

## **Problematizing the Political Theory of Identity Politics: Towards an Agonistic Freedom**

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**Abstract:** Despite the successes of identity politics as the main thorn in the side of liberalism, this article suggests they share the same political morality in which the subject grounds politics. This kinship results from a common view of freedom, namely, as something exercised by the subject either a priori or a posteriori to social interaction. With John Rawls, for instance, it is presumed that power relations are distinct from the subject, whence a self-mediated freedom that aims at autonomy, while for Charles Taylor power relations can be resolved in favour of consensus and kept at bay from the community, which enables freedom through recognition. Similarly, even when these opposing notions of freedom are reconciled in textual autonomy, an ontology in which power is the antithesis of freedom persists. The article then highlights the aporia of these approaches: instead of discerning the constitutive relation between power and the subject's freedom, accounts of autonomy, recognition and textual autonomy focus on the foundational relation between the subject's identity and politics. Subsequent to arguing that politics concerns the self-constitution of identity precisely because of the way in which freedom is the effect of power, a Foucauldian exit of agonistic freedom is proposed. Because it is the consequence of power, it implies a subject of contingent becoming, which in turn requires a permanent critique in respect of the supposedly necessary truths of one's being that are encapsulated in identity.

**Keywords:** Identity politics, political morality, autonomy, recognition

### Introduction: Identity Politics

The recent success of identity politics as the main thorn in the side of “the philosophy of our times,”<sup>1</sup> liberalism, has gone largely unchallenged. Indeed, apart from the occasional protest that only “Marxism provides the theoretical tools for ending oppression, while identity politics does not,”<sup>2</sup> such is its success that we are faced with a “crisis of overproduction” and a devaluation of the term identity itself.<sup>3</sup> To be sure, identity politics is the symptom rather than the cause of some of the shortcomings of modern political theory, especially its ontological bulldozing of subjects into totalising binary chasms. Because identity politics challenges the exclusion imminent in any partial perspective, it reminds us of the inherent “ambivalence” of social space that the modern impulse is apt to render transparent by reductively ordering it.<sup>4</sup> Notwithstanding identity politics’ efforts to represent difference as best it can within politics, the aim here is to show that it is located within the same politico-moral horizon as the corpus of thought with which it takes issue.

The claim is that within “Anglo-Saxon”<sup>5</sup> political theory the dominant responses to identity politics’ central question of who we are defer to a philosophy of the subject. Typically, the subject is clothed in an identity that acts as the moral foundation of politics. Albeit a more accurate ontology, the concept of identity merely scales down the description of the subject to the level of religion, culture, nation, ethnicity, gender or sexuality. Yet one cannot help wonder if identity politics’ corrective of a subject with a plurality of allegiances, which are often provisional to boot, translates into a more democratic politics – as well as a boon to freedom – once the demand for the inclusion of previously excluded identities is met?

The intention here is not to address the current ambiguity that surrounds the concept of identity as it is played out in politics, which “stands in for so many different concepts that to use it all is a recipe for confusion.”<sup>6</sup> Instead, if following Jacques Derrida we adopt “an ethics of writing and thinking that is intransigent,” at the heart of which is an “austere taste for subtlety, paradox, and aporia,”<sup>7</sup> we

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<sup>1</sup> Richard North, “Political realism: Introduction,” in *European Journal of Political Theory* 9:4 (2010), 381 (italics in the original).

<sup>2</sup> Sharon Smith, “The Politics of Identity,” in *International Socialist Review* 57 (January-February 2008).

<sup>3</sup> R. Brubaker and F. Cooper, “Beyond ‘identity,’” in *Theory and Society* 29 (2000), 2-3.

<sup>4</sup> Zygmunt Bauman, *The Individualised Society* (Cambridge: Polity Press, 2001), 69.

<sup>5</sup> Charles Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2* (Cambridge: Cambridge University Press, 1995), 10.

<sup>6</sup> H. Harris, “Preface,” in *Identity: Essays Based on Herbert Spencer Lectures Given in the University of Oxford*, ed. by H. Harris (Oxford: Clarendon Press, 1995), v.

<sup>7</sup> Jacques Derrida, “I am at war with myself,” in *Le Monde* (19 August 2004).

tease out the latter – the aporia or puzzle, which is also an impasse – that informs identity politics. Specifically, we suggest that its ontology, which is designed to challenge modern notions of who we are, is committed to a similar theory of the subject that informs liberal politics.<sup>8</sup> Furthermore, we argue that this ontological kinship results from identity and liberal politics sharing the same view of freedom, namely, as something exercised by the subject either a priori or a posteriori to social interaction. In both cases it is taken for granted that power relations are distinct from the subject, hence freedom as autonomy, or that they can be resolved in favour of consensus, which produces freedom through recognition.

In the first part of the paper we outline the basic tenets of the approach in which autonomy is the foundational moral value and the definitive mode of ascribing an identity to the subject, which it is the duty of politics to uphold. Within this Kantian tradition, which is evident in John Rawls' work, the subject's structure of autonomy constitutes a political morality that is universal in its remit. In the second part, we examine an alternative tradition that takes autonomy as the point of departure in the constitution of political morality. Because autonomy lacks content, it must be substantiated via a process of collective mediation. In this Hegelian tradition, political morality is particular insofar as the task of politics is to sustain a community's sources of recognition. To this end, we examine the work of Charles Taylor, who personifies this approach to the substance of the subject.

Finally, with the recent convergence of these alternatives in the concept of textual autonomy, we inquire whether it enhances the freedom of the subject, or if politics is perhaps better thought of in terms of the problematisation of identity itself? In support of the latter, we highlight identity politics' aporia, which is precisely the fact that identity is the product of power, whence its politics. We subsequently outline a Foucauldian exit of agonistic freedom in which the subject is the provisional outcome of power relations. As their effect, agonistic freedom requires the vigilance of a permanent critique that discerns the contingency in the boundaries of who we are, yet which political communities often seek to render necessary. In particular, insofar as the latter categorises the subject and embeds him in an identity, which harbours a truth about being that is passed off as necessary, we advocate an agonistic freedom of contingent becoming.

### **Identity Politics and the Subject of Political Morality**

Our analysis starts with a definition of what we mean by identity politics. To recall, the purpose is less to engage in identity politics itself and more to

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<sup>8</sup> By liberal politics we mean that tradition of thinking in which the individual takes methodological priority due to the belief in freedom and the powers of reason to resolve conflict. The core democratic values that flow from this include formal equality, meritocracy, toleration, consent and constitutional politics.

problematise it. Following Foucault, the latter involves questioning that which was previously taken for granted by revealing its core assumptions, if not prejudices and biases.<sup>9</sup> The objective is to identify alternative solutions by approaching the problem in a new manner. To do so, one must situate oneself within the debate at hand, as problems arise within epistemic horizons that are constituted by competing perspectives. These seek to include and exclude ideas and practices, which serve to define the problem and to seduce protagonists into seeing the world from their own point of view. In this sense, the notion of problematisation refers to how, in a particular historical context, clusters of difficulties are transformed into a group of problems to which a range of solutions are proposed. Any solution to what eventually was designated as the problem is thus likely to be as political as any perception of the issue to begin with. In other words, “to change the world, one has to change the ways of world-making, that is, the vision of the world and the practical operations by which groups are produced and reproduced.”<sup>10</sup> The idea of problematisation is a tool in this process.

If the goal is to excavate the concept of identity politics in order to reveal the aporia that make it a bedfellow of modern political theory, as well as to suggest a way out of this impasse by seeing it in a new light, an initial problematisation suggests that the leitmotif of identity politics is empowerment. As a form of political activism, it seeks to end domination, or to transform the institutional conditions that “prevent people from participating in determining their actions.”<sup>11</sup> Identity is a vehicle in this politics for oppressed and excluded groups to have a voice, as speaking enables “marginalized groups [to] generate a self-designated identity ... that is instantiated by the individual identities of its constituents.”<sup>12</sup>

Having a voice is key for providing a first-hand account of experience, typically of the injury caused to self-understandings by having been denied basic rights. Representation in liberal democracy is both partial – or speaks in an inauthentic voice despite its claims to be neutral<sup>13</sup> – and blind in not being able to see beyond its frontiers to those whom it excludes. But giving a group the opportunity of a voice is also important for freedom. Often, it might correspond with settling for legal protection rather than inclusion, which runs the risk of descending into a “politics of *ressentiment*” that makes little difference to existing

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<sup>9</sup> Michel Foucault, *The Foucault Reader*, ed. by Paul Rabinow (Harmondsworth, Penguin, 1984), 381-390.

<sup>10</sup> Pierre Bourdieu, “Social Space and Symbolic Power,” in *Sociological Theory* 7 (1) (1989), 23.

<sup>11</sup> Iris Marion Young, *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990), 38.

<sup>12</sup> Kenneth J. Gergen, “From identity to relational politics,” in *Postmodern psychologies, societal practice, and political life*, ed. by L. Holzman and J. Morss (New York: Routledge, 2000), 131.

<sup>13</sup> Charles Taylor, *The Malaise of Modernity* (Concord, Ontario: House of Anansi Publishing, 1991), ch. 2.

power structures.<sup>14</sup> Alternatively, freedom could ensure that identities are the product of self-representation via a “politics of difference,” which is a means to end the ontological impasse in which there is the “paradox of experiencing oneself as invisible at the same time that one is marked out as different.”<sup>15</sup> In the case of the latter the goal is inclusion, but on the basis of one’s difference rather than any shared sameness that might ground a comprehensive politics. On the other hand, because of efforts to push identity into politics in virtue of an “epistemology of provenance,” there is the risk of essentialism.<sup>16</sup> The problem is that it does no better than liberal politics, as essentialism also represents the subject of politics in a one-dimensional identity, albeit one that is different rather than the same. Similarly, like any politics that turns on representation, essentialism imposes totalising accounts on members of a group and hereby misrepresents their self-understandings.

At a general level, therefore, identity politics is an attempt to address the lacuna of political representation, or for that matter any form of politics that seeks to transform a mass of diverse preferences into policies by channelling them through institutions of representation without resorting to direct violence. As we have just seen, the charge of essentialism is never far away and poses perhaps the most radical challenge to identity politics, not least because it risks the same error of liberal politics of ontological misrepresentation. It also tends to deny autonomy to subjects in the name of the coherence of the group’s identity. Of course, many authors have noted this and speak of the shared metaphysics of the subject of both identity and liberal politics,<sup>17</sup> or of how the differences that the former brings to the fore are not authentic but merely the flip side of the coin of the other who is being opposed.<sup>18</sup> Here, identity politics does no more than reinforce, if not legitimate, the domination of the other, while it always risks the rebirth of “man.”<sup>19</sup>

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<sup>14</sup> Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton, NJ: Princeton University Press, 1995), 27.

<sup>15</sup> Young, *Justice and the Politics of Difference*, 60.

<sup>16</sup> Sonia Kruks, “Identity Politics and Dialectical Reason: Beyond an Epistemology of Provenance,” in *Hyppatia* 10:2 (1995).

<sup>17</sup> Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990).

<sup>18</sup> William Connolly, *Identity/Difference: Democratic Negotiations of Political Paradox* (Minneapolis: University of Minnesota Press, 2002); Zygmunt Bauman, *Modernity and Ambivalence* (Cambridge: Polity Press, 1991), 13-15.

<sup>19</sup> The philosophical subject’s identity relates to difference in three ways: it *opposes* difference, because difference signals the exteriority of being-outside-the-self; it *assumes*, and reabsorbs within itself *qua* self-consciousness, the difference that constitutes the subject; and it *makes difference*, insofar as self-consciousness relates itself to itself as different from all other identity and non-identity. “Being the very movement proper to self-consciousness, identity – or the Self that identifies itself – therefore makes difference itself, difference proper: and this property designates or denotes itself as ‘man’.” Jean-Luc Nancy, *The Birth to Presence* (Stanford: Stanford University Press, 1993), 9-10.

Perhaps the shared ontological ground between identity politics and liberalism originates in a strand of modern thought that thrives on the constitutive relation between the subject and politics. If identity is taken to be indicative of who the subject is, it also constitutes the moral foundation of politics. In fact, we might call the constitutive relation between the subject and politics “political morality.”

Firstly, there is the moral endeavour to categorise the subject by an identity. Moral philosophy’s account of inter-subjective relations forms the background for the prescriptions of politics.<sup>20</sup> Political questions about the role of the state, its coercive power or what justice entails are given a rational foundation in an ontology that is experienced as identity,<sup>21</sup> such that we equate our political action and values to a political morality.<sup>22</sup> If “selfhood and political morality are inextricably intertwined themes,”<sup>23</sup> it is because the subject is posited as the foundation of politics. Further, political morality implicates modern thought in a specific mode of political theory. Whether there should be a state at all is the condition of modern thought’s *political theory*,<sup>24</sup> whilst its political *theory* evaluates competing conceptions of justice that articulate the limitation of the intrusions of the state on the liberty of the subject.<sup>25</sup> Indeed, for John Rawls modern political theory can be reduced to a theory of justice of liberal constitutionalism.<sup>26</sup>

Lastly, what justifies us speaking of the mode of thinking that ties the identity of the subject to political morality as *modern*? In a well-known rendition, Habermas argues that to recognise any transition from the old to the new, the “*modernus*,” we have to relate and contrast the consciousness of one epoch to another.<sup>27</sup> Our modernity, for instance, can at the epistemological level be distinguished from earlier epochs in as much as the determination of the order of things is no longer a metaphysical issue but a function of the subject’s deployment

<sup>20</sup> R. Nozick, *Anarchy, State, and Utopia* (Oxford: Basil Blackwell, 1990), 6.

<sup>21</sup> Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2*, 287-317.

<sup>22</sup> R. Plant, *Modern Political Thought* (Oxford: Basil Blackwell, 1991), 2; J. Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), 1-4.

<sup>23</sup> Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, Mass.: Harvard University Press, 1989), 3.

<sup>24</sup> Nozick, *Anarchy, State, and Utopia*, 4.

<sup>25</sup> W. Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Clarendon Press, 1990), 7-8. Kymlicka, for example, writes that political theory is “primarily concerned with the relationship between the individual and the state, and with limiting the state’s intrusions on the liberties of citizens,” whilst Plant echoes Kymlicka when he suggests that “political philosophy is a branch of moral philosophy ... concerned with the questions of justifying the right way or ways and identifying the wrong ways in which political power is to be exercised and the nature of the claims which citizens can make on the state and on each other.” W. Kymlicka, *Liberalism, Community, and Culture* (Oxford: Clarendon Press, 1989), 1; Plant, *Modern Political Thought*, 2.

<sup>26</sup> J. Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), xxi-xxv.

<sup>27</sup> J. Habermas, “Modernity v. Postmodernity,” in *New German Critique*, 22 (Winter 1981).

of words. Another parallel aspect of the modern is the restatement of the relationship between the subject and politics. In the guise of the politico-moral consciousness of modernity, the subject is shorn of ontological determination in all but ultimate referent. Thrown into the existential predicament of responsibility, the Cartesian ego, as a “unique but universal and unhistorical subject, becomes everyone, anywhere, at any moment.”<sup>28</sup>

As the kernel of modern thought, the individual doubles, in the Heideggerian register, as the subject of modern metaphysics through his will to will, his subjectivity of *humanitas*, which makes him the master of being.<sup>29</sup> Hence the conquest of the world as a picture [*Bild*], or a structured image [*Gebild*], by the subject who – via representation – sets out in relation to himself things as objects.<sup>30</sup> Secondly, the subject takes responsibility for the constitution of political morality by shouldering the identity necessary for its construction. Spurred on by the confidence of “having a value of its own in the morality, rectitude, probity and activity of man,”<sup>31</sup> modern thought’s politico-moral tradition is intimately connected with Heidegger’s seminal criticism of the “metaphysics of subjectivity,” in which a radically anthropocentric being-in-the-world takes centre stage.<sup>32</sup>

In this manner modern thought implores us to defer to ontology in thinking about politics. As a direct consequence of an epistemological position, which enables a philosophy of the subject oriented around the structure of autonomy and recognition, there is a bridging relation between the subject and political morality. In either instance of the subject’s identity, whether self- or other-mediated, modern thought literally categorises because it theorises the subject. It specifies with the concept of identity the normative social space in which the subject becomes an agent, which then acts as the ground of political morality.

### The Structure of the Subject: Rawls and Autonomy

Immanuel Kant provides one of the first theories of the structure of the subject and its constitutive relation to political morality. A point of entry into this liaison is Kant’s division of modern thought into four basic questions: what can I

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<sup>28</sup> M. Foucault, “The Subject and Power,” in *Michel Foucault: Beyond Structuralism and Hermeneutics, With an Afterword by Michel Foucault*, ed. by H. L. Dreyfus, and P. Rabinow (London: Harvester Wheatsheaf, 1982), 216.

<sup>29</sup> M. Heidegger, *Pathmarks*, ed. by W. McNeill and trans. by F. A. Capuzzi (Cambridge: Cambridge University Press, 1998), 243-251.

<sup>30</sup> M. Heidegger, *The Question Concerning Technology and Other Essays*, trans. and introd. by W. Lovitt (London: Harper and Row, 1977), 132-135.

<sup>31</sup> G. W. F. Hegel, *Philosophy of History*, trans. by J. Sibree (New York: Dover Publications, 1956), 344.

<sup>32</sup> Heidegger, *Pathmarks*, 325.

know?; what ought I to do?; what may I hope for?; and what is man?.<sup>33</sup> The key point is that Kant rejects political morality founded on the “gross and pernicious error” of any empirical account of what man is.<sup>34</sup> Irrespective of the power of our desires, we must learn to live as reasoning beings that are “worthy of humanity.”<sup>35</sup> To this end, Kant subordinates moral anthropology (what is man?) to the metaphysics of morals (what ought I to do?), which he derives from an account of the autonomous subject.

In its bare essentials, Kant’s Rousseauian revolution in political morality is based on the structure of autonomy through which the subject etches out his humanity. The subject is a law unto himself: liberty is obedience to a law we prescribe to ourselves in order to transcend the slavery determined by our impulse to appetite. When the subject’s actions are motivated by the maxims of the will, duty as necessity is performed and ideal morality is realised. With action spurred on by rightness, the subject acts with himself and others in mind as an end and never – in principle, at least – as a means. The subject enjoys dignity in virtue of, and because of what he has in common with, others: will as the capacity of unmediated *autos nomos*, or the subjective generation of universally valid laws.<sup>36</sup>

Let us now turn to Rawls, who is the most articulate representative of the structure of the subject upon which political morality is based. Like Kant, his motivation is to confound teleological ethical theories, which define the good independently of the right and the right as that which subsequently maximises the good.<sup>37</sup> But where for Kant the task is to correct moral anthropology that prioritises homo phænomenon’s heteronomy over homo noumenon’s autonomy, for Rawls the problem is the utilitarian account of socio-economic equality that compromises freedom.<sup>38</sup> What Rawls calls the “basic structure of society” must be

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<sup>33</sup> L. W. Beck, *Early German Philosophy: Kant and His Predecessors* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 1969), 426.

<sup>34</sup> Immanuel Kant, “Preface to the *Fundamental Principles of the Metaphysic of Morals*,” in *Kant’s Critique of Practical Reason and other works on The Theory of Ethics*, trans. memoir and portrait by T. K. Abbott (London: Longmans, Green, and Co. of Paternoster-Row, 1889), 2; Immanuel Kant, “Introduction to *The Metaphysics of Morals*,” in *The Metaphysics of Morals*, introd., trans. and notes by M. Gregor (Cambridge: Cambridge University Press, 1991), 40-41.

<sup>35</sup> Immanuel Kant, *Anthropology from a Pragmatic Point of View*, quoted in H. Williams, *Kant’s Political Philosophy* (Oxford: Basil Blackwell, 1983), 223.

<sup>36</sup> Immanuel Kant, “Groundwork of the Metaphysic of Ethics,” in *The Metaphysics of Ethics*, ed. and introd. by H. Calderwood and trans. by J. W. Semple (Edinburgh: T and T Clark, 1871), 27-55.

<sup>37</sup> Like Kant before him, Rawls takes issue with the ethical theories of perfectionism, intuitionism and eudaimonism because they tend towards a form of justice based on hedonism or heteronomy. J. Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1973), 22-45 and 548-560.

<sup>38</sup> *Ibid.*, 329-332.



reinvigorated with distributive justice in virtue of its “profound effects on the self’s ability to be and become.”<sup>39</sup>

Rawls’ point of departure is a quasi-Kantian conception of the rational subject that constitutes political morality.<sup>40</sup> The subject’s practical use of reason is derived from his dual capacities for a conception of the good and a sense of justice. Through the capacity to conceive of the good the subject is accorded freedom. It is expressed as a rational, deliberative and continuous plan of life that is to be respected by others and reciprocated to them.<sup>41</sup> Similarly, the subject’s capacity for justice gives him something akin to a collective consciousness. He awakens of his own accord to the fact that the benefits of society and the duties that are required to maintain it are the political conditions necessary to act autonomously.<sup>42</sup> Through every subject’s constitutive relation to political morality two principles of justice are specified: firstly, the fundamental principle of equal liberty secures both political and personal justice, or citizenship and autonomy; secondly, the subordinate principle of democratic social equality and equality of economic opportunity amount to justice (as fairness).<sup>43</sup>

It is in respect of a solo “multi-staged trek and not the criticisms” of others that Rawls subsequently refines his political morality.<sup>44</sup> He jettisons his deontological meta-ethic,<sup>45</sup> specifically the subject whose capacity for justice reflects a comprehensive doctrine upon which political morality is constituted.<sup>46</sup> Instead, Rawls focuses on an America characterised by reasonable pluralism and preoccupied with constitutional issues that only a political, rather than a metaphysical or epistemological, conception of the subject can adjudicate.<sup>47</sup> Further, Rawls says it is for moral philosophy to deal with the comprehensive doctrines that define moral identity.<sup>48</sup> Political philosophy must then deliver a quasi-hermeneutical understanding of just democratic institutions that privilege

<sup>39</sup> *Ibid.*, 7-11 and 259.

<sup>40</sup> Rawls’ quasi-Kantianism relates to how Rawls substitutes the metaphysical status of Kantian autonomy with the “conditions of human life,” whilst Rawls treats Kant’s noumenal self who is motivated by the categorical imperative as a “collective noumenal body” which chooses procedural justice. *Ibid.*, 251-257.

<sup>41</sup> *Ibid.*, 560-567 and 407-424.

<sup>42</sup> *Ibid.*, ch. VIII.

<sup>43</sup> *Ibid.*, 243-250 and 75-83.

<sup>44</sup> Rawls, *Political Liberalism*, xvii, f. 6.

<sup>45</sup> A. Gutmann, “Communitarian Critics of Liberalism,” in *Communitarianism and Individualism*, ed. by S. Avineri and S. De-Shalit (Oxford: Oxford University Press, 1992), 127.

<sup>46</sup> Rawls, *Political Liberalism*, xv-xvii.

<sup>47</sup> Rawls seeks to legitimise the conditions of human life that pertain in an “industrial democratic society” which, instead of the sanction of the collective noumenal body evident in *A Theory of Justice*, one of its standard citizens would choose as their political morality. J. Rawls, *Collected Papers*, ed. by S. Freeman (Cambridge, Mass. and London: Harvard University Press, 1999), 389-392.

<sup>48</sup> Rawls, *Political Liberalism*, 195-200.

political justice, such that citizens with diverse moral views can exist side by side under a constitutional umbrella.<sup>49</sup> Paramount in Rawls political liberalism is the right that fosters the subject's capacity for the good only. The substance of the subject's capacity for a sense of justice, whether the moral identity of Rawls' own theory of justice, Kant's concept of autonomy or Mill's idea of individuality,<sup>50</sup> is not the business of politics but the province of the private self.

Accordingly, Rawls offers a conception of practical reason that renders the rational subject an objective political construct.<sup>51</sup> Rawls' already self-mediated citizen, that "democratic idea since Greek antiquity of a fully co-operating member of society over a complete life," is explained in terms of the freedom between citizens that is grounded on the "powers of moral personality."<sup>52</sup> Citizens accord each other the political right to act publicly and privately, or a political and moral identity, in virtue of the capacity to conceive of the good; and, secondly, each citizen recognises in himself and others the capacity for a sense of justice, or the ability to be "self-authenticating sources" of valid claims about the comprehensive doctrines through which they define their identity.<sup>53</sup> Rawls suggests that the citizen acts reasonably when spurred on by the capacity for a sense of justice and the desire to establish a society of mutual co-operation and the rule of law. Full autonomy is attained when in his public affairs the citizen acts in compliance with the principles of justice. The citizen acts rationally when he pursues the fruits to be harvested from his capacity for a conception of the good, or when he establishes his rational autonomy. The reasonable and the rational, the self's political and moral identity, are thus two distinct conditions of political morality that cannot be derived from each other, though they nonetheless converge in the citizen.<sup>54</sup>

In short, Rawls political morality revolves around freedom based on the subject's structure of autonomy,<sup>55</sup> partly because the concept of autonomy affirms our considered convictions of who we are in a well-ordered society,<sup>56</sup> and partly because autonomy allows the "notion of the free person" to decide, be solely responsible for and at liberty to revise his fundamental interests and ends within a community.<sup>57</sup> In this Kantian mode of modern thought, there remains a deep theory of the subject *qua* autonomous chooser that is constitutive of political

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<sup>49</sup> *Ibid.*, 44-46 and 223-230.

<sup>50</sup> *Ibid.*, 195-200.

<sup>51</sup> *Ibid.*, 107-110.

<sup>52</sup> Rawls, *Collected Papers*, 397-398.

<sup>53</sup> Rawls, *Political Liberalism*, 29-35.

<sup>54</sup> *Ibid.*, 72-80 and 48-54.

<sup>55</sup> Raz, *The Morality of Freedom*, 16-19.

<sup>56</sup> Rawls, *Collected Papers*, 383.

<sup>57</sup> *Ibid.*, 259-260. The Rawlsian citizen desires to be normal and co-operative, or to be recognised as a "self-respecting citizen who he has a reasonable moral psychology as a consequence of the moral capacities and intellectual powers of rational autonomy." Rawls, *Political Liberalism*, 81.

morality.<sup>58</sup> Autonomy is the subject's "second-order capacity to reflect critically upon his first-order ends and the capacity to accept or attempt to change these ends in relation to higher-order preferences."<sup>59</sup> Albeit with important differences between their conceptions of the subject's capacities and political morality, Kant and Rawls personify a theory of the subject oriented around autonomy.

### The Substance of the Subject: Taylor and Recognition

Just as Rousseau sparred off with Hobbes and Locke in the 18th century, so Hegel goes head to head with Kant at the start of the 19th century. Hegel says that in his metaphysics of experience Kant correctly distinguishes understanding and reason, but errs in his design of a metaphysical straitjacket that limits the remit of reason to the appearance of things. It is reason alone, Hegel says, that is constitutive of truth and not merely regulative of its possibility, especially if we want to give concrete character to the structure of autonomy.<sup>60</sup> Hegel therefore pushes Kant's notion of self-mediated autonomy in relation to abstract *Moralität* into other-mediated recognition in respect of concrete *Sittlichkeit*.<sup>61</sup>

Kant's political morality is positive in Hegel's eyes because it is grounded in the principle of the self-relating subject of freedom.<sup>62</sup> Yet Hegel believes the autonomous homo noumenon legislates himself into rather than out of slavery.<sup>63</sup> Secondly, homo noumenon is separated from what Hegel's student, Ludwig Feuerbach, coined the self's *Gattungswesen*, his empirical species-being.<sup>64</sup> Insofar

<sup>58</sup> T. M. Scanlon, "Rawls' Theory of Justice," in *University of Pennsylvania Law Review*, 121:2 (1973), 1010-1069; N. L. Rosenblum, *Another Liberalism: Romanticism and the Reconstruction of Liberal Thought* (Cambridge, Mass.: Harvard University Press, 1987), 52.

<sup>59</sup> G. Dworkin, "Autonomy," in *A Companion to Contemporary Political Philosophy*, ed. by R. Goodin and P. Pettit (Oxford: Basil Blackwell, 1993), 362.

<sup>60</sup> S. Priest, "Introduction," in *Hegel's Critique of Kant*, ed. by S. Priest (Oxford: Clarendon Press, 1987), 4-12; R. Stern, *Hegel, Kant and the Structure of the Object* (London and New York: Routledge, 1990), 35-41.

<sup>61</sup> R. P. Pippin, *Hegel's Idealism: The Satisfactions of Self-Consciousness* (Cambridge: Cambridge University Press, 1989), 35-36; T. O'Hagan, "On Hegel's Critique of Kant's Moral and Political Philosophy," in *Hegel's Critique of Kant*, ed. by Priest, *op. cit.*, 135-159.

<sup>62</sup> G. W. F. Hegel, *Philosophy of Subjective Spirit, Volumes I-III*, ed. and trans. by M. J. Petry (Dordrecht, Holland: D. Reidel Publishing Company, 1978), 382-425.

<sup>63</sup> For Hegel, the difference between the soul of Christian morality and Kant's homo noumenon "...is not that the former make themselves slaves, while the latter is free, but that the former have their lord outside themselves, while the latter carries his lord in himself, yet at the same time is his own slave. For the particular – impulses, inclinations, pathological love, sensuous experience, or whatever else it is called – the universal is necessarily and always something alien and objective." Hegel, *The Spirit of Christianity and Its Fate*, quoted in *Kant's theory of freedom*, ed. by H. E. Allison (Cambridge: Cambridge University Press, 1990), 185.

<sup>64</sup> J. Toews, "Transformations of Hegelianism: 1805-1846," in *The Cambridge Companion to Hegel*, ed. by F. C. Beiser (Cambridge: Cambridge University Press, 1993), 396.

as he performs his duty “at a foggy distance from the self,” the abstractness of Kantian political morality exacerbates homo noumenon’s tyranny over homo phänomenon and the experience of diremption persists.<sup>65</sup>

In a similar vein to Rousseau, Hegel sees freedom as an inter-subjective question. His political philosophy is an attempt at the “great re-unification” of the radical freedom of autonomy with the subject’s desire for unity, which must be realised through recognition.<sup>66</sup> In the accompanying political morality, the “right of individuals to their subjective determination of freedom is only possible insofar as they belong to an ethical actuality where the certainty of freedom has its truth.”<sup>67</sup> Through *Sittlichkeit*, Hegel can argue against Kant that *Moralität* attains completion: we are obliged by already existent customs, *sitten*, which inform the content of our moral actions, and by the expression of freedom that obliges us to hand them over to the demands of reason.<sup>68</sup> The Kantian gap between *Sollen* and *Sein*, homo noumenon and homo phänomenon, is bridged by recognition that results in the identity of Hegel’s homo dialectus, who finds in the *Rechtsstaat* “the momentous unification of self-sufficient individuality with universal substantiality.”<sup>69</sup>

Somewhat like Rawls, who labours in Kant’s shadow, Taylor’s hermeneutics draws on Heidegger’s critique of Kant’s metaphysics, which Taylor deploys to fashion a Hegelian political morality. Taylor proceeds by rejecting the subject’s disengaged, punctual and atomistic character that underlies the metaphysics of autonomy.<sup>70</sup> Instead of being indicative of abstract, unmediated reason, Taylor says the world is disclosed as the background where *Dasein* is.<sup>71</sup> For Taylor, the subject is always already engaged. Similarly, the subject’s punctual character is rejected in favour of the deep subject, while his atomistic nature

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<sup>65</sup> I. Soll, *An Introduction to Hegel’s Metaphysics* (Chicago and London: The University of Chicago Press, 1969), 142-145; S. B. Smith, *Hegel’s Critique of Liberalism: Rights in Context* (Chicago and London: The University of Chicago Press, 1989), 17-18; F. R. Dallmayr, *G. W. F. Hegel: Modernity and Politics* (London: Sage Publications, 1993), 94-95.

<sup>66</sup> Charles Taylor, *Hegel* (Cambridge: Cambridge University Press, 1975), 23-49.

<sup>67</sup> Hegel, *Philosophy of Subjective Spirit, Volumes I-III*, 196-197.

<sup>68</sup> Taylor, *Hegel*, 380-386.

<sup>69</sup> Hegel, *Philosophy of Subjective Spirit, Volumes I-III*, 63-64.

<sup>70</sup> Autonomy presumes a conception of the self that is disengaged (the free and rational self), punctual (the already constituted instrumental self) and socially atomistic. Charles Taylor, *Philosophical Arguments* (Cambridge, Mass. and London: Harvard University Press, 1997), 2-8. For an attempt to refute these claims, see G. F. Gaus, *Justificatory Liberalism: An Essay in Epistemology and Political Theory* (New York and Oxford: Oxford University Press, 1996), 91-109.

<sup>71</sup> Kant’s approach of transcendental idealism, particularly the self-enclosed knower whose experience represents reality, is criticised for the stance of intentionality that is posited between the knower and the known. In its guise as disengaged subjectivity, therefore, the self who knows the world is laid to rest by Heidegger’s phenomenology and the concept of *Dasein*, who is “first and mostly” in reality. Taylor, *Hegel*, 9-10.

dissolves in the face of Herder's conception of language as constitutive of the reflective subject's depth.<sup>72</sup>

Taylor uses hermeneutics to get beyond Kantian modern thought's account of autonomy with an exploration of its fulfilment in the place where we are, our language community.<sup>73</sup> Taylor's post-heideggerian metaphysics originates in his attempt, through a philosophy of language, to answer the basic ontological question of what exactly is manifest in the language community?<sup>74</sup> At one level, it is the hermeneutical subject's attempt to be faithful to something beyond himself. Yet the language community is also the expressivist subject's condition for recognition.<sup>75</sup> A science of interpretation lends a coherent sense of meaning to our language community and, because the meaning is distinguishable from its diversity of expression by each subject, the hermeneutical circle is closed by an ultimate appeal to the common understanding of an expression.<sup>76</sup> We might say that for Taylor, when all is read and done, to know who I am requires that we look beyond ourselves to where we are.<sup>77</sup>

Taylor's ontology commences with the structure of the self-interpreting subject, which he derives from a phenomenologico-linguistic account of the four procedures that transform the radically embodied subject into an agent.<sup>78</sup> Firstly, an engaged "language animal" is a subject of experience who "imports" a language to express the objects of his experience as feelings.<sup>79</sup> Rather than being merely subjective, feelings embody human inter-subjective experience because they are expressed through language. Articulating experience is therefore dependent on language. Yet, secondly, the expression of certain feelings, such as shame, guilt, pride, moral remorse or, in short, the "life of the subject *qua* subject in the domain of what it is to be human," remain the property of the subject to whom, thirdly, we always refer for an articulation of these subject-referring feelings.<sup>80</sup> Finally, the subject's self-interpretation of his feelings enables us to see how these four procedures organise the subject into what Taylor calls "the self whose articulated

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<sup>72</sup> *Ibid.*, 11-13 and 79-99.

<sup>73</sup> Charles Taylor, *Human Agency and Language: Philosophical Papers 1* (Cambridge: Cambridge University Press, 1993), 232-234.

<sup>74</sup> Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2*, 11.

<sup>75</sup> It is important to note that the hermeneutical and expressivist self are one. The former is the self that is engaged in a monological journey of discovery through self-interpretation. The self discovered then seeks to go beyond the boundary of association in which the voyage of self-discovery takes place, for example, the family, and the subjectivity discovered through dialogical recognition becomes the expressivist self. *Ibid.*, 253-273.

<sup>76</sup> *Ibid.*, 16-28.

<sup>77</sup> Taylor, *Philosophical Arguments*, 126.

<sup>78</sup> *Ibid.*, 20-33.

<sup>79</sup> Taylor, *Human Agency and Language: Philosophical Papers 1*, 216.

<sup>80</sup> *Ibid.*, 48-62.

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feelings are a central part of his existence and for whom ... self-interpretation is a life-time process.<sup>81</sup>

Yet how does the subject's self-interpretation of the significance of some matters over others, or the standards he lives by, help us to comprehend the subject's expressivist identity? Taylor says the prime capacity of the strong evaluation of desire is definitive of identity when the subject makes a qualitative distinction between the worth of different desires and his motivations for them. The agent of strong evaluations is capable of an articulate reflection about the deep questions of life, with coherent self-interpretations constitutive of identity.<sup>82</sup> However, the strong evaluator carves out his depth not from his *de facto* desires, but through the relation of his desires to the moral and aesthetic intuitions of the language community. The capacity for strong evaluation only has relevance to the extent that it enables the affirmative recognition of the subject's desires. Moreover, this substantive identity requires two secondary capacities, the capacity of communication, which ties the expressivist subject to the language community, and the capacity of responsibility, such that the subject is ultimately the sovereign of his identity.<sup>83</sup>

Because the expressivist subject desires to see the world as an expression of his authentic nature, he plays a pivotal role in Taylor's political morality of the ethic of authenticity, where expressivism becomes synonymous with autonomy. Like Rawls, Taylor believes that the identity of the subject is better understood in terms of the structure of autonomy. Yet Taylor diverges from Rawls in the importance he attaches to the preconditions, the political morality of the language community, in which the subject who realises the "ethic of authenticity" is embedded.<sup>84</sup> That is, only the Rawlsian representation view of the person pretends to have an absolute understanding of the unmediated subject, whereas the self-interpreting subject always retains a subjective element to his identity and so can only be understood in relation to the language community that mediates it.<sup>85</sup>

It is in the relation between the subject, who self-interprets his strong evaluations to forge his identity, and the language community that Taylor reveals his idea of political morality. He goes to great lengths to highlight the four sources – commercial, bourgeois activity; the narrative novel; the privacy of marriage; and

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<sup>81</sup> *Ibid.*, 65. Taylor speaks of consciousness synonymously with language, for it is language that opens the subject up to the human concerns that matter for the self. As he writes, because the subject is a language user, *Verstehen* is the self's *Seinsmodus*. *Ibid.*, 104-105 and 72.

<sup>82</sup> *Ibid.*, 16-27.

<sup>83</sup> *Ibid.*, 66-68 and 29-33.

<sup>84</sup> It is in the "massive subjectivist turn of modern culture" in the eighteenth century that Taylor sees the birth of an ethic of authenticity. He traces it back to Rousseau's thought in which the moral accent is of an autonomous self who chooses a moral sense of its own. Taylor, *The Malaise of Modernity*, 25-29.

<sup>85</sup> Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2*, 3.

the emotional sentiments of love, concern and affection – that make-up the ethic of authenticity.<sup>86</sup> In parallel to the evolution of this ethic, Taylor talks of the necessary rise of a critical public sphere in which the authentic subject can be cultivated free of the interference of others and the state.<sup>87</sup> Taylor's point is that the ethic of authenticity forms the basis of a claim for the subject's dignity.

In a political morality no longer based on the principle of honour and inequality, Taylor argues that the subject's dignity is acknowledged by a principle of equal respect in one of three ways.<sup>88</sup> On the one hand, the politics of universalism advocates a procedural political morality in which a principle of equal liberty values autonomy, but not the subject's actual authenticity in terms of which the politics of universalism is neutral. On the other hand, a politics of difference makes the contradictory demand for a political morality in which a principle of universal equality is the condition for the recognition of the subject's particular identity.<sup>89</sup> In contrast, Taylor's political morality acknowledges the substantive character of the subject's identity because it is an expression of the capacity for authenticity. The latter is the basis of the principle of equal respect and its outcome, the subject's identity, is the justification for Taylor's politics of recognition. Because of the idea that the subject's identity is constituted by recognition, it fuels a political morality that recognises in order not to deny the subject's sense of who he is.<sup>90</sup>

### The Unity of Structure and Substance: Textual Autonomy

At the start of our discussion we portrayed modern thought in terms of the politico-moral question of self-constitution, which is addressed by an identity politics. Initially, we focused on the Kantian tradition in which autonomy constitutes political morality, whether Kant's subject in which the realisation of autonomy by homo noumenon is paramount and prior to homo phænomenon's actual choices, or Rawls' idea of the subject's capacity for a conception of the good and a sense of justice that shapes our political and moral identity in distinct spheres. However, for the alternative Hegelian tradition autonomy is overly formal – because self-mediated – whilst the associated political morality is inadequate because it fails to accommodate the desire for recognition. For Hegel and Taylor the structure of autonomy operates as the condition of possibility for the subject's

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<sup>86</sup> Taylor, *Sources of the Self: The Making of the Modern Identity*, 285-294.

<sup>87</sup> Taylor, *Philosophical Arguments*, 257-287 and 204-224.

<sup>88</sup> Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. by A. Gutmann (Princeton: Princeton University Press, 1994), 25-32.

<sup>89</sup> *Ibid.*, 37-44.

<sup>90</sup> *Ibid.*, 56-64 and 32-37.

substantive identity, which is mediated through *Sittlichkeit* by a politics of recognition.

Recently, these Kantian and Hegelian traditions of modern thought have converged into a marriage of equals.<sup>91</sup> In matrimony, the political morality of modern thought is a mix of justice<sup>92</sup> and virtue<sup>93</sup> that is bound by compassion<sup>94</sup> or solidarity.<sup>95</sup> Yet it is at the ontological level that this marriage is most obviously made in heaven. Kantian modern thought is seduced by the Hegelian concept of the subject's substantive identity that is mediated by the language community. Political morality is then required to foster the substantive goods central to the subject's identity.<sup>96</sup> Similarly, the Hegelian tradition recognises the importance of a political morality that upholds the principle of liberty in order to safeguard the structure of autonomy.<sup>97</sup> The structural identity of the subject is situated in the language community that mediates the subject into an agent and enables him to establish his substantive identity that informs political morality.<sup>98</sup>

This marriage of autonomy and recognition is appropriated, often explicitly,<sup>99</sup> beyond the conceptual investigation we are engaged in. Will Kymlicka's multi-culturalism, for example, alludes to several cultural narratives that define the political heritage of post-1960s Canada. Through "linguistic and historical processes," Kymlicka's subject acquires an identity through membership of a particular cultural narrative, which serves as the precondition for the subject's

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<sup>91</sup> A. E. Buchanan, "Assessing the Communitarian Critique of Liberalism," in *Ethics*, 99 (4) (1989); S. Macedo, "Community, Diversity, and Civic Education: Toward a Liberal Political Science of Group Life," in *The Communitarian Challenge to Liberalism*, ed. by E. Frankel Paul, F. D. Miller, Jr. and J. Paul (Cambridge: Cambridge University Press, 1996), 241.

<sup>92</sup> O. O'Neill, *Towards Justice and Virtue: A constructive account of practical reasoning*, (Cambridge: Cambridge University Press, 1996).

<sup>93</sup> M. Slote, *From Morality to Virtue* (Oxford: Oxford University Press, 1992).

<sup>94</sup> M. Nussbaum, "Compassion: The Basic Social Emotion," in Frankel Paul, Miller, Jr. and Paul (eds.), *The Communitarian Challenge to Liberalism*.

<sup>95</sup> S. J. D. Hollenbach, "Virtue, the Common Good, and Democracy," in *New Communitarian Thinking: Persons, Virtues, Institutions, and Communities*, ed. by A. Etzioni (Charlottesville, Virginia and London: University of Virginia Press, 1995).

<sup>96</sup> R. Dworkin, "Liberal Community," in *California Law Review*, 77:3 (1989); S. Mulhall and A. Swift, *Liberals and Communitarians* (Oxford and Cambridge, Mass.: Blackwell Publishers, 1996), 162 and 221-222; T. A. Spragens, Jr. "Communitarian Liberalism," in *New Communitarian Thinking: Persons, Virtues, Institutions, and Communities*, ed. by A. Etzioni, 47-51.

<sup>97</sup> Gutmann, "Communitarian Critics of Liberalism", 120-136.; W. M. Sullivan, "Institutions as the Infrastructure of Democracy," in *New Communitarian Thinking: Persons, Virtues, Institutions, and Communities*, ed. by A. Etzioni; N. K. Badhwar, "Moral Agency, Commitment, and Impartiality," in *The Communitarian Challenge to Liberalism*, ed. by Frankel Paul, Miller, Jr. and Paul (eds.).

<sup>98</sup> P. Selznick, "Personhood and Moral Obligation," in *New Communitarian Thinking: Persons, Virtues, Institutions, and Communities*, ed. by A. Etzioni; M. Bevir, "The Individual and Society," in *Political Studies*, XLIV:1 (1996), 103-105.

<sup>99</sup> Yael Tamir, *Liberal Nationalism* (Princeton: Princeton University Press, 1993), 14-19.



intelligent choices about how to lead his life. Kymlicka is close to Taylor's concept of the hermeneutical self here. He argues that cultural narratives ought to be embodied as substantive goods in political morality, though not for their constitutive character but because they are the condition for the subject's realisation of autonomy: "a societal culture of memories, values, common institutions and practices is the self's context of choice."<sup>100</sup> Kymlicka values cultural narratives only if they are subject to a Rawlsian political morality that guarantees the subject the right to accept, reject or revise his identities in the face of the multiple cultural narratives that inform political morality.<sup>101</sup>

We find a similar constitutive relation between the subject and political morality that turns on the autonomy-recognition union in studies of the post-sovereign state, especially in attempts to develop a form of civic nationalism that is relevant to multi-national states.<sup>102</sup> Civic nationalism locates the subject in the political morality of socio-politico-legal institutions, for it is here through a process of "collective self-determination" that the subject becomes an agent with a political identity. At the same time, because this political morality is supportive of the principle of the subject's autonomy it is also conducive to moral identity and "individual self-realisation."<sup>103</sup>

In much the same way, liberal nationalism envisages a political morality of "associative obligations" that embraces universalism and individualism.<sup>104</sup> The institutions that encapsulate the subject's associative obligations are constitutive of the subject's political identity, which approximates to a voluntaristic political affiliation, whilst the subject's moral identity is constituted in a plural cultural context. In either moment, the "embedded" subject's political and moral identity is defined by "self-authorship," which is a mode of autonomy *qua* individuality that generates identity.<sup>105</sup> Yael Tamir calls this the "contextual individual," who is never context-free albeit always free within a context.<sup>106</sup> The latter, the autonomous

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<sup>100</sup> Kymlicka, *Liberalism, Community, and Culture*, pp. 164-178; Will Kymlicka, *Multicultural Citizenship: A Liberal Theory Minority of Rights* (Oxford: Clarendon Press, 1995), 76-81.

<sup>101</sup> *Ibid.*, 82-93.

<sup>102</sup> Neil MacCormick, "Liberalism, Nationalism and the Post-sovereign State," in *Political Studies*, XLIV (Special Issue) (1996), 561-563.

<sup>103</sup> "People acquire character and self-consciousness, and a capacity for self-command, only in a specific social setting. An axiological individualism that treats individuality as a value, ... stipulates indeed that social contexts favourable to the developing of autonomous selves have fundamental value morally and politically." MacCormick, "Liberalism, Nationalism and the Post-sovereign State", 564. Also see Neil MacCormick, "What Place for Nationalism in the Modern World?," in *Hume Papers on Public Policy*, 2:1 (1994), 87-93.

<sup>104</sup> Tamir, *Liberal Nationalism*, 95-102.

<sup>105</sup> *Ibid.*, 20-34.

<sup>106</sup> *Ibid.*, 14.

subject, when conjoined with the subject's recognition, allows us to speak of a marriage of "textual autonomy."

### Critique of the Political Theory of Identity Politics

The convergence of the subject's structural and substantive identities in textual autonomy and its constitutive relation to political morality inform much of today's thinking about identity and its politics. If a discourse involves the production and reification of things through words, the discourse of identity represents a keener sensitivity to the diverse ontologies of the subject. The processes of recognition that occur because of the subject's autonomy, which produce the identity of textual autonomy, is thus a descriptive advance in the ontology of modern thought. In principle, the discourse of identity should widen the base that informs the political agenda (legitimacy), it should increase the number of groups that take part in the policy process (representation), and it should give politics greater clout in virtue of the reification of the personal as political (authority). However, rather than address the qualitative influence of the subject's identity on politics, we turn to the aporia of identity politics. That is, instead of discerning the constitutive relation between power and the subject's freedom – hence the politics of the self-constitution of identity that implores an agonistic freedom – the accounts of autonomy, recognition and textual autonomy focus on the foundational relation between the subject's identity and politics.

We can understand this aporia better through Foucault, who differentiates at least three types of political struggles: in the classical age they are against ethnic, social and religious domination; in the nineteenth century, political struggles ensue against the terms of separation of individuals from what they produce, or exploitation; and today they occur against forms of subjection that tie the individual to an identity and demand the submission of subjectivity to others.<sup>107</sup> Although "mechanisms of subjection cannot be studied outside of their relation to the mechanisms of exploitation and domination," they cannot be

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<sup>107</sup> Foucault, "The Subject and Power," 212-213. A note on Foucault's notion of modernity is in order here. In *Madness and Civilization* he speaks of the renaissance epoch, which follows mediæval Christianity and runs to the mid-seventeenth century, as well as the classical (1656-1789) and post-1789 epochs. Similarly, in *The Order of Things* Foucault refers to renaissance humanism, classical rationalism and the post-kantian epoch, which he defines by their *épistémè*. He largely maintains this chronology in *Discipline and Punish*, albeit in terms of the technologies of monarchical power (renaissance epoch), juridico-sovereign power (classical epoch of 1760-1840) and disciplinary bio-power (the epoch after the mid-nineteenth century). The one inconsistency is the divide between the renaissance and classical epochs. In *Discipline and Punish*, it is the mid-eighteenth (1760), rather than the mid-seventeenth (1656), century that one finds in *Madness and Civilization*. For a fuller discussion, see Bregham Dalgliesh, *Foucault's Critical History* (Berlin: Lambert Academic Publishing, forthcoming), ch. 4.

reduced to any “socio-economic, structuro-ideological mechanisms.”<sup>108</sup> If politics is the realm of contest for groups to resolve their domination and exploitation, identity is the concept of contest around processes of subjection. The struggle against forms of subjectivity imposed upon the subject as an identity is transversal; it is immediate and against the effects of power in the here and now, rather than an enemy to be overthrown in the future; it is a struggle about the status of the subject and the right to be different; and it is against the “government of individualisation” in which knowledge and expertise produce power relations that implore the subject to bear an identity determined to be true.<sup>109</sup>

The politics focused on the power of the state, specifically the constituted legitimacy of political morality that is derived from the authority of the subject’s identity of autonomy or recognition, concerns itself with a totalising form of power. It cajoles the subject into groups, which subsequently struggle against domination and exploitation.<sup>110</sup> In contrast, when we speak of the politics of the self-constitution of identity and the struggle against subjection we encounter an individualising mode of power. It seeks to integrate individuals into the social body, with the state based pastoral power promising salvation in terms of health, well-being, security and protection through institutions, such as the police, welfare associations, medicine and education.<sup>111</sup> To be a citizen is thus conditional upon integration, which is a process of normalisation that requires the subject to affirm an identity through which others can recognise him as a citizen that is both autonomous and on a communal journey to recognition. It is not surprising that subjects struggle against an individualising power that categorise and imposes a law of truth upon them: “[i]t is a form of power which makes individuals subjects...: subject to someone else by control and dependence, and tied to his own identity by a conscience or self-knowledge.”<sup>112</sup>

The aporia in the identity politics of Kantian and Hegelian modern thought therefore originates from both sides. The Hegelian tradition ask us to acknowledge that the process of recognition that leads to the subject’s substantive identity is fraught with distortion, if only because in aggregating the particularities of difference into political morality the state must depoliticise the process by removing power from it. It is at this point that the Hegelian tradition encounters hostility from the Kantian tradition, which advocates the universal remit of the

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<sup>108</sup> Foucault, “The Subject and Power,” 213.

<sup>109</sup> *Ibid.*, 211-212.

<sup>110</sup> For a similar view, see Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Cambridge, Mass.: MIT Press, 1996), ch. 6.

<sup>111</sup> The state’s pastoral power is salvation oriented (rather than politically focused), it is oblativ (as opposed to the principle of sovereignty), it is individualising (instead of a legalised power), and it is coextensive with life and productive of the truth about the individual in terms of his identity. Foucault, “The Subject and Power,” 214-215.

<sup>112</sup> *Ibid.*, 212.

state's political morality based solely on autonomy. The Kantian tradition refuses to envisage that politics must go down to identity as it threatens universality, whilst the Hegelian tradition is keen to take identity up to politics in order to concretise the particular with the universal.

Yet perhaps where the politics of identity is concerned, the "target is not to discover what we are but to refuse what we are through new forms of subjectivity that liberate us both from the state and its form of individualising power."<sup>113</sup> The question is whether it is possible to think beyond the forms of freedom that are couched in the identities of autonomy and recognition, which moreover are the by-product of relations of power/knowledge in which the subject is situated?

To begin with, in what sense do relations of power/knowledge interpellate the subject's relation to the other? Despite the assumptions behind autonomy and recognition, the subject finds himself in a relation to the other who enjoys a position of authority in virtue of knowledge, which is typically productive of power, whence the permanent risk – but not the necessary outcome – of domination and subjection. Elsewhere I have argued that Foucault undertakes a critical history of how we come to experience who we are from a tripartite perspective, namely, epistemological, political and ethico-moral.<sup>114</sup> The hyphen in the latter term denotes how, when standard histories of moral codes are replaced by a critical history of ethical practices, we can delineate ethics from morality. Of particular interest to Foucault is the way in which the subject ought to train himself to be ethical in reference to the moral code, which personifies how self-formation is a practice that inescapably requires an other, or what Foucault calls "subjectivation."<sup>115</sup>

An epoch's mode of subjectivation might implore an ethical subject in either a quasi-judicial style based on a hermeneutics of the self, where the subject's conduct is referred to the moral code that has the status of the law, or through ascetic practices of the self, where conduct is a question of an appropriate relation to self. In this respect, Foucault speaks of code-oriented and ethics-oriented moralities. The latter provides fertile soil for thinking about how we might become otherwise, especially alternatives to the ways in which the subject is implored to recognise himself as a subject of ethical actions in relation to an agonistic field of forces, such as those produced by power/knowledge. In particular, the formation of oneself into a subject can follow one of two avenues, that of a practical relation to self or of a hermeneutic relation to the other.

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<sup>113</sup> *Ibid.*, 216.

<sup>114</sup> Bregham Dalglish, "Foucault's critical history of thought," in *Parrhesia: A Journal of Critical Philosophy* (under review).

<sup>115</sup> Michel Foucault, *The History of Sexuality, Volume Two: The Use of Pleasure*, trans. by R. Hurley (Harmondsworth: Penguin Books, 1992), 21-26.

A practical relation to self is characterised by the need for an agonistic relation of the subject to himself. The subject is situated in a field of forces, which are prone to excess and unconstrained by any limits other than the subject's own will. But ceding to these forces would be indicative of failure, or unethical conduct, such that the practices of the self are forms of training designed to attain moderation in the use of one's pleasures or the conversion to self. In either case, ethical subjectivity constituted on the basis of practices of the self is the precondition for freedom. This is then the road to ethico-political and ethico-social subjectivity because the subject is framed against a field of forces that define the conditions of possibility of who he is. It necessitates an agonistic relation to the self in order to be master of them, or what Foucault calls an aesthetics of existence.<sup>116</sup>

The ethico-moral problem within the subject-other relation as it is played out in the power blind renditions of autonomy and recognition is that it turns on moral identity instead of ethical subjectivity. A key difference in the transition from antiquity to early Christianity is the fact that the techniques of self-formation are diverted from ethical practices "towards the hermeneutics of self and the deciphering of oneself as a subject of desire."<sup>117</sup> Foucault's critical history of thought suggests that, despite benevolent intentions, a subject-other relation mediated by a hermeneutics of the self necessarily depends on the other's possession of knowledge and the subject's articulation through it.

Indicative of a shift from ethics-oriented to code-oriented moralities, the autonomous modern subject is thrown into a quasi-judicial relation to other, who oversees and mediates the subject's constitution of his moral identity. Such a process of recognition takes place through practices and techniques of decipherment, confession, renunciation, spiritual combat, examination, observation and surveillance.<sup>118</sup> More recently, we might see processes of recognition mediated by consumerism, control, or genetic identity.<sup>119</sup>

The issue at stake is that code-oriented moralities necessitate a mode of subjectivisation to the other that is "linked with a process of self-knowledge which makes the obligation to seek and state the truth about oneself an indispensable ... condition ... [that includes] confession to others ... and permanent obedience to

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<sup>116</sup> *Ibid.*, 92-93.

<sup>117</sup> Michel Foucault, *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*, ed. and introd. L. D. Kritzman and trans. A. Sheridan (New York and London: Routledge, 1988), 260.

<sup>118</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. A. Sheridan (London: Penguin Books, 1977).

<sup>119</sup> See, respectively: Zygmunt Bauman, *Consuming Life* (Cambridge: Polity Press, 2007); Gilles Deleuze, "Postscript on the Societies of Control," in *October* 59 (1992); Nikolas Rose, *The Politics of Life Itself: Biomedicine, Power and Subjectivity in the Twenty-First Century* (Princeton: Princeton University Press, 2007).

one's superiors."<sup>120</sup> It is precisely this type of subject-other relation that we now need to think beyond, as there are two meanings of the word subject: subject to another via disciplinary domination and subject to one's identity by a certain type of self-knowledge. Implicit in both cases is "a form of power which subjugates and makes subject to."<sup>121</sup> This is why critical history's third axis of ethico-morality targets the formation of the subject in the context of individualizing and totalising biopower that leads to domination and subjection. It highlights how we have become enthralled by the notions of autonomy and recognition without realising how knowledge presumed to reside and derive from them is the bedfellow of power.

### **A Politics of Identity: Towards an Agonistic Freedom**

The importance of thinking beyond the political theory that conceives of freedom as autonomy or recognition is evident from the arguments above. As suggested, Foucault's ethics offers a way into this beyond precisely because, in contrast to the political moralities founded on the structure of autonomy or the substance of recognition – or their marriage in textual autonomy – it assumes that the process of identity formation is inherently political. Foucault therefore draws our attention to why the ontological needs to be brought within the remit of politics.<sup>122</sup>

Because of its inescapable mediation through power, Foucault's ethics is the midwife of an agonistic freedom. Ontologically implicated in the world, the ethical subject cannot precede politics, nor for that matter can politics be seen to uphold a pristine autonomy or to foster undistorted recognition. By understanding power as the medium of self-formation, we also acknowledge politics as ethical in nature:<sup>123</sup> based on an agonistic relation where the stakes are not power or freedom, but the articulation of freedom through an individualising power, a critique that requires "work on our limits, that is, a patient labour giving form to our impatience for liberty,"<sup>124</sup> oversees an ethico-political – rather than ethical or political – subject that pursues a "purposeful art of a freedom perceived

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<sup>120</sup> Foucault, *The Foucault Reader*, 240.

<sup>121</sup> Michel Foucault, *Dits et Écrits 1954-1988, Tome IV: 1980-1988*, dir. D. Defert et F. Ewald et collab. J. Lagrange (Paris: Éditions Gallimard, 1994), 227-228.

<sup>122</sup> Johanna Oksala, "Foucault's politicization of ontology," in *Continental Philosophy Review* 43 (2010): 445-466. As Tracey Strong similarly argues, if politics is "the power that makes souls and orders[...] the power of the political must itself be an object of our understanding, a source of our anxiety, and possibly a chance for hope." T. B. Strong "Introduction: The Self and the Political Order," in *The Self and the Political Order*, ed. by T. B. Strong (Oxford: Basil Blackwell, 1992), 4.

<sup>123</sup> Foucault, *The Foucault Reader*, 375.

<sup>124</sup> *Ibid.*, 50.

as a power game.”<sup>125</sup> In this sense, we move beyond autonomy and recognition to an agonistic freedom and a subject of contingent becoming. It requires the vigilance of a permanent critique in respect of who we are, because at “the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom.”<sup>126</sup>

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<sup>125</sup> Foucault, *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*, 252-253.

<sup>126</sup> Foucault, *The Foucault Reader*, 222.

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