

## The Cultivation of Individuality: Foucault Reading Mill

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**Resumen:** En este ensayo, uso la «genealogía de la ética» de Foucault como un modelo de análisis para el reconocimiento de una tecnología del yo en los textos de la filosofía política tradicional. El foco de mi análisis es *Sobre la libertad* de John Stuart Mill. Intento mostrar que esta interpretación de *Sobre la libertad* como un «manual de subjetivación», como Foucault hace con varios textos en los últimos volúmenes de su serie sobre la historia de la sexualidad, tiene serias repercusiones en nuestra manera de entender las tareas de la filosofía política.

**Palabras clave:** Foucault, Mill, Filosofía Política, Ética, Libertad, Genealogía, Identidad.

**Abstract:** In this essay, I use Foucault's «genealogy of ethics» as a model of analysis for recognizing a technology of self in the texts of traditional political philosophy. The focus of my analysis is John Stuart Mill's *On Liberty*. I try to show that reading *On Liberty* as a «manual of subjectivation», as Foucault does with various texts in the later volumes of his series on the history of sexuality, has serious repercussions for the way we understand the tasks of political philosophy.

**Key words:** Foucault, Mill, Political Philosophy, Ethics, Freedom, Genealogy, Identity.

Before he died in 1984, Foucault managed to complete three new volumes in his series on the history of sexuality: *L'usage des plaisirs*, *Le souci de soi*, and the unpublished *Les Aveux de la chair*<sup>1</sup> However, these works appeared «in a form that is altogether different» from the one Foucault first imagined. (UP, 3) In the first place, we find in them a «theoretical shift,» away from the manifold relations of power which had been the focus of *Surveiller et Punir* and the first volume of *The History of Sexuality*, to the *subject*. That is, Foucault's project in these later volumes is to identify «the forms and modalities of the relation to self by which the individual constitutes and recognizes himself *qua* subject» (UP, 6). Foucault wants to understand how it is that an individual establishes «a relationship of self with self» through which she forms and identifies herself in particular ways. This is the process of what Foucault calls *subjectivation*, a process of self-formation, of appropriating certain beliefs, ideals or ideologies, of adopting certain practices and modes of comportment, of selecting regimes of behavior and rules of conduct through which «a human being turns him- or herself into a subject.»<sup>2</sup>

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1 References to these works will be from the English translations: *The Use of Pleasure: Volume II of the History of Sexuality*, trans. Robert Hurley (New York: Pantheon Books, 1985), and *The Care of the Self: History of Sexuality, Volume III*, trans. Robert Hurley (New York: Pantheon Books, 1986). For a discussion of why *Les Aveux de la chair*, which focused on early Christian patterns of sexuality, was not published, see Didier Eribon, *Michel Foucault*, trans. Betsy Wing (Harvard University Press, 1991), pp. 317-324.

2 Michel Foucault, «The Subject and Power,» In *Michel Foucault: Beyond Structuralism and Hermeneutics*. Second Edition (Chicago: The University of Chicago Press, 1982), p. 208. This reliance on the term «subject» may cause us to object to Foucault, as two interviewers did in the «Final Interview,» that, «your preceding books seemed to ruin the

In researching the techniques of self through which individuals have historically formed themselves as sexual subjects, Foucault became aware of a recurring dimension of this subjectivation. In spite of the diversity of forms through which individuals have constituted a relationship of self to the experience of sexuality, this experience has always been constituted as a *moral domain*. «Why this ethical concern» asks Foucault? Why have we consistently turned sexuality into a moral experience?<sup>3</sup> These questions would come to structure Foucault's inquiry. In fact, he is doing less a history of sexuality than a genealogy of «ethics.»

Foucault's use of the term ethics differs significantly from that of more traditional philosophical usage. For Foucault, ethics refers to «the elaboration of a form of relation to self that enables an individual to fashion himself as a subject of ethical conduct» (UP, 251)<sup>4</sup> To become a subject of ethical conduct requires a complex process of self-formation wherein the individual establishes a *rappor a` soi* designating «the kind of relationship you ought to have with yourself.»<sup>5</sup> The «ought» of a relation to self is dynamic rather than static; that is, it is not the abstract «ought» which informs a codified set of moral rules or strictures, but rather is the personalized «ought» which the individual establishes for him- or herself, an «ought» which gives form to the self, which expresses what happens when the self says to itself, «This is what is important to me. This is how I shall act. This is what I shall do. This is what I shall become.» Becoming—or rather, forming oneself as—a subject is a matter of establishing an «ought» in relation to a domain of experience. Or, more precisely, the self's establishing an «ought» in relation to itself defines the domain of experience which the self has as a subject. For Foucault, ethics is, in a broad sense and to borrow from the Greeks, a kind of *techne tou biou*, an art of life. Ethics is the way in which individuals give form to their selves, to their lives, by forming themselves as subjects.

In Foucault's analysis of the technologies of the self through which individuals constitute themselves as ethical subjects, he attempts to trace genealogically the cultural patterns which

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sovereignty of the subject. Is this not a return to an unanswerable question which would be for you the ordeal of an endless toil?» Foucault's reply was that he was not referring to the subject in the substantive sense, as the «condition of possibility of experience.» Rather, the subject is the effect of the organization of a domain of experience to which the self relates itself, and through which the self experiences itself as a subject. «It is experience,» says Foucault, «which is the rationalization of a process, itself provisional, which results in a subject, or rather, in subjects,» «Final Interview,» trans. Thomas Levin and Isabelle Lorenz, *Raritan* 5, No. 1 (Summer 1985) 1-13. See also Mark Poster, «Foucault and the Tyranny of Greece,» in *Foucault: A Critical Reader*, ed. David Couzens Hoy (New York: Basil Blackwell, 1986), «Characteristically Foucault does not spend much time defining his categories of analysis, in this case those of 'self' and 'subject'. It appears from the text that 'self' is a neutral, ahistorical term, almost a synonym for 'individual'. 'Subject' is an active, historical term that refers to a process of interiorization. Foucault, of course, continues to reject philosophies of consciousness by which the individual ontologically constitutes himself or herself through mental activities,» p. 212.

3 See *The Use of Pleasure*, p. 10 and «Final Interview,» p. 10.

4 Michel Foucault, *The Use of Pleasure*, p. 251. Foucault sees ethics as one of three divisions of the study of morals. One division would be concerned with the actual behavior or acts of individuals. A second would be concerned with the moral codes to which individuals have been expected to adhere. A sociology of morals would be more concerned with behavior, whereas «most contemporary Anglo-American moral philosophy is exclusively focused on the level of the moral code,» Arnold I. Davidson, «Archaeology, Genealogy, Ethics,» *Foucault: A Critical Reader*, pp. 227-231. See «The Genealogy of Ethics: An Overview of Work in Progress,» in *Michel Foucault: Beyond Structuralism and Hermeneutics*, pp. 237-238.

5 «Genealogy of Ethics,» pp. 237-238. Obviously, in his consideration of the dimension of «ought» in ethical subjectivation, Foucault is not, unlike more traditional moral philosophers, trying to tell us how we «ought» to act in regard to sexuality, but, rather, he is giving us an historical sense, as Nietzsche does elsewhere, of the modes through which such an «ought» has been constructed.

provide frameworks of self-formation for the individuals of a given historical period. He is able to identify such patterns by focusing his analysis on various representative texts: such as Plato's *Republic*, Epictetus' *Discourses*, and Cassian's *Institutiones*. But he reads such texts not so much as philosophical treatises in the traditional sense, but rather as «aesthetic manuals,» as «manuals for living,» as practical handbooks that delineate for the individual certain values, standards, and practices which the individual can appropriate in order to define a «style of existence,» a mode of being. Reading texts in this way allows Foucault to identify the sorts of «problematizations» which structure a given form of subjectivation —and thus, to understand the formation of subjectivity under a new dimension.

A genealogy of the modern *political* subject would concentrate at some point on the texts of what is commonly known as the «Liberal Tradition.» This tradition has its roots in the sixteenth century and includes such figures as Hobbes, Locke, Rousseau, Constant, Mill, Toqueville and more recent thinkers such as Isaiah Berlin, Robert Nozick, and John Rawls. If we were to analyze the texts of the Liberal Tradition as «manuals for living,» rather than as juridico-philosophical projects to define principles of justice which govern the exercise of power (the effect of which is to take the political subject as given), we would discover in them models of political subjectivation which become attached to, or are appropriated by, individuals, determining their actions, practices, beliefs, and ideals —i.e., models for the constitution of specific modes of being. Such texts generate views about the ways individuals need to comport themselves politically toward the state and toward each other. They provide frameworks of self-formation and identity construction. Political subjects emerge, in part, as a result of the self-appropriation of concepts generated within the texts of traditional political philosophy (themselves reflections of entrenched cultural patterns), and which are disseminated, in various ways and along various channels, as cultural values. In short, such texts harbor technologies of self through which individuals constitute themselves as modern political subjects.

An exhaustive genealogical survey of such texts cannot be undertaken here. But we can illustrate how a model for understanding this dimension of the emergence of political subjectivity can be derived from Foucault's methods of analysis by focusing on only one text from the Liberal Tradition, a text from a philosopher for whom «the use of pleasure» has decidedly different connotations: John Stuart Mill's *On Liberty*. By reading this text as a manual of political subjectivation we can identify in it a technology of self representative, in many ways, of the Liberal Tradition as a whole.

### **Reading Mill: How to «Become» an Individual**

Individuality, freedom, the pursuit of happiness: these constitute the essential problematizations which structure the formation of modern political subjectivity. These problematizations are reflected in texts, such as *On Liberty*, from a tradition which for centuries now has tried to tell us what we *should* be as political subjects. In that sense, political theory has always been involved in «ethics» in the traditional sense. But what happens to political theory, to ethics, when political subjectivity is considered from the standpoint of actual processes of subjectivation? Foucault's work on the genealogy of ethics can be employed to show that our political identities are to a great extent the effect of an arbitrary appropriation. However, once that identity is constructed, the individual recognizes him- or herself *as such* and is thereby determined in and through that identification. It is the constitution —the self-formation— not simply of a moral or ideological stance, but of a specific mode of being.



According to Foucault, there are four major aspects of subjectivation: the ethical substance, the mode of subjection, the ethical work, and the telos of the subject's self-formation. That is, the subjectivation of the ethical subject is

a process in which the individual delimits that part of himself that will form the object of his moral practice [ethical substance], defines his position relative to the precept he will follow [mode of subjection], and decides on a certain mode of being that will serve as his moral goal [telos]. And this requires him to act upon himself, to monitor, test, improve, and transform himself [ethical work]. (UP, 28)

Technologies of the self will be structured in these four ways. It is through the determination of an ethical substance, a mode of subjection, a practice of self, and a telos that an individual forms an identity. Following Foucault's general model, I will attempt to show how the elaboration of a technology of political selfhood can be found in Mill's *On Liberty*.

**ETHICAL SUBSTANCE:** *The ethical substance* can be defined as this or that aspect of the self which will be the primary object of one's concern — the «prime material» to be worked on. This might be actions or intentions, or desires, or some combination thereof. Foucault calls this the «ontology» of subjectivation in that something is given a reality and made problematic for the individual. In other words, the individual establishes for him/herself that which he or she perceives to be the essence of the ethical matter in question.

The ethical substance of *On Liberty*, the «prime material» to be «worked over» in the process of subjectivation, is, of course, freedom, but freedom considered in relation to the exercise of power. The freedom that Mill has in mind is not so much the collective liberty associated with a democratic state, but rather the liberty of the *individual* to pursue certain interests in the civil or social sphere. «The only freedom which deserves the name is that of [each individual] pursuing [his or her] own good in [his or her] own way,» says Mill, adding the important caveat, «so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it.»<sup>6</sup> This caveat shows that Mill's primary concern is with the *pursuit* of one's own good, rather than with defining what this good might be —the latter, in fact, is precisely what is left to the individual to define. Thus, the understanding of freedom offered by *On Liberty*— a freedom from interference —belongs with what is called in traditional usage, «negative» freedom, and is to be distinguished from so-called «positive» freedom.

Negative freedom means: «I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty in this sense is simply the area within which a man can act unobstructed by others.»<sup>7</sup> Positive freedom, on the other hand, is identified with the classic Rousseauian project to throw off «the yoke of tyranny» and replace it with a democratic form of government wherein «the people» are masters of their own fate. Liberty in this sense is acquired through certain positive measures, such as the installation of the franchise and various positive political rights, designed «to set limits to the power which the ruler should be suffered to

6 John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (Hackett Publishing, 1978), p. 12. Hereafter cited as OL.

7 Isaiah Berlin, «Two Concepts of Liberty,» in *Liberalism and its Critics*, ed. Michael Sandel (New York: New York University Press, 1984), pp. 15-16.

exercise over the community» (OL, 2). Positive freedom is the freedom of self-determination generally associated with, and afforded by, a democratic form of government.<sup>8</sup>

Although Mill was an advocate of democracy, he recognized that positive freedom was not enough to insure the freedom of the individual, and that, in fact, positive and negative freedoms often come into direct conflict with each other. Such conflict can occur in issues settled by popular vote; legitimate minority interests can be overridden by the will of the majority.<sup>9</sup> Thus, the problems of power and personal freedom do not go away with the installation of various democratic mechanisms such as the franchise. Moreover, Mill's sensitivity to the restrictive Victorian and puritanical mores of the time made him aware that there were other ways, besides law and civil penalties, that individual freedom could be impinged, that *custom* and public *opinion* could be just as oppressive and coercive as political despotism. We do not really have freedom, says Mill, if everyone is made to live like everyone else.

Thus, the project of *On Liberty* is to find «a limit to the legitimate interference of collective opinion with individual independence» (OL, 5). It seeks, in other words, to define an inviolable region of individual liberty in which one is free to pursue one's own good, to live one's life as one sees fit, free from the interference of law or public sentiment. *On Liberty* delimits three domains of individual freedom: 1) the domain of mind and consciousness, wherein one has complete «liberty of thought and feeling, absolute freedom of opinion and sentiment on all subjects;» 2) the domain of personal lifestyle, wherein each of us has the freedom «of framing the plan of our life to suit our own character, of doing as we like, subject to such consequences as may follow.» This freedom must be respected even when others find our lifestyle «foolish, perverse, or wrong;» and finally, 3) the domain of shared interests, which consists in the «freedom to unite» with other individuals «for any purpose» (OL, 11-12). The only criterion individuals must meet in order to qualify for the freedom of these domains of conduct is that they be «in the maturity of their faculties,» i.e., not children or barbarians. And the only limitation or restriction on doing anything whatsoever within these domains is that the activity not be harmful to others.

The delimitation of an inviolable sphere of individual liberty is designed to give real meaning to the notion of «self-government,» says Mill. Without such freedoms, even in a democracy, self-government is a misnomer which means, «not the government of each by himself, but of each by all the rest» (OL, 4). In order for the individual to be truly self-determining, it is necessary to separate personal concerns from social concerns. «The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In that part which merely concerns himself, his independence is, of right, absolute» (OL, 9). Two «parts» of political existence separated by a thin juridical line; a line which circumscribes a «free space» in which the individual can conduct his or her life in anyway he or she sees fit. Even if that conduct is detrimental to the individual's life, even if it would be for his or her own good, society has no right to cross the line and interfere — society has no *jurisdiction* there. «Over himself, over his own body and mind, the individual is sovereign» (OL, 9).

Thus, freedom constitutes the primary object of ethical concern in *On Liberty*. Viewing freedom as ethical substance, rather than as political principle or right, allows us to recognize certain

8 Ibid, pp. 22-25.

9 «The will of the people practically means the will of the most numerous or the most active *part* of the people — the majority, or those who succeed in making themselves accepted as the majority; the people, consequently, *may* desire to oppress a part of their number, and precautions are as much needed against this as against any other abuse of power.» *On Liberty*, p. 4.



ramifications of the idea that might otherwise go overlooked, even by Mill himself. Since this freedom is a «negative» freedom, it lacks the substantive quality of, for example, aphrodisia or Christian desire.<sup>10</sup> Negative freedom is an extension-less boundary that must be analyzed in terms of its positive effects: i.e., in terms of the two realms which it creates, interconnects and opposes. Negative freedom bifurcates and to some extent polarizes self and society. On the side of society it problematizes the exercise of power; in fact, it functions as a limit in the sense of a restriction or prohibition against the illegitimate excess of power precisely with regard to the individual. On the side of the self, negative freedom acts as a limit in a different sense, that of delimiting a space of activity wherein the individual can create herself, free, as far as is possible, from the interference of the social world. Although it is ostensibly silent on what takes place within this free space, negative freedom nonetheless problematizes for the individual what he thinks, how he lives, and with whom and in what ways he shares his life. In short, it problematizes for the individual his or her own *individuality*. In fact, negative freedom has, at bottom, no other purpose than to legitimize a space of emergence for the «private, autonomous individual.»<sup>11</sup> We shall see that, in this political atomization of the self, individuality is both a juridico-political category (which problematizes for society the exercise of power), and a mode of being — a relation of self to self which must be cultivated.

**MODE OF SUBJECTION:** We perhaps see already that the determination of the ethical substance requires the determination of a rule, or a precept, or a standard which defines the individual's moral obligations regarding the ethical substance. The way in which the individual determines his or her relation to such a rule or standard of conduct, and thereby feels obligated to follow it or to live by it, is the second aspect of subjectivation: *the mode of subjection*, i.e., «the way in which people are invited or incited to recognize their moral obligation.»<sup>12</sup> The recognition of one's moral obligation (broadly conceived) is a reflection of one's having established a particular sort of relationship to the ethical substance predicated on the self-appropriation of a given code or rule of conduct.

In *The Use of Pleasure*, Foucault asks, «To what principles does [the individual] refer in order to moderate, limit, regulate [his/her] activity? What sort of validity might these principles have that would enable a man to justify his having to obey them? Or, in other words, what is the mode of subjection that is implied in this moral problematization of sexual conduct?» (p. 53). The same sort of questions can be asked of political freedom. That is, through what principles do individuals recognize their obligation to respect the spheres of political liberty? *On Liberty* confronts a social milieu in which the principle mode of subjection is considered to be an uncritical appeal to custom. Custom, whose influence is manifested in the personal preferences of individuals, serves as a standard against which human conduct is judged. «The practical principle which guides [people] to their opinions on the regulation of human conduct is the feeling in each person's mind that everybody should be required to act as he, and those with whom he sympathizes, would like them

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10 «Aphrodisia» and «desire» refer, according to Foucault, to the ethical substances of Greek and early Christian sexuality respectively. When I say that Christian desire has a certain substantive quality that is lacking in the notion of negative freedom, I mean to say, simply, that we think we know what it is to lust after the flesh, or at least we can describe it in positive terms referring to specific acts or feelings. Negative freedom, on the other hand, by definition takes its meaning from that which it is not — namely, the coercive exercise of power.

11 Positive freedom does not necessarily have to appeal to such a political construct, as is evident from the Greeks who had no such notion of a private autonomous individual.

12 «Genealogy of Ethics,» p. 239.

to act... The likings and dislikings of society, or some powerful portion of it, are thus the main thing which has practically determined the rules laid down for general observance, under the penalties of law or opinion» (OL, 5, 7). It is just this mode of subjection, which sanctions society's interference in the lives of individuals, that *On Liberty* seeks to replace.

Thus, *On Liberty* presents what it considers to be a rational and insuperable principle to regulate both society's and the individual's conduct with respect to the domains of personal freedom:

The object of this essay is to assert one very simple principle... That principle is that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community against his will, is to prevent harm to others. (OL, 9)

The harm-to-others principle repeats, complementarily, the gesture of delimitation found in negative freedom: i.e., the bifurcation of self and society, and the problematization of conduct with regard to these two domains. This principle provides a recognizable limit to which both the individual and society can appeal in order to regulate their conduct. On both sides of the line of negative freedom, the harm-to-others principle acts to sanction or condemn any given activity, whether it involves the individual's pursuit of a private good, or society's exercise of power. In fact, by reference to this simple principle, appropriate moral conduct can be defined in fairly rigorous (albeit negative) terms for both sides of the political divide. The individual knows, for example, that he is entitled to express his opinions, but not in circumstances where this might provoke a riot. She knows she can unite with others who share her interests, but not when the organization designs to burn people on crosses. The individual can freely become a dysfunctional alcoholic, but not at the expense of his family, or his creditors. Where the individual's conduct directly affects the lives of others (or, more precisely, where such conduct violates a «distinct and assignable obligation»), whether through neglect or abject harm, he or she can legitimately expect society to deploy its forces. By the same token, the harm-to-others principle not only determines when society can interfere in the lives of individuals, but also, to a great extent, how such interference takes shape. That is, the quality or the nature of the harm dictates the quality of society's retaliation; the greater the harm, the more severe society's reprobation. A criminal might deserve to be punished to the full measure of the law; but the incontinent slob may, at worst, merit only society's disgust and ostracism.<sup>13</sup> At all events, the harm-to-others principle is designed to settle, perhaps only after long and careful deliberation, all matters where the affairs of the individual come into conflict with those of society.

What sort of validity does the harm-to-others principle have? Mill says that this principle, and the respect for negative freedom that it is designed to preserve, is not justified as a natural right or as a condition of social contract. Rather, respecting the free pluralistic pursuit of individual good, in accordance with the harm-to-others principle, is justified solely on the basis of utilitarian considerations, on the beneficial consequences which will accrue to everyone (both the individual and society as a whole) as a result. «I regard utility as the ultimate appeal on all ethical questions» (OL,

13 «The acts of an individual may be hurtful to others or wanting in due consideration for their welfare, without going to the length of violating any of their constituted rights. The offender may then be justly punished by opinion, though not by law.» OL, p. 73. Actually, *On Liberty* offers considerable detail, based on the harm-to-others principle, of what society is authorized to do to an offending individual.



10). A society which fails to respect the liberty of the individual invites cultural stagnation. Social progress and cultural vitality, on the other hand, are possible only when genius and originality are allowed to flourish free from the yoke of custom and consensual expectation. «The only unfailing and permanent source of improvement is liberty, since by it there are as many possible independent centers of improvement as there are individuals» (OL, 67). At the same time, individuals are best served by a free unhindered space of activity that permits them to develop their best human faculties to the fullest. In so doing, human life «becomes rich, diversified, and animating.» And this, in turn, is good for society as a whole, for as «each person becomes more valuable to himself,» he becomes «more valuable to others» (OL, 60).

Alongside these rather grand utilitarian considerations the harm-to-others principle may seem merely instrumental, subordinated to, and given its validity by, the great gains to be enjoyed by respecting the spheres of individual liberty. The harm-to-others principle allows a free society to function smoothly as it prevents one individual's pursuit of private good from spilling over and impeding another's. But the fact that this liberty cannot be defined in specific terms without infringing upon it—that is, no one can be told how to think or live originally without violating the very spirit and intent of the domains of freedom—because of this, the harm-to-others principle has a certain functional self-sufficiency and can be justified on its own terms. Utility may be the ultimate appeal, but utility must be necessarily vague (if not silent) when it comes to specifying our moral obligations with respect to individual freedom, simply because it is virtually impossible to predict (except in broad terms such as «progress» and «human development») what benefits will result from originality and spontaneity. Something like the harm-to-others principle is required to determine, with any degree of clarity and specificity, what our moral obligations are, to serve as a touchstone against which to judge the acceptability of our conduct and the legitimacy of society's exercise of power — but, most importantly, it must be a principle the appeal to which does not violate the very freedom it is designed to protect. It must be a negative, limiting principle rather than a substantive one carrying its own positive interdictions. In other words, it must regulate conduct rather than define it.

**ETHICAL WORK:** The third aspect of subjectivation is the ethical *work*, (*travail ethique*), the work the individual actually performs on herself so that her actions or behavior conforms consistently with the relation to the rule or standard of conduct she has established with herself. Foucault calls this ethical work a «self-forming activity (*pratique de soi*) or *asceticism* in a very broad sense.» It usually involves some sort of regimen or the cultivation of certain habits or the establishing of a routine or exercise. Such a regimen, which may be fairly structured or rather spontaneous in nature, usually requires the delimitation of a set of virtues which the individual would seek to acquire and which serve as a kind of measure of the individual's success in achieving her ethical goals.

How does one go about forming oneself as a political subject, according to *On Liberty*? What regimen does one follow? What habits does one acquire? What virtues does one cultivate? In short, what sort of *ethical work* is required in order to «become» an individual?

Although *On Liberty* bifurcates self and society, there is no hypostatization of society such that it (as in Hegel) transcends the self. Actually, the bifurcation simply reflects the traditional political opposition between sovereign and subject, whose separation is structured according to certain arbitrary limits imposed on the exercise of power. In *On Liberty* this limitation is achieved by reserving an absolutely inviolable region of personal freedom. Assuming that the harm-to-others



principle is respected, any attempt to dictate coercively what goes on within this region of freedom will always be illegitimate. Moreover, utility demands that society build provisions for the exercise of this freedom in the political structure, that each of us respects the freedom of our neighbors. No matter how distasteful we find their behavior or lifestyle, as long as what they do poses no harm to us, as long as it does not «affect prejudicially the concerns of others,» we have no right to interfere. This applies to each isolated individual as well as to society as a whole.

Thus, whereas for the Greeks one of the principal virtues to be cultivated was moderation, in Mill's society the principal virtue is *tolerance*. It is absolutely «essential that different persons should be allowed to lead different lives» (OL, 61). Freedom is meaningless unless we develop a mutual respect for one another, for the inherent integrity of whatever lifecourse each of us chooses. Tolerance may seem like a rather passive virtue; to acquire it does not seem to require the rigorous sort of regimen associated with Hellenic care of the self.<sup>14</sup> Yet, given that custom has been so pervasive in its rule over standards of acceptable conduct, and that «so natural to mankind is intolerance» (OL, 8), tolerance demands an active, attentive kind of self-restraint. Custom saps our strength. It causes us «to desire nothing strongly... Its result is weak feelings and weak energies» (OL, 66, 67). Thus, the virtue of tolerance requires an on-going struggle with ourselves, with the inclination to accept uncritically the dictates of custom, of received opinion, of our own personal likes and dislikes, a struggle to resist the tendency in ourselves to «prescribe general rules of conduct and endeavor to make everyone conform to the approved standard» (OL, 66). Moreover, tolerance requires a certain amount of courage, a willingness to accept the unknown, to give «free scope to variety,» to permit experimentation in personal lifestyles.

Without tolerance, there can be no freedom. But, strictly speaking, freedom is not the object of tolerance. The object of tolerance is «the cultivation of individuality.» Individuality is made possible by the free space of activity opened as an effect of tolerance. But individuality is not something which immediately and automatically springs full-blown the moment society decides to respect certain regions of personal liberty. Individuality must be developed, nurtured, cultivated. «Human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing» (OL, 56-57). This requires a fairly rigorous attention to self. The self must ask itself such questions as, «what do I prefer? or, what would suit my character and disposition? or, what would allow the best and highest in me to have fair play and enable it to grow and thrive?» (OL, 58). Such questions allow the self to prioritize itself, to set itself apart from society and its dictates, to initiate, in short, a process of self-formation whereby one can *become* an individual.

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14 According to Foucault, the ethical work for the Greeks, the type of self-forming or ascetic activity which they adopted in order to transform themselves into ethical subjects, is expressed by the term *enkrateia*. *Enkrateia*, (which is related to, but more specific than, *sophrosyne*) designates a form of relationship to oneself characterized by mastery over oneself through the cultivation of the virtue of moderation. «*Enkrateia* is characterized... by an active form of self-mastery, which enables one to resist or struggle, and to achieve domination in the area of desires and pleasures» (UP, p. 64). *Enkrateia* is understood as an active form of self-control in that the struggle through which one subdues one's desires and regulates or achieves a correct use of pleasures is an on-going, continuous one. Thus, *enkrateia* refers not only to a kind of «domination of oneself by oneself» but also to the «effort that this demands» (UP, 65). This requires a sustained agonistic relationship both with the aphrodisia and with oneself (the latter manifested, for example, in the Platonic separation of the parts of the soul). *Askesis*, or training and exercise, was needed to be victorious in the struggle; it was considered «indispensable in order for an individual to form himself as a moral subject» (UP, p. 77).

To become an individual one must exercise one's sovereignty over oneself. One must endeavor to actualize the distinctive human faculties of perception, judgment, discrimination, reason, and moral sensibility. These faculties «are exercised only in making a choice» (OL, 56). Choice distinguishes the true individual from the person who lives in «ape-like» conformity to the standards of custom. It is only the exercise of independent choice that cultivates the qualities of authentic individuality:

He who chooses his plan for himself employs all his faculties. He must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self control to hold on to his decision. And these qualities he requires and exercises exactly in proportion as the part of his conduct which he determines according to his own judgment and feelings is a large one. (OL, 56)

An individual is not someone who comes to his or her freedom fully formed. An individual must actively use freedom to give shape to his or her existence. To form oneself as an individual one must actively attend to oneself, to the myriad of capacities and faculties involved in making a choice. Cultivating the faculties and qualities involved in choosing one's own way gives one the strength to resist the dictates of custom and social expectation. In this way the self can turn itself into an individual. The shape of individuality is a matter for each of us to decide. In fact, *On Liberty* puts a premium on our forming ourselves of our own design, however it comes out. «If a person possesses any tolerable amount of common sense and experience, his own mode of laying out his existence is the best, not because it is best in itself, but because it his own mode» (OL, 64). But, however we «lay out our existence,» forming ourselves as individuals is a matter of work, ethical work. Individuality is a *project*, which requires *exercising* choice, *employing* our faculties, *strengthening* our character. In fact, there is perhaps no higher endeavor to which we should direct our energies than the formation of ourselves as individuals. «Among the works of man which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself» (OL, 56).

TELOS: The main purpose of the processes of subjectivation is «to attempt to transform oneself into the ethical subject of one's behavior.» That is, all of this is done for the sake of producing a «certain mode of being» which represents the *telos* of the ethical subject. The *telos*, or moral goal, of such practices of the self is «the kind of being to which we aspire when we behave in a moral way.»<sup>15</sup> The *telos* of subjectivation in *On Liberty*, the «object toward which every human being must ceaselessly direct his efforts,» can be summed up in one word: *happiness*. This is the happiness of the fully actualized human being, a being whose moral and mental faculties are developed to their fullest potential, a being characterized by vigor and strength and independence of thought. Happiness is defined as «well-being» — a blissful if not terminal state wherein, finally, «human beings become a noble and beautiful object of contemplation» (OL, 60). What it would be like to achieve this state of well-being, this happiness, is not (and perhaps cannot be) expressed in more precise terms. But one thing is certain: happiness can only be achieved by cultivating our individuality. «It is only the cultivation of individuality which produces, or can produce, well-

15 See UP, pp. 26-28 and «Genealogy of Ethics,» pp. 237-239.



developed human beings» (*OL*, 61). Now we see that, properly speaking, individuality is not simply an end in itself, but rather, that it is «one of the principal ingredients of human happiness» (*OL*, 54).

Cultivating individuality brings happiness not only to the isolated human being, but to society as a whole. For society, happiness and well-being are defined in terms of *progress*. But progress, like personal happiness, can only be assured by the cultivation of individuality. «The free development of individuality... is not only a coordinate element with all that is designated by the terms civilization, instruction, education, culture, but is itself a necessary part and condition of all those things» (*OL*, 54). A free society, a society informed by the virtue of tolerance, is at the same time a thriving society, a society pushed forward by the genius, originality, and innovation which springs from the freedom society affords its members.

Thus, just as for the Greeks, the fates of the individual and of the society to which he or she belongs are intertwined. But for the Greeks, the moral goal of subjectivation was the freedom which manifested itself in an individual's mastery over self, a freedom/mastery that qualified one to govern the lives of others, (and thus on which the good of the state depended).<sup>16</sup> Now freedom is a means to an end, the necessary condition for the cultivation of individuality, which is in turn necessary to the happiness and well-being of self and society. Where before freedom was identified with the governance of others, now freedom by definition puts itself in opposition to such governance — or rather, it prevents any heautocratic structure of governance by returning, in a unilateral leveling of social relations predicated on certain inviolable spheres of personal liberty, the right of «self-government» to each and every individual.

### **Conclusion: Why Read Subjectivationally?**

To summarize: we find in *On Liberty* the determination of an ethical substance, freedom, which problematizes for the self its relation to society as an autonomous individual. This is a binary relation divided precisely along the line traced by negative freedom. Hence, there are two realms of moral concern for the self: one social, one individual. The self determines its moral obligations in regard to freedom by reference to these connected, yet separated realms. The principle or standard to which the self appeals in order to define its moral obligations with respect to freedom —or, in other words, the self's mode of subjection— is the harm-to-others principle, which receives its validity ultimately from utility. This negative, limiting principle regulates the exercise of power for the self as a member of society. But it also prioritizes for the self its own individuality, by making the cultivation of individuality an object of moral concern. Thus, the ethical work for the self will be, on the one hand, to develop the virtue of tolerance, without which freedom as a right belonging to everyone is impossible (tolerance is a social virtue). But the self must also do those things necessary —exercise choice, develop the distinctive human faculties— in order to become an individual. In this way, the self can achieve the moral goal of happiness, predicated on the self's cultivation of individuality. In happiness, social and individual concerns are united.

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16 To illustrate this point, Foucault quotes from Aristotle's *Politics*, «A State is good in virtue of the goodness of the citizens who have a share in the government. In our state all the citizens have a share in the government. We have therefore to consider how a man can become a good man. True, it is possible for all to be good collectively, without each being good individually. But the better thing is that each individual citizen should be good. The goodness of all is necessarily involved in the goodness of each.» VII, 13, 1132a; see UP, p. 79.



*On Liberty* marks a threshold, in the nineteenth century, in which the experience of political subjectivity becomes one of *personal* sovereignty. Its problematization of negative freedom opens a space for the emergence of the private autonomous individual. Thereafter, the individual will be the primary object of moral concern in the political arena. Problems of democracy and representation in regard to authority will still be of concern, especially when they appear to be threatened (by, for example, the scourge of National Socialism, or what was the widening shadow of Communism), but the problems of individuality —of what individuals are entitled, or required, to do, to have, to become— will increasingly define both the domain of political experience, and the province of political philosophy.

Reading texts such as *On Liberty* subjectivationally—i.e., as «manuels of selfhood»—can have serious consequences for the way we understand the tasks of political philosophy. Individuals who identify themselves in terms of the political value system which they appropriate consider themselves as fulfilling the ethical demands of these value systems; that is, they consider themselves as acting *morally*. Thus, from the interiority of one's value system, of one's identity, it does not matter if a particular mode of subjection requires an individual to follow a moral principle which, to subjects who form themselves differently, is considered «wrong» or «reprehensible.» The Brownshirts of Nazi Germany, far from lacking a set of moral standards, had their own mode of subjection as surely as did the Founding Fathers when they asserted their independence from England.<sup>17</sup> Ethical entreaties made from outside of the actual processes of subjectivation on behalf of what is «really» right, or just, or true will tend to fall on deaf ears. A claim to right can only be made from the interiority of a particular mode of subjectivation. In fact, a claim to justice and right usually attends, and sanctions, the worst political atrocities.

Foucault's genealogy does not, as some have argued, plunge us into the morass of moral relativism.<sup>18</sup> But it does raise a vital question. If our evaluations of political or ideological positions are always made on the basis of our own arbitrary appropriation of ethical values, how are we to condemn (or praise) a given political practice? But, perhaps our task is not to *condemn* the practice, but to resist the subjectivational processes which give rise to it in the first place, which give it the appearance of necessity. Foucault shows us that what matters for both ethics and political philosophy is that the processes of subjectivation *actually* structure the ways in which individuals constitute themselves as subjects of ethical conduct. A viable political philosophy must attend to such processes. It is easy to stand outside of someone's house and throw stones at the walls. It is much more difficult to get inside the house, to effect change from within.

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17 See, for example, Gregor Zeimer, *Education for Death: The Making of the Nazi*, (Oxford University Press, 1941); Rolf Tell, ed., *Nazi Guide to Nazism* (Washington, D.C.: American Council on Public Affairs, 1942); R. A. Brady, *The Spirit and Structure of German Fascism* (New York: The Viking Press, 1937).

18 Habermas, for example, contends that Foucault's critique of our subjection is so successful that it deprives us «of the normative yardsticks» that would be required to get free of it. See Jurgen Habermas, «Taking Aim at the Heart of the Present,» in *Foucault: A Critical Reader*, p. 108. A similar objection comes from Nancy Fraser, «Why is struggle preferable to submission? Why ought dominations to be resisted? Only with the introduction of normative notions could [Foucault] begin to tell us what is wrong with the modern power/knowledge regime and why we ought to oppose it,» «Foucault on Modern Power: Empirical Insights and Normative Confusions,» in *Praxis International*, vol. 1 (1981), p. 238. See also Jurgen Habermas, *Der philosophische Diskurs der Moderne: Zwölf Vorlesungen* (Frankfurt: Suhrkamp, 1985), chapters 9 and 10; and David Cousins Hoy, «Introduction» to *Foucault: A Critical Reader*, p. 8.