



ARTICLE

**Philosophy From the texture of Everyday Life:
The Critical-Analytic Methods of Foucault and
J. L. Austin**

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ABSTRACT. In a 1978 lecture in Tokyo, Foucault drew a comparison between his own philosophical methodology and that of ‘Anglo-Saxon analytic philosophy’, claiming the label ‘analytic philosophy of politics’ for his own approach. This may seem like a somewhat surprising comparison given the gulf between contemporary analytic and continental philosophy, but I argue that it is a very productive one which indeed might help us reconsider this gulf. I proceed through a comparison between Foucault and the speech act theory of J. L. Austin, one of the analytic philosophers Foucault had in mind in his Tokyo lecture. By focusing on the methodological commonalities between Foucault and Austin, this article identifies the core of a philosophical methodology that cuts across the analytic/continental divide in philosophy in general while constituting a powerful alternative to the methods applied by analytic *political* philosophers specifically. This approach, which I term ‘analytic critique’, is one that starts from a critical analysis of what happens in ordinary lived experience and theorises ‘bottom-up’ in an avowedly politically engaged way – thereby challenging the conceptual and political aloofness of contemporary political philosophy in the liberal-Rawlsian tradition. Foucault’s appropriation of the label ‘analytic philosophy’, it is argued, ought to function as a call to more imaginative methodological-theoretical engagement across the traditional division between continental and analytic approaches.

Keywords: Michel Foucault, J. L. Austin, philosophical methodology, analytic philosophy, genealogy, ordinary language philosophy

INTRODUCTION

The ideas which I would like to discuss here represent neither a theory nor a methodology.

Michel Foucault, 'The Subject and Power', 1983

It is a mystery to me that what a philosopher says about his methods is so commonly taken at face value.

Stanley Cavell, *Must We Mean What We Say?*, 2002

Philosophers in the analytic tradition are largely seen to be hostile to the work of Michel Foucault.¹ Analytic *political* philosophy in particular, with its often 'abstract, politically unengaged, and ahistoric character',² seems diametrically opposed to Foucault's politically engaged genealogies of particular practices. It may surprise, then, that Foucault in a 1978 lecture in Tokyo claims the label '*philosophie analytique de la politique*' for his own approach.³ The word 'analytic' in a general sense has frequently been attached to the French philosopher – Dreyfus and Rabinow term his methodology 'interpretive analytics'⁴ – but the Tokyo lecture draws a specific analogy to the 'Anglo-Saxon analytic philosophy of language'.⁵ The suggestion that Foucault's philosophy could be read as analytic *in this sense* is intriguing – not least coming from the author himself. Nevertheless, the central claims of this lecture, translated into English only as recently as 2018, have not yet been subjected to any sustained analysis. While there have been some scattered analyses of the similarities between analytic philosophers of language and Foucault's own philosophy of language,⁶ there has, to my knowledge, been no serious treatment of intriguing suggestion that he took analytic philosophy of language as a model for his *political* philosophy, i.e.,

¹ Carlos G. Prado, *Starting with Foucault: An Introduction to Genealogy* (2018), 5-8. For an extreme example of such hostility, see Nicholas Shackel, "The Vacuity of Postmodernist Methodology," *Metaphilosophy* 36:3 (2005).

² Jonathan Wolff, "Analytic Political Philosophy," in *The Oxford Handbook of the History of Analytic Philosophy*, ed. Michael Beaney (2013), 817.

³ I will be referring to Giovanni Mascaretti's English translation throughout this article. Michel Foucault, "The Analytic Philosophy of Politics," *Foucault Studies* 24 (2018), 188-200; Giovanni Mascaretti, "Introduction: The Analytic Philosophy of Politics," *Foucault Studies* 24 (2018), 185-187. The lecture was first published in Japanese in *Asahi Jaanaru*, June 2, 1978, 28-35 and later in French in volume 3 of *Dits et Écrits*. Michel Foucault, "La Philosophie Analytique de La Politique," in *Dits et Écrits III, 1976-1979*, ed. Daniel Defert and François Ewald (1994), 534-551.

⁴ Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, 2nd ed. (1983), 104-25.

⁵ Foucault, "Analytic Philosophy of Politics," 192.

⁶ Arnold I. Davidson, "Structures and Strategies of Discourse: Remarks Towards a History of Foucault's Philosophy of Language," in *Foucault and His Interlocutors*, ed. Arnold I. Davidson (1997); Daniele Lorenzini, "Performative, Passionate, and Parrhesiastic Utterance: On Cavell, Foucault, and Truth as an Ethical Force," *Critical Inquiry*, 41:2 (2015), 254-268; Tuomo Tiisala, "Power and Freedom in the Space of Reasons" (2016), 77-81. PhD diss.

his genealogical investigations of power.⁷ It is the task of this article to take a first look at this question: What does it mean to read – what do we get out of reading – Foucault's work as 'analytic philosophy of politics'?

I approach this question mainly through a comparison between Foucault and one of the analytic philosophers he no doubt had in mind when lecturing in Tokyo: J. L. Austin, the originator of speech act theory. Needless to say, Austin and Foucault are very different thinkers in many ways, yet I will focus almost exclusively on their similarities. As such, the task of this article is figuratively to colour in the middle part of a Venn diagram; this is a limited task, and I am by no means claiming that the picture I paint is an exhaustive characterization of either author. Yet, the aim is not merely a descriptive one of pointing out overlaps. Foucault's simile between his analysis of power and analytic philosophy is productive, I will claim, because it calls into question the primacy of the continental/analytic distinction and might thereby inspire more imaginative engagement across these two traditions. By focusing on the methodological commonalities between Foucault and Austin, I believe we can identify the core of a philosophical approach that cuts across the analytic/continental divide in philosophy in general while constituting a powerful alternative to the methods applied by analytic *political* philosophers specifically. This approach, which I will term 'analytic critique', is one that starts from a critical analysis of what happens in ordinary lived experience and theorises 'bottom-up' in an avowedly politically engaged way – thereby challenging the conceptual and political aloofness of contemporary political philosophy in the Rawlsian tradition.

After briefly clarifying what I mean, and what I take Foucault to mean, by 'analytic', I begin by considering some of the similarities Foucault highlights in the Tokyo lecture: the rejection of aprioristic theorising in favour of fine-grained analysis of 'the texture of everyday life'. Following that, in section 3, I go a bit further than Foucault did himself in exploring deeper similarities – but also differences – in how he and Austin approach the relationship between structure and agency. This discussion reveals a common methodological core between the two philosophical approaches, which I term 'analytic critique', and in section 4 I argue it constitutes an attractive alternative to the methods currently popular among some political philosophers in the analytic tradition. In the conclusion, I further hint at some possible applications of this methodology to theories of deliberative democracy and to critique of capitalism.

⁷ Mark Kelly briefly discusses 'The Analytic Philosophy of Politics' in the introduction to his book *For Foucault Against Normative Political Theory*, where he interprets Foucault's claim to apply 'analytic' methods as a claim to 'thoroughgoing methodological non-normativity'. My analysis differs from Kelly's in that I trace more substantial similarities between Foucault and analytic philosophy of language than merely a claim to non-normativity. While I do not discuss the issue of normativity in this article, I am sceptical of Kelly's very restrictive definition of normativity – as I show below, the 'non-normative' methods of Anglo-American analytic philosophers have also been applied, especially by feminist philosophers, in ways that merit the label 'normative'. Mark G. E. Kelly, *For Foucault: Against Normative Political Theory* (2018), 3-5.

ON 'ANALYTIC'

Analytic political philosophy is today more or less synonymous with a Rawls-inspired approach which mainly uses the methods of moral philosophy to elucidate the normative principles applicable to the realm of political justice.⁸ This is certainly not what Foucault had in mind when talking about an 'analytic philosophy of politics' (I will return later to the contrasts between Foucault's version of an 'analytic' method and Rawls'). If Foucault was aware of this Rawlsian style of political philosophy – *A Theory of Justice* was published 7 years before the Tokyo lecture – he did not seem to associate it with the label 'analytic political philosophy'. Indeed, I will argue that one of the interesting things about Foucault's lecture is that it reminds us that the tradition of analytic philosophy is much broader than contemporary analytic *political* philosophy, and that the current fixation within the latter with the methods of moral philosophy conceals some interesting resources in the broader analytic tradition which might be useful to political theory. In fact, I will be arguing towards the end of this article that Foucault's analytic approach provides a powerful alternative to the current mainstream of liberal analytic political philosophy.

Analytic philosophy is notoriously hard to define, and I shall not attempt to do so here. Glock, in a book-length attempt at answering the question 'What is analytic philosophy?', ends up defining it partly as a tradition, partly through family resemblance.⁹ Foucault did not, in the Tokyo lecture, claim that he had all along been applying some definable 'analytic' method; rather, he was pointing precisely to such a family resemblance between his work and certain analytic philosophers of language.

Which analytic philosophers were on Foucault's mind? He refers to 'Anglo-Saxon analytic philosophy' in the abstract, but the specification that these philosophers concern themselves with 'critical analysis of thought on the basis of the way one says things' makes it clear that he means the school of so-called ordinary language philosophers associated with Wittgenstein, Gilbert Ryle and J. L. Austin.¹⁰ As mentioned, it is the last of these three that will be my focus here. Yet, one might think that Foucault's references to the notion of games in analytic philosophy¹¹ actually suggests Wittgenstein as an important point of reference. It is likely too that he was thinking of John Searle, the arch-analytic philosopher and student of Austin's whom Foucault had met on his first visit to UC Berkeley in 1975 and later corresponded with frequently. The choice of Austin as the comparand in this article is somewhat arbitrary (though Foucault was clearly familiar with Austin's work having referred to it as early as 1969 in *The Archaeology of Knowledge*). I choose Austin simply because I find the comparison fruitful—Searle's propensity for

⁸ See Katrina Forrester, *In the Shadow of Justice: Postwar Liberalism and the Remaking of Political Philosophy* (2019).

⁹ Hans-Johann Glock, *What Is Analytic Philosophy* (2008).

¹⁰ Foucault, "Analytic Philosophy of Politics," 192.

¹¹ *Ibid.*, 193.

systematic theory-building and attachment to certain notions of truth and intentionality, for instance, would render the family resemblance between Foucault and the analytics much harder to detect.

Foucault does not repeat, let alone elaborate on, the idea of an analytic philosophy of politics anywhere else in his plentiful writings and published interviews. We can find a few scattered remarks in various writings and interviews about his appreciation of the ‘analytic’ methods of ‘Wittgenstein, Austin, Strawson, [and] Searle’, but these are usually in the context of Foucault’s philosophy of language and analysis of discourse—for example, at a 1973 roundtable discussion in Rio de Janeiro where he refers to ‘a species of analysis of discourse as strategy a bit like it is done by the Anglo-Saxons’.¹² Other authors have also elaborated on the relationship between Anglo-American analytic philosophy and Foucault’s philosophy of language, discourse, and rhetoric.¹³ To my knowledge, there is as of yet no sustained analysis of what it could mean to treat Foucault’s analysis of power as an analytic philosophy of politics.

Suggestively, Foucault frequently availed himself of terms like ‘analysis’, ‘analytic tools’, etc., and it is common to see his approach referred to as an ‘analytics of power’.¹⁴ Kelly points out that the term ‘analysis’ would have had psychoanalytic connotations at the time Foucault wrote,¹⁵ but clearly he was aware of the Anglo-American ‘analytic’ philosophy, and as early as *The Archaeology of Knowledge* Foucault matter-of-factly applies it to speech act theory, referring to Austin as the ‘English analyst’.¹⁶ It is tempting, therefore, to read the Tokyo lecture back into Foucault’s previous work as if this was what he meant with ‘analytic’ all along—not least because the Tokyo lecture is, in the translator’s words, ‘one of Foucault’s clearest accounts of his own approach to the analysis of power’.¹⁷ I believe that this would be a mistake, however. We have reasons to be cautious about attributing too much authority to these brief remarks, not only because Foucault never revisited the analogy in his subsequent work but also because the Tokyo lecture seems to have been prepared on rather short notice after his visits to Japanese prisons convinced him to scrap an originally planned interview on the penal system.¹⁸

It is important, therefore, to emphasise that I am not trying to give a novel account of Foucault’s general methodology on the basis of his remarks in Tokyo. I approach that lecture as no more than a pithy, perhaps rather spontaneous, set of remarks on some

¹² Michel Foucault, *A Verdade e as Formas Jurídicas* (2002), 139. Translation mine. See also Davidson, “Structures and Strategies of Discourse,”

¹³ “Structures and Strategies of Discourse,”; Lorenzini, “Performative, Passionate, and Parrhesiastic Utterance,”; Tiisala, “Power and Freedom in the Space of Reasons,” 77-81.

¹⁴ E.g.: Dreyfus and Rabinow, *Michel Foucault*, 104ff.

¹⁵ Mark G. E. Kelly, *The Political Philosophy of Michel Foucault* (2009), 34–35.

¹⁶ Michel Foucault, *The Archaeology of Knowledge* (1972), 82.

¹⁷ Mascaretti, “Introduction,” 185.

¹⁸ Foucault, “Analytic Philosophy of Politics,” 188.

affinities Foucault detected between his thought and that of the analytic philosophers of language. Nor am I concerned with a full analysis of the Tokyo lecture—I am focussing specifically on the part of the lecture where Foucault explicitly discusses what an ‘analytic philosophy of politics’ means to him. Inspired by these remarks, I undertake a broader comparison between the work of Foucault and Austin, going beyond the content of the Tokyo lecture. My aim is, in one way, very modest: I am merely pointing to some similarities between Foucault and the philosophy of Austin *et al.*, which might make us see both approaches in a changed light. On the other hand, my aim is more ambitious: I am not limited to clarifying Foucault’s own claims about his methodology but rather let the analogy live its own life to see whatever we might get out of imagining a Foucauldian analytic philosophy of politics.

FOUCAULT AND AUSTIN: A COMPARISON

The first, and perhaps the most striking, similarity between Foucault and Austin is the way they both reacted against abstract and dichotomous models which constituted the theoretical orthodoxies in their respective fields at the time. It is well known, of course, that much of the former’s work was concerned with countering the simplistic images of power as something possessed by the sovereign (or the dominant class), of power as merely a repressive force, and the concomitant preoccupation with dichotomous questions of power’s being ‘good or bad, legitimate or illegitimate’.¹⁹ Analogously, Austin’s *How to Do Things with Words* is something of an underplayed diatribe against the sole concern of philosophers of language with the representative-descriptive functions of language leading to an all-encompassing preoccupation with truth or falsity, or the ‘true-false fetish’, which Austin decries.²⁰ We may say that both proceed from an initial decapitation: if Foucault wants to ‘cut off the King’s head’ in the study of power,²¹ Austin decapitates truth itself in linguistic analysis.

It is in finding an alternative to these ‘massive qualifications-disqualifications’ of legitimate/illegitimate or true/false that Foucault draws the main parallel between his approach and analytic philosophers. In the work of the latter, these abstractions are challenged through reflection ‘on the everyday use of speech’, ‘a critical analysis of thought on the basis of the way one says things’.²² Austin’s magnum opus starts by reflecting on highly mundane uses of language, such as ‘I name this ship the *Queen Elizabeth*’ or ‘I bet you sixpence it will rain tomorrow’²³—are these sentences in any sense ‘true’ or ‘false’? In

¹⁹ Foucault, “Analytic Philosophy of Politics,” 192.

²⁰ J. L. Austin, *How to Do Things with Words* (1962), 150.

²¹ Michel Foucault, *The History of Sexuality, Volume 1: An Introduction* (1978), 89.

²² Foucault, “Analytic Philosophy of Politics,” 192.

²³ Austin, *How to Do Things with Words*, 5.

the same manner, Foucault suggests a political philosophy that starts from reflection on 'the texture of everyday life', having 'as its task the analysis of what ordinarily happens in power relations, a philosophy that would seek to show what these relations of power are about, what their forms, stakes, and objectives are'.²⁴ Instead of starting from the 'grand games' of power of the state or the ruling class, the Foucauldian approach is to investigate what he calls the 'limited, lowly games of power' around madness, illness, prisons etc.²⁵ – elsewhere he speaks of an '*ascending* analysis of power, starting, that is, from its infinitesimal mechanisms'.²⁶ As Toril Moi puts it speaking of ordinary language philosophy, Foucault as well as Austin help 'us to think seriously about the particular case, about the ordinary, the common, and the low'.²⁷

The 'analytic' approach which Foucault and Austin have in common is one that eschews aprioristic theorising in favour of detailed, and in some sense modest, analysis with a strong empirical bent. Empirical content figures differently in the two philosophers' work, however. There is quite a stark difference, in fact, between Foucault's use of detailed historical analysis and Austin's reliance on imaginary vignettes. That the latter nevertheless is empirically oriented is revealed in how his made-up examples differ from the thought experiments common among moral and political philosophers. Whereas, say, moral philosophers' reflection on the trolley problem is meant to yield transcendental moral principles, Austin uses hypothetical examples only to understand empirical and contingent reality. Take an example: under what circumstances, he asks, does uttering 'I do' constitute an act of marrying? Certainly not if 'said when you are in the prohibited degrees of relationship, or before a ship's captain not at sea'.²⁸ These are not universal facts about language but empirical facts about the particular conventions of one's society; the general insight – *that* speech acts are partly constituted by social conventions – is yielded only via reflection on social reality.

Despite the attention to detailed description, neither of the two authors under consideration limit their approach to 'thick description', and there are striking similarities in their modes of theorising beyond the particular in a bottom-up manner. 'Since a theory assumes a prior objectification, it cannot be asserted as a basis for analytical work. But this analytical work cannot proceed without an ongoing conceptualization. And this conceptualization implies critical thought – a constant checking'.²⁹ For Foucault, theoretical abstractions are necessary but always provisional. Thus, it is inappropriate to begin from,

²⁴ Foucault, "Analytic Philosophy of Politics," 193, 192.

²⁵ *Ibid.*, 193.

²⁶ Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977* (1980), 99.

²⁷ Toril Moi, "Thinking Through Examples: What Ordinary Language Philosophy Can Do for Feminist Theory," *New Literary History* 46:2 (2015), 193.

²⁸ Austin, *How to Do Things with Words*, 34.

²⁹ Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics*, Hubert L. Dreyfus and Paul Rabinow, 2nd ed. (1983), 209.

say, a global theory of class domination and then *deduce* from it an explanation for the confinement of the mad – Foucault claims that this would be ‘too facile’ and that one could have always, and as easily, justified a contrary deduction.³⁰ Yet, this does not imply the abandonment of abstract concepts like ‘class’; it merely means analysis cannot be *based* on already-objectified concepts but must proceed through the provisional application of an ‘analytic grid’ which is constantly checked against how well it accounts for reality. Dreyfus and Rabinow speak of ‘Foucault’s pragmatic concern that concepts be used as tools to aid in analysis, not as ends in themselves’.³¹ A very similar analytic method is discernible in Austin’s work. Once we reject the prior objectification of language as truth-conditional and feel ‘the firm ground of prejudice slide away beneath our feet’,³² the way to theorise is indeed through ‘ongoing conceptualization’ and ‘constant checking’. Like Foucault, Austin recognises the need for positing abstract concepts while continually emphasising their provisional nature. He proposes any number of theoretical concepts and schematizations throughout his lectures on speech acts but is continually at pains to stress that he does ‘not wish to claim any sort of finality for this scheme’; ‘Everything said [...] is provisional, and subject to revision’.³³

If there is a common meaning of the adjective ‘analytic’ that applies equally to the authors of *How to Do Things with Words* and *Discipline and Punish*, it is the rejection of *a priori* theoretical objectification in favour of fine-grained analysis of particular examples to which the conceptual framework is constantly adjusted. This captures, I believe, what Foucault had in mind when he claimed to share a method of ‘critical analysis’ with Anglo-Saxon analytic philosophers: ‘critical’ not in the sense that the latter offer a *critique* of language but critical in the sense of constant *critical reflection* on the adequacy of the conceptual framework.

GAMES, RULES, AND STRATEGIES

The previous section constitutes a sketch, if not of a coherent methodology, then at least of a methodological *style* which Austin and Foucault share. This section will dig somewhat deeper into the methodological foundations of these two thinkers’ work to reveal further affinities – going beyond the similarities Foucault himself highlighted and perhaps even what he was aware of. In doing so, I will also pinpoint what makes Foucault’s approach transcend what I dubbed ‘critical analysis’ above to become ‘analytic critique’.³⁴

³⁰ Michel Foucault, *Society Must Be Defended: Lectures at the College de France, 1975-76* (2004), 31.

³¹ Dreyfus and Rabinow, *Beyond Structuralism and Hermeneutics*, 120.

³² Austin, *How to Do Things with Words*, 13.

³³ *Ibid.*, 14, 4.

³⁴ Note that in reconstructing Foucault’s analysis of power here, I am drawing on work published both before and after the Tokyo lecture—it should thus not be seen as an elaboration of what exactly he meant in the

While Austin never made this move – and was rather disinterested in social critique – his methodological framework is very amenable to it, and other analytic philosophers of language have picked up where he stopped short. It is instructive, for these purposes, to take up the notion of games which figures prominently in the Tokyo lecture. Alluding to the Wittgensteinian notion of language games, Foucault says: ‘Relations of power too are played; they are games of power that we should study in terms of tactics and strategy, rule and accident, stakes and objective’.³⁵ The notion of games, as will be shown below, provides a useful metaphor for understanding the similar ways in which Foucault and Austin relate structural factors to the particular cases and actions they study.

While Austin did not use Wittgenstein’s notion of language games, he was deeply indebted to the latter’s idea that to understand language is to understand what can be *done* with language, and speech act theory is readily redescribed as the study of possible moves within language games. Austin coins the term ‘illocutionary force’ precisely to explain how ‘mere’ speech can have the force to change the social world – what Bourdieu terms ‘social magic’³⁶: under the right circumstances, saying ‘I name this ship...’ or ‘I promise you...’ means I have named a ship or made an obligation to keep a promise. Yet, this illocutionary force is not strictly speaking inherent in the linguistic utterance itself – this is obvious from the fact that it relies on the uptake of others to be effectual. In fact, describing an illocutionary act is always describing ‘the *conventions* of illocutionary force *as bearing on* the special circumstances of the occasion of the issuing of the utterance’.³⁷ The study of speech acts, then, is not (merely) the study of a formal linguistic system as in structuralism. Nor is it the study of individual speaking subjects and their intentions or cognition as in Gricean and neo-Gricean pragmatics. Any given instantiation of speech can only be understood, in illocutionary terms, by understanding it as an instantiation, within a determinate context, of conventions, which can only be grasped by understanding their role within a way of life.³⁸ Austin is particularly interested in outlining the conditions for the successful performance of such speech acts (and how they can go wrong), i.e., with describing the ‘rules’ of the language game or, if you will, the conditions of possibility for the performance of illocutionary acts. That is, the nominalistic concept of illocutionary force captures how these rules come to fruition in a ‘move’ within the game.

1978 lecture but rather as a reconstruction of a certain approach to political philosophy which could be termed ‘analytic’ in the sense he suggested in Tokyo.

³⁵ Foucault, “Analytic Philosophy of Politics,” 193.

³⁶ Pierre Bourdieu, *Language and Symbolic Power* (1991), 111.

³⁷ Austin, *How to Do Things with Words*, 114, *emphasis* added. Thus, Bourdieu misses the mark when he accuses Austin of ‘trying to understand the power of linguistic manifestations linguistically’, neglecting that ‘authority comes to language from outside’. Austin is quite clear that speech acts can only be understood with reference to what is ‘outside’ of language – that an order, for instance, requires that the one doing the ordering *already* has the authority to do so. Bourdieu, *Language and Symbolic Power*, 109; Austin, *How to Do Things with Words*, 29.

³⁸ *Ibid.*, 147.

Foucault's early 'archaeological' work, such as *The Order of Things*, is similarly concerned with conditions of possibility. His analyses of *epistemes*, the 'rules of formation' governing what counts as knowledge in a given era, can be seen, in this way, as analogous to Austin's study of the rules governing speech acts.³⁹ Yet, as he began explicitly thematising power in his work, his concern became less the rules of the game and more what he termed strategies. Now, it would be a mistake to understand 'strategy' here as conscious, strategic planning on behalf of any subject: power is intentional but non-subjective.⁴⁰ With the risk of oversimplifying, we may say that power has 'strategic' objectives,⁴¹ but while the functioning of power supervenes on individual actions, the individual subject cannot control the strategic significance of their actions in the overall game: 'People know what they do; they frequently know why they do what they do; but what they don't know is what what they do does'.⁴² The prison guard knows what they do and why (they guard the prisoner because that is their job)—what they do not know is the significance of their actions in the 'production of delinquency'. Thus, the individual act can be understood, in terms of power, only by understanding its strategic significance in the overall game. Foucault's notion of power displays surprising similarity with Austin's illocutionary force in that both are nominalistic concepts capturing the way in which structural properties are brought to bear on individual acts. The metaphor of games, rules and strategies is useful here because it supplies a way of conceiving of structures as shaping and constraining actions without determining them (this approach also distinguishes Foucault from structuralism and functionalism, as well as subjectivist humanism, but such considerations are beyond the scope of discussion here).

Foucault, however, is not only interested in the conditions of possibility of strategic actions within the game of power but, crucially, with the *effects* of power, and this is what makes his approach critical in the sense of critique. Power, as he defines it in the 1982 essay 'The Subject and Power', is a mode of 'action upon an action, on existing actions or on those which may arise in the present or the future'.⁴³ That is, every action, while constrained by its position within the structures of power, also itself reshapes or reinforces the structure of possible actions available to others. It is this focus on how power

³⁹ Granted, there are enormous difference in scope, style, epistemology, etc., between Foucault's study of the rules governing knowledge and Austin's rather more modest elucidation of the conventions governing mundane speech acts. Nevertheless, a common methodological denominator can be identified in the orientation towards the rules of formation of thought and speech. Foucault briefly discusses the speech act approach in the light of his archaeological project in *The Archaeology of Knowledge*. Foucault, *Archaeology of Knowledge*, 82–87.

⁴⁰ Foucault, *History of Sexuality, Vol 1*, 94.

⁴¹ For a fuller discussion of the complex question of intentionality in Foucault's theorization of power, see Kelly, *Political Philosophy of Michel Foucault*, 47–50, 69–72. Power's intentionality, as Kelly points out, should be understood as an emergent property.

⁴² Foucault cited in Dreyfus & Rabinow, *Beyond Structuralism and Hermeneutics*, 187.

⁴³ Foucault, "The Subject and Power," 220.

constrains the possibilities for action that allows Foucault to say that philosophy should 'analyse and *criticize* relations of power' but without 'global, definitive, absolute, unilateral pejorative or laudatory qualification'.⁴⁴ The detailed analytic critique of power is about *disclosing* the possible actions that power *forecloses*. As Koopman puts it in his analysis of Foucault's methodology as 'problematizing genealogy', the point is 'to critically show the way in which certain practices, beliefs, and conceptions have become problematic in the history of thought due to the contingent intersection of a complex set of enabling and disabling conditions'.⁴⁵ This is an essentially descriptive endeavour, but it is also a critical and normative project of what Frankfurt School theorists call 'disclosing critique', because through the disclosure of new ways of seeing social reality, 'our view of social reality is so changed by the radically new description that our value beliefs cannot remain unaffected either'.⁴⁶

Austin does not make this move but remains on the level of synchronic analysis of structures of possible speech acts, neglecting the diachronic and strategic aspects of how language games change and how speech acts act upon other speech acts. It is not hard to see, though, that his framework lends itself also to such a perspective. Indeed, other analytic philosophers, prime among them analytic feminists, have extended speech act theory in precisely this way. Rae Langton's application of speech act theory to questions around pornography and rape is a prime example. In a much discussed paper, she argues that pornography, which she conceives of as speech, in its depiction of women, alters the possible speech acts available to women in a way that effectively silences them; by perpetuating images of women as always wanting sex, pornography alters accepted conventions such that their speech acts of refusal often do not gain uptake.⁴⁷ Applied in this way, we may attach the label 'analytic critique' to Austinian speech act theory too: the critical analysis of everyday speech is here precisely applied in order to disclose the way some speech acts operate to constrain others.

POLITICAL PHILOSOPHY AND ANALYTIC CRITIQUE

From the initial comparison between Foucault and analytic philosophy of language, I have tried to give the rudiments of a methodology that captures the commonality between the two. This approach of analytic critique starts from a critical analysis of the texture of everyday life, of experiences of institutionalization, epistemic or communicative practices, etc., to theorise and criticise the conditions of possibility of these experiences and the

⁴⁴ Foucault, "Analytic Philosophy of Politics," 193, *emphasis added*.

⁴⁵ Colin Koopman, *Genealogy as Critique: Foucault and the Problems of Modernity* (2013), 95.

⁴⁶ Axel Honneth, "The Possibility of a Disclosing Critique of Society: The Dialectic of Enlightenment in Light of Current Debates in Social Criticism," *Constellations* 7:1 (2000), 123.

⁴⁷ Rae Langton, "Speech Acts and Unspeakable Acts," *Philosophy & Public Affairs* 22:4 (1993), 293-330.

therein identifiable strategies of power. While Austin never goes beyond ‘critical analysis’ to ‘analytic critique’, his approach lends itself naturally to this method, as shown in Langton’s work. What remains is the question of how analytic critique might relate to contemporary political philosophy.

To highlight Foucault’s family resemblance with analytic philosophers of language is not to deny or diminish the gap between the French philosopher and what usually passes as ‘analytic *political* philosophy’. *Contra* Paul Patton,⁴⁸ I see a fundamental incommensurability between Foucault and contemporary normative political theory inspired by Rawls and Nozick, and I am not implying that reading the French philosopher as ‘analytic’ makes this difference any less jarring. Indeed, Foucault is clear that his ‘analytic’ approach arises from dissatisfaction with orthodox political theory, including the liberal contract tradition. He is highly sceptical of such grand ‘philosophies of freedom’ which, in outlining the legitimacy and limits of authority, have historically ended up ‘authoriz[ing] excessive forms of power’.⁴⁹ If philosophy is still to play a role as a ‘counter-power’, it needs to drop the pretension to legislate about the limits of power and instead concern itself with the critical analysis of power relations. ‘Legislative’ political philosophy, which tells the governors how they may legitimately exercise power, is to be replaced with analysis-critique (‘it is not up to us to tell you the sauce with which we want to be eaten’⁵⁰). It is not hard to see that this approach is opposed to contemporary liberal political philosophy in the Rawlsian vein, which precisely outlines the conditions for legitimate coercion.

Here, it is worth briefly dwelling on what makes the critical-analytical approach I am proposing here different from the Rawlsian methodology of ‘reflective equilibrium’. Rawls proposes reflective equilibrium as a method for arriving at the most acceptable theory of justice—given that our intuitive judgments about justice at different levels of generality often conflict, we ought to check our general beliefs about justice against our judgments in particular cases and against alternative conceptions of justice.⁵¹ This involves going back-and-forth between general beliefs about justice and considered judgments about specific cases, which at first sight may remind us of the method I outlined above of ‘constant checking’. In practice, however, the Rawlsian method stops far short of the Foucauldian-Austinian approach. It does not start from a critical analysis of how politics really works but from the assumption that politics ought to be governed by a normative theory of justice and that our best access to this theory is through our moral intuitions.

⁴⁸ Paul Patton, “Government, Rights and Legitimacy: Foucault and Liberal Political Normativity,” *European Journal of Political Theory* 15:2 (2016), 223-239; Paul Patton, “Foucault’s ‘critique’ of Neoliberalism: Rawls and the Genealogy of Public Reason,” *New Formations* 80-81 (2013), 39-51.

⁴⁹ Foucault, “Analytic Philosophy of Politics,” 191-192.

⁵⁰ *Ibid.*, 193-194.

⁵¹ John Rawls, *Justice as Fairness: A Restatement* (2001), 29-32.

Compare how Austin's work differs from the kind of philosophy of language that 'fetishises' the true/false-distinction. The methods of the latter, not unlike Rawlsian political philosophy, involve devising theories about language and then checking them against various examples, such as 'The King of France is bald'. If the theory yields an anomalous result for any given possible sentence, the theory might need to be revised. However, Austin's point is that starting from the assumption that any given sentence must fit into our theories of truth and meaning prevents us from understanding how language really works. This requires jettisoning the entire framework of previous theories of meaning and starting instead from a careful analysis of what we really *do* when we speak. Similarly, the analytic philosophy of politics that Foucault proposes wants to rid itself of the assumption that the task of political philosophy is to determine the extent of just coercion. Take the example of Foucault's analysis of prisons. Relying on intuitive judgments about which forms of punishment are just or excessive is precisely anathema to Foucault's method; his approach is to show through detailed analysis how power functions through carceral institutions (and through the discourses which make them appear 'rational', 'humane', and 'just').⁵²

What is productive about the comparison between Foucault and analytic philosophers of language is how it shows that the chasm between Foucault and Rawls, Nozick *et al.* is not necessarily the chasm between 'continental' and 'analytic' philosophy. Indeed, what the foregoing discussion has shown is that Foucault shares much with certain analytic philosophers outside of *political* philosophy (in a narrow sense). Rae Langton's work has been mentioned as one example that could be labelled analytic critique, but there are many others, especially within analytic feminist philosophy, who take similar approaches. The work of these authors, though, is rarely considered 'political philosophy' but categorised as 'feminist philosophy', 'philosophy of language', or 'social epistemology'.

To strengthen the point, consider, as an illustration, Miranda Fricker's work on epistemic injustice as another approach within analytic philosophy that conforms to the notion of analytic critique.⁵³ Despite speaking in the register of justice/injustice, Fricker's analysis does not start from a global theory of justice but rather from the everyday experiences of those who find themselves marginalised in the production of knowledge. Her

⁵² One might of course argue that a proper application of reflective equilibrium involves also testing our judgments against genealogical critique of our own beliefs as well as meta-theoretical beliefs about how theorising ought to take place—and thus that reflective equilibrium could, in principle, lead us to adopt precisely the method I have outlined in this paper. Notwithstanding the fact that this is *not* how Rawls and Rawlsians have applied the method in practice, there is certainly some plausibility in this claim—however, Peter Singer is probably correct in claiming that 'making the model of "reflective equilibrium" as all-embracing as this may make it salvageable, but only at the cost of making it close to vacuous'. Peter Singer, "Ethics and Intuitions," *The Journal of Ethics* 9 (2005), 331–352.

⁵³ Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (2007).

discussion of hermeneutical injustice is especially instructive: she begins from the experience of those who struggle to make sense of or communicate their own negative social experiences due to a lack of shared conceptual resources. Her main example is the experience of women who were victims of sexual harassment before feminist activists made 'sexual harassment' a widely known concept.⁵⁴ She then theorises the conditions of possibility for these experiences as a situation of hermeneutical injustice; 'the unequal relations of power prevented women from participating on equal terms with men in those practices by which collective social meanings are generated'.⁵⁵

The argument is not that Fricker's methodology is *entirely* compatible with a Foucauldian approach. Indeed, Crary accuses Fricker of a certain 'methodological conservatism' because she 'operates in the logical realm determined by a neutral conception of reason'.⁵⁶ This is apparent in how Fricker conceives of hermeneutical marginalization as a way in which power *distorts* the formation of knowledge, which would otherwise have proceeded freely and neutrally; power therefore being *external* to knowledge in a way Foucault would clearly deny.⁵⁷ But these substantial differences aside, there is an identifiable common core between the work of Fricker (and other analytic feminists) and Foucault's analytic critique.⁵⁸

My point, then, is not to entirely efface, or even 'transcend', the continental/analytic divide. Rather, I have shown that there are other *possible* ways of drawing the boundaries between different philosophical methods, and for those of us who are interested in challenging the abstract, ahistorical and politically aloof nature of much contemporary political theory, 'analytic' as well as 'continental' philosophers can provide attractive alternative methodological tools.

CONCLUDING THOUGHTS

Foucault, when lecturing in Tokyo, claimed to find in analytic philosophy of language a 'certain model' for his own philosophical approach to power, one that seeks to 'analyse, clarify, and make visible, and thus intensify the struggles that develop around power'.⁵⁹ Above, I have tried to expand on what exactly Foucault has in common with Austin and other analytic philosophers, and what a critical-analytic approach to political philosophy,

⁵⁴ Fricker, *Epistemic Injustice*, 149-151.

⁵⁵ *Ibid.*, 152.

⁵⁶ Alice Crary, "The Methodological Is Political: What's the Matter with 'Analytic Feminism'?", *Radical Philosophy* 2:2 (2018), 52.

⁵⁷ Foucault, *History of Sexuality, Vol 1*, 98.

⁵⁸ This also suggests that a more thorough engagement with Foucault's analytic of power could be one way in which the 'methodological conservatism' might be productively overcome. I say 'more thorough' because Fricker actually does engage with Foucault on power in *Epistemic Injustice* but arguably only in a relatively superficial way. Fricker, *Epistemic Injustice*, 9-17.

⁵⁹ Foucault, "Analytic Philosophy of Politics," 192.

that finds its model in Foucault as much as in Austin, has to offer. In the detailed analysis of 'the texture of everyday life' that both authors share, I would argue we find a powerful alternative to much contemporary political theory. Yet, I have not so far explicitly defended this methodology (beyond rehearsing some of Foucault's own misgivings about the dominant traditions of political thought). An extensive argument for this approach must be the topic of another article – nevertheless, and by way of a conclusion, I want to briefly suggest two lines of defence against the following two arguments: (1) many political philosophers might insist that the analysis of everyday life is perhaps the concern of social philosophy but certainly not political philosophy, which is properly concerned with the domain of the political in Rawls' restricted sense; (2) critical theorists, on the other hand, might worry that the concern with 'lowly games of power' is depoliticising, inasmuch as it distracts from an overarching critique of capitalism and class domination.

To answer the first concern, let me simply suggest one way in which an analytic-critical approach could be highly relevant to precisely the domains theorised by political philosophers. One prominent field within contemporary political philosophy is that of deliberative democratic theory, where, in the tradition of Habermas, deliberation is usually theorised as an idealised procedure. What an analysis in the style of Foucault, Austin, Langton and Fricker could contribute here is a critique of actually existing deliberation: How does power function through everyday practices of deliberation, through the various speech acts that constitute the practice and through the shared hermeneutical resources that constitute its condition of possibility?

To address the second concern, let us begin by noting that Foucault does not see philosophy as a free-standing activity but explicitly politically committed and allied to the resistances and struggles of social movements. In Foucault's eyes, contemporary social movements in the 1970s were struggling against specific practices of power within prisons, psychiatry, medicine etc., and 'relatively indifferent to the political regimes and economic systems'.⁶⁰ Today, however, it is hard to deny that, in Nancy Fraser's words, 'capitalism is back' in both academic criticism and social struggles.⁶¹ Is the micro-analytic perspective not misguided, then? Not entirely, I would suggest. What fuels the current revival of *Kapitalismuskritik* is, in good part, the growing encroachment of neoliberal capitalism on ever-more areas of everyday life. And given this, one might say, it is a crucial task of politically engaged theory to analyse the content of ordinary life in order to show how power – and capital – works through it. Foucault's prescient work on neoliberal governmentality and the 'enterprise society'⁶² provides very useful ways of linking micro-

⁶⁰ Foucault, "Analytic Philosophy of Politics," 195.

⁶¹ Nancy Fraser, "Behind Marx's Hidden Abode: For an Expanded Conception of Capitalism," *New Left Review* 86 (2014), 55.

⁶² Michel Foucault, *The Birth of Biopolitics: Lectures at the College de France, 1978-79* (2008).

and macro-critique.⁶³ In the Tokyo lecture itself, Foucault makes this move when he goes on to discuss the concept of ‘pastoral power’ underpinning ‘capitalist and industrial societies as well as the modern forms of the state accompanying and supporting them’.⁶⁴ Thus, Foucault’s analytic of how power operates in everyday life does not shy away from making connections to the macro-level problematics of state and government – it is just that we cannot simply *deduce* the concrete and ‘lowly’ mechanisms of power from a prior theory of capital. Understanding the ways in which disparate technologies of power become functional for the reproduction of capitalist societies requires detailed analysis. Regardless of Foucault’s own views, we need not see this approach of critique of the ordinary as opposed to an overarching project of critique of political economy; it simply calls for a more nuanced analysis of the micro-macro interlinkage. ‘[W]hat one is trying to discover in Marx’, Foucault once said, ‘is neither the determinist ascription of causality nor the logic of a Hegelian type, but a logical analysis of reality’.⁶⁵

These two very brief sketches, it is my hope, illustrate that the project of analytic critique is a promising methodology; one that could draw on both continental and analytic resources in providing a counterweight to political philosophy’s tendency towards disengagement from social reality. The paragraphs here have also provided two possible research programmes where these methods might be fruitfully applied. More than anything, however, the productive power in Foucault’s appropriation of the analytic label might lie in the potential to shake up the conceptual framework we usually employ to categorise different strands of political and social philosophy. Hopefully, then, this article may be a small contribution to more imaginative methodological-theoretical engagement across the traditional division between continental and analytic philosophy.

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⁶³ Thomas Lemke, “Foucault, Governmentality, and Critique,” *Rethinking Marxism* 14:3 (2002), 49-64.

⁶⁴ Foucault, “Analytic Philosophy of Politics,” 192.

⁶⁵ Quoted in Davidson, “Structures and Strategies of Discourse,” 10.

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