

The Government of Men: Moving Beyond Foucault's Binaries

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Abstract

Recent controversies surrounding Michel Foucault suggest tensions and unresolved issues in his unfinished work. Here we interrogate Foucault's legacy in relation to his claim that the welfare-state is a secularization of the Christian pastorate. We challenge Foucault's binary narrative of the Christian flock vs. the Graeco-Roman citizen and expand the focus to other "technologies of power" in Medieval Islam. Rather than an outburst of governmentality in modernity, we suggest a longue-durée history of which the Christian pastorate was merely one facet. This non-binary framework indicates that Foucault's claim of a "demonic" fusion of sovereign and pastoral power in modern politics requires significant revisitation. Finally, we claim that Foucault's much-discussed fascination with neoliberalism may have roots in this one-sided narrative regarding the birth of the welfare-state.

Keywords: art of government, Covid-19, global history, Foucault, pastorate, welfare state

Introduction: Debating Foucault's intellectual and political legacy

Half a century after his governmentality hypothesis was initially formulated, debates on Foucault's legacy remain at the forefront of contemporary scholarship. Our article contributes to these debates by challenging Foucault's binary opposition of the Christian pastorate and Graeco-Roman citizenship. We re-contextualize the pastoral origins of the welfare state within long-term networks of care and control across Eurasia. Of these networks, we argue,

the Christian pastorate is better understood as an accretion or a late variation. Our alternative genealogy has implications beyond history, however. We argue that, in the light of our analysis, Foucault's claim of a "demonic" fusion of sovereign and pastoral power in modern politics (1979) requires significant revisitation. This revisitation may shed some light on recent controversies surrounding Foucault's unfinished work. Since the first articles by Behrent (2009, 2010) and Dilts (2011) for instance, a significant body of scholarship has increasingly focused on the complex relationship between Foucault and neoliberalism. With different nuances and qualifications, the argument has been advanced that Foucault's final years were marked by an increasing fascination with emerging models of human capital as a potential alternative to the modern combination of sovereignty and pastoral power (Dean, 2015a; Hancock, 2017; Zamora and Behrent, 2016; Dean and Zamora, 2021; discussion in Hansen, 2015; Tilleczek 2022, Tanke 2023). More recently, Foucault's work has been also very much at the forefront of debates on Covid-19, where terms such as "biopolitics" and "biopower" have been used in a number of blogs, commentaries, and interventions, to describe the alleged triumph of Foucault's reading of modernity as an increasing politicisation of the biological (France, Cot 2020; Italy, Esposito 2020, Anglophone world: Hannah, Hutta, & Schemann, 2020). On a more critical side, a peer-reviewed commentary by social epidemiologists even raised the question of whether "a predominance of critical Foucauldian thought" in France has, in fact, contributed towards a widespread suspicion of biostatistics and hence a lack of data "regarding social vulnerability to disease" (Arminjon and Marion-Veyron, 2021). While the debates on Covid-19 and neoliberalism are new, they reflect long-standing tensions around Foucault's view of modern power. However, while critics have traditionally pointed to normative confusions in Foucault's work (Michael Walzer, Jürgen Habermas, or Nancy Fraser to name a few), Foucault's overall narrative that the pastorate introduced *an essentially different model* in Western politics has been little

scrutinised in its historical foundations. This is problematic because unlike his book-length works on the history of madness, epistemology, medicine, the prison, his claims in this area are based on one public lecture (*Omnes et Singulatim*, 1979), one interview (*The Subject and Power*, 1982), and one course (*Security Territory Population*, STP, 2007) except for a few scattered references in the first volume of the *History of Sexuality* (1978), in *Abnormal* (2003, pp. 177 and ff) and *The government of self and others* (2010). This is obviously unfinished work, as Foucault himself recognized, or rather

it is not even work that's been done; it is work in progress, all that this involves in the way of inaccuracies and hypotheses—in short, it amounts to possible tracks for you, if you wish, and maybe for myself, to follow (2007, p. 132).

In the ensuing pages, we follow this invitation to do further work on the history of the pastorate. Our approach is critical to Foucault's overall argument, particularly its binary structure. However, we remain close to his emphasis on the humble and the mundane in historical analysis, rather than on empty theoretical abstractions. Foucault has often been celebrated for his patient genealogical work, for his curiosity and scepticism, and anti-metaphysical love for empirical details (Hansen and Triantafillou, 2022). We do agree, but we note that when Foucault discusses the Christian pastorate as the origin of the welfare, he seems to do so by failing some or all the above criteria. In oft-cited pages, Foucault (2007) claims that the pastorate, or 'shepherd-flock game', is in the 'Western world (...) the source of a specific type of power over men (...) a model and matrix of procedures for the government of men' that only begins with Christianity (p. 147). The pastorate produced a novel form "which seems to have *nothing to do* with the game of the city surviving through the sacrifice of the citizen" (1979, p. 239; emphasis added). In these and other passages, Foucault's methodology seems to proceed by assuming 'essential differences' between cultural forms produced in Greece-Rome on one side, and the Eastern Mediterranean, including Christianity,

on the other. His passages are littered with claims of a binary nature (“salvation-oriented” versus “political”, “oblative” versus “sovereign”: 1982, pp. 779-780). These binaries seem to demarcate a pristine kernel of Western politics (i.e. the city, sovereignty) before Christianity ‘*spread new power relations* throughout the ancient world’ (1982, p. 784, emphasis added). As we further read in STP, ‘[t]he Christian pastorate has, I think, organized something *completely different* that seems to me to *be foreign* to Greek practice’ (2007, p. 174, emphasis added). Even compared to other pastoral cultures, ‘the Christian pastorate is absolutely, profoundly, I would almost say *essentially different*’ (2007, p. 164, emphasis added). This peculiar reading of historical sources, as is always the case with Foucault, was not just about reconstructing the past; rather, it had direct implications for his reading of the present. As we are reminded by his courses’ editors, “Foucault’s art consisted in using history to cut diagonally through contemporary reality” (2007, p. XV). The diagonal cut of the pastorate story was certainly far from being concealed. In an oft-cited passage, Foucault famously argued that:

our societies proved to be *really demonic* since they happened to combine those two games - the city-citizen game and the shepherd-flock game - in what we call the modern states (Foucault 1979, p. 239, our italics).

The modern administrative state, in its merging of two originally antithetical models of power, represents a marriage that from the use of the adjective “demonic” must have sounded particularly troubling for Foucault. Our article is a response to this peculiar narrative, which has heavily influenced Foucauldian scholarship by advancing two claims.

The first is that Foucault’s famous binary of Greek citizen vs. Christian flock inadequately describes the complexity or the hybridization of governmental models in premodern societies. We suggest instead the image of a prism, with the Christian pastor just one of its many facets. By focusing on the Mediterranean area and the Middle East, we trace the ubiquitous presence

of offices and functions of care and control, both secular and religious, re-embedding the Christian pastorate in this wider history.

The second claim is that Foucault's peculiar reading of modern power as a sinister fusion of two antithetical sources biased his narrative about the roots and significance of the welfare state. It did so in a direction where he found it necessary to search for radically alternative models of subjectivity to this seemingly perverse marriage. It is here that we situate the debate on neoliberalism or the charm of economics as a "discipline without god," as Foucault put it, that is potentially capable of refusing the totalizing entrapment of the modern sovereign-pastoral state (Foucault 2008, p. 282).

However, by challenging the pastoral roots of the welfare state and situating them into *longue durée* networks of care and control across Eurasia (Figure 1), it is possible to relativize Foucault's claim about the special nature of modern (bio)power and deflate the emphasis on its ominous outlook. Through our alternative genealogy, we aim to 1) show that ancient Greece cannot be separated from its "Oriental" influences, and 2) re-embed the Christian pastorate within a wider network of control and "welfare" that largely predated both the city-citizen game and the Christian shepherd (Hanson, 1994; Garfinkle, 2013). We then add to this story 3) another "Oriental" example, the Islamic medieval inspector, or *muhtasib*, to show the persistence of an administrative office of care and control even in a non-pastoral religion like Islam. After offering this overview, we move briefly to models of civic government in the Middle Ages to show that the supposed early modern break in the art of government needs to be revisited. We finally spell out some of the possible implications of this alternative genealogy for contemporary debates on the political and intellectual legacy of Michel Foucault.

Before proceeding with our model, we are aware that not everyone drawing on Foucault has failed to problematize his claims or highlight the empirical deficits of his

governmentality lectures, and more specifically the pastorate story that is one of their kernels.

Already in the 1990s, Ian Hunter noted how Foucault's narrative did not capture well the developments in Protestant German countries. In these regions at least, Hunter claimed, it was a process of de-confessionalization of the sovereign state that guided the emergence of an art of government rather than the unblocking of a liberal doctrine (1998; see also Hindess, 1997). In a different context, Mariana Valverde problematized the *tout court* applicability of pastoral power to contemporary societies marked by the emergence of other ethico-political technologies, such as mutual help (1998, p. 19; see also Rose, 1990, p. 265). From a feminist standpoint, Silvia Federici's book *Caliban and the Witch* (2004) also challenged Foucault's chronologies, pointing to a stronger continuity with earlier mechanisms and practices of control over the female body, culminating in witch-hunting (in the 15th century). Thomas Osborne (2004) lamented the presence of a "sweeping historical narrative subjecting the history of governmentality to a veritable evolutionary logic" (p. 35), while Mitchell Dean (2015b) focused on Foucault's incomplete reading of a later break, the combination of biopolitics and sovereignty in Malthus' *Essay on the Principle of Population* (1798). For Dean, economic-political strategies bringing together population and land, resources, and territory in response to the threat of a population catastrophe lie at the very core of liberal governmentality (see also Tellmann, 2013; Dean & Villadsen, 2016). More recently, Jobe (2015) asks a question that unsettles Foucault's narrative and is essential for our argument: was Foucault "correct in claiming that Greek politician-statesmen were not concerned with the everyday life and habits" of their population (p. 22)?

All these criticisms and objections invite caution when it comes to drawing too-easy generalizations from Foucault's pastoral power hypothesis. However, while we are not the first to suggest empirical revision of his claims and chronologies, with this article we move the debate forward by aiming at a comprehensive alternative to how the "government of

men” came to shape modern technologies of power. Not only, unlike much Foucauldian scholarship cited above (Hunter, 1998; Dean 2015b), we largely focus on premodern sources of power in the attempt to revise Foucault’s narrative from its beginning; but also, by bringing the Islamic muhtasib into the conversation, we have a wider comparative goal for a less-Eurocentric history of the art of government before and beyond the making of modern European nation-states.

Section One. The Conduct of Conducts in the Premodern World: Moving Beyond Binaries

In his courses and conferences in the 1970s Foucault established a very influential argument that modern power combines, somehow uncannily, two different modalities of power. It is a binary story, one rooted in the Classical City, the other emerging from the shores of the Mediterranean East (Figure 2). Foucault’s dichotomy of pastoral and Graeco-Roman power relied on two important cultural sources, the former philosophical and the latter historical: a Nietzschean (1887/1994) view of Christian values (“herd morality”) and Paul Veyne’s stark distinction between pagan euergetism (making good for the city) and Christian charity that led Veyne to claim that only this latter can be seen as the true inventor of “welfare institutions” (1990, p. 31). Veyne’s 800-page *Le Pain et le Cirque. Sociologie historique d'un pluralisme politique* where this claim can be first found appeared in France in 1976 (abridged English translation in 1990). Given the acknowledged influence of Veyne on Foucault (Foucault, 1983, p. 3), and the nearly overlapping years in which the two were working on Christian and Graeco-Roman sources, it is obvious that Veyne’s book represented an important scaffold for Foucault’s argument for a pastoral origin of the welfare state. Since then, however, Veyne’s clear-cut separation of Roman and Christian gift-giving has been substantially revised by historians. Several authors have highlighted how Veyne failed to

“investigate [the] possible evolutions of euergetism toward forms of beneficence similar to Christian ones” and in general overlooked interplay and entanglement as the two models *developed* (Gygax, 2016, p.10; Gygax & Zuiderhoek, 2021; Goddard, 2021). More generally, contemporary historiography has challenged the ‘conflict model’ of Pagans versus Christians and the essentialist language of opposition and alienness (Sághy and Schoolman, 2017). Tropes of foreignness and essential differences are today seen as misleading and have given way to a more complex and polysemic hybridization model based on travel of knowledge across the Mediterranean area. Building on this non-essentialist methodology, we suggest revising Foucault’s argument of a binary of Greco-Roman city-citizen ‘game’ and Christian shepherd-flock ‘game’ on the basis of three points.

1. Greek and Roman cultures produced *forms of state-pastorship and control of conducts* that not only undermine Foucault’s binary but are also one of the key sources of modern biopower.
2. The Christian pastorate *did not develop in a vacuum* but capitalized on pre-existing technologies of power in the Mediterranean area of which it is better understood as a later variation and accretion.
3. The example of the medieval muhtasib in a (fundamentally) non-pastoral religion like Islam *further complicates the argument that the pastorate is the essential driving factor* behind the government of conducts.

1. The City-Citizen Game without Idealization

1a. Greece

At least since Martin Bernal’s *Black Athena* (1987), historiography has challenged the notion

of ancient Greece as a self-enclosed or pure cultural form opposed to the Orient or to Africa, claiming that this is mostly a post-Enlightenment or colonial invention (Bernal, 1987; Burkert, 1992, West, 1997). In general, assuming essential differences between cultures born on the shores of the Mediterranean is problematic considering the large unity of the area in terms of commerce, linguistic borrowings, and agropastoral economy (Barker 2005, Hadjigeorgiou, 2011). This applies to the equally rich presence of pastoral metaphors in Greek writing, starting from Homer and continuing with Xenophon, Plato and Aristotle (Wright, 1939; Haubold, 2015; Ojakangas, 2016). Only in the *Iliad*, the expression the “shepherd of the people” (*poimēn laōn*) is used at least a dozen times to capture the duty of care of Homeric heroes (such as Agamemnon) toward their people (Haubold, 2000 and 2015). When a few centuries later in the *Nicomachean Ethics* Aristotle comments on the Homeric “shepherd of the people” there is no sense that the expression is considered “un-Greek”, only probably slightly outdated for his times (book 8. 11; Atack, 2019). Although it is not specific about the shepherd-king, a recent cross-cultural survey of the figure of pastoral tropes in classical iconography challenges claims about the supposed ‘essential’ differences between Greece and Christianity:

[I]mages of shepherds are so abundant in the iconography of the classical world that it is *hard to distinguish between pagan and Christian examples*. The iconographic vocabulary and sentiment *are the same*. There is nothing astonishing in the fact that the figure of a shepherd leaning on his staff amid his sheep in a miniature in a manuscript of Virgil in the Vatican reappears on the façade of a Christian sarcophagus (Westenholz 2004, p. 303, our italics).

Pastoral tropes are not the only issue with Foucault’s attempt to homogenize ‘Greece’ and oppose it *tout court* to the Christian pastorate. For instance, Sparta’s *agōgē* (martial education/discipline) in which boys and men alike were asked to respect their

‘rulers/commanders (ἄρχοντες) above everything’ (Xen. *Lak. Pol.* 2.2–9) was also a Greek technology of the self in which a relationship of blind subordination to a superior was hierarchically established. This is quite far from the idealized view of persuasive education that Foucault has highlighted in his stories on Classical antiquity (1985, 1990). There is at least a third game here beyond the binary of city-citizen and shepherd-flock games, that is one of pure obedience between subordinate and commander where *pace Foucault*, obedience is like also in Greece not “a provisional means to an end, but rather an end in itself” (1979). However, if Sparta may be seen as another exception, even in Athens the city-citizen game took more complex forms that cannot be reduced to the formula of legal/sovereign power ruling over a territory. A large body of recent scholarship, nicely summarized by Ojakangas (2020), demonstrates how the social life of the Greek polis (including Athens), as with many other agrarian societies, was heavily regulated, making the boundaries of the public and the household very malleable. The existence of a huge network of offices and magistracies highlights the “remarkable determination of the Athenians to govern every aspect of *polis* life and hence to expose the *polis* to the governance of the entire *demos*” (Pownall, 2013, p. 291). The social organization of the duty of care (*epimeleia*) was directed not just toward the self but involved the generalized work of supervision and arrangement (*epimeleiai*) of public and social spaces, infrastructures, buildings (both religious and secular), as well as social events. In some cases, this ‘supervision’ was conducted by a specifically appointed officer called *epimeletes*, the ‘person in charge’ or “carer” (Cargill, 1995, p. 153; Dmitriev, 2005). It is also possible to find the term *epimeleia* associated with a service toward the whole population more generally (Mack, 2015). A political care for the population is not an anachronism or a concept entirely foreign to Greek political theory either. Aristotle’s seventh book of *Politics* is an obvious source for later “modern” concerns for the control

of the population (Kreager, 2008). Given that, in the philosopher's words, the 'bodies of men' are the most essential 'part of a state's equipment', the legislator's duty is:

to consider *from the start* how the children reared are to obtain the best bodily frames, [and for this reason] he must first *pay attention to the union of the sexes*, and settle *when and in what condition a couple should practise* matrimonial intercourse. In legislating for this partnership he must *pay regard* partly to *the persons themselves* and to *their span of life*, so that they may arrive *together at the same period in their ages*, and their powers *may not be at discord* (...). (Aristot. Pol. 7.1335a, our italics)

Once again, this long quote aims to show that it is difficult to speak in terms of 'essential differences' between Greece and the pastorate. Aristotle describes a power that, if we follow its logic, is not only totalizing but interested in following each people's conduct over their lifespan. Rarely commented on by modern interpreters of Aristotle, this text was in fact highly influential in medieval times when Aristotle was read as *both* a political and a demographic thinker (Biller, 2000). If *Politics VII* had nothing to do with the pastorate, how would Foucault explain that when Aristotle's *Politics* was rediscovered in the Latin West (ca. 1260), demographic passages from that book were largely incorporated by pastors, preachers, and theologians dealing with issues of marriage and fertility (Biller, 2000)? To be clear, this is not to conflate differences in the name of false continuities, as Veyne often warned (1990). Rather, this is to advise caution about the stark binaries of civic vs. religious virtues, politics vs. salvation that may be more the effect of post-Enlightenment dichotomies than a fair description of ancient social life. Unlike Christians, for instance, Greeks had little interest in ultramundane salvation. Nonetheless, the notion of salvation (*soteria*) had huge ramifications in Greece with meanings spanning the physical and moral preservation/safety and well-being of individuals and cities alike (Suk Fong, 2022). The concept of *salus* in Rome presents a

similar multivalence among the political, the religious, and the physical preservation of the Roman populace. It is not Christian salvation, but it did produce forms of military and political pastorship upon which the Christian pastorate built.

1. *b Rome*

The case of Rome is even more explicit and difficult to fit into Foucault's dichotomy of city-citizen and pastoral game (Hammer, 2017). Virtues like *cura*, *diligentia* and *sollicitudo* (care) for the *res publica*, the region or town (Forbis, 2013) are amply documented in the late Republican and Imperial period. Similarly, for values like *Securitas* (Ricci, 2018), *Salus* (Cicero, *de Legibus*, 3.3.8) or *Salus Publica* ("common welfare", Norena, 2011). Given the limitation of space, we wish to highlight two aspects of Roman technologies of power. The first point refers to the reticular proliferation of civic figures of responsibility and control, both at the secular and religious level (*aediles*, *vigiles*, *milites urbani*, and *vicomagistri*) who are charged with the care of roads, religious and secular buildings (temples, bathhouses), as well the broader task of policing and inspecting the safety of Roman settlements and towns or preventing/controlling fires (Rainbird, 1986). One of such figures is the *curator urbium* (city's carer). According to third century (CE) jurist, Papinian, the *curator urbium* should:

take care that private walls and enclosure walls of houses facing the street are not in bed repair, so that the owners should clean and refurbish them as necessary. If they do not clean or refurbish them, they are to fine them until they make them safe. They are to take care that nobody digs holes in the streets, encumbers them, or builds anything on them. [...] They are not to allow anyone to fight in the streets, or to fling dung, or to throw out any dead animals or skins

We have selected this brief text among many others (Robinson, 2003, pp. 140 and ff.) because it shows the interconnection of three axes underlying Roman culture of control and care: (a) concerns for the *salus* of the city aimed at preventing a lack of ventilation and corruption of the air (recommendation on dead animals) according to standard medical knowledge of the time; (b) dispositives of security for citizens in public places (not allowing anyone to fight in the streets); and (c) disciplining of conduct of the good roman citizen in the mundane activities of everyday life ('should clean and refurbish', 'should fine them until they make them safe' etc.). These figures of urban control (including other figures like the praetor and the *defensor civitatis*, Frakes, 1994) are in no way a Roman invention, albeit in Rome they possibly expanded in number and scope. We suggest situating them in a longer tradition of "urban overseers" including the Greek *epimeletes*, urban officers, market inspectors (*agoranomoi*, ἀγορανόμοι), and civic administrators (*astynomoi*, ἀστυνόμοι) (Foster, 1970; Boehm, 2013; see also Plato Law VI. 764B, VIII.849A; Aristot Pol. 6,1321b 18-27; for possible antecedents in the Egyptian overseer, Reeves 2013; Ouda and Ahmed, 2017).

The second point is that under the authority of these figures, *a detailed attention to conducts* emerged and was codified well before Christian technologies of power. It is at this level that the well-known Roman figure of the *ensor* must be understood (Astin, 1988). The censorship, partly pursuing educational goals and partly aiming at restoring order, was one of the highest offices in Rome. In Plutarch's definition, the censor's goal was that of "examining into the lives and manner" (καὶ τὴν περὶ τὰ ἥθη καὶ τοὺς βίους) of Roman citizens. The target of the censor's scrutiny spanned eccentric behaviours, possession of luxury items, sexuality, alcoholism, military offences, uprightness (*probitas*) and self-restraint (*continentia*). It addressed the overall duties of the *pater familias* (toward his wife, children, or slaves). It targeted landowners' neglect to cultivate the land in

productive ways something that was seen as particularly damaging in an agrarian society, and a reason to sanction or downgrade Roman citizens (in proportion to their status).

Conversely, moral failures could be justified if the accused could show frugality and skill in managing their land. The regimen of customs (*mores regere* or *regimen morum*) was so wide that Dionysus of Halicarnassus (d. 7 BCE) so describes the zealous scrutiny of conduct in Rome:

But the Romans, throwing open every house and extending the authority of the censors even to the bed-chamber, made that office the overseer and guardian of everything that took place in the homes (Roman Antiquities, Book XX.15).

While caveats can be made about the efficacy and ubiquity of such measures in Roman society, there is no doubt that ‘the guidance of Roman mores and discipline’ (Livy) was a featured aspect of Roman technologies of power.

2. *The Christian Pastorate*

We suggest reading against this background the emergence of the Christian pastorate. Firstly, it is interesting to note the Greek term for the Christian bishop, *episkopos* (ἐπίσκοπος, Latinized as *episcopus*) did not originate with Christianity but referred to an existing secular Greek municipal office (Waddington, 1870, Foster, 1970, Liebeschuetz, 2001) as it was for other ‘Christian’ terms such as *dioecesis*, from the Greek διοίκησις, "administration". The Greek *episkopos* is literally an ‘overseer’ (ἐπί ‘over’) + σκοπός (‘watcher’, from a verb indicating looking above, inspecting, observing carefully). With this function, the office is attested in early Greek sources as a publicly paid inspector or ‘commissar’ that presided over the city life ‘overseeing affairs in each’ (*Harpocrat*, Lex. § e113; Aristoph. *Aves*, 1022, &c; Schomann, 1890, p. 432; Prentice, 1912). Hence, it is possible to establish semantic

proximity between the Christian bishop/pastor and previous networks of civic control, including the Lacedæmonian harmosts (military governors, see Harpocrat, *ibid.*) and the Athenian guardians (*φύλακες*, that also refers semantically to the act watching). In a broader comparison, Gehman (1972) has also observed the semantic proximity between the Classical Greek *episkopos* and the Hebrew *paqad* which has the meaning of ‘looking upon’, ‘visiting’, ‘inspecting’. As in the Greek context, the term is used to describe ‘those put in charge’ (Kings xii 12.11) and, in the context of census making, as a form of counting and controlling people (Num, xxvi 54, 63, 64). This secular origin of the *episkopos* would, after all, confirm what a recent historiography of late antiquity has highlighted extensively—the role of the bishop/pastor as ‘a new urban functionary’ implementing administrative measures alongside other city functionaries (Rapp, 2013). The development of conducts that Foucault attributes specifically to a Christian technology of power has roots in a much deeper and ubiquitous culture of urban and regional control and administration. ‘The shepherd is someone who keeps watch’, Foucault says, (2007, p. 125) but so is the vast network of watchers, guardians, and overseers/supervisors in the Mediterranean area and beyond. Philological and lexicological studies supports a direct filiation of the pastoral office (for instance as presented in the New Testament: 1 Tim, 3, 2-7; Tit 1, 6-9) from the Classical Greek “codes of duties” for occupations such as the military commander or midwives (Guthrie, 1990, p. 91). More recently a filiation of the Christian pastor from the code of duties of the domestic overseer (Xenophon, *Oec.*, 1,1-4; Aristotle, *Pol.* 1252a), a steward to manage country estates and direct farm laborers, has also been suggested (Goodrich, 2013). The semantic and genealogical proximity between the Christian pastor and the Roman censor has also been highlighted, particularly around areas of private life, marriage, obedience of children, alcoholism, and religious respect (Paschke, 2007). This is not to claim that the penetration of Christianity into the structures of Classical Antiquity did not produce important

consequences. As a large body of literature has emphasized (including Veyne, 1990), with Christianity the figure of the poor, *qua* poor, took an unprecedented value as an object of social and religious care (Holman, 2001; Brown, 2012; De Vinne, 1995). With this shift in gaze, new technologies of power emerged, for instance a registry to control the list of persons in need and discourage migration from one diocese to another (Underwood, 2018). However, this is better seen as an accumulative process of variation and accretion on a pre-existing political prism of figures of civic care and control, including urban patronage and euergetism. Similar analyses of the professionalization of the clergy in late antiquity shows how “religious *mentalités* were embedded in the everyday logic of Roman life” and that the importation of Roman models were “ineluctable if not unconscious” (ibid., p. 29).

3. The Islamic Muhtasib

The East is mostly taken by Foucault as generating a form of power originally foreign to the kernel of Graeco-Roman practices, the Christian pastorate. However, even if one only takes the history of Europe (the “West”) as focus of analysis, there is at least another “Oriental” figure that deserves some consideration in a possible genealogy of the art of government. We refer to the Islamic *muhtasib*, or ‘market inspector’ (Ibn Khaldun, 1967, pp. 406 and ff.). The muhtasib's office was crucial in managing social life in medieval Islam after its institutionalization under Abbasid rule and later spread to Western Europe. Its roots are in the hisbah institution, which safeguards Islamic principles of commanding right and forbidding wrong (Stilt, 2012; Shahin, 2015). The muhtasib enforced hisbah in the urban market and was appointed by the caliph “to monitor the conduct” and affairs of the sovereign's subjects (Al-Ukhuwa 1938, 7). The institution combines some of the Greek *agoranomoi*'s attention to fraud and measures in the urban market (but with a stronger emphasis on medical-

environmental concerns), with the Roman censor's control of public behaviour and immorality. The muhtasib was a religious and secular figure who aimed to maintain a fair market and public morals (Buckley 1999), as well as promote social order (Stilt 2012).

Replicas of the muhtasib appeared not just in Mamluk Egypt (eleventh to sixteenth centuries) or the early Ottoman state (Selçuk, 2021), but also in Arabic Europe, with the name of *mustacaf* in Valencia, *mostassaf* in the Crown of Aragon, *almuhtasab* in Andalusia, *almotace* in Portugal, and as a *veedor* (from the Spanish *veer*, watch or inspector) *de carreras* in fourteenth-century Saragossa (Glick, 1972; McVaugh, 2002; Geltner, 2019).

It is difficult to explain the emergence of this figure if we insist, as Foucault did, on a binary opposition of pastoral and political themes. The Quran occasionally references the Shepherd role, and while there are quasi-pastoral aspects of the muhtasib's work, Islam did not develop a proper pastorate as in Christianity (see for contemporary debates on pastoralizing Islam Gilliat-Ray et al., 2016). However, figures and offices still emerged in Islam that operationalized abstract authority into the practical control of subjects' lives, as seen in upper Egypt, Greece, Rome, and Christianity (Foster, 1970). We argue that continuity is possibly explained by *longue durée* social and ecological constraints, i.e. the necessity in the case of the Abbasid regime to actively intervene on urban development (town planning, water infrastructures), market regulation (the muhtasib), environmental challenges (removal of polluting activities at the outskirts of the city) in cities like Baghdad (Abbasid new capital) that peaked a population of half million at the end of the ninth century (Bessard, 2018).

A more detailed analysis of the muhtasib's areas and style of intervention can be found in the many manuals still in existence today (Dien, 1997). These manuals acted as "invoked models of practice" and referred to a "system of knowledge and prescriptions" that reveal the rationales of state actors in governing Islamic public space (Gibbon and Ponte 2008, p. 36). Rather than blanket application, the manuals show that the flexible

interpretation of rules for public benefit (*maslaha*) allowed muhtasibs to consider the contingency of situations and address ‘changes in political and social environments’ (Opwis 2005, p. 220; see also bin Sattam 2015; Amanat 2007). For example, muhtasibs didn't interfere much in the businesses of villagers who sold their produce in town markets as they depended on rural agricultural produce to feed the city and maintained good relations with traders. The muhtasib also lacked the power to regulate prices except during emergencies like droughts and famines. However, they oversaw grain merchants and brokers during shortages (Shoshan 1981). The shaping of conduct, often inspired by principles of public health or harm control, is evident in the many recommendations that shopkeepers ‘sweep the markets and keep them clear of dirt, mud and other things which harm people; or ‘wash daily the baskets and trays’ with which they carry fish, while cooks were asked to ‘cove their vessels and protect them from flies and crawling insect’ (Shayzari 1999, pp. 57-58). Muhtasib also consulted the opinion of experts, which shows that power was diluted and relied on various authorities. As the manuals show, muhtasibs used expert opinions from physicians and *arif*s to make judgments on complex issues related to businesses, hospitals, pharmacies, and baths (Zawawi et al. 2021; Stilt 2012). As such, the institution of *arif* was a key technology of a government that, aware of limits to its own knowledge, refrained from commanding every transaction in the market and instead allowed the experts to handle the mediator role. Muhtasib also relied on knowledge of other physicians, primarily the chief physician, in making decisions about potential foul play in medical practice and market environments (Elgood 2010). Besides troubling any obvious binary reading of pastoral and political, the muhtasib is also a powerful example of a combination between sovereign command and an art of government that aims at the smooth-running of conduct and exchange. This complex art of government largely precedes the story told by Foucault with its European-centered

periodization and focus on North-Western Europe. And it is not the only example from medieval history as we shall argue next.

FIGURE 1 HERE

Section Two. Care for the City in the Latin Middle Ages (1100-1400 ca.): Beyond Premodern vs Modern Binaries

We have suggested so far that the binary of “Christian pastorate” and civic technologies of government in the ancient Mediterranean and the Middle East misrepresents historical continuities and *longue durée* avenues of cultural transmission and hybridization. Rather than an accurate analytic framework, the dichotomy of secular and pastoral models is a post-Enlightenment construction that polarizes what was in fact an interconnected governmental prism (Rapp, 2013). Our overview is necessarily limited and programmatic, inviting for more research. In the space of an article, we had to neglect important differences in the organization of public care for instance between Greece (with its emphasis on education, orphanage, and medicine) and Rome (care of public buildings, infrastructures, and patron-clients system to mitigate unemployment, Lampe, 2016). With the coming of Christianity, the figure of the poor came to the forefront, although this shift, we argue, needs to be read *within a wider system of gift-giving and control* across the Mediterranean basin. An analysis of medieval handbook of practices of control in the Islamic market reveals an interesting combination of civic and religious rules for shaping of conducts with the goal to pursue public benefit (*maslaha*). Moreover, by bringing the Islamic muhtasib into the debate, we have aimed to move narratives on governmentality beyond Eurocentric debates. Finally, the Eastern Roman Empire could have been another

case in point for its synthesis of pastoral and imperial action aimed at the care of the city (Slootjes, 2006a and 2006b).

However, in this section we wish to continue through an analysis of urban institutions in the Latin Middle Ages. We do so to problematize what seems to us another binary instituted by Foucault in his governmentality lectures, that is one between a *premodern* blockage of the art of government (2007, pp. 191 and ff.) and its *modern* outburst after the seventeenth and, more fully, eighteenth century. This binary is not the same as the one between pastorate and citizenship, but it requires scrutiny too, as it underpins Foucault's argument that a somehow unnatural combination of models of power occurred only in modernity, when only "government also begins to want to take responsibility for people's conduct" (2007, p.194). To support this claim Foucault must offer a particular reading of what came before the alleged modern break, that is the Middle Ages as the epoch of a *dormient pastorate* before its modern fusion with state power. In *Omnes et Singulatim*, Foucault claims for instance that 'contrary to what one might expect' 'during the ten great centuries of Christian Europe, Catholic and Roman' the pastorate was not 'triumphant':

the pastorate of souls is an especially urban experience, difficult to reconcile with the poor and extensive rural economy at the beginning of the Middle Ages. The pastorate is a complicated technique which demands a certain level of culture, not only on the part of the pastor but also among his flock (1979, p. 240)

In *STP*, he avoids such univocal claims. Instead, he focuses on the long history of heretic counter-conduct to pastoral power, conceding that 'the pastorship and government of men [...] developed with such intensity in the Middle Ages'. Here, he speaks of 'the great age of the pastorate extend[ing] from the tenth and eleventh centuries up to the sixteenth and the end of the seventeenth century' (2007, p. 194).

Although these conflicting statements may just be symptomatic of an initial phase of research, there is one element that bands the two texts together. In both, the pastorate is either absent or considered a *religious* phenomenon that is not yet integrated into the structure of political power. This integration will only be made possible by the ‘strength’ of modern states. Before then, an art of government is either ‘blocked’ or ‘imprisoned’ (2007, p. 99. Senellart 2016 does little to correct this view).

There is no space here to discuss at length the construction of the Middle Ages as a dark and unproductive time, a well-established narrative which radicalizes the differences with European modernity in a sort of colonial fashion (Dagenais and Greer, 2000). What we wish to suggest is a more specific point following our alternative genealogy: had Foucault followed a different scale of analysis, that is the urban development of the civic overseer across centuries, he could have possibly noticed a much earlier proliferation of reasoned techniques of governing subjects *before* the rise of the modern state. In fairness to Foucault, he recognizes briefly that the modern

practices and institutions of police often only take up these earlier urban regulations that developed in the Middle Ages and concerned forms of living together, the manufacture of goods, and the sale of food stuffs. So seventeenth and eighteenth century police *carries out a sort of extension of this urban regulation* (2007, p. 330, our italics).

However, this insight remains unexplored alongside the canonical argument of a modern exceptionality in the art of government. We suggest that this is a missed opportunity given how recent medieval scholarship has embraced “governmentality” and “biopolitics” to describe the different strategies by which medieval governments “calibrated their discourses and actions”, to induce people to accept emerging areas of regulations “less as impositions from above than as innate articulations of their bodies and the natural world” (Lugli, 2019, p.

16; Geltner, 2019). For lack of space, we focus on one example to show the possible vitality of this line of research: Lugli's recent book on medieval standards of measurement and the proliferation of figures of control and supervision at the urban scale in 12th and 13th century Italy (2019). The book is particularly interesting in this context for three reasons. Firstly, Lugli rediscovers a history of knowledge-production that was framed with complacency since the French revolution when the meter became universal standard of measurement. This modernistic attitude not only obscured "commonalities between the meter and its predecessors" but also erased the rich historical repertoire of conduct shaped at the municipal level to implement emerging regulations (2019, pp. 103 and ff). Secondly, it shows a crucial development in the role of the urban overseer as *a combination of secular and pastoral* functions. Dealing with disagreements over measurement and possible frauds, Lugli shows how churches and religious orders "presided over commercial fairness" (2019, p. 112) and assisted local authorities in checking the standards of measurements. Local measurement standards could be incised either into the walls of communal palaces as well as in Cathedrals or Baptisteries. Rather than "demonic" however, this fusion of pastoral and civic has a very mundane and humble function to make market exchanges and social communication possible. Thirdly, this is not a story of top-down enforcement of rules emanating from one single authority, but one of a complex negotiation among local stakeholders leading to cross-checking systems that involve multiple actors within the population. Lugli describes a painstaking deployment of tactics, calculations, and reflections, to speak a Foucauldian language, in forms that are certainly different from post-Enlightenment knowledge (statistics, political economy) but nonetheless dynamically productive for the conduct of men and their imbrication with things. This goes obviously very close to notions of governmentality and as such should suggest relativizing Foucault's emphatic rhetoric about an "era of 'governmentality' first *discovered* in the eighteenth century" (Foucault, 1991, p. 101).

FIGURE 2 GOES HERE

Conclusion. Revisiting Foucault's Legacy

In the previous sections, we have aimed to offer a more plural, non-binary, and bottom-up story about how the “conduct of conduct of men”, both practically and theoretically, was organized in the premodern world. We have argued that this hybridized history of local governments and offices of civic care, in its multifarious figurations which included the Christian pastor, offered the cognitive and practical material upon which medieval urban government and later the modern state capitalized. Before spelling out the consequences of our genealogy it is important to recognize that, although in disagreement with Foucault's binaries, we have privileged here small, local technologies of power rather than abstract universals very much in continuity with a Foucauldian methodology (see Hewitt, 1983). Where we wish to revise Foucault's narrative is around the binary infrastructures that scaffolded his story. To sum up, this occurred at two levels. First, the story of the pastorate as an alien force spreading from the East and disrupting the Graeco-Roman city–citizen game (binary 1). Second, the ominous merging of the two “opposite” models (Foucault, 1979, p. 227) in modernity via a secularization of pastoral power into the modern welfare (binary 2). It is not difficult to see why a story like that would naturally incline the author to look for radical alternatives to the welfare state, although it is also possible that the path of influences went also the other way, i.e: the 1970s welfare's crisis might have pushed Foucault to emphasize its somehow artificial origin (similarly to Dilts' argument (2011) that neoliberalism inspired his rediscovery of ancient technologies of self). Whatever the cycle of influences, Foucault was looking for non-normative alternatives to this modern pastoral entrapment. This is what he imagined would be found in economics as “an atheistic discipline”, a “non totalizable” epistemology for which the whole of human activities is beyond pastoral or sovereign reach (2008, p. 282).

However, a story in which the pastor is only one facet of a wider prism of figures of care *and* control; where pagan euergetism and Christian charity are on a continuum with multiple forms of gift-giving *and* domination; where there is no pristine pre-pastoral origin because overseers or civic carers have emerged in response to the need for the secular function of guiding, controlling, and gathering; finally, a story in which pastoral, civic, and economic functions are more intertwined than Foucault suggested, deflates much of Foucault's emphasis on an unprecedented ominous character of the modern welfare state. This makes it still important to look for less normative models of subjectivity but renders problematic Foucault's search for a *before* and an *after* the totalizing pastorate–welfare model: a time when “things could be so arranged such that the individual could no longer be a ‘subject’ in the sense of subjected” (Foucault 2013, p. 166). What we are trying to say here is that our genealogy problematizes Foucault's silent or “relative eschatology” (Dean and Villadsen, 2016, p. 142): his binaries of *pastoral* and *self-governing*, totalizing *welfare* and non-disciplinary *economics*, *sovereignty* and *biopower* are, if not dissolved, at least intermingled with one another. This is after all what the actual history of conducts in the Greek city and the real implementation of neoliberalism have told us: they do not extinguish the pastorate but rather reproduce it endlessly and sometimes even reinforce it. By borrowing the image of the “attack from the blob” (Pitkin, 2000) that has been aptly used to describe Arendt's analysis of the social, Foucault's research on neoliberalism can be seen as a logical response to the progression of the Christian blob via the welfare state with its apparatus of modern knowledge, biomedicine, and statistics. However, we have argued that this analysis not only simplifies what is in fact a historical continuum; it gives also too much importance to Christianity by reducing the origin of the welfare state to just one genealogical root, where instead this is a rhizomatic network with multiple sources/endpoints (Figure 1). The Orientalization of this root, from the eastern shores of the Mediterranean, moreover makes

thinkable a pristine non-pastoral time (“technologies of the self”) before the ‘blob’ came to invade and permeate Western consciousness and ethics. In this Foucauldian story, we believe, it is less the patient genealogist than the Nietzschean philosopher who speaks. As an alternative to this framework, we here suggest a model in which binary narratives of the pastoral and civic, modern and premodern are put to rest. This enables us to unearth a different figure at work: a prism of care and command, in which organized strategies of governing subjects and mechanisms of bottom-up demands for reasoned techniques have coexisted for long time. In this way, the government of men does not originate from the fusion of two originally “opposite” (Foucault, 1979, p. 227) models, i.e. one originating in Greek citizenship and the other from Christian shepherd-flock, nor is the welfare a Christian invention. It is instead the result of a complex network of influences that combines the civic and religious dimensions, domination and care, and physical and moral salvation (via the Emperor, Christ, the City, The Prophet., etc.). Economics is also re-embedded within this complex constellation of figures of care, as the examples of the civic-cum-pastoral governance of the medieval market illustrate, both in Islam and in the Latin West. Unlike Foucault’s argument of a blocked art of government before modernity, we can see at work in the Middle Ages an interesting mingling of market regulations, conducts of conduct, and strategies of governance aimed at the moral and physical welfare of the community. Ultimately, it is this century-long premodern art of government that gave modern states the raw material and cognitive infrastructures upon which to capitalize.

Finally, we cannot deny that, just as in many of Foucault’s stories, our story has also been heavily shaped by present concerns, and in a Foucauldian fashion cuts diagonally through contemporary issues. The Covid-19 pandemic, in which Foucault’s name has been evoked several times, has for us revealed once again the essential importance of a mechanism for coordinated strategies of governing subjects in response to biosocial crises, such as the

spread of the virus. Facing growing ecological crises, human societies will need more, not less, of a strong and responsive welfare organization, networks of officers for the care of the “city” (today the planetary dimension), and public health infrastructure, given the obvious limitations of neoliberal solutions and privatized healthcare systems that in many cases failed during Covid-19 (Williams, 2020; Aspachs et al., 2022). This is once again where we must depart from Foucault’s legacy: Foucauldian concerns over the biopoliticization of life and top-down approaches of control from various governments are not wrong per se but are partial. They have been often overridden by the bottom-up role of citizens and civil society organizations in advocating for evidence-based, transparent, and accountable policies (Ortega and Orsini, 2020). This has shifted the focus towards a more pragmatic approach that prioritizes a strong and accessible welfare state, public health, and recovery. That this demand for public care and wellbeing has turned out to be ubiquitous in the story we have just told is not for us a cause for despair. It is, rather, a reason for *hope* that the search for common welfare is not the incidental by-product of any pastoral incident but runs deeper in the social and ecological fabric of human and possibly non-human groups.

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Appendices

FIGURE 1

Rhizomatic figure of the local overseer/supervisor in the global *longue durée* in the Mediterranean region and the Middle east

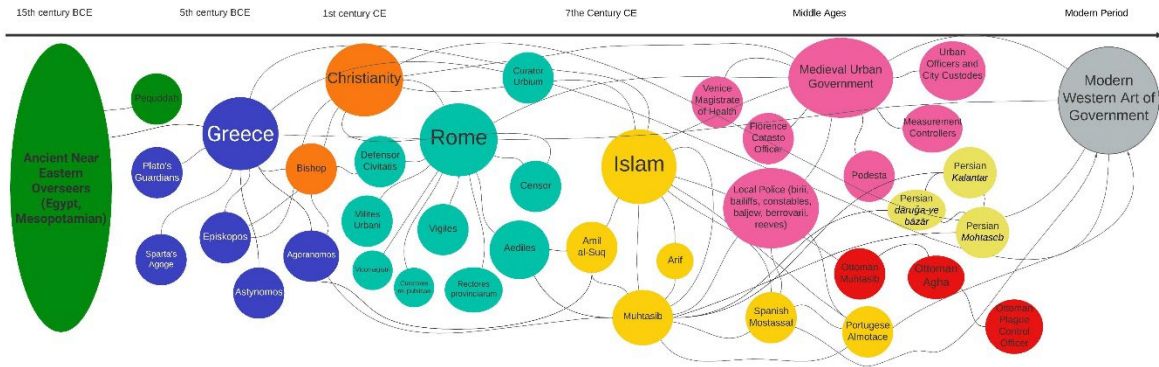


FIGURE 2

Foucault’s binary construction of modern welfare as “demonic” combination of two opposite sources of politics meeting through the modern state

