teachers to show... [we should] point out… the ones who in the first place are good themselves and have tended the souls of many young men, and in the second place have manifestly taught us. Or, if any one of us says that he himself has had no teacher but has works of his own to tell of, then he ought to show which of the Athenians or foreigners, whether slave or free, is recognised to have become good through his influence. But if this is not the case with any of us, we should give orders that a search be made for others and should not run the risk of ruining the sons of our friends and thus incurring the greatest reproach from their nearest relatives. (186a-b)

Socrates immediately discounts himself, claiming that he has never had a good teacher.

Now, Nicias, Laches and Foucault all interpret this task as Socrates asking

the two generals to give an account of their way of life. Nicias says that anyone who comes into conversation with Socrates is 'led about by the man's arguments until he submits to answering questions about himself concerning both his present manner of life and the life he has lived hitherto.' (187e) Laches also agrees to take part in this style of conversation. As for Foucault, he reads this section as showing a feigned shift from the political style of discourse Laches and Nicias had been engaging in, where speakers gives speeches and responses, to a technical mode of discourse in which you need to show your qualifications as an expert. (CT 134-135) In fact, Foucault argues, Socrates is actually shifting to a parrhesiastic domain in which your mode of life is the qualification of the discourse you give.

However, this interpretation seems to be untenable if we look at the actual questions Socrates has asked of Nicias and Laches. Look again at the criteria of a good teacher: first, that, unless they learned it themselves, they should have had good teachers; second, that they should be able to point to examples of people they had made virtuous. Giving an account of your mode of being is only able to meet the first criterion if you taught yourself to be virtuous; it is completely unable to satisfy the second. This problem is further highlighted by the specific responses Socrates asks Nicias and Laches for. First, he asks:

> Each of you tell us who is the cleverest person with whom you have associated
>
> in this matter of educating young men, and whether you acquired your
>
> knowledge of the art from another person or found it out for yourselves, and, if
>
> you learned it from someone, who were your respective teachers, and what other
>
> persons share the same art with them. (*Laches* 187a)

And second:

> If you yourselves have been the discoverers of such an art, give us an example
>
> of what other person you have already made into fine men by your care when
>
> they were originally worthless. (187a-b)

The responses Socrates asks for *cannot* be satisfied by an account of one's mode of being; he is asking for specific things - their teachers and their students - which are not satisfied by the parrhesiastic discussion.[72]

So what are we to make of this passage? My suggestion is that, rather than seeing Socrates as tricking Nicias and Laches into entering a parrhesiatic relationship, he should instead by understood as offering them a way out. Socrates has the group agree to the criteria of a good teacher; he then shows the possibility of admitting that one does not meet the criteria by himself dropping out. Furthermore, even if Laches and Nicias do believe themselves to be qualified as teachers, he gives them the option of naming their own teacher - as Nicias will later do with Damon - rather than putting themselves forward. However, not only do they ignore the possibilities he leaves open to them, Laches and Nicias - who see themselves as qualified teachers - instead interpret Socrates as asking to examine their ways of life. They therefore present themselves for examination, failing to notice that they are not answering his questions in doing so. Socrates, thus called upon to engage in parrhesia, then does so, but only *after* making a comment showing that this was not what he had in mind; he says, ironically: 'We certainly can't find fault with you for not being ready both to give advice and to join in the common search.' (189c) The meaning of this is clear: Laches and Nicias are failing to join the common search for good teachers, instead preferring to offer advice as if they were qualified to do so.

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[72] The closest they get is when Nicias says that he will return to his teacher, Damon, for further instruction. (*Laches* 200b)

What we see here is a Socrates who is very careful with how he engages in certain kinds of relationships with other people. Rather than entering into the discussion and forcing people into a parrhesiastic relationship, Socrates leaves his interlocutors with substantial leeway in how they interact with him. In fact, he only enters into a parrhesiastic relationship with Laches and Nicias when they literally ask him to, after ignoring the opportunities he provided them to recognise their ignorance on their own.

This refusal to force specific kinds of relationships with others is again illustrated at the end of the dialogue. Having disabused Laches and Nicias of their confidence in their knowledge of courage, Lysimachus asks Socrates if he would be willing to teach his and Melesius' sons. Socrates responds:

> If in the conversations we have just had I had seemed to be knowing and the other two had not, then it would be right to issue a special invitation to me to perform this task; but as the matter stands, we were all in the same difficulty. Why then should anybody choose one of us in preference to another? What I think is that he ought to choose none of us. (200e)

Although he agrees to help Lysimachus in searching for a good teacher (201a-c), Socrates refuses any kind of position of epistemic authority. The Socrates of the *Laches*, then, refuses to be seen as a figure to be deferred to and also attempts to leave his relations with others open. The diffuseness of the power in these relations seems to be a necessary condition of his parrhesiastic activity as, as we have suggested before, parrhesia cannot be practiced from a position of superiority. Now, my claim is that Socrates' activity in the dialogue is indicative of a pre-reflective commitment to avoiding domination. Domination is a situation in which power relations are frozen, but we see Socrates intentionally doing the exact opposite: he

destabilises attempts to set him up as an epistemic authority and leaves others freedom in how they engage with him. That he meets with success in this aim is illustrated by his ability to engage in parrhesia.

The *Crito*: A possible counter-example

Although we have established that Socrates is operating with a pre-reflective commitment to avoiding domination, there are instances in Plato's dialogues where Socrates seems to act contrary to such an aim. In this section, we will take the *Crito* as an example, looking specifically at Socrates' claim that it is unjust to break the law.

The events of the *Crito*

The *Crito* follows on around a month after the conclusion of the *Apology*. Socrates has been imprisoned awaiting his execution, which cannot occur until after the Athenian state galley returns from its religious mission to Delos. On the day the envoy is expected to return, Crito bribes his way into Socrates' cell in order to convince him to escape into exile with the help of his friends. In responding to Crito's arguments, Socrates turns to the question of whether breaking the law can ever be just. Conjuring the laws themselves as an imaginary interlocutor, Socrates argues on their behalf that breaking the law is always unjust, as the laws themselves are responsible for every individual's life, firstly because they bring about marriages (*Crito* 50d) and secondly because they are responsible for the raising and education of children. (ibid., 50d-e) Furthermore, in choosing to live in the city - and to even have children there - rather than choosing to leave, Socrates has shown that he

consents to the laws. (ibid., 52a-c) It would, therefore, be unjust for him to break them. Crito gives no response to this argument.

Supporting domination?

Socrates' position looks to be in tension with a commitment to avoiding domination. He argues that it is always unjust to break the law, even if one has been falsely sentenced or the laws are unjust, and portrays the laws as having inviolable authority over the citizens. In the voice of the laws, he asks:

> Could you, in the first place, deny that you are our offspring and servant, both you and your forefathers? If that is so, do you think that we are on an equal footing as regards the right, and that whatever we do to you it is right for you to us?... Do you think you have this right to retaliation against your country and its laws? (50e-51a)

The implied answer is "no." The authority of the laws is such that 'You must either persuade [your country] or obey its orders, and endure in silence whatever it instructs you to endure, whether blows or bonds, and if it leads you into war to be wounded or killed, you must obey…. It is impious to bring violence to bear against your mother or father; it is much more so to use it against your country.' (51b) The source of the laws is, at least in part, religious: the laws tell Socrates that, if he breaks them 'we shall be angry with you while you are still alive, and our brothers, the laws of the underworld, will not receive you kindly, knowing that you tried to destroy us as far as you could,' (54c) showing kinship between the laws of the city and the laws of the gods. Socrates, then, is arguably forbidding resistance against unjust laws handed down by the gods; his position, for instance, would imply that it is

wrong to carry out actions like freeing slaves. Therefore, there seems to be a tension between Socrates' position and the aim of resisting domination.

Socrates as not defending domination

There are two responses we can give to this counterexample; 1) we can note that by Foucault's account, Socrates cannot be seen as supporting domination; 2) with a deeper look at the Greek understanding of the law, we can see that Socrates is actually acting to defend, rather than block, freedom.

First, returning to our definition of domination, domination describes a strategic situation in which a group or individual succeeds in freezing a field of power relations such that they can no longer be reversed. While Socrates is defending the Athenian laws as they currently exist, he is by no means advocating for their being or becoming frozen. Instead, as we saw above, Socrates suggests that there are two responses to the laws. One is obedience, but the other is to persuade the country that the laws are unjust: 'You must either persuade [your country] or obey its orders;' (51b) 'one must obey the commands of one's city and country, or persuade it as to the nature of justice;' (51b-c) 'we give two alternatives, either to persuade us or to do what we say.' (52a) The possibility of "persuading" the laws is the result of the Athenian understanding of the laws as deriving their justification both from *divine* sources and from the *demos*.[73] This double nature of the law - that it is both democratically determined and given by mandate - is made clear in the laws' discussion of the wrongs of breaking them: 'We say that the one who disobeys does

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[73] See Harris (2006b), p.51: 'According to Demosthenes, the law derives its legitimacy from several sources: 1) the will of the gods, 2) human reason, 3) moral improvement, and 4) the agreement of the community.... A law in the fullest sense of the word was not only passed by the Assembly, which granted the approval of the community, but also sanctioned by the gods.'

wrong in three ways, first because in us *he disobeys his parents*, also those who

brought him up, and because, in spite of his agreement, he neither obeys us nor if,

we do something wrong, does he try to persuade us to do better.' (51e-52a,

emphasis mine) As the laws are partially the product of the *demos*, disobeying the

laws means disobeying those who came before and endorsed and consented to the

laws, in addition to disobeying the gods.

This endorsement of persuasion as a method for changing the laws means

that Socrates cannot be read as supporting situations of domination. Foucault

himself makes clear that an important feature of such situations is that they are *not*

open to being changed:

> The important question… [is] whether the system of constraints in which a
>
> society functions leaves individuals the liberty to transform the system.
>
> Obviously, constraints of any kind are going to be intolerable to certain segments
>
> of society…. But a system of constraint becomes truly intolerable when the
>
> individuals who are affected by it don't have the means of modifying it. (SCSA
>
> 148)

In a situation of domination, the ability to change the situation is taken away from the

individuals within it. Socrates, however, is presenting and endorsing the possibility of

changing the situation by persuading the laws.[74] He is not, therefore, contradicting

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[74] Socrates' endorsement of the possibility of changing the laws forms an interesting contrast with the sometimes extreme distaste many Greek communities had for such changes. Harris (2006a, p.23-24) notes that 'The Greeks saw changes in the law not as a sign of legal progress or as a healthy adaptation to new realities, but as a symptom of disorder.' (ibid., p.23) He notes the praise given to communities like the Spartans, who reportedly had the same laws for 400 years, and gives a number of examples of entrenchment clauses found in Greek legal codes which criminalised changing, or even proposing to change, laws. For instance, a property law from Halicarnassus has the clause: 'If anyone wishes to destroy this law or propose a vote to annul it, let his property be sold and dedicated to Apollo and let him go into exile. If it (i.e., his property) is not worth ten staters, let him be sold into slavery abroad and let there be no (possibility of) return to Halicarnassus.' (Koerner (1993), #84, lines 32-41, cited in Harris (2006a), p.23)

the aim of avoiding domination.

Second, as we said above, Socrates' defence of the law can actually be interpreted as defending freedom, rather than restricting them. In contrast to a liberal understanding of law as placing limits on the actions of individuals, the Greek lawgivers saw themselves as preventing tyranny and thereby opening up a space for freedom. In his paper, 'Solon and the Spirit of the Law in Archaic and Classical Greece,' Edward Harris argues that the Greeks did not understand the problem of governance in terms of a simple dichotomy between bad lawlessness and good law-and-order. Instead, Greek lawgivers such as Solon saw a lawful society as carrying its own threats in the form of tyranny, the autocratic rule of one man:

> By the powerful men a city is destroyed, and into the slavery/of a single ruler the people falls through its folly./Once you raise a man up too high, it is not easy to restrain/Him later; right now you must heed this advice. (Solon fr. 9, Harris' translation, cited in Harris 2006a, p.10)

Good governance, then, was a matter of having the proper balance between the people and their leaders, and in their lawgiving activity, men like Solon attempted to achieve this balance in several ways. For instance, Solon divided power not between individual men but between boards of magistrates. Harris describes Solon's activity as follows:

> Solon sees the rule of laws as an alternative to the rule of one man and does not use the law to seize power as a tyrant. In his opinion, the rule of law should serve to liberate the community as well as to bring order. The greatest threat to freedom is the greed of those in power. To preserve freedom, therefore, the lawgiver should restrain the leaders of the people. (Harris 2006a, p.14)

In this light, then, we can see that Socrates defence of the laws is not a defence of domination; in fact, it is a defence of freedom. The Greeks understood the laws as a defence against being ruled by the whims of powerful men and, in encouraging Socrates to break the laws of the city, Crito is encouraging just such behaviour. Against this, Socrates argues for the importance of the laws, that which holds open a space for men to live freely.

Socrates as a successful practitioner of freedom

We have demonstrated, then, that Socrates holds the three necessary aims of the practice of freedom and, therefore, that his parrhesiastic activity was a practice of freedom. We have also answered the question of how successful he was in each of the three aims. First, he was clearly successful in the care of himself, as evidenced through the harmony between his *logos* and his *bios.* Second, he had clear success in the critical ontology of ourselves; this is evidenced partly through Socrates' own self-knowledge and how this is manifested in his singular mode of being, and partly through his demonstrations of this on others: he is clearly capable of identifying not only the mode of being of others but also the source of that mode of being. Third, Socrates has some success in resisting domination, in that he avoids instantiating new situations of domination. We can conclude, then, that according to the criteria derived from Foucault's work Socrates practices freedom with success.

Beyond this, Socrates seems to have achieved the superlative form of the practice of freedom that we have previously referred to as the creation of new cultural forms. Not only did Socrates successfully take care of himself, he created a new mode of being, that of the Socratic philosopher or parrhesiast, which formed a new diversification in the social fabric. This is particularly evident through the

importance Socrates held as a model for later Hellenistic movements in philosophy such as Stoicism and Cynicism.

This suggests an amendment to our earlier discussion of the creation of cultural forms. We suggested that carrying out this practice would require one have significant success in each of the three aims but, while Socrates achieves this in the care of the self and the critique of ourselves, he only seems to be minimally successful at resistance to domination: he avoids the creation of new situations of domination, but does not demolish existing ones. It seems, then, that while it is possible for resistance to domination to involve removing situations of domination, this is not necessary for a practice of freedom to be superlatively successful. This also suggests that the aim of resisting domination is more like a regulative criterion than a positive one.

Can the practice of freedom take anything from parrhesia?

Now, we've established that, using our account, Socratic parrhesia can be analysed as a successful practice of freedom. There is a further question, however: can everything important in Socratic parrhesia be accounted for by our account? Are there aspects of Socratic parrhesia, which seem to be important aspects of the practice of freedom, yet which cannot be accounted for on our model? In this section, I want to look at three aspects of parrhesia which seem to be important for its effects and ask whether our model can account for them: the importance of practicing parrhesia in face-to-face relationships with private individuals; the adequation between one's bios and one's logos; and the role of courage.

The shift from political parrhesia in which the crowd are addressed as a private individual as citizens, to Socratic parrhesia in which the interlocutor is

addressed as a private individual, is important in that it makes it possible to test the mode of being of the interlocutor. Furthermore, Foucault claims that not only does parrhesia require these face-to-face relationships, in discussing the *Gorgias* he suggests they must be friendly relationships: a productive parrhesiastic relationship requires knowledge, frankness and friendship. (GS 365)

Now, can our account of the practice of freedom explain this kind of detail? To answer this, we need to reintroduce the distinction between mere practices of freedom and successful practices of freedom. We can note that there doesn't seem to be any contradiction between holding the necessary aim of the practice of freedom and failing to have close relations with others: as long as you aren't aiming to bring about situations of domination, there doesn't seem to be a specification for the kinds of relationships you should have. However, it is *also* possible to have abortive attempts at parrhesiastic relations. Foucault argues that the *Laches* shows us a 'good, wholly positive game of *parrhesia*', implying that there can be negative examples. (CT 143) If we are right to read Socrates attribution of friendship to Callicles as ironic, then the *Gorgias* - which ends with Callicles refusing to continue speaking freely - would provide just such an example. Now, if close relationships are a necessary condition for *successful* parrhesia, this suggests that we should be looking at *successful* practices of freedom rather than *all* practices of freedom. In this case, we can account for the close relationships involved in parrhesia. We noted in the previous chapter that successful instances of the practice of freedom imply carrying out the care of the self and the critique of ourselves in concert with others, as the practitioner is aware of the effect of their mode of being on the modes of being of the others around them and vice-versa. Such relationships would require some degree of closeness and good-will (or at least respect) to allow for such coordination

without domination. Our account can therefore account for the close relations between the parrhesiast and their interlocutors.

Second, there is the role of courage in parrhesia. Although courage was not given as one of the criteria of parrhesia, we should note that it operates as a kind of ethical condition of possibility of engaging in parrhesia: parrhesia requires the courage to speak frankly, to risk retribution, for engaging in critique, to choose an ethical rather than a safe version of oneself. However, it is unclear that our account of the practice of freedom does, or even can, account for this. Wouldn't requiring certain moral characteristics of the practitioner require a substantive, rather than a procedural, account of the practice of freedom?

This isn't quite correct. Our account of the practice of freedom is a constitutivist one and, as we have noted before, a constitutive account allows us to derive normative content from a procedural account. For instance, in playing chess, successfully achieving the aim of checkmating your opponent implies a need for certain cognitive capacities and ethical characteristics; perhaps the courage to make a risky move. In the same way, our account of the practice of freedom leaves room for practitioners to require certain ethical virtues.

Finally, the most important aspect of Socratic parrhesia seems to be the adequation between logos and bios, the concordance between the rational account one gives of one's mode of being and one's mode of being itself. This adequation is both the condition of possibility for the parrhesiast's engaging in parrhesia and what is being put to the test in parrhesia.

It seems to me that we can account for this aspect through the necessary aim of taking care of the self. First, we noted before that Socrates considers his parrhesiastic activity to be, not only a way of encouraging others to take care of

themselves, but also of his care of himself. (*Apology* 37e-38a) Second, in the previous, we already saw that the care of the self should be understood as the recognition of oneself as an appropriate object of concern and the attempt to transform one's way of life in line with this concern. The successful practice of the care of the self, then, will result in an adequation between one's *logos* - that one should have a certain mode of being - and one's *bios*, one's mode of being.

We can conclude, therefore, that although there are aspects of Socratic parrhesia that are important for the practice of freedom, these aspects can be accounted for within our model.

Conclusion

In this chapter, we have applied our model of the practice of freedom to Socrates' parrhesiastic activity and shown, firstly, that Socrates holds the three necessary aims of the practice of freedom, secondly, that he successfully engaged in the practice of freedom and, thirdly, that our model of the practice of freedom can be applied to real life examples. Socrates' superlative practice of freedom has suggested a small amendment to our account of the practice of freedom, namely to note that we may have overstated the amount of success at resisting domination required for a superlative practice of freedom: Socrates does not seem to have removed existing situations of domination, but only to have avoided the creation of new ones.

Although we have shown that our constitutivist account of the practice of freedom can be applied to real individuals, it is worth noting that our only example is of the Greco-Roman form of care of the self. As we saw in chapter 1, this form of care of the self is often considered to involve a hyper-active conception of agency, a contention we wanted to defuse. Next, then, we will examine an example of the

practice of freedom where the practitioner underwent a transformation in their experience of agency, from active to not active: in the life of the Irish playwright Oscar Wilde.

Chapter 6: Oscar Wilde, Fine Liars and Humble Individualists

Introduction

This chapter is our second engagement with a practitioner of freedom. The previous one, with Socrates, took him as a paradigmatic example of a practitioner of freedom. In this chapter, we turn to a figure who, although also a practitioner of freedom, is primarily of interest because of a transformation he underwent in his experience of the practice of freedom. This figure is Oscar Wilde, the 19th Century poet, author, playwright and aesthete.

Wilde has several points in his favour. First, he appears a very likely candidate for the practice of freedom, given his clear attempts to make his mode of being into a work of art. Second, although Foucault never wrote about Wilde directly, as we saw in our discussion of the critical ontology he did write about the Baudelairean dandy who attempts 'to make of his body, his behaviour, his feelings and passions, his very existence, a work of art.' (WE 312) Wilde was clearly influenced by both dandyism and by Baudelaire; the latter influence can be seen in his admiring discussions of Baudelaire in works including 'The Decay of Lying' and 'The Critic as Artist'. Third, Wilde wrote a number of texts explaining his views on aesthetics and art and, importantly for our purposes, he wrote a text in prison extensively detailing a crisis he experienced in his practice of freedom and the transformation he underwent in response.

It is this final aspect – Wilde's transformation – that makes Wilde such an interesting figure to engage with. His transformation is not only in his practice itself, but in the *experience of agency* that accompanies it. Our previous discussions of the practice of freedom may have given the impression of an active and deliberate activity: the practitioner deliberately shapes her life in a certain way while viewing it

from a critical distance. Wilde initially held to a similar model, but, after a period of crisis leading up to and including his imprisonment, he came to understanding the practice of freedom as involving an experience of the unfolding of a process within oneself in which he, nevertheless, was participating. In short, Wilde's texts show a transformation between understanding the practice of freedom as an autonomous activity and an experience of the practice of freedom as involving what Béatrice Han-Pile has recently called a "middle-voiced" experience of agency. Approaching Wilde through this lens will not only allow us to give a fuller account of his activity of self-expression; it will also allow us to provide a response to critiques of Foucault, such as those we saw in the first chapter from Lois McNay, that see his account of ethics as overly active and privileging a masculine-coded view of the agent.

This chapter begins with a short definition and discussion of the middle-voiced experience of agency. Next, we will bring out Wilde's earlier understanding of the practice of freedom using three texts he wrote before his conviction. We will then examine Wilde's letter from prison, *De Profundis*, to show Wilde's new understanding of the practice of freedom and how the experience of agency changed. Finally, we will conclude by discussing the implications of this experience of agency for our account.

Middle-voiced agency

In her paper ''The Doing is Everything': A Middle-voiced Reading of Agency in Nietzsche,' Béatrice Han-Pile identifies an experience of agency distinct from either the experience of being an active agent carrying out actions and the experience of being passively acted upon. In this experience, the "middle-voiced" experience, the agent experiences herself as both *participating in* and *being the medium for* the

unfolding of a process which she did not initiate and which she does not have control over. One way of bringing out this experience is by comparing the linguistic active voice and the middle voice. English lacks a middle-voice, but Han-Pile draws illustrative examples from ancient Greek. For instance, compare the Greek active 'πολέμον ποίεῖ' (*polemon poiei*) which means 'he makes war' in the sense of starting the war, e.g., by declaring it, with the middle-voiced 'πολέμον ποίεῖται' (*polemon poieitai*), which means 'he is making war' in the sense of fighting in it. (Han-Pile 2020, 53) In the latter case, the soldier is participating in the process to the extent that he is fighting in the war – it is not the case that the war is something that is simply happening to him. However, it is also not the case that the war is something over which he has reflective control: he did not choose to start the war.

Middle-voiced activities have this same basic experience. Han-Pile identifies three phenomenological criteria for the middle-voiced experience: i) the agent comes to recognise that they are engaged in a process they did not initiate; ii) the agent experiences themselves as responding to this process, whether pre-reflectively or reflectively; iii) the agent does not have, and does not experience themselves as having, reflective control over the process.[75] (ibid., 57) Take the example of trying to sleep. First, there is the process unfolding within us: i.e., falling asleep. Falling asleep is not something that simply happens to us, but rather is a process we participate in. Second, we respond to this process; pre-reflectively, we might unreflectively allow our attention to relax and so on; reflectively, we might attempt to stop thinking, to engage in activities that distract our attention (e.g., counting sheep), etc. Third, we do not have reflective control over the process: we cannot simply choose to fall asleep. Note that in either kind of response, pre-reflective or reflective,

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[75] Note that this is not experienced as a *lack* of reflective control, only an absence.

the response aims to allow the process to manifest itself. The claim in this chapter will be that, first, Wilde's second model involves a middle-voiced experience of self-expression, and second, that this model constitutes a practice of freedom.

Pre-prison Wilde: Fine Liars and the practice of freedom

In his works written before his imprisonment, Wilde holds to a model of artistic activity which should be understood as an instance of the practice of freedom. This model is a model of the artistic mode of life in which the artist, as well as their other work, also creates their own life as a work of art. For reasons that will become apparent, I will refer to this model as the *Fine Liar* model.

In summary, in the Fine Liar model the artist takes their everyday existence as the subject matter for criticism and artistic creation. They select the aesthetically pleasing aspects of their existence and exaggerate them, transforming the everyday events of their life into an artistic work, a mode of existence that conforms with their aesthetic values. In this activity, the Fine Liar is not concerned with giving a truthful representation of their life, but rather with giving themselves pleasure through producing the representation. Further, this activity is carried out self-consciously and deliberately. Finally, the activity of the Fine Liar puts them at odds with any social order which attempts to direct their behaviour.

To elucidate this model, we will turn to three texts Wilde wrote around 1890: 'The Decay of Lying,' 'The Critic as Artist' and 'The Soul of Man under Socialism.' These texts will allow us to show that Wilde holds this model and, furthermore, to argue that taking up the model constitutes practicing freedom.

An aside on Wilde's dialogues

We should briefly note that two of these texts – 'The Decay of Lying' (DL) and 'The Critic as Artist' (CA) – are written as dialogues. Given the various forms and uses dialogues can have, we should be cautious about attributing the opinions expressed in the dialogues to Wilde himself. However, two considerations support such an attribution. First, the dialogues make interventions into contemporary debates where they seem to represent Wilde's actual opinions. As Richard Ellman points out in his biography of Wilde, 'The Decay of Lying' serves to criticise the realism of Zola (Ellman 1987, 285) while 'The Critic as Artist' directly attacks the negative view of art criticism held by Wilde's sometime-friend James Whistler and Matthew Arnold's claim that criticism should show us its object as it really is. (ibid., 285) These interventions in contemporary discussions suggest that Wilde held the opinions of his primary speakers.

Finally, in 'The Critic as Artist' Gilbert seems to explicitly state the purpose of the dialogue. His interlocutor, Ernest, criticises Gilbert for his own use of the dialogue form, leading to the following exchange:

> Ernest: By… means [of the dialogue]… [the author] can invent an imaginary antagonist, and convert him when he chooses by some absurdly sophistical argument.
> Gilbert: Ah! It is so easy to convert others. It is so difficult to convert oneself. To arrive at what one really believes, one must speak through lips different from one's own. (CA 99)

Ernest's criticism equally applies to Wilde, as over the course of the dialogue Ernest is easily converted by Gilbert. This suggests that Gilbert's response is also Wilde's. The aim of the dialogue, this implies, is for Wilde to determine his own true beliefs.

The interesting thing about this approach is that it foreshadows Wilde's later transformation in his experience of the practice of freedom. Wilde here seems to be use writing as a middle-voiced way of uncovering his beliefs: he is participating in a process of belief expression that is already going on through him, but this is not a process over which he has reflective control, otherwise he could simply express what he believes. If we grant that Wilde had some success in this activity, then we should conclude that the beliefs expressed by his dialogues are his true beliefs.

These considerations, I argued, give us reasonable justification to attribute the beliefs expressed by the primary interlocutors to Wilde.

'The Decay of Lying': the Artist as a Liar

'The Decay of Lying: An Observation' is a dialogue with two participants, Cyril and Vivian. Their discussion centres on an article written by Vivian called 'The Decay of Lying: A Protest', parts of which he reads aloud. This dialogue introduces several aspects of the Fine Liar model: i) that the artist is not concerned with representing the truth; ii) that the artist is concerned with their own pleasure; iii) that artistic activity is a matter of selection and exaggeration. Although the dialogue mostly focuses on artistic creation, its claims can also be applied to the creation of one's life as an artistic work.

In his article, Vivian suggests that lying itself is an art:

People have a careless way of talking about a "born liar", just as they talk about a "born poet". But in both cases they are wrong. Lying and poetry are arts – arts, as Plato saw, not unconnected with each other – and they require the most careful study, the most disinterested devotion. (DL 7)

Vivian provides no reference for this claim about the connection between poetry and lying, but one possible source would be Book X of the *Republic*. Socrates argues that poetry is merely the imitation of activities that the poet does not know how to perform, and therefore should be excluded from the ideal city as harmful. (*Republic* 595-602) One way of reading this would be to see poetry as a kind of lying. However, Vivian turns this evaluation on its head. The connection between poetry and lying is to the benefit of both: as both are arts, both require care and commitment.[76] The connection between art and lying leads Vivian to the thesis of his article: modern literature, he claims, has become boring, and a major cause of this is the 'decay of Lying as an art, a science and a social pleasure.' He continues: 'the ancient historians gave us delightful fiction in the form of fact; the modern novelist presents us with dull facts under the guise of fiction.' (ibid., 6) Lying, Vivian claims, is an art which is essential to the practice of other arts, and revitalising lying means learning to lie again: 'What we have to do, what at any rate it is our duty to do, is to revive this old art of lying.' (ibid., 33)[77]

Lying for its own sake

Vivian gives us a variety of examples of lying:

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[76] We will see an echo of this reversal in 'The Critic as Artist' when Gilbert argues that it is more difficult to write history than to make history. Contrast with *The Republic* (599b):

> If [the poet] were in truth a knower of these things that he also imitates, he would be far more serious about the deeds than the imitations and would try to leave many fair deeds behind as memorials of himself and would more eager to be the one who is lauded rather than the one who lauds.

[77] Given our subject for this chapter, Wilde's practice of freedom, the re-appearance of this structure of the voluntary choice that becomes a task or duty should be of interest. As we noted in our earlier chapters, this structure is common in practices of freedom.

Lying for the sake of gaining some immediate personal advantage.

Lying for the sake of the improvement of the young.

Lying for the sake of a monthly salary. (ibid., 33-34)

Although he attributes some positive value to all these forms of lying, he doesn't consider them above reproach; for instance, lying for a salary is common in journalism 'but it is said to be a somewhat dull occupation.' (ibid., 34) There is one kind of lying, however, the Vivian considers unblemished: "Lying for its own sake." This is a kind of lying that is engaged in *solely* for the pleasure of telling the lie. Now, it is important not to confuse this with forms of lying where the *results* of the lie give us pleasure. For instance, if you lie to someone to hurt them and gain a malicious pleasure through doing so, this was not lying for its own sake. However, if you told a lie *for the pleasure of telling the lie* and this happened to hurt someone else (for instance, if they discovered your lie), this would be lying for its own sake.[78]

For Vivian the paradigmatic example of lying for its own sake comes in what he calls "the fine lie":

How different [is the temperament of the lying] politician from the temperament of the true liar, with his frank, fearless statements, his superb irresponsibility, his healthy, natural disdain for proof of any kind! After all, what is a fine lie? Simply that which is its own evidence. If a man is sufficiently unimaginative to produce evidence in support of a lie, he might just as well speak the truth at once. (ibid., 5)

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[78] For an illustrative example, imagine that someone is telling you a story from their life. You assume the story to be true and that the events they told you about took place in the way they described. Later, however, you find that they have embellished aspects of the story, not so as to make themselves look better, etc., but in ways which made the story more pleasurable to tell. In this case, they have lied for the sake of the pleasure of telling the lie; you may well be hurt by finding out that you have been lied to but, as this is not their intention, their lie remains an instance of "lying for its own sake".

The fine lie is delivered boldly, with no attempt at justification, because it is so compelling that it is its own justification.[79] In other words, the fine lie cannot be simply *plausible*. It cannot be something that an audience would hear and think "that seems about right" or "that's what the evidence suggests." If we tell plausible lies, the pleasure derived from them comes not from the telling of the lie *itself,* but from our own cleverness in deceiving others. For an illustration of a fine lie, Vivian gives us this image of the first liar:

> He… who first, without ever having gone out to the rude chase, told the wondering cavemen at sunset how he had dragged the Megatherium from the purple darkness of its jasper cave, or slain the Mammoth in single combat and brought back its gilded tusk… was the true founder of social intercourse. (ibid., 19-20)

The first liar is not telling lies that have strong evidence or that are simply plausible – in fact, they seem easily disproved – instead he is telling beautiful lies, lies that his audience *wants* to believe and that he enjoys telling. It is also worth noting what Vivian is doing in this passage. He illustrates the beauty of the first liar's lies through his use of imagery: the Megatherium lies in "purple darkness" in a "jasper cave", the Mammoth's tusk is "gilded." It is because these lies are beautiful that they 'charm,' 'delight' and 'give pleasure'. (ibid., 20) However, Vivian is also himself engaging lying for its own sake. This image of "the first liar" is itself a false image, but Vivian makes it seem true precisely through the way he tells it. This passage, then, both presents an example of a fine lie and *is* such an example.

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[79] Compare this with a style of lying common in politics, which we could call "lying with evidence." A political figure or activist might produce a case for a false position while (mis-)using statistics or studies to support their point. For instance, a common tactic among climate change deniers is to ignore long-term trends of falls in the size of glaciers, in favour of studies which show short-term growth.

The true liar, then, lies for the pleasure of telling a fine lie. And, Vivian notes, 'the highest development of this is… Lying in Art.' (ibid., 34)

Art as a form of lying

As well as suggesting a vital role for lying for its own sake in art, Vivian can be read as suggesting that art itself is a form of lying. He makes this most explicit in a passage which imagines a time when society becomes bored of realism in art and welcomes the return of the liar:

> Nor will [the liar] be welcomed by society alone. Art… will run to greet him, and will kiss his fake, beautiful lips, knowing that he alone is in possession of [her] great secret… that truth is entirely and absolutely a matter of style.' (ibid., 20)

This fits with what we said before, that the liar lies in such a way as to make his lies self-evidently true. Further, if only the liar is in possession of the secret of Art, then either all artists are also liars, or artists are not in possession of the secret of Art. It seems likely that Wilde would consider artists in the latter category not to be true artists, and so the conclusion would be that all true artists are true liars. If lying for its own sake is at the core of art, then all art is an attempt to produce a lie about the world that is self-evidently true.

We can see what Vivian means by this if we turn to the criteria he gives for art. First, Vivian maintains that the artist must be indifferent to the subject-matter of art.

> The only beautiful things… are the things that do not concern us…. To art's subject-matter we should be more or less indifferent. We should, at any rate, have no preferences, no prejudices, nor partisan feeling of any kind. (ibid., 13)

When Vivian talks about indifference, he cannot mean aesthetic indifference, given that we are talking about beautiful things. Instead, he means that we should not have moral feelings, political biases; subjects for art should not be things that are necessary for us. The liar, similarly, only concerns himself with the subject-matter of his lies insofar as they have or lack the qualities that make them suitable to be fine lies: he lies for the pleasure of lying and the beauty of the lie.

Second, Vivian claims that:

Art itself is really a form of exaggeration; and selection, which is the very spirit of art, is nothing more than an intensified mode of over-emphasis. (ibid., 16)

Artistic creation is a matter of selecting the aesthetically pleasing features of one's subject-matter and exaggerating them. Again, this activity is the same as that of the true liar. The liar exaggerates the beautiful and pleasurable features of his subject until it becomes self-evidently true.

The fine lie, then, meets both criteria for art. Note, however, that the converse is also true on Vivian's account. If a work of art is defined by indifference and exaggeration, then all art will also be a "fine lie". On Vivian's account, then, Art is a form of lying for its own sake. In his own words: 'Lying, the telling of beautiful untrue things, is the proper aim of Art.' (ibid., 37)

Living a lie

Vivian's discussion suggests that not only are all artists liars, the liar is an artist in her own right. In such cases, the artist takes her own life as her subject matter. We saw this in the figure of the first liar: perhaps he found a mammoth tusk, or saw a Megatherium, and his lie followed from there.

We should note that, given our criteria of art, this activity leads to an odd

detachment from one's own life: if the artist must be indifferent in certain ways to her subject-matter, then the artist who makes her life into a work of art must be indifferent to her own lived experience. She must approach her life without 'prejudices, preference, partisan feelings of any kind.' (ibid., 13) The liar has critical distance from her own life: she evaluates it without prejudice, looking for elements which can be exaggerated to produce a beautiful lie.

We can see a clear example of this mode of being in Wilde himself. In 1877, Wilde went on holiday to Greece where he visited the excavations at Olympia. Later, he told a friend he had seen part of a statue of Apollo being discovered:

> [D]uring the excavation I was present when the great Apollo was raised from the swollen river. I saw his white outstretched arm appear above the waters. The spirit of the god still dwelt within the marble. (cited by Ellman 1987, 69)

However, Ellman notes: 'In fact the head of Apollo, not his arm, had been found, but on dry land, and some days before Wilde got there.' (ibid., 69) Wilde himself engaged in the activity we discussed above: taking up an attitude of indifference to one's own life and exaggerating the beautiful aspects of it.

This view of the artistic mode of life, then, entails certain of the features we discussed in our introduction: the artist is concerned not with representing the truth, but in giving pleasure to themselves. Artistic activity is a matter of selection and exaggeration. Finally, this activity of selection is carried out actively and deliberately.

'The Critic as Artist': Criticism and Creation

This text, like 'The Decay of Lying', takes the form of a dialogue with two participants: Gilbert and Ernest. In the dialogue, Gilbert defends art criticism from

Ernest's Whistlerian objections and argues that criticism is itself a form of artistic creation.

For our purposes, this dialogue repeats the idea that art is a matter of selection and exaggeration, although here this activity is put under the heading of criticism rather than lying. Gilbert also suggests that criticism can be applied to one's own life, highlighting the kind of critical self-transformation that we have argued is central to the practice of freedom. Finally, Gilbert explicitly argues that this artistic activity is reflective and suggests that critical activity is superior to and more free than other types of activity.

What is criticism?

'The Critic as Artist' begins with a discussion of criticism which, to a significant extent, parallels the discussion of lying we saw in 'The Decay of Lying.' First, Gilbert argues that criticism is an art. He maintains that:

> The critic occupies the same relation to the work of art that he criticises as the artist does to the visible world of form and colour, or the unseen world of passion and thought. (ibid., 88)

This has implications for criticism and art. If the critic has the same relationship as the artist, his role cannot be merely destructive. Instead, the critic must also be engaged in a kind of creative work. Further, given that Gilbert rejects Arnold's view that the role of the critic is to see the work as it truly is (ibid., 70), if the critic is doing something other than re-presenting the work of the artist, then the artist must be engaged in something other than representing her subject matter. This is precisely Gilbert's position:

> Why should [criticism] not be [art]? It works with materials, and puts them into a
>
> form that is at once new and delightful. What more can one say of poetry? (ibid.,
>
> 69)

Both criticism and art do not merely represent their subject-matter, they transpose it into a different medium and a more beautiful form. As in with Vivian in 'The Decay of Lying', Gilbert does not stop here, and goes on to argue that all art is criticism. Criticism, he maintains, is an essential part of all artistic activity, and without it 'there is no artistic creation at all worthy of the name.' (ibid., 58) This all parallels the discussion of lying, with the same result. Ernest, agreeing with Gilbert, says:

> [T]he function of [art] is to create from the rough material of actual existence, a
>
> new world that will be more marvellous, more enduring and more true than the
>
> world that common eyes look on. (ibid., 67)

One brief but important part of this account is that Gilbert explicitly mentions the possibility of applying criticism to one's own life, and thereby making it into an artistic creation. Gilbert claims that two 'highest and supreme arts' are 'Life and Literature.' Although Gilbert leaves the art of Life to one side, noting that 'the principles [of the art of Life], as laid down by the Greeks, we may not realise in an age so marred by false ideals as our own.' (ibid., 52) Although the art of Life of the Greeks may no longer be practical, the art of Life does exist. Given what we have seen, Life as an art must involve taking some material, perhaps the events of one's life, as the starting point for a new creation to be transformed into a beautiful mode of life.

Criticism as autonomous activity

The importance of criticism for Gilbert becomes apparent when he draws a

distinction between artistic and non-artistic activities. He argues that 'it is very much more difficult to talk about a thing than to do it', and, further, that 'Anybody can make history. Only a great man can write it.' (CA 62) Non-artistic, and hence non-critical activity, is easy, Gilbert argues, because it is unfree:

> [Action] is a blind thing dependent on external influence, and moved by an impulse of whose nature it is unconscious. It is a thing incomplete in its essence because limited by accident, and ignorant of its direction, being always at variance with its aim. (ibid., 62)

Action is directed, not by the agent, but by the 'scientific laws that govern life'; for instance: 'the scientific principle of Heredity has… shown us that we are never less free than when we try to act.' (ibid., 90) Criticism, however, offers us the possibility of freedom, presumably because it makes sure that our behaviour is in line with our aims, rather than those of biological impulses. All artistic work is of this type, according to Gilbert:

> All fine imaginative work is self-conscious and deliberate. No poet sings because he must sing…. A great poet sings because he chooses to sing. (ibid., 58)

For Gilbert, artistic work – which is carried out critically and deliberately – is distinct from other forms of activity, which are directed by blind impulse.

The 'Critic as Artist', then, supports our model of the Fine Liar. It reiterates the idea of artistic creation as involving selection and transformation; it shows that we are justified in arguing that these ideas around artistic creation can be applied to the creation of one's life as a work of art. Finally, it clearly shows that Wilde sees the artistic mode of life as involving deliberate action and reflective control.

'The Soul of Man under Socialism': Freedom from Compulsion

'The Soul of Man under Socialism', unlike the previous texts, is an essay written in Wilde's own voice. In this essay, Wilde argues in favour of a very loosely defined socialism on the grounds of self-interest for people in general and the artist in particular. More specifically, Wilde gives two arguments: first, the suffering incurred by others distracts us from our proper work and socialism is the best way to stop this suffering; second, conceptualising socialism as an absence of coercion, Wilde maintains that socialism is the only acceptable form of government for artists, as artists must not be subject to coercion if they are to produce art. In reading this text, I will not concern myself with the details of Wilde's account of socialism (which seems to be roughly: everyone will be provided for and there will be no compulsion), but rather focus on what he says about the artist.

For our purposes, this text reiterates the idea that the artist must produce art solely for her own pleasure (as we saw in 'The Decay of Lying') and, further, shows the necessary conflict between the artist and any external attempt to direct their mode of life.

Sympathy for others

Wilde notes that there is a great deal of suffering in the world and argues that this leads to most people having to concern themselves with others, rather than concerning themselves with themselves. The suffering that surrounds us in life compels us to want to do something about it and leads us to live, not for ourselves and our own pleasure or development, but for others. Suffering therefore leads artists astray for reasons we have already seen. As Vivian argued in 'The Decay of Lying', it is important that we are indifferent to the subject-matter of art. If the artist

creates art that aims, for example, to change the condition of sufferers then, for Wilde, they are not creating true art:

> [A]lone, without any reference to his neighbours, without any interference, the artist can fashion a beautiful thing; and if he does not do it solely for his own pleasure, he is not an artist at all. (ibid., 252)

Suffering, if it distracts the artist, stops her from creating art. If, as Wilde maintains, socialism will end human suffering, then the artist should be a socialist.

The absence of coercion

Wilde also envisions socialism as a form of government which minimises compulsion over individuals and maximises their ability to act voluntarily. For instance, he maintains that socialism would end the 'Tyranny of want' that forces people into unpleasant and undignified labour with the threat of starvation. (ibid., 237) Under socialism, these individuals will no longer be compelled to work, and will be able to live for themselves:

> Every man must be left quite free to do his own work. *No form of compulsion* must be exercised over him. If there is, his work will not be good for him, will not be good in itself, and will not be good for others. And by work, I simply mean activity of any kind. (SMS 240, emphasis mine)

Clearly, it is not only the needs of survival that Wilde thinks must be eliminated; instead, Wilde writes, 'authority and compulsion are out of the question. All association must be voluntary.' (ibid., 241) If this is true for people in general, it is especially true for artists. Given Wilde's account of artistic creation, any compulsion over artist will stop them from producing art at all:

> It is evident, then, that all authority in [artistic practices] is bad. People sometimes inquire what form of government is most suitable for an artist to live under. To this question there is only one answer. The form of government that is most suitable to the artist is no government at all. Authority over him and his art is ridiculous. (ibid., 265)

It is only when the artist works for the pleasure of creating beautiful things that she is truly engaged in art. If authority is exercised over her, then she will not be working solely for her own pleasure; therefore, the artist must be opposed to all authority and compulsion.

Art is opposed to society

Wilde further suggests that, not only does art require freedom from social compulsion, but the production of art places the artist in opposition to society. The public are opposed to art, Wilde claims, on the grounds that it is morbid. They are wrong however, as morbidity is 'a mood or emotion or a mode of thought that one cannot express.' (ibid., 256-257) Rather, it is the public who are morbid, while the artist can express everything. Due to this, however, the public are right to distrust art:

> Art is Individualism, and Individualism is a disturbing and disintegrating force. Therein lies its immense value. For what it seeks to disturb is monotony of type, slavery of custom, tyranny of habit, and the reduction of man to the level of a machine. (ibid., 254)

Society requires that individuals take their places within it; Art, however, attempts to destabilise society as it currently exists, because it is concerned with the creation of new idiosyncratic modes of life. Insofar as the current social order limits the possibilities of self-development it must be opposed by the artist.

In this text, then, Wilde reiterates the idea that artists must produce art solely for the pleasure they get from creation. Furthermore, he argues that artists must be fundamentally opposed to compulsion and to a social order that attempts to direct people's lives and self-development.

The Fine Liar as a practitioner of freedom

From the three texts we have examined we have successfully reconstructed Wilde's account of the artistic mode of life, what we have referred to as the Fine Liar model. On this account, the artistic mode of life involves an activity of selection and exaggeration of the aesthetically pleasing elements of one's day-to-day existence, transforming it into an artist work. This activity must be carried out solely for the pleasure it gives the Fine Liar and therefore brings her into conflict with attempts to govern her life. Our next step must be to confirm that the Fine Liar is a practitioner of freedom by comparing the model to our three necessary criteria for practices of freedom.

Resistance to domination

As we saw in our discussion of 'The Soul of Man under Socialism', the Fine Liar is firmly committed to avoiding situations of domination. First, if the artist is to engage in art at all, they must be engaging in artistic activity with the sole aim of their own pleasure. Insofar as compulsion or government would disrupt them in this activity, they must oppose these forces. Furthermore, if the Fine Liar is producing their own life as a work of art, they cannot be opposed to compulsion only as it is directed towards art (e.g., censorship), but whether it affects their life at all. Now, as power

relations are any relationship in which someone's behaviour is being modified, the artist must chafe against all power relations. Given that domination is a situation in which power relations have become frozen and cannot be changed, this means that the artist must oppose all domination, as it will stop them from changing the power relations they are subject to.

Second, the Fine Liar is committed to trying to produce a beautiful mode of life for themselves, which leads to them opposing social forms which try to limit this kind of self-expression. Given that one feature of domination is that, through freezing power relations, domination limits possible forms of the subject, the Fine Liar, again, must oppose domination.

Care of the Self

The Fine Liar aims to transform her everyday existence into a mode of being which meets certain aesthetic criteria. Given that she must be indifferent to the subject-matter and guided by her own pleasure, the Fine Liar's mode of being will be an expression of her aesthetic values. This, then, seems to meet our criteria for the care of the self as the attempt to transform one's mode of being in line with one's values. One possible worry is that this transformation might sound overly superficial, akin to a change of wardrobe. However, Wilde does see even transformations in one's appearance as ways to express deeper values. In a letter to the Daily Telegraph, he writes:

> The coat… of next season, will be an exquisite colour-note, and have also a
> great psychological value. It will emphasise the serious and thoughtful side of
> one's character. One will be able to discern a man's view of life by the colour he
> selects. The colour of the coats will be symbolic…. The imagination will

concentrate itself on the waistcoat. Waistcoats will show whether a man can

admire poetry or not. That will be very valuable. (Wilde 1962, 284)

This view, that one's external appearance can be used to express one's values

bears a strong resemblance to a passage of Baudelaire's cited by Foucault.

Baudelaire is talking about the modern painter who is capable of representing the

spirit of the age. Of modern dress, he comments:

The dress-coat and frock-coat… [possess a] poetic beauty, which is an

expression of the public soul – an immense cortège of undertakers' mutes…. We

are each of us celebrating some funeral. (cited by Foucault 1997, 310)

For Baudelaire, the modern painter is the one who can show this poetic beauty in

modern dress. In a similar way, for Wilde, the Fine Liar is capable of expressing their

personality and their values through their mode of being.

The critical ontology of ourselves

As we discussed at length in the 'Critic as Artist', the Fine Liar's work relies on her

use of the critical faculty to identify the aspects of her subject matter that are suitable

for exaggeration and transformation. When the Fine Liar turns her critical faculty on

herself, as she must in self-transformation, then she will engage in a critique of her

mode of being. We should also note that, in the same way that we said that the

critical ontology is concerned with how one's mode of being came about and hence

with finding what is contingent in it, artistic criticism us also concerned with the

history of oneself and with seeing how it could be otherwise.

Conclusion

In this section, we have examined three of Wilde's pre-prison texts in order to reconstruct the account of the artistic mode of life he then held. In 'The Decay of Lying', we saw that artistic activity is a form of what Wilde called 'Lying for its own sake' and was an activity of selection and exaggeration which attempted to produce self-evidently true fictions. In 'The Critic as Artist', we again saw that the artist was engaged in an activity of selection and transformation, here conceptualised as criticism rather than lying. Further, we saw that Wilde considered this critical activity to be autonomous. Finally, in 'The Soul of Man under Socialism' we saw again the insistence that the artist must work for their own pleasure and, furthermore, that this implies an opposition to social formations which would attempt to direct their activity.

We then read Wilde's model of the Fine Liar in the light of our three necessary criteria for the practice of freedom, showing that all three are held and, therefore, that Wilde's conception of artistic activity is a practice of freedom. Wilde, then, before his prison term, endorsed a practice of freedom understood as a self-conscious, deliberate, and autonomous activity carried out by the artist.

However, Wilde would later undergo a significant change in how he understood the artistic mode of life, coming to see it not as a deliberate activity but as a middle-voiced process going on within and through the person of the artist. We now turn to Wilde's *De Profundis* in order to sketch this new understanding.

Wilde in prison: *De Profundis* and the Humble Individualist

In this section, we turn to Wilde's *De Profundis* in order to investigate the change he underwent in his understanding of the artistic mode of life. I will argue that, although

there are similarities between his pre- and post-arrest understandings, Wilde underwent a dramatic shift in his *experience* of artistic creation. I will refer to his new model as that of the "Humble Individualist", due to the emphasis on humility and self-expression. First, there are changes in the activity involved. While artistic transformation previously included careful selection of subject-matter, in *De Profundis* the role of selection drops out: the artist now takes up all their experiences - positive or negative, beautiful or ugly - as material for transformation. Second, the transformation involved is no longer the exaggeration of aesthetically pleasing elements. Now it is more akin to the biological process of digestion: the artist internalises and incorporates experiences into herself and then expresses them in an idiosyncratic form. Third, the artistic activity is no longer directed by pleasure, but is the result of a process that was already going on with and through the artist. This third aspect highlights the most significant change in Wilde's model: how it is *experienced*. Rather than experiencing artistic self-creation as reflective and autonomous, the Humble Individualist experiences it in a middle-voiced way, as a process that goes on simultaneously within and through her being.

We will begin this section with a brief overview of the writing of *De Profundis*. Next, we will turn to the text itself, beginning with Wilde's self-diagnosis of his crisis and his recommendation of humility as the solution. We will then use his account of humility to bring out the nature of the process of artistic self-expression and to explain why it led to these changes in his model. Finally, we show that the model of the Humble Individualist is still a practice of freedom.

The Writing of *De Profundis*

De Profundis takes the form of a letter from Wilde addressed to Lord Alfred Douglas,

his former lover, who played a large role in Wilde's imprisonment.[80] Wilde's intention, however, was always to publish the text more widely, as evidenced by the fact that he originally sent the letter to Robert Ross, who made a copy to send to Douglas in case he burned the letter. Wilde was forbidden from writing anything other than letters while imprisoned, and this was used as a way around the prohibition. As a result, Wilde only occasionally discusses his relationship with or feelings about Douglas - although at times he attempts to communicate that he doesn't blame Douglas, with questionable sincerity - instead, most of the text is dedicated to Wilde analysing the reasons for his downfall, discussing the changes he has undergone in prison, and setting out the steps he needs to take in future.

Wilde's self-diagnosis

Towards the beginning of *De Profundis*, Wilde offers a diagnosis of where he went wrong. After discussing the range of talents he was "given by the gods," he writes:

> But I let myself be lured into long spells of senseless and sensual ease. I
> amused myself with being a flâneur, a dandy, a man of fashion. I surrounded
> myself with the smaller natures and the meaner minds. I became the spendthrift
> of my own genius, and to waste an eternal youth gave me a curious joy…. I grew
> careless of the lives of others. I took pleasure where it pleased me and passed
> on. I forgot that every little action of the common day makes or unmakes
> character, and that therefore what one had done in the secret chamber one has

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[80] A brief overview of Wilde's trials and imprisonment: at Douglas' urging, Wilde sued Douglas' father, the Marquis of Queensbury, for libel, for calling him a "posturing homosexual." At the trial, it was declared to be "in the public interest" to refer to Wilde as a homosexual, which led to Wilde being prosecuted for "gross indecency with men". Wilde had advance warning that he was to be arrested (some contemporaries believed that he was intentionally given enough time to leave England), but refused to flee the country, preferring to stand trial. He was convicted and then imprisoned. For a more detailed account, see Ellmann (1987), pp.409-449.

> some day to cry aloud on the housetops. I ceased to be lord over myself. I was
> no longer the captain of my soul, and did not know it. I allowed pleasure to
> dominate me. I ended in horrible disgrace. There is only one thing for me now,
> absolute humility.' (DeP 46-47)

We should begin by noting the apparent tension between Wilde's final diagnosis – "I ceased to be lord over myself" - and his remedy: "absolute humility." From his diagnosis, one might expect the solution to be to re-establish control over his soul. Instead, Wilde recommends "absolute humility." As we will see later, he defines humility, in the artistic mode of life, as 'the frank acceptance of all experiences.' (ibid., 84) Now, given that Wilde sees himself as having lost control over himself, acceptance is not the obvious solution; instead, we might expect Wilde to attempt to re-establish control.

We can go some way to dissolving this apparent tension by examining the language used by Wilde to describe his activities in this and the preceding passages. Earlier in the text, while discussing his artistic talent, Wilde exclusively makes use of active language:

> I made art a philosophy… I altered the minds of men and the colours of things…
> I took the drama… and made it [a] personal mode of expression… whatever I
> touched, I made beautiful in a new mode of beauty. (ibid., 45-46)

In our current passage, however, although he still uses the active voice, the verbs have middle-voiced connotations, i.e., they don't refer to actions Wilde carried out deliberately and autonomously, but to a process that went on through and within him:

> I let myself be lured… I became the spendthrift of my own genius… I grew
> careless of the lives of others… I forgot that every little action… makes or
> unmakes character. (ibid., 46-47)

To "let" oneself to "be lured" is not to actively carry out an action, instead it suggests that one did not act, in order that an external process might run its course. Of course, being lured is not purely passive either, as it requires some participation from the subject. Being lured, then, is arguably middle-voiced: one participates in the process to some extent, but cannot exercise reflective control over it. Similar analyses can be applied to the other verbs. "To become X' doesn't imply actively changing oneself in the way that, for instance, 'I made myself X' would. It suggests instead that one was changed, but also that one participated in this change. The same is true of "growth" and of "forgetting". (Imagine actively trying to forget where you left your keys.) Wilde's discussion, then, suggests that his failures are the result of a process unfolding through him, not of intentional activity.

From this we can see why re-establishing control over himself would not necessarily be Wilde's solution. Previously, Wilde did attempt to be the "lord of his soul", but he was undone by processes within him that are not responsive to attempts to reflectively control them. In fact, he specifically states that he was unaware of these processes occurring. Now, while you could, with these processes in mind, proceed in the attempt to re-establish control, although you would need to be aware that similar failures might occur again. However, there is a further possibility, which would be to start from the point of view of oneself as subject to middle-voiced processes. From this perspective, rather than trying to force a mode of life *onto* oneself, one could embrace these processes and the nature they are expressing. In his suggestion of humility, Wilde, I argue, is suggesting this second route. To demonstrate his approach, we will begin by discussing his account of humility.

What is humility?

Humility is commonly understood as a way of relating to one's own goodness or excellence, specifically not overestimating, or perhaps even underestimating, one's positive value. In the philosophical literature, this relationship is sometimes cashed out in terms of one's beliefs about one's goodness. For instance, Julia Driver (2001) argues that humility means being ignorant of one's good qualities. On Driver's account, Wilde's claim that he has discovered humility at the core of his being seems doubtful, given that he has just given a self-congratulatory summary of his accomplishments.

Wilde's account, summarised by 'humility… is the frank acceptance of all experiences', looks closer in form to Nicolas Bommarito's account of humility as a virtue of attention. (Bommarito 2013) For Bommarito, humility is grounded in the ways in which our attention is directed, specifically, patterns of attention in which we do not dwell on our good qualities.[81] Bommarito highlights three main forms of this. The first two are defined primarily by what we do not pay attention to: "Quality Inattention", where our attention does not dwell on our *possession* of a good quality; "Value Inattention", where we do not dwell on the *value* of a quality we possess. The third form is defined primarily by what we do pay attention to: although we might pay attention to our having a quality *and* its value, we further dwell on the external factors that led to us acquiring said quality. (ibid., 101-102) In all these cases, although we are pre-reflectively aware of our qualities and their value, we do not direct our attention towards them. Bommarito, then, shows us a model of humility based on our patterns of attention with regard to our positive qualities, not our beliefs about them.

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[81] Bommarito's account rests on a distinction between "awareness" and "attention". Imagine a philosopher walking through a park while thinking about a paper she is in the process of writing. Although her attention is entirely on the argument of the paper, she walks around a tree that is in her way. For Bommarito, the philosopher would be *aware* of the tree, but her *attention* is on her paper. (Bommarito 2013, 99-100)

My suggestion is that Wilde's account of humility can be understood in a similar way. Wilde's definition of humility as the frank acceptance of all experiences already suggests a pattern of attention: one directed towards experiences as they actually are. However, in looking at this account we should be concerned not only with what our attention is directed *towards*, but also what it is directed *away* from.[82] What this direction involves is unclear from Wilde's definition, but we can figure it out by comparing the Fine Liar model with the model of humility Wilde is suggesting. Recall that a necessary criterion of the Fine Liar model was the activity of selection: the Fine Liar chooses between different experiences on the basis of their aesthetic qualities.[83] Further, for her activity to count as art at all, the Fine Liar must focused on her own pleasure. We could think of the person's experience as having two parts: the experience itself, and the artist's personal response to the aesthetic features of the experience. The Fine Liar, then, is aware of the whole experience, but her attention is only on her emotional response. By contrast, the humble person's attention is solely on the experience itself, although her emotional response is part of her awareness. For Wilde, then, humility means shifting one's attention *away* from one's emotional reaction *towards* the experience itself.

This shift is illustrated by several passages in which Wilde discusses his previous approach to life. He claims that his intention had always been to accept all experiences, but he had previously failed to do so:

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[82] For a pattern of attention to count as humility, it must be directed away from ourselves in some way. Otherwise any directing of attention could count as humility.

[83] Note that this does not mean accepting all experiences and selecting the aesthetically pleasing qualities of those experiences. Instead, the Fine Liar distinguishes between valuable and worthless experiences *on the basis of their aesthetic qualities*. For a possible metaphor, imagine two computer refurbishing shops. Shop A only buys computers that are already functioning above a certain level, refurbishes them and sells them on. Shop B, on the other hand, buys *all* computers they are offered, refurbishes the ones they can and use the rest for parts. The Fine Liar would run shop A: they aren't in the business of salvage.

> I wanted to eat of the fruit of all the trees in the garden of the world, and [I went]
> out into the world with that passion in my soul… My only mistake was that I
> confined myself so exclusively to the trees of what seemed to me the sun-lit side
> of the garden and shunned the other side for its shadow and its gloom (DeP 81)

This passage contains several things of note. First, Wilde identifies both the ways of relating to experiences we discussed above: "accepting all experiences" as "eating of all the trees", and the Fine Liar model as "choosing the trees that appear to us to be 'sun-lit'". Second, when talking about his interactions with the trees, Wilde uses the term "eat".[84] This tells us something about the nature of the acceptance Wilde has in mind. Rather than using a term with more purely sensual connotations, such as "taste" or "enjoy", "eat" implies not only sensory experience but also consumption.[85] Third, Wilde uses the term "confined", which carries middle-voiced connotations. In confining oneself, one is both the confined and the confiner, but the success of the confinement is not within one's rational control: if you could choose to end the confinement, you wouldn't be confined.[86] This suggests, *contra* the Fine Liar model, that Wilde no longer sees his selection of certain experiences as a free and deliberate choice. A final point of interest is Wilde's "shunning" of the darker side of

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[84] Note further the archaic formulation "eat of", especially with regard to the fruit of a tree. This brings to mind Genesis 2:17: 'But of the tree of the knowledge of good and evil, thou shalt not eat of it'. (KJV) Given Wilde's idiosyncratic interpretations of Christian texts it is hard to know what he means by this. It is interesting that he would bring to mind the "tree of the knowledge of good and evil" in a passage where he is suggesting that he has not tasted enough evil, as this would bring out a contrast between Wilde and Adam and Eve: their Fall came from eating of the tree, his seems to have come from *not* eating.

[85] We will return to the importance of this in the section "Acceptance and the metaphor of digestion"

[86] This statement may be disputable; take a sentence like "I confined myself to my room." Presumably, given that I have confined myself, I can end my confinement at any time. While it is true that there is more flexibility in confining yourself than being confined by someone else, there are limits beyond which we would be doing violence to the word "confinement". Imagine if someone says the following to you: 'I confined myself to my room, but I left to get a drink of water every half hour'. This seems in danger of no longer being a case of confinement: the restrictions on their movement are quite lax. We can go beyond the limits of "confinement" in a sentence like the following: "I confined myself to my room, except for meals, getting drinks, going for walks, going to the pub, meeting my friends, and watching television in the living room." If someone were to say that sentence to us, without humour, we might doubt they knew what "confinement" *meant*.

the garden, as this actually takes us beyond the Fine Liar model. As we noted above, the Fine Liar was concerned only with her pleasure, but there was no reference to pain. Here, however, Wilde admits he had been actively rejecting uncomfortable experiences. He offers a longer discussion elsewhere in the text:

> I used to live entirely for pleasure. I shunned suffering and sorrow of every kind. I hated both. I resolve to ignore them as far as possible: to treat them, that is to say, as modes of imperfection. (ibid., 70)

Wilde not only pursued pleasure, he actively rejected suffering. As a result, forms of experiences which caused suffering in him were rejected, even if they were possible of also producing aesthetic pleasure. Again, we see Wilde's solution to this: humility, in which Wilde turns his attention away from his specific personal responses towards the experience itself.

We have, then, Wilde's account of humility: to be humble is to have patterns of attention in which one's attention is directed *away* from one's personal responses to experiences and towards the experiences themselves. This account is recognisable as an account of humility, albeit an idiosyncratic one, in that it refuses to dwell on one's own preferences and tastes. If we were evaluating Wilde's account of humility, a further question would be: why is humility a virtue? Some accounts of humility would justify its status on the basis of the role it plays in human relations: for instance, Irene McMullin argues that modest individuals avoid causing pain to others while acting as 'exemplar[s] of a particular type of integrity'. (McMullin 2010, 805-807) This kind of justification doesn't seem to be there for Wilde: his humility is first and foremost private; any benefits for others follow accidentally rather than by design. However, we've already seen the beginning of the answer to this question. Returning to the "garden" quote, the implication is that humility would be valuable

because it will allow Wilde to achieve his goal of eating of all the trees, i.e., of accepting all experiences. The question, then, is why it would be valuable to be able to accept all experiences.

Acceptance and the metaphor of digestion

Identifying the importance of acceptance for Wilde requires that we first get a clearer understanding of what he means by that term. Like many other key terms in *De Profundis*, "acceptance" carries middle-voiced connotations: acceptance is a process which is not under the agent's reflective control, yet they still participate in the process. For instance, imagine that someone is apologising to you for a wrong they have committed. Although we clearly participate in the process of accepting an apology, we are dependent on at least two things outside our reflective control: first, we need the other person to apologise to us; without this, there is no apology to accept and hence no acceptance. Second, although we can go through the motions and *say* we accept an apology, genuinely accepting the apology requires an emotional development which we cannot reflectively control. There may be instances in which we want to accept an apology and forgive someone, but we cannot bring ourselves to. Similarly, there may be cases where we want to reject an apology, but it is so heartfelt that we have no choice but to accept.

The middle-voiced nature of acceptance lets us see the distinction between the Fine Liar and the Humble Individualist. The Fine Liar engages in something that looks similar to acceptance: although she screens experiences based on their aesthetic value, the Fine Liar still approaches experiences and takes them up. The difference, however, lies in the way in which the Fine Liar understands this "taking up" of experience. For the Fine Liar, taking up an experience means encountering it,

evaluating it, and, if the experience is up to scratch, producing a transformed version of it, with it aesthetic strengths exaggerated and its weaknesses downplay to an extent that pleases the artist.

This, however, is not acceptance because the movement towards the object to be accepted is subject to the reflective control of the Fine Liar. In acceptance, by contrast, the movement towards the object is middle-voiced: we move towards the object, but not in a way subject to reflective control. A model of the Humble Individualist, then, must make room for the middle-voiced nature of acceptance.

The beginnings of a model of the Humble Individualist is provided by the "garden of the world" quote above: eating. In eating something, we take something up and literally incorporate it into us: we consume it, digest it, and reconstitute it as part of us. Wilde explicitly invokes a similar metaphor elsewhere in *De Profundis*, what we could call the metaphor of digestion:

> For just as the body absorbs things of all kinds, things common and unclean no less than those that the priest of a vision has cleansed, and converts them into swiftness and strength, into the play of beautiful muscles and the moulding of fair flesh, into the curves and colours of the hair, the lips, the eye; so the soul in turn has its nutritive function. (DeP, 59-60)

First, we should note that the metaphor of digestion implies a middle-voiced experience of agency. Digestion as a metaphor is commonly used to refer to a process, which we cannot reflectively control, of internalisation of ideas; for instance, Friedrich Nietzsche writes that 'there are dyspeptic authors who only write when they cannot digest something.' (Nietzsche 2008, p.315) We also have reason to think that Wilde himself understands digestion as pre-reflective. He maintains that the role of the "nutritive function of the soul" is to 'transform into noble moods of thought and

passions of high import what in itself is base, cruel and degrading', which is precisely what he has been engaged in reflectively in *De Profundis.*

Second, we should note Wilde's characterisation of the things the body absorbs: the body absorbs all food, sacred or profane. It is interesting here that Wilde talks about the food in moral, rather than aesthetic terms, as we might have expected the latter given our previous discussions of artistic pleasure. Arguably, "delicious or disgusting" food might seem a more accurate analogy to aesthetic experiences. However, this mirrors Wilde's distinctly ethical framing of these matters; recall that he had previously categorised sorrow and suffering, not merely as unpleasant experiences, but as "modes of imperfection". Digestion, then, can take place regardless of our personal feelings about an experience.

Third, note the term standing in for "acceptance": absorption, which, like eating, carries connotations of incorporation. To accept an experience, then, is not simply to recognise that one is having it, or even to make something from it (like the Fine Liar): it is rather to make it part of oneself. This is what Wilde is referring to when he discusses the "nutritive functions" of the soul and the body. This absorption, however, also involves expression. In the metaphor of digestion, there are two parts: "absorption" and "conversion". With food, the absorbed materials are converted into the body and its movements; the further question is what this expression consists in for the soul.

The metaphor of digestion, then, provides us with the first part of the way in which the Humble Individualist takes up experiences. When the humble artist encounters an experience, she eschews any consideration of the aesthetic or ethical value of an experience; instead, she attempts to incorporate the experience into

herself. This incorporation is supposed to allow for self-development or self-expression, and so we need to turn to what this consists in.

Self-expression

Like the Fine Liar, the Humble Individualist seems to have a mode of self-development or self-expression. However, while the Fine Liar's expression took the form of an exaggeration of the aesthetic qualities of a subject matter, the Humble Individualist has a rather different mode. This is clear from the metaphor of digestion: in digestion, food is broken down and reconstituted into often quite different forms. One way to understand self-expression would be to follow the metaphor of digestion the whole way. If we take a very simple understanding, digestion provides nutrients to our bodies which then develop along lines which are (somewhat) genetically predetermined. This would therefore give us a teleological picture, where there is some final state of ourselves and humility allows us to approach that state. Such a reading is consistent with some of Wilde's statements – for instance, his concerns that his life will remain "incomplete" – but it conflicts with a number of others. For example, Wilde claims that his 'nature is seeking a fresh mode of self-realisation.' (DeP 49-50) If we assume that self-development is about reaching some final state, then this emphasis on a "fresh" mode, i.e., an entirely new one rather than a further development of his existing one, makes no sense; presumably, a new mode of self-expression would lead to a new final state. Further, this reading strongly conflicts

with Wilde's discussion of Christ.[87] When talking about what he sees as Christ's creative activity, Wilde writes that:

> With a width and wonder of imagination that fills one almost with awe, he took the entire world of the inarticulate, the voiceless world of pain, as his kingdom, and made of himself its external mouthpiece. (ibid., 101)

He continues:

> And feeling, with the artistic nature of one to whom suffering and sorrow were modes through which he could realise his conception of the beautiful, that an idea is of no value till it becomes incarnate and is made an image, he made of himself the image of the Man of Sorrows. (ibid., 102)

Given that Christ has made himself a mouthpiece for the sufferings of others, it cannot be the case that his development took place *solely* along the lines of some natural predisposition, as this development has been at least modulated by his experiences of the suffering of others. Further, although Wilde grounds this in Christ's nature, he also writes that Christ "made" himself in a certain image. Christ, then, must have played a role in this self-expression.

Wilde further expands on this notion of making oneself as an image:

> Every single work of art is the fulfilment of a prophecy: for every work of art is the conversion of an idea into an image. Every single human being should be the fulfilment of a prophecy: for every human being should be the realisation of some ideal, either in the mind of God or the mind of man. (ibid., 104-105)

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[87] Christ is an important figure for Wilde in *De Profundis*, but a full discussion of him would go beyond the scope of this chapter. Christ is an ambiguous figure for our purposes: at times Wilde seems to distinguish between Christ and the artist, while other times claiming Christ to be a fulfilment of the artistic model.

We seem, then, to have come back to the Fine Liar model. Although the metaphor of digestion had suggested that self-expression meant using experiences to allow for the unfolding of one's nature, in the discussion of Christ we have seen both the acceptance of the experiences of others *and* the creation of oneself in line with an ideal, something we saw with the Fine Liar. One possibility is that Wilde has just simply contradicted himself here: as we saw before, *De Profundis* is not the end result of a process of acceptance; it is *part* of the process. It is therefore plausible that Wilde is dealing with conflicting ideas, having not fully internalised his new understandings. However, there seems to be a possibility of reconciling these ideas if we look at a notion Wilde calls "getting things out of oneself".

Humble Individualism

As we saw in the first half of this chapter, Wilde invokes the concept of Individualism on a number of occasions. Although he does not give a clear definition of this, and it goes beyond the scope of this chapter to derive one, we have previously associated it with an emphasis on individual idiosyncrasies. In several passages in *De Profundis*, Wilde discusses some new aspects of this concept. First:

> I must be far more of an individualist than ever I was. I must get far more out of myself than I ever got, and ask far less of the world than I ever asked. Indeed, my ruin came not from too great individualism of life, but from too little. (ibid., 142-143)

Second, which accompanies the quote we saw above about self-realisation.

> I am far more of an individualist than I ever was. Nothing seems to me of the
> smallest value except what one gets out of oneself. My nature is seeking a fresh
> mode of self-realisation. (ibid., 49-50)

Note the heavy emphasis on "getting things out of oneself"; both sections have almost identical formulations of the point. In the first passage, this statement leads into the claim that a lack of individualism lead to Wilde's downfall. This, however, conflicts with our earlier discussion of this fall: we argued that it resulted from middle-voiced processes going on within Wilde. In the second passage, however, getting things from oneself is connected to his nature's self-realisation, i.e., with the unfolding of a middle-voiced process.

Wilde gives us a further hint as to what he means by self-realisation, and what it means to get things out of oneself:

> '[O]ne realises one's soul only by getting rid of all alien passions, all acquired
> culture, and all external possessions, be they good or evil. (ibid., p.96)

He further continues:

> Most people are other people. Their thoughts are some one [sic] else's opinions,
> their lives a mimicry, their passions a quotation. (ibid., p.97)

What Wilde is referring to, then, is a kind of self-sufficiency where one's thoughts, values and passions are not mere imitations of those of other people. Wilde's fall happened not simply because there were middle-voiced processes within him, but because the values those processes manifested were *alien*. Conversely, one's nature is realised when the middle-voiced process is manifesting values that are our own. Again, however, this leads us into problematic territory. What does it mean for a value to be *our own*, rather than being acquired or copied? Further, how does this

account for Christ? If Christ made himself a vehicle for the sorrow of others, then doesn't this mean his sorrow did not come from himself?

We have already suggested an answer to this question. Remember that, on Wilde's account, Christ did not simply convey the complaints of others; instead, he specifically took up "mute" suffering, that which could not be expressed, and made it expressible. This is specifically a transformation of the subject-matter. In taking up sorrow, then, and in making himself "the Man of Sorrows", Christ makes that sorrow into something new and truly his own. We know that Wilde considers Christ to be an exemplar of Individualistic activity, as he writes that 'Christ was not merely the supreme individualist, but he was the first individualist in history'. Wilde, therefore, must consider this activity to have made these things Christ's own. Our previous sections, therefore, detail what it means for a value or passion to become truly our own: namely, they must be accepted and properly integrated. Then, when they are integrated and expressed, this is a realisation of ourselves. Although these things begin as external, once they have been accepted and absorbed into us, we can then get our own, idiosyncratic, form of them "out of ourselves".

We can see a good illustration of this in humility itself. Wilde writes:

> [Humility] is the last thing left in me, and the best: the ultimate discovery at which I have arrived, the starting-point for a fresh development. It has come to me right out myself, so I know that it has some at the proper time. It could not have come before, nor later. Had any one [sic] told me of it, I would have rejected it. Had it been brought to me, I would have refused it. As I found it. I want to keep it. (ibid., 49)

Humility here is presented as the result of a middle-voiced process, the process of self-development we have been discussing. Note the connotations of Wilde's

language: humility was something he "discovered" and, *simultaneously*, something that "came" to him. Wilde also presents this as the essential factor in humility being of value to him. Presumably he is not claiming to have invented humility, or to be the first person to have discovered it: he was aware of Christ's humility, after all. What is important, however, is that this humility *was his own*. If humility had been presented to him from any other source, he would not have accepted it. However, because here humility came from within him, because humility had been transformed within him, he now values it. The expression of one's nature, then, is the idiosyncratic expression of values that have been incorporated into oneself.

We can now complete our comparison of the Fine Liar and the Humble Artist's modes of acceptance. The Fine Liar has an experience, judges it on its aesthetic merits and, if and only if these merits are sufficient, expresses a transformed version of the experience where the aesthetic qualities are exaggerated. The Humble Artist, by contrast, has an experience, attempts to integrate that experience – regardless of apparent merits – into his mode of life, and then expresses the idiosyncratic form that experience takes once it has been so integrated. The major difference here seems to be the direction of determination of the form of the expression. For the Fine Liar, this determination is top down: the artist imposes his artistic pleasure onto the subject-matter. For the Humble Artist, the determination is bottom-up: the way in which the experience is integrated – as part of a middle-voiced process over which he does not have reflective control – determines the expression.

Wilde's middle-voiced model as a practice of freedom

We have now fully explored Wilde's new model of artistic activity. Previously, on the Fine Liar model, artistic activity was selection and exaggeration carried out for the

artist's own pleasure. Now Wilde sees the artist's activity as participating in a process of self-expression that is already going on within and through them. In this activity, they no longer select their subject-matter for transformation, as the process can use any experiences. Furthermore, this transformation no longer involves the exaggeration of aesthetically pleasing elements; rather the experiences taken in seem to provide impetus for kinds of self-development which might be apparently unrelated to the input. Finally, this process is no longer directed by the artist's pleasure; rather, its motivation comes from the inherent tendency of one's nature to express itself.

An important question is whether this account is middle-voiced. We earlier argued that middle-voiced experiences have three criteria. First, one experiences oneself as engaged with a process unfolding within one; second, this engagement is through (pre-reflectively responding to the process; third, there is an absence of reflective control over the process. Wilde's account meets all three criteria. First, the artist experiences his nature expressing itself within and through her. Second, the artist responds to the process reflectively with humility. Third, there is an absence of reflective control. We saw this in Wilde's diagnosis of how his control over himself was slowly usurped, and even more in the case of the metaphor of nutrition. Wilde's account of self-expression, therefore, is middle-voiced.

Next, we need to show how Foucault's account allows us to make sense of Wilde's Humble Individualist as a practitioner of freedom.

Resistance to domination

We have previously defined resistance to domination as the attempt to avoid the creation of situations of domination and to disrupt existing ones. One possible worry

for the Humble Individualist model is that, with its emphasis on acceptance, it might seem to argue against resisting domination. For instance, Wilde's imprisonment seems to have been unjust; isn't accepting it reinforcing a situation of domination?

This worry misunderstands *what* is being accepted. Acceptance here doesn't mean seeing what happens to one as morally justified or endorsing the principles or motivations behind it; it means accepting the experience in itself as something happening to you. Wilde is explicit on this point:

> And as the gods are strange, and punish us for what is good and humane in us as much as for what is evil and perverse, I must accept the fact that one is punished for the good as well as for the evil that one does. (ibid., 61)

Accepting his imprisonment does not mean accepting that his imprisonment was justified: it means accepting that it happened and, through this acceptance, making it good for him.

Rather than endorsing domination, Wilde's account, with its emphasis on idiosyncratic self-expression, militates against it as, as we have discussed before, domination reduces the possible variety of modes of being and subjectivities that we can have or express.

Care of the self

We defined the care of the self as the attempt to transform one's mode of being in line with one's values. This criterion is clearly visible in the Humble Individualist model, as the aim of accepting one's experiences is to allow them to be integrated into oneself and, therefore, for the artist to be able to express their own values, thoughts, and passions.

The critical ontology of ourselves

We defined this aim as the attempt to produce an account of the events that brought about our current mode of being. If the middle-voiced process under discussion involves properly integrating our experiences into our mode of being, it seems clear that this process must aim at the critical ontology, as proper integration of an experience requires that we understand what happened and the effect it had on us. We can see this most clearly if we read *De Profundis* itself as a reflective example of the process: Wilde gives a clear account of the events that brought about his current mode of being, and this account is essential for his coming to accept these events.

Conclusion

In our analysis of Wilde's work we identified two distinct models of the artistic mode of life. The first model, the Fine Liar, present in 'The Decay of Lying', 'The Critic as Artist', and 'The Soul of Man under Socialism', sees the creation of artistic work in general, and the creation of one's life as a work of art in specific, as an autonomous and reflective activity. In this activity, the artist selects their subject-matter solely on the basis of its aesthetic qualities, and then transposes the subject-matter into a new medium (for instance, from "events in one's life" to a "mode of life") while exaggerating the aesthetically pleasing elements. This activity is carried out solely for the pleasure it brings the artist to complete the work, although others may gain pleasure from the work as a by-product. The final work should not convey the artist's moral judgments or political aims but will reflect his aesthetic values insofar as they shape what he will take pleasure in.

The second model, Humble Individualism, seen in *De Profundis*, sees artistic self-expression as a middle-voiced process in which the artist participates. This

process involves accepting and integrating the experiences the artist has, regardless of how they personally value those experiences, and then expressing these experiences in an idiosyncratic way. This activity is not carried out deliberately, but rather is a process that was already unfolding. The final product conveys the artist's values, not because they imposed them onto the subject-matter, but because their experiences have been processed through them.

These two accounts differ significantly. The Fine Liar is motivated by pleasure, transforms the material of her subject matter while exaggerating its beauty, and chooses or rejects her subject-matter on the basis of its aesthetic qualities. The Humble Individualist is participating in a process that was already underway, transforms her subject-matter entirely and accepts all experiences they encounter. The most significant difference between the two, however, is in the experience of agency. The Fine Liar experiences herself as deliberately engaging in creative and critical activity, and so as free; as Gilbert said 'A great poet sings because he chooses to sing.' (CA, 58) By contrast, the Humble Individualist experiences her activity not as something she deliberately engages in but as giving herself over to a process already going on within her.

This latter model, which presents the possibility of practices of freedom being middle-voiced, rather than purely active, has strong implications for our account, firstly in responding to some of the concerns about Foucault's account of ethics we discussed in the first chapter, and second, as a contrast case to Socrates, with his paradigmatically active practice of freedom. In the conclusion, I will discuss these implications in more detail.

Conclusion

Our point of departure for our investigation of practices of freedom was Foucault's comments on freedom and ethics:

> Q.   You say that freedom must be practiced ethically…
>
> [Michel Foucault]   Yes, for what is ethics, if not the practice of freedom, the reflective [*réfléchie]* practice of freedom?
>
> Q.   In other words, you understand freedom as a reality that is already ethical in itself.
>
> M.F.   Freedom is the ontological condition of ethics. But ethics is the considered form that freedom takes when it is informed by reflection. (EPF 284, translation modified)

Over the course of our investigation, we have given new accounts of both freedom as an ontological condition, and of the practice of freedom, the reflective form of which is ethics. We suggested that ontological freedom, understood as being within power relations, is a necessary condition of the practice of freedom, as we can only engage in practices of freedom within relations of power; further, practices of freedom, which are defined by the agent's holding of specific constitutive aims, are restricted from engaging in activities which would remove ontological freedom. We have also applied our new account of the practice of freedom to two historical individuals, Socrates and Oscar Wilde. In the interests of clarity, let us summarise our conclusions.

   In chapter 1, we argued that, if we are to address the question of the practice of freedom it would behove us to begin with an account of ontological freedom. We discussed criticisms of Foucault's ethics raised by McNay and suggested that a full response to these would require us to examine ontological freedom. We further

maintained that we needed to suggest a new account of freedom as an ontological condition, as currently existing ones are not close enough to the text and cannot do the work we require. We then argued that ontological freedom should be understood as "being within power relations", as opposed to being within "relations of violence".

In chapter 2, we turned to the practice of freedom. Drawing from Foucault's work, we gave three criteria of success for our account: 1) that the account allows for degrees of freedom; 2) that we the account would show a clear relationship between ontological freedom and the practice of freedom; 3) that the practice of freedom must have ethical content. We then suggested that Foucault's account of freedom is best understood as a procedural, rather than a substantive account. More specifically, we established a constitutivist framework to interpret Foucault's views on freedom. On such a view, engaging in a certain activity requires that one holds the constitutive aim of that activity. We further clarified that holding a constitutive aim is both a necessary and a sufficient condition of engaging in an activity. Finally, we discussed the way in which constitutive aims need to be held, namely pre-reflectively rather than consciously.

In chapters 3 and 4, we drew from Foucault's work to introduce three candidates for the constitutive aim of the practice of freedom: resistance to domination, the care of the self, and the critical ontology of ourselves. We clarified the role that each of these necessarily plays in the practice of freedom, but ultimately argued that none of them could be individually sufficient. We then explored and confirmed the possibility of all three aims, held concurrently, being sufficient for the practice of freedom. This then allowed us to distinguish between successful practices of freedom, unsuccessful practices of freedom, and activities which were not practices of freedom at all. We then argued that there are further gradations of

success or failure within successful and unsuccessful practices of freedom. Finally, we examined the possibility of a paradigmatically successful form of the practice of freedom, greater than the sum of its parts, which we referred to as the "creation of new cultural forms".

In chapter 5, we applied our model of the practice of freedom to Socrates, in order to check whether our model could actually be applied to any existing individuals. We argued that, in his parrhesiastic activity, Socrates could be seen to be acting in light of the constitutive aim of the practice of freedom. Socrates, therefore, by Foucault's criteria, was a practitioner of freedom.

In chapter 6, we turned to Oscar Wilde. Here our emphasis was less on the fact that he was practicing freedom and more on his experience of agency in doing so. In his earlier work, we argued, Wilde's practice of freedom involved an active experience of agency. However, after his imprisonment, Wilde came to experience the practice of freedom in a middle-voiced way, as a process which he did not begin, over which he did not have reflective control, but which he nevertheless participated in. Although this differed significantly from the practice of freedom of, say, Socrates, this latter form still counted as a practice of freedom.

Criteria of success

As we mentioned above, in the second chapter we suggested three criteria of success for our account of the practice of freedom. First, we noted that our account of the practice of freedom must have gradations: we must be able to distinguish between individuals as more or less free. As we showed in chapter 4, all three of our necessary aims have gradations of both success and failure, meaning that the

constitutive aim, and hence the practice of freedom, also has gradations. Although it will not always be clear how to compare individuals with differing amount of success, we can, in principle, draw distinctions between individuals on the basis of their practicing freedom with more or less success.

Second, the practice of freedom must be clearly connected with ontological freedom. We have also succeeded in showing this: ontological freedom means having a field of possible actions constituted by the power relations we are within, and the practice of freedom means putting this field into action while operating with certain necessary aims. We can also see clearly how ontological freedom is a necessary condition for the practice of freedom is, as without ontological freedom the practice of freedom would not be possible at all.

Third, the practice of freedom must have ethical content. According to Foucault, ethics is 'the kind of relationship you ought to have with yourself… and which determines how the individual is supposed to constitute himself as a moral subject of his own actions.' (OGE 263). On this definition, we have shown that practices of freedom have ethical content. One of the necessary conditions of the practice of freedom is the care of the self, the attempt to shape one's mode of being in accordance with one's sense of appropriate concern for oneself. This aim, which focuses on one's sense of the good life, is clearly ethical.

Our account of the practice of freedom, then, meets all the criteria we set out in chapter 2.

Socrates and Wilde

In our final two chapters, we applied our model of the practice of freedom to

Socrates and Oscar Wilde. This was important for several reasons. First and foremost, there is a worry that our account may be too elitist or impractical to apply to any existing individuals. Insofar as we have shown both Socrates and Wilde practiced freedom, we have determined that our account is applicable to at least some individuals. Second, given that we are supposedly giving a general mode of the practice of freedom, applicable in different forms in different times and places, it was important to show that this model did not only apply to Greco-Roman individuals. In successfully applying the model to Wilde, I take it we have shown that this is true to at least some extent. Third, it was important to show that the practice of freedom could take different forms even in the same historical period; with Wilde, we have shown this to be the case even in the same individual.

In Wilde's earlier period, the "Fine Liar" period, there are a number of similarities between Socrates and Wilde. Both understand the practice of freedom as a deliberate attempt to give form to one's life; both attempt to bring about a harmony between speech and action; both aim to get a view of one's values and transform one's mode of being accordingly. In other words, both Socrates and Wilde take a top-down approach to the practice of freedom: the practitioner is actively attempting to transform their mode of being by imposing a new form onto themselves from above. However, even in this earlier period there are some striking differences. Note that Socratic parrhesia involves a harmony between what one truly believes and one's way of life, the truth one speaks. In Wilde, however, this concern for truth is entirely absent. The Fine Liar is concerned with a harmony between her artistic creations, including her way of life, and her aesthetic values and this harmony is manifested by the pleasure the artist takes in her work. The truth of her representations is irrelevant, except insofar as they represent her true aesthetic

values. Although the activities of the Socratic parrhesiast and the Fine Liar are similar in form, then, they have very different content.

The differences between Socrates and Wilde become more profound after Wilde undergoes his transformation in his experience of the practice of freedom. In his "Humble Individualist" period, Wilde switches from experiencing the practice of freedom as an activity he is carrying out to a process he is engaging with. The first clear distinction from the Socratic model is that this transformation is no longer a deliberate activity: the process is already ongoing. Second, the transformation of one's mode of being is now bottom up: rather than actively attempting to change one's mode of being in line with one's beliefs, one now experiences this transformation as the result of the middle-voiced process, and allowing this process to take place lets the Humble Individualist internalise experiences and express themselves. Interestingly, in the Humble Individualist the importance of harmony emerges, albeit in a somewhat different form than for Socrates. The Humble Individualist aims at cultivating a harmony between their nature and their expression; in other words, one's behaviour should express a kind of truth about oneself.

A final point of interest about these two models is that, although they are different, not only in content, but even in the experience of agency involved, they are still both practices of freedom: they both meet all of the necessary conditions.

McNay on the sovereign self and Foucault's masculine ethics

In our first chapter, we introduced several criticisms McNay has made of Foucault's ethics. First, she argues that Foucault's ethics, which draw from Greco-Roman care of the self and Baudelairean self-heroization, implicitly privilege a masculine form of

agency. Second, the presence of this masculine agency implies that, rather than beginning from a self embedded in practices, Foucault's account actually rests on a sovereign notion of the self. It seems to me that we partially answered this second worry in chapter 1, although our account of the practice of freedom also gives us further responses; with our discussion of Wilde in chapter 6 and above, we can now also respond to the first concern.

Responding to the second concern, McNay maintained that Foucault's notion of the subject was not actually embedded in power relations and instead was free-floating and hyper-active. In our first chapter, we gave an account of the ontological freedom that underlies Foucault's notion of the practice of freedom. Far from being free-floating, we saw that the subject is constituted and maintained by the field of power relations they are within.

Further, on the level of practices of freedom, we see this commitment to seeing the subject as embedded within practices and power relations continuing into the necessary aim of the critical ontology of ourselves. We argued that the critical ontology of ourselves involved the assumption that it was not possible to get a "bird's-eye view" of the possibilities of transformation: we can only ever have a local perspective, and so our transformations are always partial. In other words, Foucault does not conceive of the subject as a sovereign who can detach from power relations and freely modify themselves.

As to McNay's first contention, that Foucault's ethics relies on an implicitly active and masculine notion of agency, this concern is harder to shake. We have, in following Foucault, placed a lot of weight on the notion of care of the self. There remains the worry, then, that doing so means importing Greco-Roman attitudes towards masculinity and femininity. This concern is not helped by the fact that 1) we

first applied our model to Socrates, a practitioner of the Greek care of the self, and 2) that both of our exemplars of the successful practice of freedom were men. However, there are considerations which allow us to give a partial response. Our notion of the care of the self is not the Greco-Roman form. For the Greeks, having control over one's emotions and desires was a masculine action and to fail to do so was feminine; in the Greco-Roman care of the self, then, femininity was strictly negative. Our account, however, does not necessarily imply this. This is shown most clearly by the Humble Individualist model of the practice of freedom in Wilde. The Humble Individualist does not experience themselves as an active agent controlling their desires. On the contrary, the Humble Individualist experiences themselves as accepting and participating in a process that was already going on within and through them. This understanding of the practice of freedom fits extremely poorly with importance the Greco-Roman model places on self-control. A Greco-Roman care of the self would understand the Humble Individualist as effeminate and reject them accordingly. On Foucault's account, however, this middle-voiced version of the practice of freedom is still a practice of freedom. In other words, although there may be and have been overly masculine versions of the practice of freedom, it is not a necessary part of the account. Foucault's ethics, then, are not implicitly masculine.

Further Questions

We have, then, given accounts of ontological freedom and the practice of freedom, showed that the model of the practice of freedom can be applied to individuals, and additionally shown that Foucault's ethics are not implicitly masculine. There are, of course, further questions to be explored. First, although we noted that the practice of freedom seems to have communal elements, in this thesis we have only applied it to

individuals. It would be interesting to ask how the practice of freedom operates in group settings, whether that be in the two-person setting of the Stoic master-student relationship, or in modern-day activist groups. A second concern is that our exemplars of the practice of freedom were relatively privileged. Both of them were male and, although persecuted for his sexual orientation, Wilde was still born into great privilege. At times in our discussion we worried that Foucault's account might be overly elitist and difficult to apply in situations of oppression; it would therefore be fruitful to engage in further studies which explore these issues.

Abbreviations

Foucault:

CT   (2011) *The Courage of Truth (The Government of Self and Others II): Lectures at the Collège de France 1983-1984*. Basingstoke: Palgrave Macmillan.

DE IV (1994) *Dits et Écrits IV*. (Defert and Ewald ed.) Paris: Éditions Gallimard.

EPF   (1997) 'The Ethics of the Concern for Self as a Practice of Freedom' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.281-302. New York, NY: The New Press.

DP   (1991) *Discipline and Punish: The Birth of the Prison*. London: Penguin Books.

FS   (2001) *Fearless Speech*. Los Angeles, CA: Semiotext(e).

FWL (1997) 'Friendship as a Way of Life' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.135-141. New York, NY: The New Press.

GS   (2010) *The Government of Self and Others: Lectures at the Collège de France 1982-1983*. Basingstoke: Palgrave Macmillan.

HS   (2005) *The Hermeneutics of the Subject: Lectures at the College de France, 1981-82*. Basingstoke: Palgrave Macmillan.

MF   (1997) 'Michel Foucault: An Interview by Stephen Riggins' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.121-135. New York, NY: The New Press.

OGE (1997) 'On the Genealogy of Ethics: An Overview of Work in Progress' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.253-280. New York, NY: The New Press.

RM   (1996) 'The Return of Morality' in *Foucault Live: Collected Interviews, 1961-1984*. (Lotringer ed.) New York, NY: Semiotext(e). pp.465-473

SCSA (1997) 'Sexual Choice, Sexual Act' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.141-156. New York, NY: The New Press.

SP   (2000) 'The Subject and Power' in *Power* (James D. Faubion ed.) pp.326-348 New York, NY: The New Press.

SPPI (1997) 'Sex, Power, and the Politics of Identity' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.163-174. New York, NY: The New Press.

STSW (1997) 'The Social Triumph of the Sexual Will' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.157-162. New York, NY: The New Press.

TS   (1997) 'Technologies of the Self' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.223-253

UP   (1992) *The Use of Pleasure: The History of Sexuality Volume 2.* London: Penguin Books.

WE   (1997) 'What is Enlightenment?' in *Ethics, Subjectivity and Truth*. (Paul Rabinow ed.) pp.303-320. New York, NY: The New Press.

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DL   (2010) 'The Decay of Lying: An Observation' in *The Decay of Lying and Other Essays*. London: Penguin. pp.3-38

DeP   (1908) *De Profundis*. (Robert Ross ed.). London: Methuen.

SMS   (2010) 'The Soul of Man under Socialism' in *The Decay of Lying and Other Essays*. London: Penguin.

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