



## PERSPECTIVES OF (NON) SOVEREIGNTY IN MICHEL FOUCAULT: FROM DISCIPLINARY SOCIETY TO PASTORAL GOVERNMENT TECHNIQUES

PERSPECTIVAS DE (NÃO) SOBERANIA EM MICHEL FOUCAULT: DA SOCIEDADE DISCIPLINAR ÀS TÉCNICAS DE GOVERNO PASTORAL

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### RESUMO

O presente estudo tem como objetivo analisar a insuficiência de um modelo jurídico-soberano como forma de análise das relações de poder contemporânea. Orientando-se pelo método arqueológico e genealógico, a pesquisa apresenta como hipótese a insuficiência dos modelos de análise jurídicos-soberanos em compreender as dinâmicas de poder, tendo em vista que essas têm seu funcionamento mais bem observado a partir de uma microfísica do poder. Para tal, uma revisão bibliográfica na vasta obra de Michel Foucault constitui a matéria base para pesquisa. No itinerário proposto por esse estudo, a temática será abordada num primeiro momento com a caracterização da microfísica do poder, seguida por uma leitura da transição do *ancien regimen* à chamada sociedade disciplinar - associada ao dispositivo biopolítico - e desembocando nas técnicas de direção de consciência, no poder pastoral, ou seja, na dimensão da subjetividade que passa a ser foco das relações entre governantes e governados, explicitando a diferença que constitui o paradigma moderno do governo/população face à análises jurídicas organizadas pela ideia de soberano/povo.

**Palavras-chave:** Michel Foucault; microfísica do poder; saber-poder; soberania; verdade e poder.

### ABSTRACT

The present study aims to analyze the insufficiency of a juridical-sovereign model as a way of analyzing contemporary power relations. Oriented by the archaeological method, the research presents as a hypothesis the insufficiency of the models of legal-sovereign analysis to understand the dynamics of power, considering that these have their best functioning from a microphysics of power. To this end, a bibliographic review of Michel Foucault's vast work constitutes the base material for research. In the itinerary proposed by this study, the theme will be addressed at first with the characterization of the microphysics of power, followed by a reading of the transition from the *ancien regimen* to the so-called disciplinary society - associated with the biopolitical device - and ending in the techniques of consciousness direction, in pastoral power, that is, in the dimension of subjectivity that becomes the focus of relations between government and governed, explaining the difference that constitutes the modern government / population paradigm in face of the legal analyzes organized by the idea of sovereign / people.

**Keywords:** Michel Foucault; microphysics of power; power-knowledge; sovereignty, truth and power.

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## SUMMARY

**INTRODUCTION; 1 WHAT IS POWER; 2 POWER AND STATE; 3 FROM DISCIPLINE TO BIOPOLITICS; 4 POWER AND GOVERNMENT; CONCLUSION; REFERENCES.**

### ■ INTRODUCTION

Michel Foucault is an influential thinker and a great thinker of the 20th century. Difficult to classify, the French philosopher has dealt with a range of topics in his career. However, even when his studies approached, or rather, could approach issues related to the State, of macro analysis, the author consciously lateralized, sought other ways to delimit the contours of the object of analysis, to circumscribe an enunciative space that sought to understand the complex micro relations that made up the meshes of power<sup>1</sup>.

His method, based on micro relations, brought into another sphere the relations between subjects, not between citizen and sovereign, but a relation between subjects, between rulers and ruled. His theoretical path, as multiple as it may be, allows today a reading capable of regrouping points and organizing them to propose an analysis of the power relations decentralized from the dimension of sovereignty, of the juridical-state method.

In this sense, the object of this work is the deconstruction of sovereignty as a model of power, or even its reverse, the construction of a theory of powers through non-sovereignty, based on the techniques of government inserted at a subjective level. Its method will consist of a kind of archeology within the French author's work, seeking through a bibliographical review to point out the criticisms to the model of power by sovereignty, as well as to indicate its back side composed of the micro analysis of relations.

The research question is: is the sovereign juridical model for analyzing power relations still pertinent today? Our hypothesis is that it is not, and that such a model becomes ineffective and fails to understand contemporary power relations, guided by techniques of directing consciousness and investment on subjectivity.

The importance of the present research, besides compiling and organizing scattered elements in the author's work, consists in differentiating him from other interpretations that seek to incline his studies to macro, structural dimensions, or that seek to refocus his concepts.

To this end, we will divide the work into three parts. In the first, we will recapitulate fundamental elements of the concept of power, in order to deconstruct the juridical-state model (sovereignty) of relations in detriment of a micropolitical analysis of the scenarios. Next, we will go through Foucault's studies on the disciplinary society and the establishment of the biopolitical model, always working from a non-state perspective of relations with the state. Finally, following the author's final years, we will discuss the model of government of

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<sup>1</sup> FOUCAULT, Michel. *Ditos e Escritos VIII*. Rio de Janeiro: Forense Universitária, 2012, p. 180ss

souls, the pastoral power, emerges as an element that reinforces micropolitical and subjectivity modulations as a governmental technique, abandoning definitively analyses based on juridical models.

## 1 WHAT IS POWER?

Power, state, and government are concepts that in Michel Foucault take on a different connotation, mainly because of the way they relate to each other. Intrigued by the centrality of state analysis, the unfolding of the work shows a theoretical maturity capable of thinking of power as dynamic, arising from tiny relationships, capable of building fabrics, investing positions, spaces, elaborating techniques that extend themselves in wide meshes of power capable of involving individuals.

The already fragmented work - in fact adept to the ruptures, discontinuities, and continuities of history - makes an "original" compilation of the author's ideas at the same time difficult, as well as expanding the possibilities for the creation of ideas. Above all, this work seeks to take Foucauldian discourses by organizing them through the spaces of rupture, not necessarily attributing to them a continuity that sometimes does not exist, but by bringing the statements closer together insofar as they compose a common theoretical field, relative to a certain thematic or method of analysis.

In this sense, we seek to study one of the main transitions of the author, a process developed over the years and through the courses, which is the change of the juridical conception of power, of the notion of state and sovereignty, towards an agonistic power, of belligerent matrix and, towards the end of his work, a power related to the notion of government and subjectivity. In summary, three moments: (a) characteristics of the microphysics of power, (b) deconstruction of traditional models of sovereignty, (c) government, subjectivity, and population.

Firstly, it must be understood that for Foucault, there is no such thing as "Power" as one and indivisible, however, neither does the author establish a definitive theory on Power. It would be precisely this theoretical question that would crown the whole, -which I do not want-, (...)"<sup>2</sup>. But rather, in a fragmented way, he proposes analysis strategies and methodological precautions. Some of them stand out:

- (a) No to a negative, juridical, repressive power, linked to prohibitions; if there are prohibitions, they exist with the function of producing, producing conducts, behaviors, madness, pleasure, etc. The not the primacy of the negative, but the affirmation of duty<sup>3</sup>. In other words, the fundamental characteristic of power is not to prohibit, but to make obey, to demand behavior that escapes normativity, to make super obey<sup>4</sup>.

<sup>2</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 13.

<sup>3</sup> FOUCAULT, Michel. *Ditos e Escritos VIII*. Rio de Janeiro: Forense Universitária, 2012, p. 184.

<sup>4</sup> GRÓS, Frédéric. *Desobediência*. São Paulo: Ubu, 2018, p. 55.

- (b) Not the unity of power, a center radiating orders capable of emanating unquestionable obligations; not an indivisible power, absolute, possessed by a subject, group or class that holds it, but rather, a power that is above all exercised infinitely to the limits of the most microscopic relationships, fragmented, an exercise of dispute, of conflict, of war, in circular and network relationships, in synthesis, the thesis of micro-powers<sup>5</sup>.
- (c) There is no centrality of power, which would distribute global theses cascading all over the globe, a deductive case-by-case method, but an ascending analysis of power that starts from the infra-decimal mechanisms of history, passing through paths, techniques and tactics, in order to understand the composition of ever larger circles that present themselves as a fictitious unit<sup>6</sup>.
- (d) Not the official forms of power, regulating and legitimate, coming from a central power with representatives, rites, and structures that would not only comport but also frame the individual in the formality of power. On the contrary, it is about "capturing power in its extremities, in its last ramifications, where it becomes capillary; capturing power in its most regional forms and institutions, especially at the point where, going beyond the rules of law that organize and delimit it, it penetrates institutions (...) "<sup>7</sup>.
- (e) Not to analyze power in the field of decision or intention, but to observe the power invested in the bodies in their real practices, in the external field where its effects are visible, in the subjection of bodies, in the subjectivation of conducts, demands for behaviors<sup>8</sup>.

From these characteristics of power exposed by Foucault and listed not without a certain arbitrariness or lag, we try to introduce the reader to a better understanding of this notion of power. It can be observed that Foucault opts for a non-legal analysis of power, absent a sovereign and a fixed point of order emanation.

On the contrary, the ascendant analysis of power both escapes the centrality of sovereignty and intensifies in everyday practices, in small conflicts, in circles, making the individual a transmission point in the meshes of power. To summarize, in the author's words:

To recapitulate the five methodological precautions: instead of orienting research on power toward the legal construction of sovereignty, state apparatuses, and the ideologies that accompany them, one should orient it toward domination, material operators, forms of subjection, uses and connections of subjection by local systems, and strategic devices. It is necessary to study power by placing it outside the Leviathan

<sup>5</sup> FOUCAULT, Michel. *Microfísica do Poder*. São Paulo: Paz e Terra, 2015b, p. 284.

<sup>6</sup> FOUCAULT, Michel. *Microfísica do Poder*. São Paulo: Paz e Terra, 2015b. p. 285.

<sup>7</sup> FOUCAULT, Michel. *Microfísica do Poder*. São Paulo: Paz e Terra, 2015b. p. 282.

<sup>8</sup> FOUCAULT, Michel. *Microfísica do Poder*. São Paulo: Paz e Terra, 2015b. p. 283.

model, outside the field delimited by legal sovereignty and the state institution. It is necessary to study it based on techniques and tactics of domination<sup>9</sup>.

Foucault's option to not follow the sovereignty" path and to think the notion of power in other ways that do not privilege state models, is not only a striking characteristic of the author, but also a fork in the road between him and one of his main interpreters, Giorgio Agambem, who elaborates his theory on biopolitics and sovereignty through an interpretation of Carl Schmitt's and Michel Foucault's concepts.

## 2 POWER AND STATE

Foucault organizes what he calls the classical discourses of power, one of them starting from the juridical, liberal conception, centered in the 18th century, and the other from the Marxist conception. In summary, the first current considers power as a good that can be transferred, alienated, by means of a juridical act such as a contract, constituting a concrete good that "every individual hold and would cede, totally or partially, to constitute a power, a political sovereignty."<sup>10</sup>

In the Marxist conception of power, on the other hand, there would be a certain economic functionality characteristic to power that would constitute the power's role in maintaining the relations of production and in reconducting class domination through the appropriation of the productive forces. It is a certain subsidiary role of power to the economy in which "political power would find in the economy its *raison of being*"<sup>11</sup>. Immediately following these expositions, he tries to organize what would be exits to these models:

To do a non-economic analysis of power, what do we currently have? I think it can be said that we have very little indeed. We have, first, the affirmation that power is not given, exchanged, or taken back, but that it is exercised and exists only in act. We also have this other affirmation that power is not primarily the maintenance and reconduction of economic relations but is itself primarily a relation of force. Some questions, or rather two questions: If power is exercised, what is this exercise? In what does it consist of? What are its mechanics? We have here something that I would say was an answer-answer, in short, an immediate answer, but that seems to me discarded by current hypotheses: power is essentially that which represses. It is what represses nature, instincts, a class, individuals. And when, in contemporary discourse, we find this repeated definition of power as that which represses, after all, contemporary discourse does not make an invention. Hegel was the first to say it, then Freud, then Reich. In any case, that organ of repression is, in today's vocabulary, the almost Homeric qualifier of power. So, shouldn't the analysis of power be initially, and essentially, the analysis of the mechanisms of repression?

In the second place - the second answer, if you will - if power is really employment and manifestation of a relation of force, instead of analyzing it in terms of cession, contract, alienation, instead of analyzing it in functional terms of reconduction of the relations

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<sup>9</sup> FOUCAULT, Michel. *Microfísica do Poder*. São Paulo: Paz e Terra, 2015b. p. 289.

<sup>10</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 13-14.

<sup>11</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 14.

of production, should it not be analyzed first and foremost in terms of combat, confrontation, or war? We would have, then, before the first hypothesis - which is: the mechanism of power is, fundamentally and essentially, repression -, a second hypothesis that would be: power is war, and war continued by other means. And at this point, we would invert Clausewitz's proposition and say that politics is war continued by other means. Which would mean three things. First this: that power relations, such as they function in a society like ours, essentially have as their anchor point a certain relation of force established at a given moment, historically precise, in war and by war. And if it is true that political power stops war, makes reign or tries to make reign a peace in civil society, it is in no way to suspend the effects of war or to neutralize the imbalance that manifested itself in the final battle of the war. Political power, in this hypothesis, would have the function of perpetually reinserting this relation of force, through a kind of silent war, and of reinserting it in institutions, in economic inequalities, in language, even in each other's bodies<sup>12</sup>.

From this extensive excerpt, Foucault proposes two ways out. The first, provisionally called the Clausewitz hypothesis, interpreted by Foucault in the sense of mechanisms of repression; while the other hypothesis, of power as a confrontation of forces, called by the author the Nietzschean hypothesis<sup>13</sup>.

Regarding Clausewitz's hypothesis, Foucault will indeed make for some time an analysis of the mechanisms of repression. However, the analysis of the mechanisms of repression works with the productive character of power, of the asylum as the production of madness, of prison as the production of delinquency, and in sexuality precisely a saturation of it by excess.

Precisely in the History of Sexuality I, the second chapter is dedicated to the "Repressive Hypothesis", in which he works on a certain notion of "Taboo", or of the prohibitions related to sexuality, moral interdictions and linguistic modesty, to finally insert them, this idea of repression, in a production of behavior from the codification of desire and sexual practice in medical or religious documents, having confession, the examination, as a form of control and verification. In synthesis, it is the taking of the mechanisms of repression as forms of the power to produce, not through prohibition, but through control and direction<sup>14</sup>.

In this period the author directs his studies no longer to the mechanisms of repression, but turns to the Nietzschean hypothesis, in the course of 1976, about the warlike matrix of power<sup>15</sup>.

The "Nietzschean hypothesis", although it is not explained why such terminology is used at the moment it is said, is most likely based on his studies on Nietzsche in "Lessons on the Will to Know" (1971) and "Truth and Legal Forms" (1974), where he develops studies on truth and knowledge, intersecting Nietzsche and Spinoza, takes up the thesis that knowledge

<sup>12</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 15-16.

<sup>13</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 15.

<sup>14</sup> FOUCAULT, Michel. *História da Sexualidade I*. São Paulo: Editora Graal, 2006, p. 23-40.

<sup>15</sup> In an interview with André Berten in 1981, the author states that "The last thing I would like to study, well, would be the problem of war and the institution of war in what I could call the military dimension of society". FOUCAULT, Michel. *Malfunctioning, Telling the Truth*. São Paulo: Martins Fontes Publishers, 2018, 205. With his early death in 1984, such studies never took place in the manner proposed in this interview, however, earlier studies by Foucault already largely expose his analyses of the thesis of power as war and some State theorists.

"is struggle, it is combat, it is the result of combat", it is something completely unnatural, it is the dispute, the "spark between two swords"<sup>16</sup>.

Also in this space, he emphasizes that there is no "origin" for knowledge, but rather, point of invention, a fundamental difference already operated by Nietzsche himself when using *Erfindung* instead of *Ursprung*, "invention" and not origin<sup>17</sup>.

About this, one should keep in mind such a distinction when reading "war as a point of origin" (aforementioned), it means that the dispute, the will to truth, is a matrix that cannot be historically retraced, taking on the militarized warlike face only from a certain historical development. The "origin" of countries by war can be read as "invention".

It is precisely at this point that Foucault uses the writings of Hobbes and Machiavelli to develop his studies on nations as peoples and the war period that served to territorially circumscribe spaces and constitute nation-states.

About the authors, it is evident the distinction of Foucauldian thought in eschewing, abandoning the privilege of sovereignty, when compared with classic works that address the state and the law, as is the case of Juan Capela<sup>18</sup>, or even when we look for a comparative study of the theories of law<sup>19</sup>.

In inquiring into the possibility of war as a historical principle of the operation of power, Foucault warns to take Hobbes not as a theorist of war<sup>20</sup> and highlights it as the main representative of the simulacrum between civil war and the war of all against all<sup>21</sup>. In this relationship, civil war would be the consequence of the dissolution of the state, and the war of all against all the reason for the cession of power to the Leviathan.<sup>22</sup>

The difference would be mainly because in the case of civil war it would always be a movement of groups, collectives, masses in dispute, which would directly contradict the 3 hypotheses of danger and war proposed by Hobbes<sup>23</sup>. The hypothesis is that the war, the dispute, the conflict, is still maintained within society through civil war, and that the appearance of the leviathan, the sovereign, has the main purpose of masking the dispute existing in society, the fact that politics has become the continuation of civil war<sup>24</sup>.

Schematically, one could say that Leviathan, in the idea of individual cession of punitive power to the state monopoly, erases in the first moment the real history of real conflicts and deaths, erases the conquest, erases domination. In effect, private vendettas were reduced, and punitive power was centralized and schematized in the state by militarization;

<sup>16</sup> FOUCAULT, Michel. *Ditos e Escritos X*. Rio de Janeiro: Forense Universitária, 2014a, p. 138.

<sup>17</sup> FOUCAULT, Michel. *Ditos e Escritos X*. Rio de Janeiro: Forense Universitária, 2014a, p. 136.

<sup>18</sup> CAPELLA, Juan Ramón. *Fruto proibido: uma aproximação histórico-teórica ao estudo do Direito e do Estado*. Tradução de Gresliana Nunes Rosa e Lédio Rosa de Andrade. Porto Alegre: Livraria do Advogado, 2002

<sup>19</sup> GRUPPI, Luciano. *Tudo começou com Maquiavel: as concepções de Estado em Marx, Engels, Lênin e Gramsci*. 7. ed. Porto Alegre: L&PM, 1986.

<sup>20</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 18.

<sup>21</sup> FOUCAULT, Michel. *A Sociedade Punitiva*. São Paulo: Editora Martins Fontes, 2015a, p. 24.

<sup>22</sup> FOUCAULT, Michel. *A Sociedade Punitiva*. São Paulo: Editora Martins Fontes, 2015a, p. 25.

<sup>23</sup> FOUCAULT, Michel. *A Sociedade Punitiva*. São Paulo: Editora Martins Fontes, 2015a, p. 70-77.

<sup>24</sup> FOUCAULT, Michel. *A Sociedade Punitiva*. São Paulo: Editora Martins Fontes, 2015a, p. 31.

however, this change does not exclude the matrix of war, of conflict, but masks the civil war that is maintained by politics<sup>25</sup>.

The problem of sovereignty was fundamentally a point of legal legitimacy, the treaties, the laws, the jurists, no matter if they were for or against, it was always about the king, it was the theory that supported the monarch. However, between the 18th and 19th centuries, the idea of sovereignty centralized in the sovereign started to hinder the new type of emerging power, the disciplinary power<sup>26</sup>.

Now, in the 17th and 18th centuries, an important phenomenon occurred: the appearance - we should say invention - of a new mechanics of power, which has very particular procedures, totally new instruments, a very different apparatus and that, I think, is absolutely incompatible with the relations of sovereignty. This new mechanics of power focuses first on bodies and what they do, rather than on the land and its product. It is a mechanism of power that allows the extraction of time and labor, rather than goods and wealth, from bodies. It is a kind of power that is exercised continuously by surveillance and not discontinuously by a system of tributes and chronic obligations. It is a type of power that presupposes a close network of material coercions rather than the physical existence of a sovereign, and of a new economy of power whose principle is that it is necessary to increase both the forces that are subjected and the strength and effectiveness of what is subjected.<sup>27</sup>

The emergence of disciplinary power, the famous Foucaultian thesis briefly conceptualized above, is largely explained in "Discipline and Punish" (1975), but now, it is not so pertinent to this work, which seeks to understand how the juridical construct of sovereignty was maintained, despite being absolutely incompatible with disciplinary power. For Foucault, sovereignty persists in existing as an ideology of law, serving the function of eliding disciplinary power:

In other words, legal systems, whether theories or codes, allowed a democratization of sovereignty, the implication of a public law articulated from collective sovereignty, at the same moment, insofar as it is because this democratization of sovereignty was deeply ballasted by the mechanisms of disciplinary coercion<sup>28</sup>.

To insist on a juridical theory of sovereignty would be to dismiss war by reducing it to externality, while eliding the political dispute - continuation of war - waged between groups. Even the mutation of sovereignty to a collective sovereignty, of the people, of the idea of consensus, according to Grós<sup>29</sup>, is an idea that masks a reality of domination and subjection.

Only by placing reality in terms of dispute, domination, and subjection can one proceed to an analysis of government, and no longer of sovereignty. It is from disciplinary power and the mechanisms of control that Foucault will then develop the relationship between government and population, not just sovereign and territory.

<sup>25</sup> FOUCAULT, Michel. *A Sociedade Punitiva*. São Paulo: Editora Martins Fontes, 2015a, p. 226.

<sup>26</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 31.

<sup>27</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 31.

<sup>28</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 32.

<sup>29</sup> GRÓS, Frédéric. *Desobediência*. São Paulo: Ubu, 2018.



### 3 FROM DISCIPLINE TO BIOPOLITICS

Up to now a path has been taken toward the thematic of government. Most of our efforts have been dedicated to deconstructing the juridical-political model that predominated between approximately the 12th and 15th centuries, because we believe that this is still a serious problem in the field of law, a certain juridical ideology of sovereignty - as Foucault pointed out earlier - that also carries a model of power that is no longer compatible with reality.

Accelerating the explanations, a bit, we will now try to explain a second model of power that developed mainly between the sixteenth and seventeenth centuries and came to change both the practice and theories concerning the State and punitive power, that is, disciplinary power. To illustrate this passage, we will take an excerpt from *Discipline and Punish* about the scaffold, the economy of torture, and the power relations inherent to the scene.

The physical punishments applied to individuals, the ordinaries and torture, the penal system proper to the Middle Ages, from the recovery of Roman law to the detriment of Germanic law, especially judicial torture, must be understood as a political ritual. To this is attributed the theory of punishment that makes crime an act against the sovereign in which justice is pure replication of the offended party. On a second level, there is the function of marking, of serving as a warning, a certain "exemplary" character of the punishments that aims to dissuade other crimes<sup>30</sup>.

The scaffold, the place where the hanging of criminals took place, was also the maximum shining space of the sovereign power, full of rituals, final words, confession, possible pardon, in short, a great event, a day when "work was interrupted, the taverns were crowded, insults or stones were thrown at the executioner, the policemen and the soldiers; attempts were made to take possession of the condemned, to save him or to kill him better<sup>31</sup>.

In any case, the main character in this scene was undoubtedly the people, a fundamental presence without whom the spectacle loses all its value. An ordeal performed in secrecy did not possess the symbolic power useful to the mechanics of this punishment structure. This highlights the ambiguous role of the people, at the same time that they are spectators of the scene, their presence is fundamental, possessing an active performance role<sup>32</sup>. This active role is also a risk to the model:

It is at this point that the people, attracted by a spectacle designed to terrify them, can precipitate their rejection of the punitive power, and sometimes their revolt. To prevent an execution that is considered unjust, to snatch a condemned man from the hands of the executioner, to obtain his pardon by force, eventually to pursue and assault the executioners, in any case to curse the judges and make a commotion against

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<sup>30</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 65-67.

<sup>31</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 79.

<sup>32</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 75.

the sentence, all these are part of the popular practices that often contradict, disturb and disorganize<sup>33</sup>.

This ascendant movement, common to popular practices, serves as an example to demonstrate a displacement of the sovereignty model. The popular uprisings, the direct interventions of the people precisely on the scaffold - which should be the maximum representation of real power - start to pose a risk to this punitive model. A certain proximity between the people and the convicts, an identification as the wronged, a certain feeling of solidarity among the people, much more than the sovereign power, was what came out reinforced and praised in these situations<sup>34</sup>.

The penal reformers from the 18th to the 19th century took as a measure the suspension of the scaffold, of the spectacular model of punitiveness and of physical sanctions. Evidently in a gradual, slow way, this change did not happen because of a "humanitarian" character of the penalties, but mainly because of a general compromise of such a juridical-political model of power that was no longer efficient and offered greater and greater risks<sup>35</sup>.

This shift towards disciplinary power, privileged the prison as a punishment model and in fact invented what is currently known as prison, either in its declared or hidden functions.

Disciplinary power constitutes a new set of power techniques that aimed at greater efficiency, some characteristics can be roughly grouped and mark this power as: (a) centrality on bodies, production of docility, physical restrictions and prohibitions on bodies, demands for conducts, behaviors; (b) extensive and concentrated surveillance in the zones of excess of power, the institutions of abduction such as school, hospital, prison, adherents of the architectural panoptic model; (c) device of examination - such as tests, medical evaluations - that allows binary division between fit/unfit, sick/healthy and orders individuals.

Following disciplinary power, Foucault says that another type of power comes to be exercised, instrumentalized by that power: biopower. In 1977, the author takes a sabbatical year, interrupting his production, resumed soon after over the following year in which he summarizes a little of his trajectory and the differences between three juridical-punitive models.

The first normative model, already exposed, is resumed by exemplifying the simple rule "thou shalt not kill", non-compliance with which resulted in hanging, physical punishment, or a fine. The second, on the other hand, as an inflexion, still on the prohibition of the "thou shalt not kill", will not have as a consequence a physical answer to the infraction of the norm, the punishments involved will now be of another order, a screening, imprisonment in cells, a vigilance on possible new crimes, there also imbricated to the imprisonment the correction measures, moralization, work of the penitentiary agents, in general lines, the disciplinary model<sup>36</sup>. That is, the passage from the ancien regime model, of punitive physical practices focused on the body, to the disciplinary model that takes from the body its relationship with time (the imprisonment and subtraction of time-freedom), as well as aims at the production of behaviors in the subject.

<sup>33</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 76.

<sup>34</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 80.

<sup>35</sup> FOUCAULT, Michel. *Vigiar e Punir*. São Paulo: Vozes, 1999, p. 83-85.

<sup>36</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 6.

In the third model, or rather, modulation of the previous matrix, the same prohibitions are maintained, the same logic of punishment and imprisonment, adding to all these new questions, such as the crime rate, indexes on criminal types, statistics on quantities of thefts or other types in city X or Y, while also asking about the cost of certain repressive actions<sup>37</sup>. This conjuncture is the modification of the traditional logic sovereign/people towards the government/population relation. The latter, as the object of government, is composed mainly of rates, indexes, elements that will serve as inputs for government strategies, especially when it comes to social control.

In general terms, this first aspect constitutes the dimension of security in society, a certain concern with goods, with stock, with private property. It will be the whole security mechanism and its instrumentalization by discipline that will develop a general aspect of control, monitoring, concern no longer with external warfare, but with internal warfare, even giving rise to the creation of internal enemies that constantly reactivate the security device.

This statistical inflection applies to the field of criminality. Extending this reflection, this practice has also extended to other areas of government, becoming a new form of power, now concerned with life, mortality rates by age, life expectancy, injuries and risks to the population.

Exploring again the mutations in punitive power, mainly from discipline to biopower, Foucault refers to the classic example of leprosy, - already studied since the History of Madness - as a primary model of exclusion and isolation of lepers from society, which although it had some ritualistic, mainly religious, consisted basically in a system of exclusion<sup>38</sup>.

Unlike leprosy, the plague demonstrates another type of control, marked by surveillance and scrutiny, regulation of activities, places to go, forbidden places, obligation to receive visits from inspectors, in synthesis, the disciplinary power. The inflexion that drives biopolitics is represented by the smallpox model. It is no longer only necessary to control spaces and organize behavior, it is necessary to calculate how many are infected, what is the extension of the epidemic and how the medical staff will work on this<sup>39</sup>.

Another example that would characterize well this dimension of control over life through state practices on the general biological regime of the population is the vaccine revolt, which occurred in 1904 in Rio de Janeiro/RJ, after the imposition of mandatory vaccination by the federal government. In this situation, the following elements are added: a general government strategy that aims at a population control (biopolitical) and the use of repression mechanisms, typically disciplinary.

This type of power, fundamentally different from the sovereign, is an inflection of the disciplinary model, a certain alliance between the security scheme in force in societies and a new type of control that starts to manipulate the general conditions of the population (essentially, its life, duration, conditions in which it lives).

The inversion from sovereign power to biopower is explained by the author from the syntagma "make die, let live" and later "make live, let die". The former directly reflects the

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<sup>37</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 7.

<sup>38</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 13.

<sup>39</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 14.

power of the sovereign over the individual's life, and is well represented by calls to war, sentences to death, characteristic examples of sovereign power. Biopower, on the other hand, faces the people not as an amorphous mass, but as a constituted population, studied by a government that has it as an object, that controls it in a macro perspective, understanding its mortality, birth, and sickness rates, and then applying these actions, such as public health, sanitary policies, or in times of epidemics<sup>40</sup>.

The new political power of the nineteenth century pervades the first power: no longer the right over death, but a strict control over life, over bios, regulating the very notion of life and bringing about a new relationship with death.

What is this new technology of power about, this biopolitics, this biopower that is being installed? I was telling you in two words just now: it is a set of processes such as the proportion of births and deaths, reproduction rates, the fecundity of a population, etc. It is these processes of birth, mortality, and longevity that, precisely in the second half of the 18th century, together with a series of economic and political problems (which I will not go into now), constituted, I think, the first objects of knowledge and the first targets of control of this biopolitics. It is at this moment, in any case, that the statistical measurement of these more or less spontaneous, more or less combined (...). It is also about the problem of morbidity, no longer simply, as had been the case until then, at the level of those famous epidemics whose danger had so tormented political power since the depths of the Middle Ages (...) no longer the death that brutally strikes life - that is the epidemic - but as permanent death, which sneaks into life, perpetually erodes it, diminishes it, and weakens it<sup>41</sup>.

In the biopolitical scenario death is not discarded, it is, on the contrary, reorganized in terms of strategy and modulates the "letting die",<sup>42</sup> but also makes one think about the direct relationship of the government, more precisely of the state, under the life of the population, from public health policies, such as censuses, controls, etc.

Biopower is a discursive opening that allowed other theories to develop under this field. In this sense, it is worth noting Agambem's hypothesis that "death prevented Foucault from developing all the implications of the concept of biopolitics and showing in what sense he would have further deepened his investigation"<sup>43</sup>.

Agamben's interpretation concerns the figure of the homo sacer, that category included by exclusion, non-sacrificable, but susceptible to death<sup>44</sup> (The Italian author even claims that the "production of a biopolitical body is the original contribution of sovereign power. Biopolitics is, in this sense, at least as old as sovereignty"<sup>45 46</sup>).

<sup>40</sup> FOUCAULT, Michel. *História da Sexualidade I*. São Paulo: Editora Graal, 2006, p. 148.

<sup>41</sup> FOUCAULT, Michel. *Em Defesa da Sociedade*. São Paulo: Editora Martins Fontes, 2010, p. 204-205.

<sup>42</sup> FOUCAULT, Michel. *História da Sexualidade I*. São Paulo: Editora Graal, 2006, p. 149-151.

<sup>43</sup> AGAMBEM, Giorgio. *Homo Sacer*. O poder soberano e a vida nua I. Belo Horizonte: UFMG, 2007, p. 12.

<sup>44</sup> AGAMBEM, Giorgio. *Homo Sacer*. O poder soberano e a vida nua I. Belo Horizonte: UFMG, 2007, p. 79-85.

<sup>45</sup> AGAMBEM, Giorgio. *Homo Sacer*. O poder soberano e a vida nua I. Belo Horizonte: UFMG, 2007, p. 14.

<sup>46</sup> Em entrevista, o autor afirma ver "sem dúvida seu trabalho próximo ao de Foucault". ASSMANN, Selvino José. Da teologia política à teologia econômica - Entrevista com Giorgio Agamben. *Revista Internacional Interdisciplinar INTERthesis*, Florianópolis, v. 2, n. 2, p. 1-11, jan. 2005. ISSN 1807-1384. Disponível em: <<https://periodicos.ufsc.br/index.php/interthesis/article/view/734>>. Acesso em: 03 abr. 2020.

Indeed, the author defines his research as "precisely this hidden point of intersection between the juridical-institutional model and the biopolitical model of power." In comparison to Foucault, who expressly wanted to move away from juridical models of power and remove from his analyses the theoretical privilege of sovereignty, Agamben accomplishes the opposite in his studies<sup>47</sup>, taking as central the conception of sovereignty from the concepts developed by Carl Schmitt<sup>48 49</sup>.

Far from ignoring the importance of law in power relations, as clearly expressed in his course in Brazil in 1974 or in Belgium in 1981, Foucault states that he finds in legal and judicial practices, important spaces for the emergence of new forms of subjectivities and social practices<sup>50</sup>.

For the Frenchman, the Sovereign/People binomial, as a power paradigm, loses strength in face of Government/Population, the latter, the population, being a biopolitical production managed at the governmental level. Nevertheless, the population, besides being governed at the biopolitical level, is also governed from a pastoral strategy, as we will see below, namely, a more subjective dimension.

For Agamben, on the other hand, Foucault's biopolitical device is no more than a point inserted and referred to a more juridical perspective, linked to specific territories, but also to a kind of functioning of the State, in which the subjective dimension would reside in the act of consecration of the homo sacer, still maintaining itself as a practice linked in some way to the law<sup>51</sup>.

However, without further elaborating on the relationship between Agamben and Foucault, what is important for this work is to perceive this general change in the forms of government taken in the line of the French thinker. No longer the direct power over death, but a control of life and death as a result of it. This change, at the level of tactics, does not correspond exclusively to an individual's decision about what to do, but is a relationship established from this new phenomenon called population and the effects that lead to a new form of control, called government.

This distinction, this strategic change of power, gives rise to two new terms, or two old terms with new meanings, which are government and population, instead of sovereign and people. The government would constitute precisely the form of control - centered on life and death for life - of this new phenomenon called population, this population mass that starts

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<sup>47</sup> Zeynep Gambetti is the basis of the criticism and present in this work to Agamben's conception of sovereignty and biopolitics, an exposition that deserves further development in another opportune moment. The metaphysical basis of Homo Sacer is a step backwards when it comes to understanding biopolitics, particularly modern biopolitics, in order to be able to adequately contextualize the transformation of the boundary between life and death. GAMBETTI, Zeynep. *Agir em Tempos Sombrios*. Porto Alegre: Criação Humana, 2019, p. 38.

<sup>48</sup> D'URSO, Flávia. *A Crise da Representação Política do Estado*. São Paulo: Manolé, 2016, p. 236.

<sup>49</sup> Flavia D'urso's notes are precise: "Perhaps the difficulty of Homo Sacer I is not what separates it from Foucault, that is, its conception of the history of sovereignty as having been a "Biopolitics" from the beginning. Instead, arduous perhaps is the problematization of this biopolitical realm and its aporias as inextricably linked to linguistic and ontological problems" (D'Urso, 2016, p. 140)

<sup>50</sup> FOUCAULT, Michel. *Ditos e Escritos X*. Rio de Janeiro: Forense Universitária, 2014a, p. 133.

<sup>51</sup> It is interesting to note that the difference in Agamben's approach is paradoxically conscious of the path established with the Frenchman: "One of the constant orientations of the work is the decided abandonment of the traditional approach to the problem of power, based on juridical models. AGAMBEN, Giorgio. *Homo Sacer*. O poder soberano e a vida nua I. Belo Horizonte: UFMG, 2007, p. 12-13.

to inhabit the cities, transmitting diseases, amplifying the effects and consequences of the population<sup>52</sup>.

In the last years of his life, Foucault moves in another direction, establishing a new relationship between government and biopower. Besides the traditional elements already exposed about biopower, he moves towards a notion of subjectivity, an element that would also be object of modulation, control, direction, in synthesis, government, as will be seen below.

#### 4 POWER AND GOVERNMENT

From 1978 on, Foucault developed another inflection in his work, starting with the term government. Notwithstanding the new biopolitical relation between government and population, the author works on what he calls art of governing, certain governmental techniques that would also apply to population, but would operate fundamentally at the level of the individual, at the level of subjectivity.

As Clésio Lemos reminds us, such a change is signaled by the terminology used. The change from the set knowledge-power, widely used during the 1970s, comes to be replaced by the set truth-government, as a way out of the problems and limits that the first tool of analysis contained<sup>53 54</sup>.

These arts of governing, proper to the modern state (17th century and following) would take place in two directions: "a shift from a religious focus to a political art by secularized methods, and the multiplication of the art of governing across several distinct domains"<sup>55</sup>.

For Foucault, the strategy of government adopted by modern states would be directly an adaptation of the model of pastoral power, that unprecedented type of power developed by the Catholic Church for more than a millennium, which was also organized, defined and implemented within the Roman Empire<sup>56</sup>.

One of the main characteristics of this new type of power would be the constant work between the collective and the individual, the pastor's omnes et singulatum, articulating the macro level - referring to biopower - and the micro level, more focused on the government of man as an individual, not only about his behavior, but also a certain ethical level of telling the truth about himself.

This individualizing aspect and the work to be done on the individual at the level of his subjectivity would be the main political contribution of antiquity - expanding the Greek tradition of government and democracy - that had been colonized by the state, the surveillance, identification and production of identity<sup>57</sup>.

<sup>52</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 15-32.

<sup>53</sup> LEMOS, Clésio. *Foucault e o Abolicionismo penal*. 2018. 208 f. Tese (Doutorado) - Curso de Pós-graduação em Direito, Puc-rj, Rio de Janeiro, 2018, p. 32.

<sup>54</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 8-12.

<sup>55</sup> LEMOS, Clésio. *Foucault e o Abolicionismo penal*. 2018. 208 f. Tese (Doutorado) - Curso de Pós-graduação em Direito, Puc-rj, Rio de Janeiro, 2018, p. 24.

<sup>56</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 174.

<sup>57</sup> FILHO, Kleber Prado. A política das identidades como pastorado contemporâneo. In: Cesar Candioto, Pedro de Souza. *Foucault e o Cristianismo*, Belo Horizonte: Autêntica, 2012, p. 110.

This new notion, government is distinguished from its possible meanings: on a strictly spiritual level, the notion of imposing a regime, a leadership relationship between individuals, a verbal or even sexual relationship. However, the fact is that among its various forms there is one common aspect: "one never governs a state, a territory, one never governs a political structure. Those who are governed are always people, individuals, collectivities"<sup>58</sup>. Still about:

In the courses of the last two years, I have tried to sketch out a little this notion of government, which seems to me much more operational than the notion of power, "government" understood, of course, not in the strict and current sense of the supreme instance of executive and administrative decisions in state systems, but in the broad, and indeed ancient, sense of mechanisms and procedures designed to lead men, to direct the conduct of men, to conduct the conduct of men<sup>59</sup>.

This new form of government, inspired by pastoral power, focuses on the development of mechanisms aimed at the subject's internal relationship with the truth. Following the example of Christianity, the tool of confession, exercising the function of examination, was essential and central in the constitution of this technology that produced at the level of subjectivity a relationship of the subject with the truth.

If Foucault insisted on the subjective dimension of government, the pastoral model, the model of pastoral technique, is of fundamental importance to understand the central elements of this practice. To understand it, the author invests in a series of investigations on Greek societies, exploring the idea of care of the self, of conscience orientation, as it comes to dispute and be phagocytized by Christian philosophy, unfolding both in theological aspects and institutional practices of control, of government of souls, exploring a whole other field of power.

Within pastoral power, in its similarities and modifications with the techniques of the Greek care of the self, an aspect proper to Christianity - and reiterated several times by Foucault - that developed such a relationship between subjectivity and truth was and is the point of confession. Confession, like the form known today, with a certain periodicity and obligation, is an invention dated, roughly, from the 12th century. Before, the act of confessing, or of pronouncing one's faults to someone, did not need a formal and authorized authority - the priest - and could be performed by anyone<sup>60</sup>.

One can see that the act of pronouncing one's faults on someone, or the very act of going back over one's day with a list of mistakes, the examination of conscience, is not exactly an invention of the Catholic Church. Foucault reminds the Stoics, more precisely the figure of Marcus Aurelius, about the daily habit of reviewing one's day, analyzing one's faults, mistakes, and successes. This practice, aimed at conforming ideals to attitudes, philosophy to life, was like a spiritual exercise of the individual on himself<sup>61</sup>.

The Catholic notion of confession, although reminiscent in some respects of the examination of conscience practiced by the Greeks, contains fundamentally different elements

<sup>58</sup> FOUCAULT, Michel. *Segurança, Território e População*. São Paulo: Editora Martins Fontes, 2008, p. 165.

<sup>59</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 13.

<sup>60</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 90.

<sup>61</sup> FOUCAULT, Michel. *Hermenêutica do Sujeito*. São Paulo: Editora Martins Fontes, 2014c, p. 260-263.

that are conditions for the development of pastoral power. As a first aspect, the Catholic self-examination has always worked with a search for sin, for temptation, for the risk fomented by the devil incessantly to men. Second aspect: confession is an element external to the individual himself, it is an instance capable of telling the subject himself if he was being deceived or not, to approve or not the examination of conscience <sup>62</sup>.

Christian penance, aggregating elements of its entire development since the second century, with the elevation of its status to sacrament only in the twelfth century, required of the faithful (a) vigilance and continuous self-examination and (b) a verbalization, a recognition of their faults and exposition of them to a director of conscience, a spiritual guide who would guide their conduct toward salvation <sup>63</sup>.

It is observed that at the level of the individual, the act of confession is the tip of a whole continuous system of self-examination, of restrictions of the most varied strains - food prohibitions, sexual -, always judged by an official figure - and endorsed by a community - and had as an end an alignment between the subject itself and the truth.

The connection for Christianity between the subject and the truth is a process of rationalization of faith. It is a certain rational connection between a truth and the consequences of it. It is a referential and abdicatory authorial system, demanding renunciation, makes the truth have consequences, generates obligations, from the individual to himself, without necessarily a third party immediately involved.

This system of linking the subject to the truth, in this case, the believer to Christ, implies following his precepts and indications, literally being faithful, and this is when asceticism becomes an obligation:

In fact, one could formulate and elaborate the question "subjectivity and truth" in the following sense: what experience can the subject have of himself, from the moment in which he sees himself in the possibility or the obligation of recognizing, about himself, something that passes for true? What relationship the subject has with himself from the moment in which this relationship can pass or must pass through the discovery, promised, or imposed, of truth about himself? <sup>64</sup>

The discourse of confession then became a real practice, detestable or lovable, it matters little, but the fact is that it became inseparable from who one is <sup>65</sup>. It strengthened the link between truth and identity, opening space for a series of risks and other forms of government.

Following the line between truth and subjectivity, Foucault exposes another stage of this relationship, based on studies about Cassian and the monastic life, which is the relationship of directing consciousness between the orient and the counselor, the priest and the faithful.

<sup>62</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 130.

<sup>63</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 293.

<sup>64</sup> FOUCAULT, Michel. *Subjetividade e Verdade*. São Paulo: Editora Martins Fontes, 2016, p. 11-12.

<sup>65</sup> FOUCAULT, Michel. *Subjetividade e Verdade*. São Paulo: Editora Martins Fontes, 2016, p. 15.



Marked by a strict relationship of obedience, monastic life gave a new role to the conscience advisor, a deeper bond, a more assertive direction, and turned the notion of obligation on its head. This was because it was not a strictly hierarchical obedience to the mentor, but rather a relationship of necessity, a certain practice also dismissagological of orientation<sup>66</sup>.

The relationship between master and disciple, student and guide, was based on an almost infinite, unquestionable notion of obedience. This was because it was like a virtue, obeying no matter exclusively why, but as a value in itself<sup>67</sup>.

Another problem, or rather a worsening of the situation, is how in the process of conscience direction there is a certain formal condition of freedom that must involve the individual, including a certain will:

In direction, one individual submits to another in the case of every series of decisions that are decisions of a private order, that is, that usually, habitually, and statutorily escape both political demand and legal obligation. Even where political exigency does not act, even where political obligation does not act, it is in this domain that the direction wants the individual to defer to another's will. Where the individual is free as such, he refers to another's decision<sup>68</sup>.

There are then two main aspects: (a) the depth in which obedience must be inserted to the point of annulling for the subject his own desire, in which he has as his goal not to want, not to desire sin in any measure. Renunciation, abdication, not only of acts, but of the will itself. This also implies a certain "hermeneutics of desire" to trace where the will itself comes from, the origin of the thought, whether it is motivated by God or by the Devil<sup>69</sup>.

The second aspect, (b) is based on the relation of domination that operates at the level of desire, in which the individual wishes to be submissive to someone else's will. However, Foucault points out that "it should not be understood with a transfer of sovereignty (...). In direction, there is no social contract"<sup>70</sup>, so that my will is transferred to someone else, in this element of pastoral power, one simply wants his will to be submitted to another, that this other says what he should do or not do.

It is above all an exercise of freedom, or at least it is presented from the individual in volitional act. At the same time, this practice must ensure that the subject always agrees with the situation, desires it, and has this freedom as a condition - to then, freely, subordinate itself to it<sup>71</sup>.

It is a technique that works by keeping together the two wills of the subjected and the subject-holder, in such a way that they always remain within the spectrum of freedom. Obeying the other so that with myself I can establish an individual, subjective, ethical relationship. Another characteristic of the direction of consciousness:

<sup>66</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 115.

<sup>67</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 118.

<sup>68</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 208.

<sup>69</sup> FOUCAULT, Michel. *Malfazer, Dizer Verdadeiro*. São Paulo: Editora Martins Fontes, 2018, p. 129.

<sup>70</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 209.

<sup>71</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 209.

Why does someone want to be directed? Apparently, the answer could be someone wants to be directed simply to obtain something, which would be happiness, wealth, health. In fact, this is not the case, because if direction were to be a means of obeying someone else in order to obtain health or wealth, to that extent there would be an exteriority in direction, there would be an external end and conditions, technical conditions at least, to achieve this goal. In other words, there would be a kind of codification of direction according to this objective end. The true relationship of direction, in my view, consists in the fact that this relationship establishes as an objective, not something like the wealth or health of the one being directed, but something like perfection, or tranquility of soul, or the absence of passions, self-control, beatitude, that is, a certain relationship of the self with itself. This means that the one who is directed does not seek an external end in directing, but an internal end understood as a mode of relationship of oneself with oneself<sup>72</sup>.

This secular use of a religious power, disseminated in the most diverse institutions, is also picked up by the political power itself, governmental and of its representatives, in a mix:

One could also say that in the political functioning of late 16th-early 17th century societies, both Catholic and Protestant, we had very subtle, very thoughtful, very organized combinations, wards between the development of a political-administrative power and a whole series of institutions of direction of conscience, spiritual direction, direction of souls and individuals, again, among both Protestants and Catholics<sup>73</sup>.

The clue is to take pastoral power as a tactic of government, secularized by secular institutions and used as a strategy of power and domination. On this clue, Foucault:

We could say that, in the contemporary world, it would be interesting to study the organization of political parties, inasmuch as it comprises a whole part of institutions and management practices, in addition to the strictly political structure of the organization. The organization of political parties is, no doubt, more interesting to study as institutions of management than as ideologies related to religion<sup>74</sup>.

This means understanding the secular, contemporary institutions themselves, imbued with a deep relationship with religion, both in their organizational institutional aspect, and as spaces in which the pastoral techniques of government unfold. In party organizations, in the representative system, more than ever, to govern is to conduct the souls of individuals, taking them somewhere as a function of the exercise of power. Thinking about sovereignty as a model of power elides the whole technique of government of conscience, of operations at the level of subjectivity, of the democratic functioning of political society that works much more from the pastoral technique, that even if massified (see, propagandas in scale) touches the individual in his singularity, in a micro dimension.

<sup>72</sup> FOUCAULT, Michel *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 209.

<sup>73</sup> FOUCAULT, Michel *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 211.

<sup>74</sup> FOUCAULT, Michel *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 212.

## ■ CONCLUSION

Foucault is extremely clear about this condition method: "To conduct the concrete analysis of power relations, it is necessary to abandon the juridical model of sovereignty"<sup>75</sup>. This statement contains the object and method of the present research. Method, because it adopts micropolitics and archeology as analytical tools; object, because it takes the notion of power linked to the legal-sovereign perspective as the focus of the study, to be deconstructed.

If we initially questioned the viability of the notion of sovereignty as a way to think about contemporary relations, we verified its incompatibility with contemporary societal organizations, and especially with the tactics used to understand how power works among individuals.

For this, we conducted a rich bibliographical review of the French author's work. Going back to the transition from the ancien regime to the industrial society, we notice the emergence of power techniques different from the sovereign power. The disciplinary technique and the biopolitical device completely change the functioning of society. The people subject to sovereign power become a population (an entity of another substance) subject to government.

Nevertheless, the last years of Foucault's life indicate yet another path, exploring other techniques of power characteristics the way to govern. Not giving up discipline and biopolitics, pastoral power as a model is incorporated into institutional, democratic, social, and media practices, with the intention of investing in the subjectivity of the individual, guiding his conscience, his thoughts, inserting an entire ethical dimension as the focus of policies, as well as contact between the governors and the governed, at a time when juridical and state analyses that attempt to explain contemporary forms of power effects seem to have no effect.

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<sup>75</sup> FOUCAULT, Michel. *Governo dos vivos*. São Paulo: Editora Martins Fontes, 2014b, p. 275

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