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# Liberal government and authoritarianism

Mitchell Dean

## Abstract

This paper examines the intelligibility of authoritarian measures within Foucauldian analyses of the liberal government of the state. Such measures are understood as following from a liberal understanding of the task of government itself. This understanding rests on a distinction between the legal and political order (of 'the state') and a 'liberal police' of what is exterior to it, classically conceived as 'civil society'. The relation between these two aspects is conceived as a series of 'foldings' between the two sides of a liberal governing, which turn the injunction to govern through freedom into a set of binding obligations potentially or actually enforceable by coercive or sovereign instruments. The paper places this perspective within aspects of the genealogies of economy, poverty, welfare and police and discusses the trajectories of such foldings in the present.

Keywords: liberalism; government; authoritarianism; freedom; liberal police.

One of the consequences of Michel Foucault's approach to government has been to undermine the opposition, found in much social and political science, between power, and domination, on the one hand, and individual freedom and subjectivity on the other. The art of government can take all sorts of stances towards freedom. It can try to shape it or treat it as an artefact of certain governmental arrangements. It can seek to educe it among some and presuppose it among others. It can treat the governed as free persons or citizens, and rely on their capacities to govern themselves rather than try to govern them. It can use freedom as a technical means for achieving its ends.

Such a view of government is particularly apposite to the study of liberal rationalities of rule. Liberalism is usually presented as a principled political philosophy that distinguishes a domain of limited government from a sphere of

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individual liberty, found and exercised within civil society, which must be respected. However, once we recognize that liberal political rationality might seek to create, work through or utilize freedom, then a set of complementary analytical openings emerges. Alongside the long acknowledged measures that attempt to protect and guarantee individual liberty such as constitutional rule, representative government, the separation of powers and the rule of law, the liberal arts of government specify the content of individual freedom, give it a particular form and turn it to various goals. They employ techniques ranging from the earlier disciplines found in institutional settings to contemporary practices of individual and mutual empowerment, participation, self-help and community development and care.

It follows from these concerns that much of what is novel about this literature is its attempt to construct a 'genealogy of freedom' (Valverde 1999: 14–21). Such a genealogy analyses the various ways in which individuals are governed and are required to govern themselves as certain kinds of free persons. It examines '[l]iberal mentalities of rule . . . characterised by the hopes they invest in the subjects of government' and the associated 'devices . . . that promise to create individuals who do not need to be governed by others, but will govern themselves' (Rose 1996: 45). Concentrating on such mentalities and devices does not mean that we should neglect the more coercive, binding or obligatory dimensions of liberal governmental programmes and practices, as several writers have demonstrated (e.g. Foucault 1977; Valverde 1996; Stenson 1998; O'Malley 1999; Rose 1999: 233–73; Hindess 2001). The present paper contributes to that task. I want to explore whether and how this approach to government can account for what I shall call authoritarian mentalities and practices of rule within liberal-democratic states. I shall argue that governing liberally does not necessarily entail governing *through* freedom or even governing in a manner that respects individual liberty. It might mean, in ways quite compatible with a liberal rationality of government, overriding the exercise of specific freedoms in order to enforce obligations on members of the population. To illustrate and outline the argument I shall make in this paper, consider the views of well-known American advocate of 'welfare reform', Lawrence Mead:

American political culture gives pride of place to the value of freedom. But a 'free' society is possible only when the conditions for order have substantially been realised. People are not interested in 'freedom' from government if they are victimised by crime, cannot support themselves, or are in any fundamental way insecure. They will want more government rather than less. Nor are they likely to vote or otherwise participate politically unless they are employed or have their personal lives in order. A 'free' political culture is the characteristic, not of a society still close to the state of nature, as some American philosophers have imagined, but of one far removed from it by dense, reliable networks of mutual expectations.

(Mead 1986: 6)

At first glance, Mead might appear to be using a fairly classical, negative

conception of liberty – as Isaiah Berlin (1997[1958]) would have it – far removed from the writers on liberal government cited above. However, by suggesting that a free political culture can exist only where there are ‘dense, reliable networks of mutual expectations’ about the values and conduct of other individuals, Mead invokes a conception of the relation of freedom and government not far from the one inspired by Foucault. Mead calls this pattern of mutual expectations the ‘common obligations of citizenship’ (1986: 12). These obligations are not derived from the properly limited political sphere but from society itself. ‘These *social* obligations may not be governmental, but they are public in that they fall within the collective expectation that structures an orderly society’ (Mead 1986: 12, original emphasis). Thus Mead, like Foucault, recognizes forms of regulation that exist within society but which are central to the achievement of social and political order and security.

Foucault suggests that liberal thought starts not with the state ‘but rather from society which is in a complex relation of exteriority and interiority with respect to the state’ (1997: 75). In this respect Mead’s remains an instance of liberal thought. State programmes of welfare, he argues, should not simply supply benefits as a right to those who are in a condition of dependency upon the state. They must adopt an ‘authoritative policy’ to enforce the common obligations of citizenship, and thus to replicate the conditions of obligation that already exist in society. As twenty years of debates on ‘welfare reform’ and ‘workfare’ in the USA and elsewhere have illustrated (Peck 1998; Schram 1985, 2000; Cruikshank 1999), one example of this obligation is the enforcement of work, no matter how routine and mundane, and irrespective of one’s other responsibilities, e.g. caring for and rearing children.

I want to suggest that Mead’s argument is an example of how liberal rationalities and authoritarian measures are far from incompatible. Governing liberally, or governing in a free ‘political culture’, is quite compatible with the demand for a form of government of the state that places the question of order – whether personal or social – as its primary objective, and the reiteration of authoritative direction as its primary means. It is absolutely clear that rule in liberal constitutional states has routinely entailed authoritarian measures. But it is much less clear what it is about liberal approaches to government that makes this possible.

Previous accounts have argued that what they call ‘despotism’ or the ‘liberal government of unfreedom’ are necessary features either of liberalism’s forms of ethical governance (Valverde 1996) or of its understanding of its commitment to individual liberty (Hindess 2001). The liberal governmental use of authoritarian measures is a necessary component of the liberal attempt to govern free individuals. In a contrasting, yet complementary way, I argue that authoritarian measures follow not simply from the liberal government of free persons, but also from the liberal understanding of the sphere of government itself, and the implications of that understanding. This is to say, that the liberal reliance on authoritarian techniques is a consequence of the understanding of government as a limited sphere that must operate through the forms of regulation that exist

outside itself, i.e. through those forms of regulation which obtain within what has been conventionally called 'civil society'. The term 'civil society' can serve as a convenient shorthand for all that liberal government must take into account that is exterior to the formal governmental domain of the state. It might include spheres of society, national or international economy, population, community, culture, biological existence, personal and psychological existence, or any combination of these. It has recently been said to include the social interconnectedness, civic engagement and civic trust that comprise social capital (Putnam 1995).

I immediately anticipate an objection to this view. Surely, liberal governing through civil society strengthens the liberal attempt to govern through freedom. After all, the paradigmatic processes of civil society, most notably those of the market, are conceived by liberalism, from Adam Smith to F. A. Hayek, as relying on the actions and choices of free individuals pursuing their own interests. Are we not thus led to the conclusion that the liberal problematic of security requires (state) governmental action that either does not interfere with such freedoms or actively shapes, supports or reinforces them? The response I offer here is that this view captures only the facilitative aspect of the liberal conception of government, and does this in a partial way. As I show here, there is a counter-side of the liberal conception of government, which might be called its authoritarian dimension. To understand the entwined facilitative and authoritarian sides of liberal government, we need to examine more closely the claim that liberalism seeks to govern through reform and utilize the existing agencies, mechanisms and regulations of civil society. In the next section, I shall propose and illustrate three practical 'foldings' of the state-civil society double within the liberal government of the state. By these three operations, a liberal approach to government generates specific norms of individual and collective life and hence of forms of freedom that become the means and the objectives of liberal governmental programmes. In such fashion, the liberal government of civil society can specify the kinds of freedom and autonomy that are to become the objectives of governmental policies and practices and which, under certain circumstances, will require the use of instruments of coercive authority and legal sanction.

My general point is that the limited sphere of the political ('the state') and the different conceptions of what is exterior to it ('civil society') interlace to turn the injunction to govern through freedom into a set of binding obligations potentially or actually enforceable by coercive or sovereign instruments. One might say that my objects here are the 'authoritarian foldings' within the liberal conception of a limited government respecting and operating where possible through individual liberty. I argue that these authoritarian foldings are enduring features of liberal approaches to government, readily illustrated by episodes from the genealogies of economy, police, poverty and welfare, and subject to certain transformations today.

To grasp these state-civil society foldings or doublings found within liberal approaches to governing states, I next revisit the 'primal scene' of the birth of liberalism in eighteenth-century Europe as a form of critique of then-extant

forms of government such as 'reason of state' and 'police'. This allows me then to reconsider the authoritarian dimensions of governing liberally. I argue that authoritarian aspects of liberalism can be approached either from a legal and political order that seeks to guarantee individual liberty or from a liberal police through civil society. However, it is only by considering their interconnection that it is possible to understand the liberal government of the state and its authoritarian possibilities. The legal and political figure of the autonomous individual is intelligible only by reference to that aspect of liberal government that relies on a knowledge of the processes, modes of regulation, values and expectations that are located outside the formal political domain. Today what I shall call 'liberal police' is exercised throughout much of the world in some relation to a pervasive governmental rationality and perception of economic necessity, that of globalization.

### **Genealogy of liberalism**

Even sophisticated accounts of liberalism (e.g. Holmes 1995) focus on the normative principles which are thought to be embedded within or attached to the institutions of rule in what are considered liberal-democratic states. Liberalism is thus regarded as a general philosophy of rule that animates governmental institutions and practices in large parts of the world. The key principles of such a philosophy are a commitment to individual liberty and to limited and accountable government. Following from these commitments is the capacity to distinguish between rule in conformity with such principles and rule which does not display such commitment. In so far as it regards authority and hierarchy as more fundamental than, and on occasion as overriding, both individual liberty and limited government, the latter might be regarded as authoritarian.

The approach to liberalism found in the work of Foucault takes a somewhat different tact. Rather than viewing liberalism as an underlying normative philosophy, it examines liberalism as a kind of practice or a manner of doing things (Foucault 1997: 74). Explicit normative philosophy is but one dimension of this, and not necessarily even the most important normative aspect of liberalism. For Foucault, liberalism as practice must be viewed above all as a form of critique that is concerned with the idea that 'one always governs too much'. The activity of the government of the state is not an end in itself, as it is in doctrines of 'reason of state', but something done on behalf of what lies outside the state. It is society, not the state, that helps determine 'why there has to be government, to what extent it can be done without, and in which cases it is needless or harmful for it to intervene' (Foucault 1997: 75). It is in this respect that the market plays a privileged domain in testing the limits of government and the effects of its excesses. Different kinds of liberalism vary as much by what it is they criticize as by their different philosophical principles, economic theories or juridical systems. However, according to Foucauldian genealogy, this critique was first undertaken in relation to the doctrine of 'reason of state' and the associated

theory and practice of police. This critique thus makes intelligible some core and continuing aspects of liberalism, including the way in which it distinguishes itself from non-liberal or authoritarian exercises of rule.

The relation of liberalism to 'reason of state' and German cameralist police science (*Polizeiwissenschaft*) is indeed complex. Gordon (1991) provides a subtle account of the continuities between liberalism and its critical adversaries, among which is the preoccupation with security. To simplify, we could say that liberalism emerges as a critique of a theory and practice of rule that regards 'good police, security and public order' as conditions to be achieved by a *comprehensive* set of regulations based on a *transparent* and *detailed* knowledge of the population to be governed and the activities in which that population is engaged.

On this view, liberal forms of rule provide a critique of the pretensions to omniscience and omni-competence of the agencies of police in order to advance the idea of a limited government that operates through the theoretical and scientific knowledge of immanent social and other processes external to the institutions of formal political authority. By implication, authoritarian rule ignores such processes, and the freedoms on which their security depends, and thereby risks what, in another theoretical context, might be called the 'total administration of life'.<sup>1</sup> The liberal attempt to govern through freedom and concern with over-government thus act as a safeguard against such eventualities.

Even given the acknowledged continuities, this reading overplays the distinction between police and liberal rule. If we use the term police in its most general sense as a concern for the good order of a community (Knemeyer 1980), liberalism proposes what is, in effect, a new form of police. This new form is a no less comprehensive police than the old one. However, it employs techniques and agencies located within civil society rather than merely issuing regulations and thus must rely on a knowledge of economic, social and other processes outside the formal sphere of the state rather than a transparent knowledge of the minutiae of activities, things, humans. The first implication of this is that the different spheres and agencies of civil society, and the knowledge of them, are as much a component of liberal government as parliaments, public bureaucracies, judiciaries and the like. Liberal approaches to government thus cannot be divorced from the various forms of knowledge of civil society, including economics, biomedicine and the sciences of life, the 'psy' disciplines and the social sciences, and the practices and forms of intervention they codify and invest with specific goals. The second perhaps more important implication is that the liberal fear of governing too much is not so much a fear that the population is being governed too much but that the state is doing too much of the governing (Dean and Hindess 1998: 3-7).<sup>2</sup> Just as late-medieval police relied on a variety of governing agencies other than the territorial state, so liberal police will seek to co-operate with, contract out or enter into partnership with the agencies, groups and bodies of civil society.

Liberal police is thus anchored in civil society and attempts to guarantee the security of its processes. But how is this to be achieved? One way is for government to adopt what might be called a facilitating role. This means 'not to impede

the course of things, but to ensure the play of natural and necessary modes of regulation, to make regulations which permit natural regulation to operate: *manipuler, susciter, faciliter, laissez-faire*' (Foucault, quoted in Gordon 1991: 17). Liberal government thus tends to present itself as enabling rather than prescriptive, guiding rather than directive. It 'steers' rather than 'rows' (Osborne and Gaebler 1993).

This steering function of government tells us about the broad rationality of liberalism but it does not tell us very much about the 'search for a liberal technology of government' (Foucault 1997: 76). To put this in prosaic terms, we must find out what happens, and with what means, when one tries to govern liberally. Here, Mead's statements again prove perspicacious. He argues that government can secure democracy only by reproducing the values and expectations found in civil society within its own programmes and interventions. It is only by doing this that what Mead calls 'social policy' – which might be read here as a synonym for liberal police – will contribute to social order as it should. If it acts in a manner contrary to them, as the 'anti-authoritarian, benefit-oriented habits of federal politics' in the US tend to, he argues, it will contribute decisively to a situation in which many citizens 'evidently are less able to take care of themselves and respect the rights of others than in earlier decades' (Mead 1986: 16, 8). Liberal government then must model its own interventions on the forms of regulation, expectations and values that are already in operation in civil society. While Mead himself argues for a statist form of delivery with regular homilies to the necessity of governmental control of workfare programmes (1997: 8), other versions of liberal government would suggest that the state must enter into alliance with the network of agencies of civil society (Putnam 1995; Giddens 1998).

This replicating or modelling of governmental regulation on the regulations that already obtain in civil society takes two forms. The first form is the modelling of state administration on the regulations of the market, best illustrated in the widespread 'neo-liberal' adoption of models of public-sector organization held to be derived from the market, or an image of an ideally functioning market, e.g. the construction of quasi-markets, the introduction of price-competitive tendering, devolved budgeting and funding per unit of throughput, the contracting-out to private companies or community bodies of what were formerly public services, the placing of senior public servants on performance-based contracts, the introduction of performance-management systems into universities and health systems, the corporatization and privatization of public authorities and utilities, and so on. Such techniques may be regarded as fundamental features of the governmental constructivism of various forms of neo-liberalism which differ from earlier liberalism in that they deliberately attempt to construct what are thought to be features of markets where such markets had not previously been in operation.<sup>3</sup>

The second form of this replication is closer to what Mead has in mind. Here it is not the market-like forms of organization that are to be replicated but the patterns of values and expectations and hence the forms of conduct that are held



to obtain in civil society, if civil society were to operate in its natural or ideal state not subject to the arbitrary imprecations of legislation and intervention. While many of these cultural values and forms of conduct can be viewed as being derived from the market, as Hayek argued (1979), there are many others that are derived from other aspects of civil society. Hayek himself suggested (1979: 162–3) that civil society was comprised of the different spontaneous social orders of the market, morals, law and language, each of which teaches us rules of conduct. Mead's notion of the 'common obligations of citizenship' can thus be read as an attempt to loosely codify such rules of conduct (respect for the law and for one another's personal rights, responsibility towards one children) and to make them the basis for governmental interventions. While market constructivism is usually, and perhaps problematically (Polanyi 1957), thought to be restricted to neo-liberal forms of rule, this attempt to model governmental intervention on values or principles that are held to be derived from civil society and its spheres is nothing new. The principal aim of the formation of a centralized system of state administration of poor relief in England was to make sure that the design of relief upheld and enforced the value that able-bodied men and their dependants (children, wives, mothers of their children) should survive through their wage-labour (Dean 1991). In this regard, contemporary 'welfare reform' (Schram 2000; Peck 1998), with its workfare practices for single mothers and the unemployed, and classical poor relief, with its deterrent workhouses for able-bodied men and those construed as their dependants, are different instances of this modelling of liberal government on the values and expectations held to exist, at least ideally, within civil society.

There is another way in which liberalism connects formal state agencies and programmes to civil society. Jacques Donzelot (1979: 53–8; Minson 1985: 180–218) long ago drew attention to the consequences of what he called 'the liberal definition of the state' in nineteenth-century France. On the one hand, the family would no longer be given a directly political role as it was in *L'Ancien Régime* with its infamous *lettres de cachet des familles* by which heads of households were direct agents of police and could enforce non-judicial confinement of their members. On the other, interventions into the family would now occur through philanthropic and other non-state bodies. The problem of 'too much governing' was thus not so much that the population were governed too much but that the state was liable to do too much of the governing. Indeed, the proliferation of non-state philanthropic, health and educational interventions into the liberal family in the nineteenth century suggests that the liberal problem of the state encompasses a sense in which there is *not enough* governing. A liberal police of families, according to Donzelot, will need to act not directly through the operations of the agencies of the administrative territorial state, such as before the Revolution, but through and in conjunction with a plurality of professionals, agencies and sites found within civil society.

This view of liberal police has direct implications for our problem of the authoritarian dimension of liberal governing. If we focus on the legal and political discourse that accompanies liberal constitutional states, we are in danger of

getting only one side of the story, and missing the sense in which liberalism connects governmental interventions of the state with the agencies, regulations, expectations, values and obligations embedded in the processes of society. Given that liberal government derives a particular and no less comprehensive form of regulation from the knowledge of civil society and the operation of its agencies, the distinction between liberalism and authoritarian police begins to look less clear-cut. Liberalism differs from earlier systems of police in that it models its own interventions on the regulations and values it uncovers through a knowledge of civil society and consciously attempts to mobilize the agencies of civil society.

Now I should like to suggest a clearer way of thinking about this liberal police. This liberal police works by three distinct but related operations: an unfolding of the (formally) political sphere into civil society; an enfolding of the regulations of civil society into the political and a refolding of the real or ideal values and conduct of civil society onto the political.<sup>4</sup> The first marks the path of connection to what lies outside the state. This is illustrated today by the linkages, networks, partnerships and 'joining up' of state organizations with the commercial, local and voluntary bodies found in civil society. It is found in the analysis of public administration and governance theorists (Kooiman 1993; Minogue *et al.* 1998) and the prescriptions of advocates of Third Way politics (Giddens 1998) and the augmentation of social capital (Putnam 1995). This is the *unfolding of the formally political sphere upon non-political agencies* – a line of 'explication'.

The second operation follows a line of 'implication' by which the operations of civil society are folded back into the operations of the state – the *enfolding of the processes of civil society into the political sphere*. This is readily illustrated by the market constructivism of neo-liberalism, which we have already addressed. The third is the line by which values, expectations and conducts of civil society, real or ideal, form the means and objectives of governmental programmes. This is the line of 'replication', of modelling, of mirroring what occurs or is supposed or presumed to occur within civil society – a *refolding of the values of civil society into the political sphere*. This is illustrated by Mead's 'authoritative policy', which overrides the inclinations of its subjects, to reinforce and revive the 'dense, reliable networks of mutual expectations' already found within civil society. Here, it may be necessary to enforce what the Australian Federal Government has called the 'mutual obligations' of certain classes of citizens (principally welfare beneficiaries) by increased surveillance, compulsory workfare schemes (in Australia, 'work-for-the-dole') and sanctions for non-compliance (Australian Department of Family and Community Services 2000). This replication of the values of civil society can give rise to arguments for approaches to the reform of public services that breach earlier modes of separation of Church and State, such as George W. Bush's advocacy of 'compassionate conservatism' (Olasky 2000; Kettle 2001). It can also lead to conflict between the values of the agencies of civil society and norms of public accountability, such as in the hiring practices of publicly funded religious voluntary agencies (Tingle and Gotting 1999).

My argument, then, is that fully to comprehend liberalism and its authoritarian dimension we need to attend not only to the effects of a political and legal

order that tries to govern, wherever possible, through freedom, but to the liberal understanding of government itself. In regarding the state as secondary and as derivative of a 'civil society' outside its legitimate scope, liberal government is able to derive the substantive content of freedom and a society based on it, and transform that content into a set of norms enforceable, if necessary, by sovereign means. I want thus briefly to review liberalism as a specific political and legal order that seeks to respect and work through the liberty of the governed before moving onto the civil society side of the liberal police.

### **Liberalism as a legal and political order**

Previous expositions of the authoritarian dimension of liberalism (Valverde 1996; Hindess 2001) have examined the way in which liberal forms of governing necessarily entail forms of categorization of subjects that provide it with subject or dependent populations who simply cannot, or cannot yet, be governed through freedom. They have also shown how at the heart of the juridical and political notions of autonomy lies an ethical despotism prior to any division between those capable of bearing the freedoms and responsibilities of mature subjectivity and those who are not. In so far as they focus on the problem of liberal conceptions of individuality, such approaches largely explain the authoritarian dimension of liberalism in terms of a legal and political order that claims to govern through and protect individual liberty. However, they also invoke concerns arising from the knowledge of civil society. Thus Barry Hindess (2001: 104–6) argues that the classical specification of which subjects may or may not attain liberal norms of autonomy relies on the notion of 'improvement' drawn from an evolutionist understanding of human populations. Mariana Valverde (1996: 362) identifies the notion of 'habit' as resting on a psychological conception of the human subject, and the overcoming of its addictions, inclinations and passions, as forming a key technique of this improvement.

A contemporary illustration of the use of therapeutic discourses and conceptions of improvement concerns those who are viewed as welfare dependent or, at any rate, at high risk of what is referred to as 'welfare dependency'. This term condenses and in a sense confuses moral and psychological characteristics with the simple administrative condition of requiring poor relief (Fraser and Gordon 1994; Schram 1995, 2000; Peck 1998). This risk does not apply to all those who require social welfare benefits. Certain applicants for social welfare, such as the temporarily unemployed who are regarded as 'job ready', require at most some assistance with placing them in a job and providing benefits while they find a job (Dean 1998). For these people, who are regarded as members of the improved population temporarily inconvenienced by the lack of a job, assistance can be provided by relying on their liberty and by only limited resort to authoritarian means. For example, this population might be viewed as already having the capacity to exercise responsible market choices. This is so much the case in contemporary Australian social welfare that the 'jobseeker' can be treated as a

customer making choices in a market of employment assistance services. The attitude towards such populations is similar to the approach to social citizenship found in T. H. Marshall's celebrated paper (1963) in that these individuals are regarded as those who can exercise citizenship given access to the appropriate assistance, whether of benefits or services of one kind or the other. There are clear differences, too, between Marshall's social citizenship and the 'neo-liberal' economic citizen as customer, the most significant being the shift from provision through public services to provision through governmentally contrived markets in such services.

On the other hand, however, there are certain classes of individuals seeking social welfare assistance who are deemed at high risk of welfare dependency because they have not formed the requisite habits of punctuality, motivation and industry, and the techniques of self-presentation that would enable them readily to rejoin the labour market (Dean 1995, 1998; Theodore and Peck 1999). For these populations, an altogether different regime might be indicated. Increased surveillance through the use of mentoring ('case managers', 'advisers', etc.), increased publicity about their obligations in respect of finding a job and the sanctions available to welfare agencies should they fail to meet these obligations, and none too subtle coercive measures such as workfare ('welfare-to-work' or 'work-for-the-dole') programmes are deemed necessary to render the individual autonomous, i.e. as manifesting the sturdy independence and good character of those who prefer paid employment to welfare benefits as a source of their livelihood. A recent expression of such a view is found in the advocates of the 'new paternalism' (Mead 1997). The key to the new paternalist approach is the recognition, then, that coercion might be a condition of acting in the best interests of certain, minority, classes of individuals. In Mead's (1997: 23) succinct expression of this principle, 'those who would be free must first be bound'. As the example of those individuals at risk of welfare dependency demonstrates, the liberal governing through freedom, or in a manner consistent with individual liberty, does not necessarily mean that individuals should be governed as if they were already capable of such autonomy.

The case of those regarded as welfare dependent in contemporary liberal democracies demonstrates how liberal governing through freedom can be effected by using authoritarian methods. The division between those who can be profitably assisted in the exercise of their own freedom and those who must be coerced to fulfil certain obligations in order to accede to a condition generally agreed to be freedom may be a necessary feature of all liberalisms. The use of authoritarian liberal rationalities and techniques of government has also had a long history in colonial governmentality. A key illustration is afforded by the arguments presented by John Stuart Mill, drawn upon by both Valverde and Hindess. In *Considerations on Representative Government*, Mill argues for the necessity of a 'good despot', provided under the benign dominion of a 'more civilised people', for those nations incapable of 'spontaneous improvement' themselves (1974[1861]: 409; Valverde 1996: 361). His comments on the necessity of routine and repetitive labour, including 'personal slavery', as hastening

the transition to freedom (1974[1861]: 174–5; Hindess 2001: 105), offer a clear analogy with the recent advocacy of workfare for the welfare dependent.

We can note that, by extension today, similar arguments can easily be rephrased in the language of development and applied to post-colonial societies. In the words of the managing director of the International Monetary Fund commenting on the 1997 Asian Financial Crisis, countries in the region need to ‘develop the institutional framework and human capital on which well-developed market economy depends’ (Camdessus 1997). The same type of arguments can be used to justify or maintain rule by liberal élites over a majority of the inhabitants of these societies yet to achieve political maturity and the quasi-imperial rule of the dominant groups within post-colonial federations. The character of such rule is often thought paradoxically to exhibit a commitment to non-Western values.

To summarize, one might wish to distinguish between the following (fluid) categories of liberal subjects of government grouped according to their capacities for autonomy:

- those who have attained capacities for autonomy, including the practice of exercising ‘ethical despotism’ upon themselves where necessary – Group A;
- those who need assistance to maintain capacities for autonomy as in the case of the social citizen under Marshall’s version of the welfare state and the ‘job-ready’ of contemporary workfare – Group B;
- those who are potentially capable of exercising liberal autonomy but who are yet to be trained in the habits and capacities to do so – Group C;
- those who, having reached maturity of age, are for one reason or another not yet or no longer able to exercise their own autonomy or act in their own best interests – Group D.

The latter group includes the chronically welfare dependent, those with certain mental and physical illnesses, significant sections of the elderly in liberal democracies, the vast majority of those who are living in the developing countries, as well as those whose capacities for self-government have been undermined by drugs, alcohol, tobacco and other addictive substances. What is indicated for them is a mode of government that acts in the best interests of those who cannot act in their own best interests, even were they to know them. This is the essential content of Mill’s ‘good despot’ and today’s ‘new paternalist’.

There is of course a liberal government of those who disrupt or simply get in the way of the establishment and maintenance of a liberal legal and political order within national states or internationally – Group E. This includes those who are permanently criminally delinquent or dedicated to the destruction of the state. I provide two extended examples. The first are those individuals and populations who stood in the way of the appropriation of land by Europeans and the establishment of a constitutional order in the Americas and Australasia. James Tully’s (1995: 70–9) discussion of John Locke’s constitutional arguments for the land appropriation of the indigenous populations

of North America represents a case in point. For Locke, Europeans can wage war on these populations as reparation for any injury received from them during European settlement without recourse to constituted political authority because they remained in a state of nature. Further, land can be considered vacant (*terra nullius*) and hence available for appropriation where use of the land does not conform to European norms of settled agricultural cultivation and improvement of the soil.

The second are the agents of 'rogue' or 'criminal' states or of 'international terrorist networks' who commit such atrocities either on their own or on other countries' populations that constitute 'crimes against humanity'. Here liberal-democratic states engage in a version of the 'just war' against the agents, regimes and personnel that are held to be responsible for attempted genocide, violent suppression of ethnic minorities, suicide bombings causing mass death and so on. While these states, acting alone or in concert, might seek to limit the 'collateral' effects of such operations upon non-combatant populations, injury and death of civilians as a result of direct military intervention, economic sanctions or the fostering of civil war cannot be entirely eliminated. In this regard, such populations simply unfortunately get in the way of the establishment of an international legal and political order. Such interventions represent a reversal of the principles of the *ius publicum Europaeum*<sup>5</sup> (European international public law) which de-theologized war and provided rules of engagement between sovereign states considered as equals and as 'just enemies' and which held until early in the twentieth century (Ulmen 1996). Today, the ideas of criminal states and regimes and international terrorist networks provide a new moral and quasi-theological basis for virtually unlimited military action and economic sanctions by liberal-democratic states.

Presented as a list of different types of subject, organized according to their potential or actual capacities for autonomy, the analysis of liberalism nevertheless remains at a purely formal and descriptive level. It reproduces the view that the autonomous individual is the rule to which the exclusions form practical exceptions. I now want to suggest that the reverse is in fact the case: that the liberal norm of the autonomous individual is a figure carved out of the substantive forms of life that are known only through these exceptions, e.g. insufficient education, poor character, welfare dependency, statelessness, underdeveloped human capital, absence of spirit of improvement, lack of social capital, etc.<sup>6</sup> Moreover, this construction of the norm through the diagnosis and treatment of its exceptions is possible only on the basis of rationalities of government drawing upon the human sciences and associated practices of normalization (cf. Foucault 1977: 193). To understand how these masses of exceptions are known and governed, and therefore how what the liberal political and legal order takes as its most universal norm is generated, we need now to bracket off the thesis of limited government. This entails moving from the juridical and political order of liberalism to the 'civil society' side of what we earlier characterized as liberal police and to the human sciences that claim true knowledge of it.

## Liberal police

It would be possible to cite examples such as China's One Child Policy and Nazi Germany's racial hygiene to illustrate how the human sciences are imbricated in the operation of forms of authoritarian governmentality (Dean 1999: 141–8). However, it is not necessary to focus on the catastrophic uses of biology, genetic and population knowledge in non-liberal states to discover the generation of norms by human scientific knowledge strong enough to be enforced by sovereign powers. We need instead perhaps look no further than that region of knowledge that is paradigmatic of the processes of civil society, that concerning the market and the disciplines of political economy and economics.

The unobstructed capacity of the majority of national populations to participate within the labour market is a key instrument of liberal police. Obstruction to that participation, conversely, is a disruption of that police and of social order. A paradigmatic example is provided by Adam Smith's detailed discussion in *The Wealth of Nations* (1976[1776]: 152–7) of the law of settlements, by which parishes were responsible only for the relief of labourers who had been born or granted a certificate of settlement in their parish and to remove labourers and their families without such settlement. Surveying its development over two centuries, Smith argues that such a law occasions the greatest disorder of 'any in the police of England' since it obstructs the 'free circulation of labour' and leads to grossly unequal wages in adjacent areas (1976[1776]: 152, 156–7). Smith's account presents the attempts to enforce this law as 'an evident violation of natural liberty and justice', which has the effect of distorting the market in labour. In this extended analysis, Smith thus treats the 'system of natural liberty' of the market as an instrument of police.

For liberals like Smith and Hayek (1979), the effects of ill-conceived laws is not simply the distortion of the market but the distortion of the kinds of conduct associated with the market. In other words, the market is interesting not as a kind of natural entity but as a technique within civil society for the government of the conduct of individuals, institutions and so on. According to this view, in the market we are subject to a system of signals about the prices of goods and labour that result from the decisions of other actors. The market thus regulates the conduct of individuals by making them calculate the costs and benefits of their actions. The market – together with morals, language and law – is among the most developed of what Hayek (1979: 163) called 'spontaneous social orders' by which the evolution of civilization teaches us 'the discipline of freedom'.<sup>7</sup> Governmental or legal obstruction to the operation of the market distorts the way in which individuals learn to conduct themselves. In the market, we are no longer 'self-referential', as Mead would say,<sup>8</sup> i.e. our actions are no longer simply tied to our own values, habits and beliefs. They are bound by the prices of goods and of labour. Rather than view the market as a naturally existing social order, as Hayek does, it can be understood as a way of naming a set of discursive-technical means for the regulation of conduct located within the domain of civil society.

Entering the market makes individuals no longer self-referential in a second and, in some respects, much more basic sense. It places them in authority relations within the workplace. If these relations are entered into, they establish virtues of punctuality, sobriety, regularity, industry, discretion and independence. In some versions, the kind of labour entered into is emphasized. In his earlier *Lectures on Jurisprudence* (1978[1752–4]: 332–3), Smith suggested that those places that have the most security are not necessarily those where the greatest number of police regulations exists.<sup>9</sup> Rather, they are ones in which the ‘common people’ are independent and employed in manufactures rather than as servants and retainers as they are in feudal government or in France. Far from fostering the ‘probity, liberality and amiable qualities’ among the lower classes, such arrangements foster dependency and subservience. Manufacturing labour can be thus recommended to foster good police. By contrast, Mead’s view is closer to Mill’s that any kind of work is better than none at all. For him, the enforcement of work in social policy is necessary in the ‘long struggle to restore the self-reliance assumed in Western politics’ and in ‘restoring some coherence in the lives of the poor’ (quoted in Schram 2000: 36). Work needs to be enforced as the foundation of having one’s personal life in order, which, in turn, is a condition of social and political order.

With Smith, we see an early example of how a knowledge of processes in civil society helps begin to specify a set of norms and language to designate the forms of life and virtues that are desirable among the citizenry. But this knowledge of economic processes does not merely allow a specification of these norms. It is a condition of the emergence of an entire instrumentation and phantasmagoria of power, and it is perhaps here that contemporary advocates of workfare and ‘mutual obligation’ find their predecessors. Alongside and in the interstices of Smith’s felicitous liberal economy, we find Jeremy Bentham’s pauper management scheme, the centralized national administration of poor relief in England and Wales after 1834 and the nineteenth-century workhouse (Dean 1991: 173–92). The principle of ‘less eligibility’, formulated by Bentham, was – in the words of the *1834 Poor Law Report* – to ensure that the situation of the pauper ‘on the whole shall not be made really or apparently so eligible as the situation of the independent labourer of the lowest class’ (Checkland and Checkland 1974: 335). This administrative principle thus draws the line between the sturdy independence and prudential existence of those who subsist through the exchange of their labour and those who enter into a state of dependency upon relief, social assistance or charity for that subsistence. In Bentham’s dream of a centralized administration of pauperism, the fact of falling into the latter category alone makes it possible for paupers to be subject to a regime of confinement, forced labour including child labour, strict disciplinary routines and comprehensive inspection, therapeutic and reproductive experimentation, systems of punishment based on petty infractions and so forth. The obverse of the generation of new norms of what we might call economic citizenship, which are central to the installation of a market regime, is a liberal technology of government that seeks to form and transform the population by routine labour,



supervision, sanction, punishment and deterrence. Both the poor law and workfare are instruments of liberal police, Bentham and Mead versions of its governmental imagination.

We can thus describe the configuration of what might be loosely described as classical liberal rule, instanced in this case by early nineteenth-century Britain, in the terms broached earlier. This instance of liberal government demonstrates an unfolding of the political upon civil society in Smith's market economy and the refolding of the knowledge, values and norms imagined to exist within an unfettered operation of the civil society onto the instruments of government themselves. Thus poor relief is to be organized to reinforce the natural-social state of depending on labour rather than relief for subsistence. Liberal modalities of government work as a double: the government *and* its other(s), which is not to say the forms of their folding cannot become extremely complicated. Broadly, we might say that this 'classical' economic liberalism was transformed along these two folds. First, the initial fold of government upon the market and market actors is complicated by the use of other organizations and agents within civil society, such as philanthropic bodies, doctors and educators, and police and public health reformers, as instruments for the achievement of the various kinds of ends, e.g. the protection of children or the prevention of crime. Second, the refolding of the values and norms of civil society and the knowledge of civil society often produced within it (e.g. by statistical societies) came to set limits to and act as a condition of the operation of the market economy. Along both folds, liberal rule thus acted as a condition of the emergence and expansion of the field of social government that, in conjunction with the emergence of mass representative institutions, gave rise, from the beginning of the twentieth century, to a social politics and to programmes of the welfare state (Dean 1999: 129–30). In this social kind of liberal governing, as in the early liberalism it at least partially displaces, there remains the fundamental division of the government and its other, state and society. In fact, this social liberalism establishes a further condition of acceptability of the role of government itself. The knowledge of civil society, during this entire process, provides both a key mechanism for the specification of the social, as well political and legal, rights of the governed as citizens. It also divides populations in such a way as allows the flourishing of a range of disciplinary, paternalist, tutelary, sovereign and punitive measures for the potentially improvable (Group C), the chronically unimprovable (Group D), the iniquitous, the criminal, their accomplices and their unfortunate neighbours (Group E). The specification of the autonomous subject of liberalism is only possible given a knowledge of populations, personalities and forms of life, within and outside families, normal and pathological, found within civil society.

Rule in contemporary liberal-democracies can also, very broadly, be approached through these three operations. First, it continues the refolding of the norms and values of civil society onto the political, as we see with the new paternalist and workfare measures we have dealt with throughout this paper.

Second, it further complicates the folding of the political onto civil society.

This can be illustrated in the notions of 'joined up' and public-private partnership approaches to government and the effects this has in particular areas, such as community policing and crime control. Third, it adds a new folding, i.e., the enfolding of the processes and modes of regulation of civil society into the limited sphere of government itself. This can be illustrated by contemporary notions of the global economy. I shall illustrate the last two points in the rest of the paper.

Concomitant with the retraction of re-distributive and social justice objectives, issues of crime control, policing and punishment regimes occupy increasing importance within liberal government (O'Malley 1999; Stenson 2000; Stenson and Edwards 2001). In these areas, like so many others, the solution to problems of maintenance or even establishment of order at a local level, takes the form of advocacy of partnership approaches to government in which established police forces work with local communities, businesses, citizens' groups, other statutory authorities and even private security firms. In Britain, for example, local partnerships compete with one another for grant-aid from a central government concerned with targeting those communities most in need of regeneration. Among the effects of such partnerships and funding arrangements are the displacement of crime to other areas, erosion of trust between different groups, and so on, as Stenson and Edwards have shown (2001). However, the major concern here is that the advocacy of such partnership as a part of progressive politics does not necessarily, and perhaps only rarely, lead to the implementation of gentler approaches to youth crime on housing estates and street prostitution such as community outreach and educative and therapeutic interventions. Instead, these coalitions often favour 'punitive sovereignty' approaches that seek to cleanse neighbourhoods of criminalized street gangs, pimps and prostitutes or which use 'target hardening' approaches that increase security against things like burglary. It is within such a context that zero-tolerance policing techniques, promoted through media-driven political communities, can appear as solutions to local community problems. A second effect of these approaches, also germane to our concerns here, is that, while police forces themselves are subject to mechanisms of review and accountability and subject to legislative regulation, many of these other partners (e.g. private security firms) are not.

Another example of the dual character of governing through a knowledge of economy and civil society is the contemporary understanding of globalization and the global economy and its impacts. I cite this as a key illustration of the enfolding of the processes of civil society, now projected onto a global scale, into the mechanisms of government themselves. In the contemporary social sciences we find a massive literature on this topic (e.g. Held and McGrew 2000). Yet, comparatively little work has sought to understand globalization as a framework of national governmental policy rather than a determinate social structural process involving the greater interconnection of parts of a global capitalist economy. If, however, we bracket off the truth claim entailed in the later conception, it is possible to view globalization as an 'interpretive grid' or 'conceptual apparatus'

(Larner 1998: 601) that shapes ways of thinking about, problematizing and reforming the institutions and populations of nation states.

Viewed from this perspective, the notion of 'the economy' as a self-regulating system and part of a system of national economies engaging in mutually advantageous international trade has been largely displaced in recent years by the less benign governmental imaginary of a global economic system that distributes countries and regions into winners and losers in a new 'zero-sum' competitive game (Hirst and Thompson 1999: 6). The task of national government, according to this view, is no longer to engage in the prudential management of a self-regulating national economy so as to fund benefits to the national population out of the increment of economic growth – benefits such as social welfare, education, national defence, etc. Rather, given the zero-sum game between parts of the global economy, the promotion of economic efficiency and competitiveness becomes the paramount goal in what amounts to a new liberal problematic of security (Hindess 1998). All other activities of government, such as those of the welfare state, higher education or migration, must be assessed first in terms of the availability of resources, and second as to whether they contribute to or inhibit economic efficiency (Hindess 1998: 223). Thus the main objective of domestic policies is to reform those kinds of individual and institutional conduct that are considered likely to affect economic performance compared to that of the members of other national and even regional populations. A corollary of this view is that this is often best achieved by contriving and constructing market systems of allocation in domains where they had not previously been in operation.

This governmental perception of economic globalization provides the rationale for a range of remarkably similar remedies to be prescribed for the ills of the institutions and the populations in established liberal democracies and for those outside them in 'developing' countries. While these policies are commonly embraced by the national governments of liberal democracies and their international associations, they are also promoted among countries in Asia, Latin America and the former Soviet bloc by the World Bank, the IMF and other agencies.

In liberal democracies, this perception of economic globalization among élites might be employed to undermine the bargaining position of unions by removing protections and rights under industrial relations legislation. Moreover, it can be used to problematize further the legitimacy of welfare state measures and to seek their reform in ways which stress the morally transformative character of social provision, as in workfare programmes and notion of 'welfare reform'. In other words, it seeks to establish labour market conditions much more like those that obtain outside these liberal democracies.<sup>10</sup>

Inside and outside established liberal democracies, 'globalization' dictates 'keeping one's house in order', 'avoiding and correcting macroeconomic imbalances' and 'cost effective use of public resources' (Camdessus 1997). The latter, as we know, entails reforming public sectors so that they operate more as economic organizations with the construction of units as cost-centres and the

application of user-pays principles, downplaying their regulatory functions and subjecting their services to corporatization and privatization. 'Globalization' even entails the responsibility of governing élites towards the flows of capital investment:

Thus, the lesson to be drawn from recent developments is not about the risks of globalization, but rather about the importance of approaching markets in a responsible manner – with sound macroeconomic fundamentals that give markets confidence and do not invite reckless market behavior; with respect for the signals that markets provide; and with transparent and market-friendly policies that allow markets to allocate resources efficiently.

(Camdessus 1997)

Globalization may entail, then, a problematization of the governing élites of developing countries, outlawing 'crony capitalism' and supporting liberal-minded leaders who can govern their not fully improved populations in not entirely liberal ways.

Just as classical economic liberalism gave rise to both Smith's benign vision of the 'free circulation of labour' and Bentham's 'pauper panopticons', so contemporary discussion of global economic transformation represents something of a paradox. Considered as a rationality of the government of the (national) state, the discourse of economic globalization can simultaneously hold 'there is little (or, at least, less) we can do to exercise national sovereignty' and 'it is imperative to engage in comprehensive reforms of the public sector, welfare, higher education, finance and labour market controls, etc.'. Under explicit authorization of a discourse that claims a significant diminution of the sovereign powers of states, we have a view that national governments must do or become all sorts of things and that it is necessary to resort to more direct and even coercive measures upon certain sectors of their own and other populations. Viewed as rationality of the government of the state, there is no contradiction between a contemporary conception of borderless economic liberalization and the emergence of a kind of authoritarian liberalism that invokes Carl Schmitt's (1998[1932]) authoritarian liberal formula of 'strong state and sound economy'. This formula can be linked to political programmes that render the return to juridical and administrative compulsion in various languages: the moral claims of community, the obligation of individual citizens, social inclusion and social order, and so on. 'New paternalist' conservatives (Mead 1997), 'third-way' social democrats (Giddens 1998; Latham 1998; on whom, Lund 1999) and communitarians (Etzioni 1995), all concur on the need for governmental mechanisms to enforce obligation on the part of the poor, welfare recipients, single parents, non-custodial parents, homeless youth, recovering addicts, etc. In practice, this means governing substantial minorities (social welfare recipients, illegal immigrants, delinquent parents) in a way that emphasizes increased surveillance, detailed administration and sanction. In certain South-East Asian countries, such as Malaysia under Dr Mahatir, this formula has been allied to the positive commitment to traditional social values that regard the majority of the

population as culturally unprepared to govern themselves in a liberal democratic fashion. There is thus at a minimum some kind of convergence in the processes of economic and political reform undertaken by certain liberal democracies and at least some post-colonial states.

The rationality of globalization clearly indicates the way in which a knowledge of the economic sphere considered to be at least formally outside the institutions of political authority can authorize a comprehensive government and reform of personal and social life and institutional patterns of organization. Liberal government of the global economy can act to install as comprehensive a police as anything imagined by the German police scientists in the eighteenth century and to advance as 'total' a specification of appropriate forms of life as that of state socialism and fascism in the twentieth. The liberal distinction between a police state prone to an authoritarian encroachment of civil society and limited liberal government governing through free individuals thus once again proves unstable. In earlier police, a comprehensive government of life was based on a thorough knowledge of individuals and populations and manifested as the attempted complete regulation of those behaviours that promoted or impeded human happiness and the strength of the state. In contemporary liberal government, the comprehensive government of life is based on the knowledge of the processes of a global economy, and additionally the processes discovered by other human sciences such as psychology, demography and biology, which we have not touched upon here. In place of a detailed specification of behaviours, we find the claim to be governing through the freedom of individuals and groups. But this freedom is based on the norm of an autonomous subject that is specified in a detailed fashion not through the contents of specific police regulations but through the exceptions, pathologies and dependencies that are discovered, diagnosed and remedied by the human sciences in conjunction with governmental practices and the sovereign powers of states. Where both eighteenth-century police states and twentieth-century totalitarian regimes undertake a comprehensive reformation of social life by asserting versions of the autonomy of reasons of state, contemporary liberal government seeks to accomplish a similar task in asserting the diminution of state sovereignty in the face of forces within a global civil society beyond its control. The paradox is that the discourse on the diminution of sovereignty calls forth the use of often directly coercive measures enforced by the very same sovereign powers in the treatment of certain populations.

## Conclusion

In this paper, I have sought to show how the opposition between liberal and authoritarian governmentality is highly unstable. It is unstable because the liberal project of governing through freedom entails divisions between and within both populations and individual subjects, in such a way as to require authoritarian or despotic government in a wide variety of instances. This is a

feature of liberal government that has long been noted from a variety of intellectual stances, including post-colonial and feminist, as well as governmentality, literatures. What has remained less obvious is how the liberal conception of government as arising from knowledges of civil society feeds the authoritarian dimension of liberal government. The substantive content of the self-governing individual and its others that is at the heart of liberal divisions of populations can only be understood by examining this, second, dimension of a comprehensive liberal police. This can be exemplified in relation to classical economic liberalism, the long recent history of 'welfare reform' or colonial government, or contemporary discussions of global economic and political transformations.

My argument, then, can be re-stated in this way: the liberal government of the state encompasses both the constitutionally defined legal-political order of limited government and a liberal police established by a knowledge of spheres, processes and agencies outside this domain, e.g. civil society, economy, population, etc. In order to understand the authoritarian potential of liberal government we need to comprehend both aspects of the liberal order. For the abstract and universal freedoms protected by legal powers are given normative content by the specialist knowledges that frame the forms of life found within formally non-political domains of civil society, as well as the pathologies, dependencies and exceptions to these forms of life.

I want to suggest further that, as well as the ordinary despotism and authoritarianism we find in liberalism, e.g. that which is applied to those who have not, or perhaps cannot, achieve extant versions of liberal notions of self-government, there are certain contemporary formulas of the liberal government of the state that might be best described as 'authoritarian liberalism' with its dual principles of strong state and free or sound economy. Today, such formulas are not merely hybrid assemblages of liberalism and conservatism but necessary effects of contemporary liberal understandings of global economic changes. The 'dirty secret' of many contemporary liberal governmental discourses of globalization, moral obligation, the new paternalism, social inclusion – and many of those political discourses that seek to mobilize them across the political spectrum – is that a story of the diminution or end of national state sovereignty is aligned with the deployment of sovereign and coercive powers over the lives of a substantial majority of the world's inhabitants.

Of course, I already hear the clamorous voices demanding serious qualification to my argument. It will be said, I imagine, that I have neglected political structure, agency and choice, and the role of the allegiances and prejudices of the middle mass of electorates that cramps the style of the most progressive of politicians. It will be said, I should imagine, that political struggles modify and direct the tendencies and potentialities I have identified in this paper at every level. My response would be that this is quite right, that the framework developed here needs to be put to work in the concrete analysis of policy implementation and resistances to global liberal police and its forces of security, such as those we have seen in recent years from the 'Battle for Seattle' in 1999 to Genoa in 2001. We do need, as I have argued before (Dean 1999),

to articulate the political with the governmental. But we should not do so with a pauperized view of liberal government. Governing in the name of freedom is a plural, pragmatic and heterogenous task. It concerns how to use the full range of governmental and sovereign technologies, from persuasion, encouragement, seduction, enticement, obligation, petty humiliation, shame, discipline, training and propaganda through to violence – in its different forms – and the symbolics and threat of violence, in a manner which can be reconciled with the claim, always understood nominalistically, to govern liberally, to govern in a free political culture, to govern in the name of freedom, to respect individual liberty or to govern through freedom. But we should not imagine that the open spaces and agencies of contestation in liberal democracies are there by virtue of the liberal conception of government itself or that this conception of government in itself represents a safeguard against the ‘demonic’ excess of forms of rule from the various sovereignties and their modes of delegation to contemporary economic and biopolitical forms of power. It is not by adopting a version of the liberal conception of government, but by calling into question its self-understanding and self-evidence, that our analyses contribute to freeing up the spaces of contestation.

## Notes

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1 I am thinking of the work of the Frankfurt School.

2 As we said there of liberalism: ‘It is a way of thinking . . . which focuses especially on the place of the state in the overall government of society, and on the relation of law and more general forms of state regulation to other means of governing the conduct of the population’ (Dean and Hindess 1998: 7).

3 For a fuller explication of the governmental constructivism of neo-liberalism, see Dean (1999: 153–65).

4 The language of the fold is suggested by Gilles Deleuze’s (1988) reading of Foucault. I have attempted to use this language on several occasions to discuss aspects of the operation of power relations in liberal societies (Dean 1994, 1995, 1996, 1999). Words such as ‘explication’, ‘implication’ and ‘replication’, used below, have their etymological root in the Latin, *plico*, meaning fold.

5 ‘[T]hat post-medieval international law which sought to repress the “just cause” of war, grounded in ecclesiastical laws, and replace it with the “just enemy”, grounded in inter-state laws, to end the indiscriminate wars of the Middle Ages’ (Ulmen 1996: 103).

6 Compare: ‘The exclusions of the Enlightenment are therefore not practice-based contingent exceptions to a higher universal rule, but rather the expressions of the rule tying citizenship to certain moral “habits”’ (Valverde 1996: 363).

- 7 For a full discussion of Hayek's notion of freedom as artefact, see Dean (1999: 155–9).
- 8 In a public lecture and seminar in the Department of Sociology, Macquarie University, July 2000.
- 9 Barry Hindess drew my attention to Smith's lectures in this regard. See his discussion (Hindess 2001: 99–100).
- 10 The IMF (2001) has recently urged Australia to continue its industrial relations and welfare reforms.

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