

CHAPTER 1

RIGHT OF DEATH AND POWER OVER LIFE

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For a long time; one of the characteristic privileges of sovereign power was the right to decide life and death. In a formal sense, it derived no doubt from the ancient *patria potestas* that granted the father of the Roman family the right to "dispose" of the life of his children and his slaves; just as he had given them life, so he could take it away. By the time the right of life and death was framed by the classical theoreticians, it was in a considerably diminished form. It was no longer considered that this power of the sovereign over his subjects could be exercised in an absolute and unconditional way, but only in cases where the sovereign's very existence was in jeopardy: a sort of right of rejoinder. If he were threatened by external enemies who sought to overthrow him or contest his rights, he could then legitimately wage war, and require his subjects to take part in the defense of the state; without "directly proposing their death," he was empowered to "expose their life"; in this sense, he wielded an "indirect" power over them of life and death.¹ But if someone dared to rise up against him and transgress his laws, then he could exercise a direct power over the offender's life: as punishment, the latter would be put to death. Viewed in this way, the power of life and death was not an absolute privilege: it was conditioned by the defense of the sovereign, and his own survival. Must we follow Hobbes in seeing it as the transfer to the prince of the natural right possessed by every individual to defend his life even if this meant the death of others? Or should it be regarded as a specific right that was manifested with the formation of that new juridical being, the sovereign? In any case, in its modern form—relative and limited—as in its ancient and absolute form, the right of life and death is a dissymmetrical one. The sovereign exercised his

right of life only by exercising his right to kill, or by refraining from killing; he evidenced his power over life only through the death he was capable of requiring. The right which was formulated as the "power of life and death" was in reality the right to *take* life or *let* live. Its symbol, after all, was the sword. Perhaps this juridical form must be referred to a historical type of society in which power was exercised mainly as a means of deduction (*prélèvement*), a subtraction mechanism, a right to appropriate a portion of the wealth, a tax of products, goods and services, labor and blood, levied on the subjects. Power in this instance was essentially a right of seizure: of things, time, bodies, and ultimately life itself; it culminated in the privilege to seize hold of life in order to suppress it.

Since the classical age the West has undergone a very profound transformation of these mechanisms of power. "Deduction" has tended to be no longer the major form of power but merely one element among others, working to incite, reinforce, control, monitor, optimize, and organize the forces under it: a power bent on generating forces, making them grow, and ordering them, rather than one dedicated to impeding them, making them submit, or destroying them. There has been a parallel shift in the right of death, or at least a tendency to align itself with the exigencies of a life-administering power and to define itself accordingly. This death that was based on the right of the sovereign is now manifested as simply the reverse of the right of the social body to ensure, maintain, or develop its life. Yet wars were never as bloody as they have been since the nineteenth century, and all things being equal, never before did regimes visit such holocausts on their own populations. But this formidable power of death—and this is perhaps what accounts for part of its force and the cynicism with which it has so greatly expanded its limits—now presents itself as the counterpart of a power that exerts a positive influence on life, that endeavors to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations. Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilized for the purpose of wholesale slaughter in the name of life necessity: massacres have become vital. It is as managers of life and survival, of bodies and the race, that so many regimes have been able to wage so many wars, causing so many men to be killed. And through a turn that closes the circle, as the technology of wars has caused them to tend increasingly toward all-out destruction, the decision that initiates them and the one that terminates them are in fact increasingly informed

by the naked question of survival. The atomic situation is now at the end point of this process: the power to expose a whole population to death is the underside of the power to guarantee an individual's continued existence. The principle underlying the tactics of battle—that one has to be capable of killing in order to go on living—has become the principle that defines the strategy of states. But the existence in question is no longer the juridical existence of sovereignty; at stake is the biological existence of a population. If genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population.

On another level, I might have taken up the example of the death penalty. Together with war, it was for a long time the other form of the right of the sword; it constituted the reply of the sovereign to those who attacked his will, his law, or his person. Those who died on the scaffold became fewer and fewer, in contrast to those who died in wars. But it was for the same reasons that the latter became more numerous and the former more and more rare. As soon as power gave itself the function of administering life, its reason for being and the logic of its exercise—and not the awakening of humanitarian feelings—made it more and more difficult to apply the death penalty. How could power exercise its highest prerogative by putting people to death, when its main role was to ensure, sustain, and multiply life, to put this life in order? For such a power, execution was at the same time a limit, a scandal, and a contradiction. Hence capital punishment could not be maintained except by invoking less the enormity of the crime itself than the monstrosity of the criminal, his incorrigibility, and the safeguard of society. One had the right to kill those who represented a kind of biological danger to others.

One might say that the ancient right to *take* life or *let* live was replaced by a power to *foster* life or *disallow* it to the point of death. This is perhaps what explains that disqualification of death which marks the recent wane of the rituals that accompanied it. That death is so carefully evaded is linked less to a new anxiety which makes death unbearable for our societies than to the fact that the procedures of power have not ceased to turn away from death. In the passage from this world to the other, death was the manner in which a terrestrial sovereignty was relieved by another, singularly more powerful sovereignty; the pageantry that surrounded it was in the category of political ceremony. Now it is over life, throughout its unfolding, that power establishes its dominion; death is power's limit, the moment that escapes it; death becomes the most

secret aspect of existence, the most "private." It is not surprising that suicide—once a crime, since it was a way to usurp the power of death which the sovereign alone, whether the one here below or the Lord above, had the right to exercise—became, in the course of the nineteenth century, one of the first conducts to enter into the sphere of sociological analysis; it testified to the individual and private right to die, at the borders and in the interstices of power that was exercised over life. This determination to die, strange and yet so persistent and constant in its manifestations, and consequently so difficult to explain as being due to particular circumstances or individual accidents, was one of the first astonishments of a society in which political power had assigned itself the task of administering life.

In concrete terms, starting in the seventeenth century, this power over life evolved in two basic forms; these forms were not antithetical, however; they constituted rather two poles of development linked together by a whole intermediary cluster of relations. One of these poles—the first to be formed, it seems—centered on the body as a machine: its disciplining, the optimization of its capabilities, the extortion of its forces, the parallel increase of its usefulness and its docility, its integration into systems of efficient and economic controls, all this was ensured by the procedures of power that characterized the *disciplines: an anatomo-politics of the human body*. The second, formed somewhat later, focused on the species body, the body imbued with the mechanics of life and serving as the basis of the biological processes: propagation, births and mortality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary. Their supervision was effected through an entire series of interventions and *regulatory controls: a bio-politics of the population*. The disciplines of the body and the regulations of the population constituted the two poles around which the organization of power over life was deployed. The setting up, in the course of the classical age, of this great bipolar technology—anatomic and biological, individualizing and specifying, directed toward the performances of the body, with attention to the processes of life—characterized a power whose highest function was perhaps no longer to kill, but to invest life through and through.

The old power of death that symbolized sovereign power was now carefully supplanted by the administration of bodies and the calculated management of life. During the classical period, there was a rapid development of various disciplines—universities, secondary schools, barracks, workshops; there was also the emergence, in the field of political practices and economic

observation, of the problems of birthrate, longevity, public health, housing, and migration. Hence there was an explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations, marking the beginning of an era of "bio-power." The two directions taken by its development still appeared to be clearly separate in the eighteenth century. With regard to discipline, this development was embodied in institutions such as the army and the schools, and in reflections on tactics, apprenticeship, education, and the nature of societies, ranging from the strictly military analyses of Marshal de Saxe to the political reveries of Guibert or Servan. As for population controls, one notes the emergence of demography, the evaluation of the relationship between resources and inhabitants, the constructing of tables analyzing wealth and its circulation: the work of Quesnay, Moheau, and Süssmilch. The philosophy of the "Ideologists," as a theory of ideas, signs, and the individual genesis of sensations, but also a theory of the social composition of interests—ideology being a doctrine of apprenticeship, but also a doctrine of contracts and the regulated formation of the social body—no doubt constituted the abstract discourse in which one sought to coordinate these two techniques of power in order to construct a general theory of it. In point of fact, however, they were not to be joined at the level of a speculative discourse, but in the form of concrete arrangements (*agencements concrets*) that would go to make up the great technology of power in the nineteenth century: the deployment of sexuality would be one of them, and one of the most important.

This bio-power was without question an indispensable element in the development of capitalism; the latter would not have been possible without the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes. But this was not all it required; it also needed the growth of both these factors, their reinforcement as well as their availability and docility; it had to have methods of power capable of optimizing forces, aptitudes, and life in general without at the same time making them more difficult to govern. If the development of the great instruments of the state, as *institutions of power*, ensured the maintenance of production relations, the rudiments of anatomo- and bio-politics, created in the eighteenth century as *techniques of power* present at every level of the social body and utilized by very diverse institutions (the family and the army, schools and the police, individual medicine and the administration of collective bodies), operated in the sphere of economic processes, their development,

and the forces working to sustain them. They also acted as factors of segregation and social hierarchization, exerting their influence on the respective forces of both these movements, guaranteeing relations of domination and effects of hegemony. The adjustment of the accumulation of men to that of capital, the joining of the growth of human groups to the expansion of productive forces and the differential allocation of profit, were made possible in part by the exercise of bio-power in its many forms and modes of application. The investment of the body, its valorization, and the distributive management of its forces were at the time indispensable.

One knows how many times the question has been raised concerning the role of an ascetic morality in the first formation of capitalism; but what occurred in the eighteenth century in some Western countries, an event bound up with the development of capitalism, was a different phenomenon having perhaps a wider impact than the new morality; this was nothing less than the entry of life into history, that is, the entry of phenomena peculiar to the life of the human species into the order of knowledge and power, into the sphere of political techniques. It is not a question of claiming that this was the moment when the first contact between life and history was brought about. On the contrary, the pressure exerted by the biological on the historical had remained very strong for thousands of years; epidemics and famine were the two great dramatic forms of this relationship that was always dominated by the menace of death. But through a circular process, the economic—and primarily agricultural—development of the eighteenth century, and an increase in productivity and resources even more rapid than the demographic growth it encouraged, allowed a measure of relief from these profound threats: despite some renewed outbreaks, the period of great ravages from starvation and plague had come to a close before the French Revolution; death was ceasing to torment life so directly. But at the same time, the development of the different fields of knowledge concerned with life in general, the improvement of agricultural techniques, and the observations and measures relative to man's life and survival contributed to this relaxation: a relative control over life averted some of the imminent risks of death. In the space for movement thus conquered, and broadening and organizing that space, methods of power and knowledge assumed responsibility for the life processes and undertook to control and modify them. Western man was gradually learning what it meant to be a living species in a living world, to have a body, conditions of existence, probabilities of life, an individual and collective welfare, forces that could be modified, and

a space in which they could be distributed in an optimal manner. For the first time in history, no doubt, biological existence was reflected in political existence; the fact of living was no longer an inaccessible substrate that only emerged from time to time, amid the randomness of death and its fatality; part of it passed into knowledge's field of control and power's sphere of intervention. Power would no longer be dealing simply with legal subjects over whom the ultimate dominion was death, but with living beings, and the mastery it would be able to exercise over them would have to be applied at the level of life itself; it was the taking charge of life, more than the threat of death, that gave power its access even to the body. If one can apply the term *bio-history* to the pressures through which the movements of life and the processes of history interfere with one another, one would have to speak of *bio-power* to designate what brought life and its mechanisms into the realm of explicit calculations and made knowledge-power an agent of transformation of human life. It is not that life has been totally integrated into techniques that govern and administer it; it constantly escapes them. Outside the Western world, famine exists, on a greater scale than ever; and the biological risks confronting the species are perhaps greater, and certainly more serious, than before the birth of microbiology. But what might be called a society's "threshold of modernity" has been reached when the life of the species is wagered on its own political strategies. For millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question.

This transformation had considerable consequences. It would serve no purpose here to dwell on the rupture that occurred then in the pattern of scientific discourse and on the manner in which the twofold problematic of life and man disrupted and redistributed the order of the classical episteme. If the question of man was raised—insofar as he was a specific living being, and specifically related to other living beings—the reason for this is to be sought in the new mode of relation between history and life: in this dual position of life that placed it at the same time outside history, in its biological environment, and inside human historicity, penetrated by the latter's techniques of knowledge and power. There is no need either to lay further stress on the proliferation of political technologies that ensued, investing the body, health, modes of subsistence and habitation, living conditions, the whole space of existence.