

NEOLIBERALISM, BIODISCIPLINE, AND CULTURAL CRITIQUE

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ABSTRACT: My response to Ladelle McWhorter's essay covers two main points. First, I argue that Foucault fleshed out the relation between biopower and neoliberalism more fully than McWhorter claims and that this enables us to take McWhorter's analysis further than she does. Second, even though this Foucault-inspired analysis is revealing, a full criticism of reprobogenetic technologies requires us to attend to racial and sexual dimensions of social experience and domination that may not be captured simply by following Foucault.

In her essay, Ladelle McWhorter explores the relationship between reprobogenetic technologies, biopower, and the neoliberalism of the last sixty or seventy years. She contends that (1) because reprobogenetics functions as a free market eugenics, it represents a formation within *both* neoliberalism and biopower; (2) reprobogeneticists can evade feminist criticism because of this dual social location; and thus, (3) in order to develop effective criticisms of the reprobogenetic project, we must come to terms with the relation between biopower and neoliberalism—a relation she claims Foucault left underdeveloped. I agree with McWhorter's overall approach and with the importance of developing feminist criticisms of reprobogenetics. However, I will argue that Foucault does explain the relationship between biopower and neoliberalism with enough detail to criticize reprobogenetics (section 1), but that a Foucaultian-style criticism of reprobogenetics still falls short unless it includes racial and cultural dimensions of our current situation, which would be the focus of a more traditional feminist analysis (section 2). In short, I worry that a feminist

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criticism of patriarchal power and a Foucault-inspired criticism of biodisciplinary power do not overlap enough to provide the critical resources necessary for thinking about reproductives, and that these two must be put together. Beneath this issue lies a question about the relationship between patriarchal oppression versus biodisciplinary power.

1

The Birth of Biopolitics certainly occupies a unique place in Foucault's *œuvre*; it marks a place where Foucault speaks directly of contemporary politics.¹ No longer providing his trademark "history of the present," Foucault delves right into the twentieth century and even into the French reception of American neoliberalism concurrent with the dates of the lecture course (1978–79). I cannot say definitively what led him to this curious discussion, but I can offer a hypothesis based on the direction of his thought from the time of *Discipline and Punish* to about 1980.²

During this period, Foucault presents a historical narrative that explains how modern states built themselves up from two technologies of power: discipline and biopower. The difference between these two technologies is beautifully summarized in *Security, Territory, and Population*³ and also hinted at in the final parts of the first volume of *The History of Sexuality*.⁴ Discipline focuses on managing bodies, rendering them docile, and bringing them in line with preestablished ideals (it engages in "normation"), while biopower focuses on populations, statistics, and groups, and seeks to maximize, create, and control life itself. It *normalizes*, creating populations that match a selected, optimal norm. Both operations fit within McWhorter's general description of *biodiscipline*: power as a relationship and an event in day-to-day settings (schools, prisons, asylums, etc.), and as a productive rather than deductive force (it creates bodies and maximizes potential for various purposes—military, economic, etc.). Looked at from this perspective, the last two hundred years of the industrializing states can be seen as the biodisciplinary era; as the differences between Soviet-style totalitarianism and liberal

¹ Michel Foucault, *The Birth of Biopolitics*, ed. Michel Senellart, trans. Graham Burchell (New York: Palgrave Macmillan, 2008).

² Besides *Discipline and Punish*, texts included in this period are the first volume of the *History of Sexuality*, various of his interviews in *Power/Knowledge*, and lecture courses such as *Abnormal*, "Society Must be Defended," and *Security, Territory, and Population*.

³ Michel Foucault, *Security, Territory, and Population*, ed. Michel Senellart, trans. Graham Burchell (New York: Palgrave Macmillan, 2007), 56–63.

⁴ Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction*, trans. Robert Hurley (New York: Vintage, 1990), 139–45.

democratic forms of control recede into the background, the biodisciplinary activities of both regimes come to the fore and explain the mass obedience of people in society without recourse to directly oppressive mechanisms or false ideologies. Eugenics, as the science of the control and creation of life *par excellence*, would be a powerful expression of biopower. It is thus not surprising that eugenics movements were prominent at the turn of the century and, further, that they were a central element of the fascist states.

I don't have space here to justify this reading of Foucault's work in the 1970s, although I think it can be justified with suitable qualifications regarding Foucault's suspicions about continuity in historical forms. For our purposes, this hypothesis about Foucault's project explains his interest in neoliberalism. If, as Foucault says, the neoliberal project is that of "frugal government"⁵—the least possible amount of government—and if "state-phobia"⁶—the general fear of a self-intensifying and growing state apparatus ("statification")—is the common ground for criticisms of government on both the right and the left, then the neoliberal project poses a threat to Foucault's claim that biodiscipline shaped the last two hundred years. The neoliberals in Germany and America both seem obsessed with shrinking government by ceding governmental functions to the free market. Foucault must therefore investigate whether neoliberalism reverses the process of "statification" that has marked industrialized countries for the last two centuries. If it does, it would mark an important turn in the function of power; if it does not, it might further establish his investigations into biodiscipline.

Not surprisingly, Foucault claims that neoliberalism is not an exception to biodiscipline but, rather, deploys similar technologies of power with different governmental rationales and through different methods: "Since it turns out that the state is the bearer of intrinsic defects, and there is no proof that the market economy has these defects, let's ask the market economy itself to be the principle, not of the state's limitation, but of its internal regulation from start to finish of its existence and action."⁷ Again, "neo-liberal government intervention is no less dense, frequent, active, and continuous than any other system. But . . . the point of application of these governmental institutions is now . . . to intervene on society so that competitive mechanisms can play a regulatory role at every moment and every point in society."⁸ Or: "the problem of neo-liberalism is . . . how the overall exercise of political power can be modeled on the principles of the market economy."⁹ At the close of the

⁵ Foucault, *The Birth of Biopolitics*, 28–29.

⁶ *Ibid.*, 76–78.

⁷ *Ibid.*, 116.

⁸ *Ibid.*, 145.

⁹ *Ibid.*, 131.

text, Foucault even gives us some examples of neoliberal biodiscipline managing the “classic” domains of both discipline and biopower—marriage, children, education, and criminality—according to the neoliberal conception of *Homo oeconomicus*. Regarding individual humans as their own enterprises, as their own capital, competing in a market to make rational choices with scarce resources according to a rational choice theory, neoliberal biodiscipline produces effects of power similar to those in Foucault’s earlier analyses.¹⁰

To be sure, Foucault does not present an account of neoliberal biodiscipline that matches the detail of his earlier accounts of statification under other governmental rationales, but he certainly does show how neoliberal practices and ideas fit with biodiscipline. From this perspective, McWhorter correctly shows how free market reproductives is a kind of eugenics and thus a “neoliberal formation as well as a biopolitical formation” (56), but she is wrong to claim that Foucault left the relationship between neoliberalism and biopower “hanging” (56). Consequently, I think we can go even further in connecting the neoliberal and the biopolitical around reproductives. Neoliberal government displaces the functioning of power from the expanding state to the everyday self-regulation of individuals and micro-institutions. From this perspective, the *nonregulation* of reproductives is, paradoxically, an intervention on the part of the state: from the broader view of a state that governs to preserve competition and enterprise as a way of establishing biopolitical and disciplinary control, nonintervention into a young, growing field of capital development capable of shaping populations is precisely part of a larger strategy that will try to keep competition as strong as possible. Were some future reproductive company to achieve monopoly status, it would be busted apart or at least investigated as surely as Ma Bell, Microsoft, and (possibly now) Google. Similarly, freeing up new lines for stem cell research not only provides more access to research and better possible cures, as its advocates claim, but it also provides more entrepreneurial opportunities and further extends the competitive force necessary to extend neoliberal power. Again, extension of healthcare to all lowers the costs of that care and provides the opening for the insurance coverage of technologies that are already well in place. Should insurance come to cover reproductives, it will only increase competition among reproductive firms and individuals, rather than decrease it. The state intervention into healthcare would, in one important sense, increase and not decrease competition and so, paradoxically, could again be called “neoliberal.”

Admittedly, I am speculating here about what could happen, but my intent is to show how regulation and intensification of the state can go hand-in-hand

¹⁰ Ibid., 244–60, 268.

with deregulation and “frugal government” in the brave new world of neoliberal biopolitics. The competition between small enterprises and individual’s choices allows power to function at a low and seemingly “natural” level. Again, we can extend one of McWhorter’s best and most frightening analyses. Taking the discourse of *Homo economicus* as an enterprise unto itself—a maximizer of self-interest and utility—takes biopolitical power to the micro level of the individual’s choices. Each of us, under this new discourse and new rationale, comes to function as a maximizer of our capital and seeks to govern our lives according to the maximization of scarce resources for the best ends under continuous competition. How, under such a regime, could we *not* engage in reprogenetics to maximize our own utility as well as that of our children? The state need merely provide that competition in the form of scarcity and free markets exist, and we will practice eugenics upon ourselves and, by extension, practice the biopolitical management of population through individual action. It’s really flawless from the perspective of power: biopower no longer needs to wield large state apparatuses and institutions to manage a population through eugenics; individuals do it themselves. Really, they do it *to themselves*, exactly as panoptical power would imagine it.

This is why the language of choice and possession and control of bodies, a constant theme of liberal feminism and the mainstream women’s movement, ceases to be effective when confronted with reprogenetics. It’s not just that advocacy for reprogenetics turns advocacy for women’s control of their bodies back against itself. Rather, it’s that talk of women controlling their bodies may not be able to separate itself from the neoliberal talk of individual human beings as “mini-capitals” in control of themselves and their destiny, since both kinds of talk have a common root in fear and resistance to the expansion of state apparatuses beyond their proper boundaries. Both kinds of talk want to get laws off our bodies, so to speak. A constant refrain of *Birth of Biopolitics*, in fact, is that the state, “because of its defects, is mistrusted by everyone on both left and right, for one reason or another.”¹¹ I think these facts about neoliberalism and the language of individual choice may be somewhat obscured in the United States by the fact that American neoliberals tied themselves to a particular racial/sexual social and cultural agenda to attain their ends, but once one sees the connection, it’s difficult to dismiss it.

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Difficult, but not impossible. Two objections can be raised about the effectiveness of this Foucaultian analysis. First, we need to distinguish between

¹¹ *Ibid.*, 17.

state control of bodies carried out through biodiscipline and patriarchal control of bodies carried out through the state. Second, we cannot discount the very thing I just mentioned that distinguishes U.S. neoliberalism in its full flower: the cultural context of resurgent Christian fundamentalism and the massive intersections between U.S. patriarchy and U.S. racism/white supremacy.

Taking up the first of these, while Foucault may be right that sex, sexuality, and reproduction lie perfectly at the intersection of discipline and biopower, to analyze the functioning of the control of reproductive technologies solely along these lines misses the broader context in which male control of women's reproduction has been a constant feature of patriarchal societies in all their guises. To take but one famous example, analyses of the importance of male control of women's reproduction were central to Beauvoir's sweeping analysis of patriarchy in *The Second Sex*. She saw control of reproduction not only as one of the fundamental elements in the situation of gendered existence but as that which played a pivotal role in both originating patriarchy and also providing justification and energy for the renewal of women's otherness to men.¹² I don't want to argue about whether such claims are "essentialist" or not (I think they're not), I just want to point out that much more may be going on in controlling and extending technologies around women's reproduction than neoliberal and biopolitical analyses reveal. The stratification of reproduction and women's bodies happens within a sexist cultural milieu that both channels it and that is in turn reinforced by it. To give another salient example, Nancy Fraser's early analysis of U.S. welfare and assistance programs shows how they were structured around *an already existing* gendered norm that regarded women as homemakers, consumers, and child-raisers, and men as workers and rights bearers, even though these gendered norms did not and still do not reflect the reality of American households.¹³ In both of these examples, we see oppression of women functioning as a partially autonomous force in shaping social structures and historical events, even the kind of social structures and events that Foucault likes to analyze.

This does not defeat Foucault's analysis in any way. But *even if* the language and strategy of women seeking to control their own reproductive capacities and their bodies sounds like neoliberal discourse about being one's own capital, and *even if* it likely succeeds in winning adherents in the United States

¹² I am thinking particularly of the way her text integrates biological features into a historical account and establishes a gendered situation that always includes, but is never limited by, women's reproductive capacities. See the first part of Simone de Beauvoir, *The Second Sex*, trans. and ed. by H. M. Parshley (New York: Modern Library, 1968).

¹³ Nancy Fraser, "Women, Welfare and the Politics of Need Interpretation," in *Unruly Practices* (Minneapolis: University of Minnesota Press, 1989), 144–60.

partly because of this fact (because choice, freedom, and ownership of self sound so *American*), these two facts do not mean that both the source and function of the feminist discourse—combating men’s control of women’s bodies—differ from the source and function of neoliberal discourse—extending social control through market forces. At the least, even if there is danger of conflating these two discourses, we are not without resources in trying to distinguish them, resources that stem from many of the classical themes and methods of feminist analysis.

Furthermore, in the United States, control of women’s reproduction has always been a racial issue as well. Control of white women’s reproduction was and is tied to maintaining the purity and supremacy of the white race. A common victim of lynching was the black man accused of raping a white woman, and protection of white women was frequently a goal of racist practices and violence.¹⁴ Conversely, white men could impregnate black women with relative impunity, since that amounted to either an improvement on the black race or its outright elimination through racial dilution. Counter-racist discourse and practice, on the other hand, can produce its own sexism when it tries to use breeding nonwhites—and by extension control of non-white wombs—as a way of combating white power. Men of color can impregnate white women to ruin the purity of the white race, but women of color must only create children of the same race. Finally, forced sterilization was practiced primarily as a means of controlling and “improving” the white race, not only when it was practiced against women of color but also when it was practiced against white threats to the purity and strength of the Nordic ideal.¹⁵ No matter which way we turn, a woman’s reproduction will be controlled regardless of which race she is, and yet always because of the race she is.

These points together raise the question of the relationship between sexual and racial oppression as “autonomous” (or at least independently existing formations) and biodiscipline as a particular historical formation with its own treatment and understanding of the importance and sex and sexuality. To what extent does biopower take up, take on, and take over sexism and racism that have independent and prior existence, in whatever form, and make something of them, and to what extent could these formations themselves be the *result* of biodisciplinary power? I do not have a ready answer to this

¹⁴ Since I delivered this commentary, I have had time to study McWhorter’s extraordinary new book, *Racism and Sexual Oppression in Anglo-America* (Bloomington: Indiana University Press, 2009). Lynching, in her view, was not only enacted against black men accused of rape, but also this myth helped to perpetuate and legitimize a practice that often targeted black men and women who were perceived as “uppity.”

¹⁵ See McWhorter, *Racism and Sexual Oppression in Anglo-America*, 213–18.

question, and I know that McWhorter has much to say about it elsewhere, but I do think understanding reprognetics requires us to think about how we could answer such a question. If it turns out that racism and sexism have sources other than biodiscipline, and if (as certainly seems to be the case) these two social formations will affect reprognetic technology, the Foucault-inspired analysis will not be adequate to understand them.¹⁶

And this brings me to my second point: a Foucault-inspired criticism of reprognetic technologies will be incomplete without addressing the social-cultural context in which women and men make reprognetic choices. By “social-cultural context” I mean to include many things. (1) The racial subtext that informs everything that happens in the United States, which makes white babies literally more valuable commodities than nonwhite babies and that would encourage reprognetic selection for “white body traits” (whatever those would be). (2) The beauty industry and standards of female and male beauty that play a role in selling everything from diets and gym memberships to cosmetics and plastic surgery and that continue to diverge, in ever greater degrees, from our actual bodies. Such ideals would certainly encourage selection of specific body traits, traits that themselves are racially coded. (3) The cult of success and status among the middle class who would have the most access to reprognetics, and the underside of this cult—the fear of losing class position or standing as a result of having children unable to perform and make it into an elite university, attain the perfect job, and so forth. (4) Hetero-normativity and the ideal that a woman must *experience* motherhood, pregnancy, and childbirth, or live a life bereft of its fullest potential. (5) Running like a thread through all of these is the pressure to have *one’s own (genetically connected) children* and its ties to several of these other cultural factors, particularly race.

Certainly, such cultural pressures do not function separately from the more directly neoliberal economic factors McWhorter thinks will affect reprognetic choices. People will undoubtedly choose to maximize their utility by making children who are good investments—and children who are on the “right side” of these five factors are certainly better investments. And of course, most elements of these cultural forces are continuously reinforced in the market and media. But one important aspect of feminist thinking is its interrogation of whether people living under continuous social pressures to

¹⁶ I am certainly now convinced by *Racism and Sexual Oppression in Anglo-America* that many forms of scientific racism are directly connected to biopower and that even some aspects of “popular” racism have genealogical connections to biopower as it expressed itself through white supremacy and eugenics. But I am not convinced that all popular racism has these origins, and the question of patriarchy and sexism and Foucaultian-style analysis still seems to me to be completely open.

manifest gender in a specific way can make genuine choices either for or against that specific role. Again, to use another old-school example (which, like Fraser's example, is influenced by Foucault), Sandra Bartky examines the extreme difficulty of making choices about self, gender, appearance, and lifestyle that have some independence from the continual operation of patriarchal power.¹⁷ While Foucault's analysis of neoliberal biodiscipline certainly discloses how power can continue to function under the rationale of "frugal government," it remains incomplete as an analysis of how reproductives can function like eugenics without the cultural context that would affect all of our choices. If individuals are making reproductive choices in the social-cultural context of the United States, they could indeed have a net eugenic effect, but because of cultural forces that themselves are not necessarily neoliberal and that are not themselves directly a part of biodisciplinary power. They seem to me to be part of something else—patriarchy, racism, xenophobia, and religious fundamentalism, all of which have sources outside the expert discourses and state apparatuses on which Foucault focuses. Neoliberals came to power and held power in this country because of this social agenda, and if they lose power now, it is precisely because the number of people who hold this agenda (those who identify as white and strongly identify as Christian) shrinks by about 1 percent every year.

In conclusion, my question is simply this: to what extent does a criticism of reproductives that treats it as neoliberal biopower reveal its workings, and to what extent does it obscure its functioning by hiding relatively independent aspects of patriarchy and racism? I should say that neither of my two criticisms directly *contradicts* Foucault's or McWhorter's analyses. After all, Foucault certainly knows there are connections between biopower and race (see "*Society Must Be Defended*"), and he even occasionally looks away from the institutional attempt to identify, capture, and create the abnormal, and looks toward mass culture. And I am certain that nothing I say here comes as news to McWhorter. But a Foucaultian criticism of reproductives seems simply incomplete without a more direct look at the patriarchal and cultural context in which neoliberal formations develop, and this means going beyond an analysis in the style of Foucault. In short, I am not convinced that a feminist analysis of these contexts is identical with Foucault's analysis of biodisciplinary power: this is the core of my question for McWhorter, who I believe too readily assimilates Foucault's analysis of power to the feminist analysis of sexism. She rightly points out that traditional feminist and Foucaultian

¹⁷ Sandra Bartky, "Foucault, Femininity, and the Modernization of Patriarchal Power," in *Femininity and Domination*, 45–62 (New York: Routledge, 1990). See also the essays, in the same volume, "On Psychological Oppression" and "Narcissism, Feminist, and Alienation."

analyses of power share an idea that power “[comes] from all sides” (45), but even the meaning of this statement may not be the same in the classic feminist idea that the “personal is political” and the Foucaultian idea that “[biodisciplinary] power is everywhere” (46). The feminist analysis was, in many respects, broader than Foucault’s, taking in culture, media, family structures, and education, and seeking to draw connections between class and race and the functioning of gender. Certainly it can benefit from Foucault’s searing investigations of institutions like education, psychology, and other expert disciplines—both the examples I used “against” Foucault *vs* Foucault!—but what reprogenetics shows is that without a more traditional feminist analysis, we would fail to see some of its most important functions and fail to criticize its workings adequately.