Politics and the Philosophy of Life: Toward a normative framework

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Abstract
This paper argues that a philosophy of life can provide a new conception of the good which can provide a useful framework for the resolution of political and ethical disputes. Building off Nietzsche, Spinoza, Bergson, Foucault and Deleuze, it outlines what is central to life philosophy and how these thinkers can be represented as providing a new basis for normative political philosophy which avoids both mechanistic atomism and teleological organicism. It goes on to explain how such an approach was developed by economists such as J.A. Hobson in the welfare state liberal tradition in the early twentieth century and how life philosophy can be utilised to support a revised welfare liberalism today, re-establishing a revised post-Keynesianism as the basis of a global institutionalism for the twenty-first century.

Introduction

This paper argues that a philosophy of life can provide a new conception of the good which can provide a useful framework for the resolution of political and ethical disputes. Building off Spinoza, Hume, Nietzsche, Bergson, Foucault and Deleuze, it outlines what is central to life philosophy and how these thinkers can be represented as providing a new basis for normative political philosophy which avoids both mechanistic atomism and teleological organicism. It goes on to explain how such an approach was developed by philosophers such as Friedrich Nietzsche and how life philosophy can function to steer evaluations which are genuinely cross-cultural, thus avoiding both moral and epistemological relativism in relation to the assessment of other cultures.

The history of Lebensphilosophie

Herbert Schnädelbach (1984) has identified three forms of life philosophy. The first form is what he refers to as metaphysical life philosophy which posits a conception of life as an
objective noumenal substance beyond (or underneath) the domains of human perception and consciousness. Schnädelbach gives the example of Henri Bergson’s *élan vital* to illustrate. For Bergson *élan vital* refers to an inanimate ahistorical principle or substance beyond the realm of the human experience which could ultimately only be verified through ‘intuition’ or direct apprehension. In this conception life represents a permanent universal substrate which lies behind and explains human and non-human experience. It relies upon a fundamental dualism between the conceptual experience and the supposition of something beyond the realm of experience which is ahistorical. Life philosophy in this sense is something which functions as a permanent animating principle or basic metaphysical force.

Snädelbach’s second form refers to life philosophy as a philosophy of history. This form of life philosophy is represented by historians such as Oswald Spengler who theorizes the rise and fall of historical cultures as forms of growth and decay, where historical cultures are treated as parallel to organisms, and where history involves a process of struggle equivalent to the struggle depicted by Darwin between species and life forms within history. Societies in this model are depicted metaphorically as life forms like species, or vegetation, which unfold, decay, burst forth, and develop. As Alastair Morgan (2007: 9) notes, such a perspective “collapses any distinction between culture and nature in a fateful identification of the processes of life with those of a politics that emphasizes growth, vigour and the healthy. The move from such a philosophy to the concepts of race and Social Darwinism intrinsic to National Socialist ideology is obvious.”

Snädelbach’s third form of life philosophy is ethical life philosophy which he identifies with Friedrich Nietzsche. This form distinguishes between what is living and what does not live and identifies a normativity immanent in life itself. What enhances and sustains life in this
sense grounds a conception of value and becomes the basis for establishing all value. As Morgan (2007: 9) puts it, it “becomes the grounding for all values and norms.” It is primarily this conception that is the subject of focus in this chapter. Although my focus will be derived from a wide variety of thinkers, including Spinoza, Hume, Heidegger, Bataille, Deleuze, and Foucault, it is Nietzsche who is the central inspiration. For Nietzsche, as reason and ideology coalesce, the only basis for sound evaluations is related to that which supports or does not support life. This is why he recognizes authentic existence as that which seeks to sustain and enhance; concerned, as Ansell-Pearson (1994: 18) says, with “abundant health and strength.” It is why Nietzsche writes in Beyond Good and Evil (1966: Sect. 4): “The falseness of a judgement is to us not necessarily an objection to the judgement….The question is to what extent it is life-advancing, life-preserving, species preserving, perhaps even species breeding; and our fundamental tendency is to assert that the falsest judgements… are the most indispensable to us…” If things are valued for the sake of life, Nietzsche defines life as “a multiplicity of forces connected by a common mode of nutrition” (1968: Sect. 641) in which “the different contenders grow unequally” (Sect. 642). As Lester Hunt (1991: 126) puts it, “Life is a hierachically integrated system the members of which have a common means of support. Perfection is the state in which this integration is fully achieved (volkommen). To ‘enhance life,’ then, is to increase the extent to which this state has been achieved.”

Bataille also identifies the theme of a concern with life as pervading Nietzsche’s thought, most prominently expressed in his concept of the Overman and Nietzsche’s concern with the future, as expressed forcefully in Thus Spoke Zarathustra, Beyond Good and Evil, and notes and commentaries that eventually constituted The Will to Power. For Bataille, Nietzsche’s philosophy represents a concern with life that represents a specifically non-moral yearning once God is Dead, a goal that stretches out before one, as Bataille (2004: xviii) puts it
“independently of moral goals or of serving God,” and yet paradoxically itself becomes articulated as a moral obligation, imposing an object that “surpasses all others in value” (xvii) and translating “as a demand for definite acts” (xvii). This concern with life’s continuance in Nietzsche is not substantive or developmental, as in Hegel, but expresses a relationship to the environment manifesting both a historicity and consequent contingency in terms of how that relationship is traversed. It is the concern with life’s continuance that Zarathustra teaches. It is the bridge that Zarathustra seeks to cross, the new dawn, midday, noontide, and beyond.

The quest for life’s continuance need not be seen as coming from an essential cause in human nature. Nietzsche rejects the idea of conatus as an instinct for self-preservation. It is not through an instinct or drive to self-preservation that survival primarily ensues. As we have seen above, there must be something ‘more’ than self-preservation. For Nietzsche, too, life and survival are responsive to the effect of will (as opposed to an instinct). This is also evident in his criticisms of Darwinian evolution theory, which he saw as deficient in this key respect. As Elizabeth Grosz (2004) says, Nietzsche dissented from Darwin’s view of natural selection, asserting a thesis of survival plus excess as the aim of development. This was the idea of a higher order than that to which Darwin subscribed. Centrally where Nietzsche differed from Darwin, says Grosz, is that:

Nietzsche wants to bring forth from Darwin’s own heritage an activity that Darwin did not recognize adequately: the active force of seizing hold of a thing, of matter. Life is not a reaction to matter or nature, but a seizing of matter and a rendering it for one’s own purposes to come. Life is not simply a subjective interpretation imposed on matter that leaves matter absolutely intact and untouched; interpretation is itself the activity of making matter over, overcoming its form by one’s own
forces, the wills to power that compete to make life more than itself. Nietzsche understands clearly that evolution is overcoming, and that evolution is thus a process that, if it occurs at all, occurs equally for ideas, customs, and social practices as much as it does for organs, morphologies, and instincts (107).

Nietzsche thus differs from Darwin in that life is not simply about survival, but about excess or abundance. Darwin is too preoccupied, for Nietzsche, with the struggle for existence, and the mere avoidance of death.

**Life: zoe and bios**

If Nietzsche serves as a general inspiration in creating a normative philosophy of life, what other writers are important, and what elements should we include. We can start by saying that life constitutes itself as both *strategy* and *telos*. It is orientated to the future, or as I will say more often, life seeks to *continue*. To represent it in terms of *continuance* is to represent it in terms of *survival* and *well-being*. Continuance is thus intended only as a short-hand descriptor to represent these dimensions of *life*. It is *life* that is the important concept, but life must be understood as a force which seeks to continue on the basis of a will. For Agamben (1999: 239) “‘life’ is not a medical and scientific notion but a philosophical, political, and theological concept.” For Foucault (1998: 476), following Georges Canguilhem, “life…is that which is capable of error.”³ It is this fact, he continues, that “life has led to a living being that is never completely in the right place, that is destined to ‘err’ and to be ‘wrong.’” Indeed, “if one grants that the concept [of error] is the reply that life itself has given to that chance process, one must agree that error is the root of what produces human thought and its history” (476).
As Georges Bataille (1985: 171) notes, “men act in order to be.” Such action is central to the idea of life. At the strategic level, it requires continuance and maintenance of being; but more, it involves a striving for well-being. Rather than view such a striving naturalistically, it should be represented as the effect of a will. I would maintain that the quest for being is always the quest for well-being. Life is regarded as inherently normative in this sense that it strives for continuance and the maintenance of well-being. It represents what the Greeks called zoē, which refers to simple living, what referred to for Aristotle “mere living” (see Aristotle’s Politics: 1278b), as opposed to bios, which pertained to the historical or cultural form of living of a group or polis, and was represented as the good life. Yet, Aristotle thought that some normative principle possibly resided in zoē. As he says in the Politics:

And therefore, men, even when they do not require one another’s help, desire to live together all the same, and are in fact brought together by their common interests in proportion as they severally attain to any measure of well-being. This is certainly the chief end, both of individuals and of states. And also for the sake of mere life (in which there is possibly some noble element) mankind meet together and maintain the political community, so long as the evils of existence do not greatly overbalance the good (1905: 1278b)

Despite his view that some noble element comprises bare life, Aristotle is usually interpreted as presupposing a distinction between natural (or animal existence) and social and political life. For Foucault, on the other hand, the political is seen as simply extending out of, or sitting on top of, bare life, as necessary to it. Thus, in the last chapter of the History of Sexuality, Volume One, Foucault states: “For millennia, man remained what he was for
Aristotle: a living animal with an additional capacity for political existence; modern man is an animal whose politics places his existence as a living being into question” (1978: 143)

Foucault’s central thesis is a temporal one. Shifts in form occur at particular times in history. At a certain level of complexity, both coordination and justice become indispensable. Aristotle was wrong to discern distinct ontic states of zoē and bios: zoē exists within bios, but is distinct from it. Life is always political, for politics expresses nothing but the relations between life that mediate the one and the many.

Although Foucault sees a continuity between bare life and political life, it is Agamben’s (1998) so-called ‘correction’ or ‘completion’ in Homo Sacer to reinsert the non-identity between bare life and political life in terms of which political life fails continually to be able to reconcile the relationship with bare life itself. Although one nestles within the other, politics must repeatedly seek a synthesis of relations between men’s bare existence and the good of all; to the extent it fails, the result is violence or death.

Although Foucault never utilized the concept of life in a normative sense, there is a possible way forward on this basis. Mere life does not just ‘possibly’ contain a ‘noble element’, but always contains at least some sort of normative element, in that life must, if it is to remain as life, seek its own continuance and well-being. This at least is a possible extension, and one that possibly makes sense of Nietzsche’s Zarathustra. A similar claim could be extended to Georges Canguilhem, for whom the norm of medicine maintained its existence because of the normativity in life itself. In his book, On The Normal and the Pathological, Canguilhem (1978: 73) argues that “it is life itself and not medical judgment which makes the biological normal a concept of value and not a concept of statistical reality.” Such a program to achieve
well-being requires *definite acts*. It can thus (I will argue) function as a support for a moral and political theory. The shift from *zōē* to *bios* is in this view simply a function of complexity. Such ‘mere living’ is thus not primarily natural, but is always a *form of living*, and hence, exists within *bios*. If mere life is always a historical form of life and contains its own normative principle for continuance and well-being, the distinction between *zōē* and *bios* is one of scale, or complexity. This incorporates that the distinction can usefully mediate between the individual and collective, or between the social and the political. Hence, the sense that Plato has Socrates say, in the *Crito* (section 48b), that “the really important thing is not to live but to live well” doesn’t conflict with such a view and doesn’t necessarily imply a dualism of nature/culture. This will give rise to various theses. Politics entails a relation between *zōē* and *bios* that must be managed. It need not require that we posit a theory of nature. In an overcrowded global world, the achievement of continuance and well-being *for any*—I will argue—will necessitate complex collective political and institutional structures *for all*. In Heidegger’s sense (1993: 326), an “enframing” [*Ge-stell*] will be required that “entrap[s] nature,” and reduces the world to a “calculable coherence of forces.”

Within Foucault’s writings on life, as Peter Fitzpatrick (2005: 57) points out, there is a certain “vitalist excess,” in that Foucault, as we will see further below, does not foreclose the possibilities of resolving the problems of war and catastrophe or arbitrary violence in the way Agamben does, in the way he privileges sovereignty, following Schmitt (1985), based on the ability to define the state of exception as an invariant historical form. Haart and Negri (2000) reject the dominance of life by an all-powerful conception of sovereignty in Agamben in support of Foucault’s more historically open and optimistic thesis. Foucault believes it possible to find “a way of living in complete mobility and not of immobilizing life” (1980b: 60). Through his notions such as ‘resistance’, life is able to contain and democratize
sovereignty. In such a view, Foucault asserts the theoretical openness of his historicism and his similarity to Deleuze on the issue of life. It supports an adherence to a critical vitalism of the sort associated with Nietzsche, Heidegger, and Bergson, in the shift in the nineteenth century from a “matter-based physics to an energy-based model” (Marks, 1998: 67). Also, to a conception of immanence in the sense utilized by Deleuze and Guattari, for whom immanence means ‘openness’ in relation to complexity management or chaos and without transcendent values. As Deleuze and Guattari (1994: 35–8), and Deleuze by himself (1997: 4) have stated, immanence describes the ‘movement of the infinite’; it is equivalent to ‘chaos’; ‘formless, unlimited, absolute’, it ‘escapes every transcendence’. Life is an immanent force that permits infinite ways to continue. Although these may invoke universals (such as the requirement for sustenance, for example), such universals are always contingently realized and therefore always have a (potentially) variable contingent dimension or aspect. In this sense, as for Hegel, the universal is in the particular. Immanence, say Deleuze and Guattari (1994: 45), is ‘never to Something’, such as sovereignty, for if it is ‘to Something’ it fixes it as a historical constant. Peter Fitzpatrick (2005: 64) has used such a view to underscore the differences between Agamben and his ahistorical prioritizing of sovereignty on the one hand, and Foucault and Deleuze’s more historically open perspective on the other. According to Fitzpatrick, in Foucault, the theme of “an excess of life over death [exists] in [his] combining sovereignty and biopower,” whereas in Agamben the “death-driven reign of sovereignty is unavoidable” (68).

If the term ‘survival’ is sometimes used to designate the strategic aspect of life as the striving for continuance and well-being, it does not equate to ‘bare survival’, or ‘minimum bare subsistence’, or ‘bare humanness’, but indicates a strategy that is common to all of life—to animals, humans, and gods, as was ‘mere’ or ‘simple’ life for Aristotle. More carefully
stated, this strategy is one concerned with either ‘conservation’ or ‘growth’. It is characterized, as Bataille (1991: 23) says, not just with struggle and conservation of energy, or struggle to avoid death, but with ‘excess’ and superabundance, for “[on] the surface of the globe, for living matter in general, energy is always in excess; the question is always posed in terms of extravagance.” If the organism always “has at its disposal greater energy resources than are necessary for the operations that sustain life” it means that the term survival does not fully convey what is implied by life. For, as Elizabeth Grosz (2004: 103) says, the mere “struggle for existence aims too low: it aims only for existence, for bare survival, for mere life itself…. [T]his struggle for self-preservation, for survival, is by definition a losing fight. If survival is the goal of life, life fails in every case!” Thus the conception of life is always something more than mere survival or existence, for it must be conceived as an active force by which an organism achieves continuance and maintains (well)being. Hence, it cannot mean what it did for Darwin, as mere adaptation, accommodation, or passive reaction to external forces.

If life operates through energy, or power, the limits of its excess are ultimately determined by life in a particular relationship to space. As Bataille (1991: 29) says, “the immediate limitation, for each individual or each group, is given by the other individuals or other groups. But the terrestrial sphere (to be exact, the biosphere), which corresponds to the space available to life, is the only real limit.” Space, and other life, for Bataille, constitutes the “local conditions [which] determine the intensity of the pressure exerted in all directions by life.” Such pressures determine the limits of growth and the prospect of death. While it is difficult to define them, one can adduce their effects. One effect is sheer quantitative extension of occupation of space as life continues; another effect is poverty or luxury. Bataille continues: “Beside the external action of life (climatic or volcanic phenomena), the
unevenness of pressure in living matter continually makes available to growth the place left vacant by death. It is not a new space, and if one considers life as a whole, there is not really growth but a maintenance of volume in general” (1991: 33).

Bataille maintains that “[m]an’s activity is basically conditioned by this general movement of life. In a sense, in extension, his activity opens up a new possibility to life, a new space” (35–6). In that life is always a form of life, for humans, at least, it always takes place in a community, in the sense at least that it involves always an outside of norms, meanings, rules, and institutions, organized in a net or web, expressing the context of development and continuance and also the interconnectedness between things. Although, in this sense, modes of articulation within any determinate historical terrain are patterned, and maintain their regularity, they are also capable of infinite variety and expression.

Life, then, is reproduced and transformed by practices linked by norms of continuance. In addition to Nietzsche and Bataille, Hume is an important influence here. For Hume, continuance (or continuous existence, or continuity) is an external relation not given in experience of either the senses or understanding. It is the horizon that all of life presupposes. It is achieved through the association of ideas and through impressions ‘torn from the senses’ and made possible in terms of a ‘schematizing immagination’ (Deleuze, 1991: 80-81). As Hume says in the Treatise, we “advance rather than retard our existence” (1978: 432). Association operates “secretly and calmly on the mind” (334). Reason is the “slave of the passions” (415) and operates on the basis of fancy, ideology and good sense as we set about the tasks of living. In this sense, Hume saw the subject in terms of succession. This highlights for him the importance of habit and anticipation. The imagination coordinates how to live in a process of moving from present to future. As Deleuze (1991: 92-93) says of
Hume, the subject is “a synthesis of the present and the past in the light of the future.” This highlights also the importance of ‘anticipation’, which is “a synthesis of the past and the present brought about by habit. Anticipation, or the future, is the synthesis of time constituted by the subject” (93). “In short, the synthesis posits the present as the rule for the future” (94). Hence, “anticipation is habit, and habit is anticipation: these two determinations—the thrust of the past and the élan toward the future—are, at the centre of Hume’s philosophy, the two aspects of the same fundamental dynamism.” (92). In Hume’s terms, survival and continuance thus constitute relations (of association) between disparate ideas and impressions, which are subject to constant reflection and guided by the passions through to the imagination. What underpins such a conception, which Hume articulated in his writings on religion, is a concept of purpose.  

Continuance, then, in my conception, is postulated as the strategic dimension of life. Life seeks to continue. It continues in terms of practices. Such practices constitute a good toward which societies and humanity aim. A thick conception of life thus entails (1) continuance of all life forms, involving both conservation and expenditure of energy; maintenance and growth; (2) a conception of survival, or the maintenance of existence; and (3) a conception of well-being or flourishing, constitutive of (a) both structures or conditions, (b) capabilities which express a positive conception of freedom, and a role for the state, and (c) safety and security, indicative of negative rights and protections from interference. The notion of continuance does not preclude change, and involves, as it did for John Dewey, various types of process, including the intentional and unintentional reproduction of structures and practices and various types of learning (from habitual or repetitive, to meaningful or deep). The concern with survival involves a concern to ward off death and continue with ‘bare life’, in Agamben’s sense. The conception of well-being includes many possible different factors,
which involves individuals with complex practices of self, and an engagement with politics, in a quest for the good life. At the macro or institutional level, it involves factors such as a problem-solving approach as the basis of education and policy or a conception of security for all, incorporating a dimension of negative liberty. Within these conditions, necessary for the continuance of life of each and all, there exists the possibility of many different forms of life. The quest to sustain life is thus not primarily an instinct, or drive, and must not be interpreted naturalistically. Rather, in the sense I mean it, it constitutes a relationship to an environment, and a goal, based on a choice, and ultimately, a will.\textsuperscript{8} It involves beliefs and deliberations, guesswork, foresight, knowledge, and anticipation. Because it is at one level a choice, it raises the issue of suicide, and one must concede, I believe, a right in this regard.\textsuperscript{9} The continuance of humanity is, we can say, conditional upon the human will to continue. Unlike the Darwinian conception, life’s continuance is not conceptualized as a purely individual orientation to survival, but must be seen as involving both individual and collective practices. Although the modern state is a historically recent entity, forms of collective action, governments of one sort or another, are as old as history itself. In that the individual cannot even survive today without the collective, both individual and collective increasingly presuppose each other. Sustaining and developing life thus expresses a relationship to our common humanity, as Bhikhu Parekh (1997) observes. It is because we acknowledge our common struggles to survive and prosper that we recognize our common humanity. Violations of such values, such as genocide, are typically seen as crimes.\textsuperscript{10} As such, a common concern for survival and the achievement of (well) being goes beyond states, classes, races, or gender. It provides a commonality cross-cutting a terrain in terms of which manifold differences express themselves.

\textbf{Establishing Life as a Good}
If life has immanent within it its own quest for continuance and well-being, expressing itself both as strategy and telos, can we say it constitutes both a strategic modus vivendi and a substantive conception of good? This I will try at least to argue on the basis that life dictates certain *shared functions and interests*; and also that—increasingly (and therefore contingently)—the preconditions for sustaining *any* life require, more perhaps today than at any time hitherto previously in history, the collective coordination of structures, practices, and arrangements *for all*.

Continuing life, then, constitutes both a strategic modus vivendi and a substantive conception of good. As a modus vivendi, it functions instrumentally as an accord or settlement. Its strategic focus on values like continuance or continuity gives it a pragmatic focus on securing settlements over norms between the deeply divergent and pluralistic interests that constitute the contemporary world. This was Hobbes’ position in *Leviathan*. Yet, in the sense that it stipulates common aims and requirements, such as stability and security, that allow all to survive and flourish, it also posits a good. If it were purely instrumental, then support for the values and institutions required would hardly command sufficient common allegiance. Even acknowledging the deep pluralism of our contemporary world, the tasks of life’s continuance represent shared goals, and for most are important in promoting the good life. But, in this sense, such a good is not convergent, meaning it does not seek integration or unity, except within broad limits. Although all want to survive, and achieve well-being, the reasons, values, motives, and interests may be very different in different groups and individuals. By positing such a good, it enables collective responsibilities to be taken seriously, and yet, as we shall see, pluralism to be maintained and for the claims of individuals to be arbitrated or balanced with the democratic majority. Difference is maintained in relation to the tasks of sustaining life in that although all share a will to prosper and flourish, all inhabit social
networks and communal solidarities discursively differentiated in relation to space and time. Such embodied modalities constitute different styles of life, values, beliefs, aspirations, and anticipations of the future. Sustaining life establishes necessary and legitimate boundaries to such commitments as liberty and toleration, and yet it is non-metaphysical in that it does not posit “a domain beyond discursive verification to which truth and falsity do not apply and about which no assertion may meaningfully be made” (Richardson, 1990: 7). In other words, it grounds certain commonalities in a chosen or willed order of being, from which certain normative principles follow. No super-sensible entities are posited. No assumptions are made about the nature of the individual, or the nature of reason beyond that individuals are learning beings, and to the extent they have a will to survive and maintain (well)being. The conditions it specifies are conditions within history. These conditions will reflect age-old concerns and needs, such as the need for sustenance, and yet manifest an inescapable contingency in the way that different groups and individuals, at different times and places, are orientated to the real conditions of their existence.

Not only is life not metaphysical in the way that offends liberals, but the commonalities specified do not preclude pluralism except within certain obvious necessary limits. This is to say, what such a good does is specify certain intelligible limits to pluralism. What it does not do is specify the detail, or claim to resolve arguments in any complete way as to how disputes over such value differences as abortion or affirmative action or euthanasia should be resolved. It constitutes a good that will in this sense underdetermine outcomes on specific issues. In this sense, it does not resolve the issue of the incommensurability of values in some domains (religion, abortion, appropriate punishments), but specifies a formula for arbitrating disputes and conflicts, and allows and makes possible for convergences in other areas. In this sense, a philosophy of life specifies a range of values and interpersonal standards that will be
common to all participants, no matter how intractable the disputes they may otherwise be engaged in, and by which disputes can be arbitrated. In this sense, survival and life constitute values that have a high priority: higher than other values, such as impulsive desires. To resolve disputes in this way indicates a form of rationality in terms of what enhances life. Sometimes, where this is not obvious, value disputes will need to be resolved on pragmatic or instrumental grounds.\textsuperscript{11}

To continue life forces concordance over the necessary, for if we are to continue, it leaves the determination of what is discretionary, and its separation from what is necessary, as something for each age to decide. Although a non-metaphysical conception of the good, in that it doesn’t presuppose foundational precepts, it doesn’t allow for just anything, but specifies particular preferences or prohibitions for specific normative orderings, or rankings. The values associated with ‘life’ carry greater importance than do values such as ‘nationalism’, or ‘sporting achievement’, yet it does not specify all outcomes or determine all possibilities. This is because—apart from putting a pro-value on life itself—the concept of life does not suggest an easy answer in relation to complex issues such as abortion, euthanasia, and the like. It does, however, place the same sort of pro-value on all of human life, and in this sense would appear to be broadly egalitarian, as regards moral and political status. In this sense, as a good, it is ‘wide’ rather than ‘narrow’, in Richard Arneson’s sense:

The “wider” a perfectionist doctrine, the more it values goods that virtually all humans can reach, and the smaller is the gap between the value assigned to these lower goods compared to the value assigned to the higher goods that few can attain. Wide perfectionism need not be elitist as narrow perfectionism is (Arneson, 2000: 55).
In a way not dissimilar to Arneson, Richardson (1990) classifies theories of the good in relation to their scope. Unlike Aristotle, for whom eudaimonia specifies a narrow perfectionist scope as the highest good for individuals, or John Rawls, who limits the good to the political, the concept of life constitutes a broad scope and a robust conception of the good, in the sense that it is not exclusively concerned with rights, but also gives importance to responsibilities and duties, as well as in the sense that it is multifaceted and balances values such as liberty with those like security. Such rights and duties emerge from the common good of continuance. Such a good is objective in the sense that it exists independently of individuals and collectivities, but will vary reflecting the specificities and imperatives of both time and place and mode of social economic and political organization. Such a good, although objective, is itself conditional on the human will to survive, and hence, arises - like the Phoenix - once the project of life is underway. Although objective, it is also infinitely variable. Just as the tasks of survival vary from culture to culture, so all the forms of continuance and flourishing have their cultural and historical specificity. Because it manifests a high degree of variability according to time and place, it requires its constitutional articulation in relation to the varied domains of human life—sexuality and gender relations, work and economy, politics and democracy, rights and liberties—to be (re)articulated, (re)expressed and (re)implemented in both national and transnational institutional sites on an ongoing basis. It is through these processes of (re)articulation, (perpetual) deliberation, and (re)implementation that such a good can be democratically mandated, and that, if not strict neutrality, then certainly a conception of ‘justified reasonable fairness’ or ‘impartiality’ can be accorded to all participants in the contract based upon their different relations to, and interests in, the project called life.
As a substantive conception of good, I mean to suggest that the quest to sustain life is specific enough to prohibit certain actions and specify limits to a conception to the reasonable, and in this sense to function normatively, and yet is broad enough to encompass many different lifestyles and value systems. What is good, as Richard Kraut (2007) states, “is always for something.” It is what enables something to survive, to prosper, to flourish, to continue to live. Just as things may be good for life, so things may be bad for life, or indifferent for life. A list of these three categories—of goods, bads, and indifferents—would specify what governments ought to encourage; what ought to be outlawed, or discouraged; and what ought to be left to the discretion of individuals and communities free from the constraints of the state.¹³

The good in this sense is not as the utilitarian philosophers conceived it, as related to preferences and desires. Preferences and desires can be distorted by oppressive social conditions, warped by tradition, or may be dysfunctional for life, and has tended historically to limit the focus of concern to humans rather than all forms of life¹⁴. This is also why the utilitarian good of pleasure, although certainly a good under many circumstances, is not necessarily a good for life’s continuance in all times and places. We could say that there is more to life than individual pleasure or utility. Even the quest of bare life, or basic survival, although projected onto the world by life itself, and in this sense constructed, constitutes an objective framework of value for all species, and for life itself. The concept of ‘objective’ used here is not intended to deny social relativity, or historical variability, nor that different amounts of resources may need to be provided due to different initial conditions. Objective in this sense is also not referring to any metaphysical reality. This is to say that it is not there in the world independent or irrespective of humans; rather its objectivity is dependent and conditional upon a will to survive. This will to survive must be exercised both individually
and collectively. The good is what is objectively necessary if we are to survive. This is to say that, if we are to survive, either as individuals or as a species, then certain objective things will follow. Collectively, this will include certain moral, political, and social structures, and so on; individually, it will include appropriate nurturance, education, skills, and training. Thus, if we want to survive then certain moral categories and certain institutions would best be established. This is the constructivism as regards to value and practice that informs my approach.

Continuing life is objective, then, in the sense that values and standards and rules will be independent of an individual’s own choices and judgments. This is the sense by which, to use Thomas Scanlon’s (1975: 658) conception, it posits “a criterion which provides a basis for appraisal of a person’s well-being which is independent of that person’s tastes and interests, thus allowing for the possibility that such an appraisal could be correct even though it conflicted with the preferences of the individual in question.” Scanlon’s approach thus seeks to combat the subjectivist approach based on preferences and desires as well as the classical liberal approach based on rights. As he summarizes his position: “What I take to be central to the objectivist position…is the idea that, insofar as we are concerned with moral claims that some interests should be favored at the expense of others in the design of distributive institutions or in the allocation of other rights and prerogatives, it is an objective evaluation of the importance of these interests, and not merely the strength of the subjective preferences they represent, that is relevant” (Scanlon, 1975: 658).

As a consequence of globalization, and also events like 9/11, the importance of this sort of objectivism has increased. This is no more evident than in international law, where, as the former president of the International Court of Justice has maintained, “the resolutely
positivist, voluntarist approach of international law still current at the beginning of the [twentieth] century has been replaced by an objective conception of international law, a law more readily seeking to reflect a collective juridical conscience and respond to the social necessities of States organized as a community.”\(^{15}\) While recognition of the importance of objective values has increased, there is a very real sense in which sociologists have always recognized their centrality as dimension to life, in relation to defining inhibitions and sanctions, both in public and in private. We all do act in publicly agreed upon ways, and both our social and our moral behaviors are measured in relation to socially negotiated norms, which we contradict at our peril.

In a way not dissimilar to Scanlon, Richard Arneson (2000) also defends an objective theory of good. For Arneson (38), an objective, or perfectionist, doctrine of the good “holds that what is good for its own sake for a person is fixed independently of her attitudes and opinions toward it,” whereas in the subjective good account, “things that are intrinsically good for an agent…acquire this status only in virtue of how she happens to regard them” (37). For Arneson, it should not be ruled out that perfectionism, in certain cases, might possibly be able to justify paternalism. Restriction of choice in certain senses may also be necessary to justify choice in others. Rather than perfectionism being thought of as forcing upon the agent “a single option thought to be good,” it could more plausibly be seen as prohibiting “some tempting bad options while leaving many other options open” (Arneson, 2000: 44). For Arneson, then, arguments on conceptual grounds against a “perfectionist-inspired paternalism” do not succeed. John Stuart Mill’s view that “strict no-paternalism does best to maximize the sum of human good…predictably tends to diminish the welfare of some agents who are poor choosers.” One might add that it is not simply ‘poor choosers’, but ‘the impressionable’, ‘the younger’, ‘the less experienced’, ‘the elderly’ ‘the unfortunate’, or
‘generally less capable’, who conceivably would be most protected from such policies. Arneson concludes that “in principle coercive state interference with individuals’ personal lives for their own good might be warranted, if it boosts the coerced individual’s achievement of perfection and is part of an overall best strategy for maximizing the appropriately weighted sum of perfection” (46). Liberals traditionally, as he concedes, will be suspicious of increasing state intervention and will have reasons for “doubting that such paternalistic interference will very often do more good than harm” (46). This is because, as Arneson puts it, “[t]he perfectionist propounds her doctrine in the shadow cast by Plato and Nietzsche” (52), not to mention, relatedly, many years of exposure to the liberal theory of totalitarianism. He recommends what he terms “a partial solution” which resonates closely with those like me who advocate constitutional approaches to global politics, based on the qualities of specification, articulation, and institutionalization. A ‘partial solution’, for Arneson, involves a response that:

begins by distinguishing a life that is good [objectively]…and a life that is good for the person who is living it. The theory of objective human good should deliver an account of what constitutes a life that is good for the person who lives it…. Once one distinguishes a good life and a life that is good for the one living it, it becomes immediately plausible to maintain that even if great accomplishment is one dimension of the human good or well-being, there are other important dimensions that are objectively important constituents of it. These other components include having relations of love and friendship, having experiences that are interesting and pleasant, fulfilling one’s important reasonable life aims or at least a subset of them, having a rudimentary understanding of the world one inhabits including its
people, having ordinary bodily vigor and good health, and the sustaining of all of the above through a life whose span contains more rather than fewer years. (52–3)

Rawls’s approach is inadequate precisely because he lacks a theory of the good. We clearly need a conception of the good that does not constitute a unified all-encompassing doctrine of the good in the way Rawls configured it. Although, for Rawls, “the two main concepts of ethics are those of the right and the good” (1971: 21), for him the right is prior to the good. He believes that there is a category of reasons that is more important than those that attach to good, and that moral decisions can be justified according to self-legislation based purely upon a reformulation of Kant’s categorical imperative. Central to Rawls’s individualist conception is that such a good is unified, or homogeneous, and that it excludes, proportionately to its degree of extension, as a matter of logic and history, the ability of the individual to exercise choice or agency. Rawls has classified the problem in terms of the concept of ‘perfectionism’ (1971: 286). Whereas utilitarianism is a ‘want-regarding principle’, perfectionism is an ‘ideal-regarding principle’ (1971: 287). A perfectionist principle “must provide some way of ranking different kinds of achievements and summing their values” (1971: 287). Although such a conception need not, he says, provide a very accurate assessment, “it should be accurate enough to guide the main decisions concerning the basic structure [of society]” (1971: 287).

Rawls’s understanding of good is not the way I understand the concept. For Rawls, the conception of perfection not only suggests that any promulgation of a good can only be concerned with an impossibly narrow ideal of achievement, but his very understanding of the
concept of good resonates with a concern with ‘maximization’ in very much the same way as the utilitarians conceived it. As Richard Kraut (2007: 254) notes:

The utilitarian assumes that good is to be maximized, and that it consists in the satisfaction of rational desire; both ideas should be rejected. Rawls mistakenly agrees that the good consists in the satisfaction of rational desire; he holds, again mistakenly, that there is a general category of reasons that take precedence over those that avert to good. We should reject both the good-maximizing and right-prioritizing alternatives… Practical reasoning must always proceed by way of premises that have to do with what is good…but good must be understood developmentally.

My only qualification to Kraut’s wonderfully clear exposition is that the good should be understood, not developmentally, but constructively. Rather than see the good as the outcome, unfolding, or development of nature, as if caught in the evolving web of Aristotelian teleology, we must see it as constructed and as conditional upon our will to survive, in a way that is not naturalistic. Will must be seen as stronger than nature; or as surpassing nature in this important sense.

Although Rawls takes the concept of perfectionism to stand for any comprehensive conception of good, and sees it as synonymous, we could envisage a situation where the good in question promoted only a level of sustainability, rather than perfection, or where perfection is defined as referring simply to a structure comprising positive values, or a threshold, rather than as an ultimate point or value in a hierarchy. In this sense, the ‘maximizing’ thrust of utilitarianism is avoided. As Kraut (2007: 42) notes, “The maximizing
thrust of utilitarianism drives it ever outward, to exclude nothing from its concern that can contribute to the total amount of good. That is the result of its fundamental commitment to quantitative thinking: the larger the sum total of good that exists, the better the state of the universe.”

Certainly if we take a value like ‘excellence’, which Nietzsche is meant to have proffered, then the argument is well set up for Rawls to win it. This was certainly Rawls’s characterization of Nietzsche. Such a conception promotes elitism, says Rawls, and certainly it would. But if Nietzsche is seen as advocating, not ‘excellence for a few’, but ‘life for all’, what then? If Zarathustra’s crossing the bridge is not to advance the elite of superman, but to construct new norms for the survival of humanity, how should this be represented? While Anglo-American scholars have systematically characterized Nietzsche as being elitist, and fascist, it is interesting that a whole group of continental thinkers, including those who identified with the ‘new’ Nietzsche, dispute the evidence for such a view.16

What is distinctive about the notion of life, of the strategies by which life is continued, is that, as a form of the good, its derivation is solely within history, its content alters in many respects in different societies and at different times, and it leaves a large degree of latitude as to what that content is at any particular time. There are in this sense certain distinct and identifiable limits as to which values and practices should be allowed and which should not. Life not only manifests multiplicities as a consequence of time and place, it also permits of a multiplicity of specifications, trajectories, and styles in relation to its form. If norms of life as a strategy are articulated they are specific to a particular historical terrain. While, of course, there are certain constancies as to what it takes to sustain life, or maintain bare survival in all periods, neither the tasks of life, nor those of bare survival, can provide a court of
transcendental truth that can dictate for the present what should hold for all time. Rather, what sustains and promotes life will be relative to a particular horizon. Such a contingency goes very deep.\textsuperscript{17} For Leibniz, as Deleuze (1993) reads him, we can say that life and the tasks of surviving it, are always \textit{folded} differently. The concept of the fold expresses the multiplicity of life’s challenges as infinitely complex, and “a conception of matter as multiple and continuous. In short it is the triumph of the wave over the particle” (Marks, 1998: 76).

Just as the tasks of survival vary from one era to another, and even within a particular horizon, the perspectivism entailed does not mean truth is relative to its social conditions, “but rather constitutes a ‘truth of the relative’” (Marks, 1998: 76).\textsuperscript{18} Where life establishes new limits in relation to the biosphere, it has new global consequences. Decisions for economics, politics, or education require constantly adjusted settlements constitutive of temporary closures around norms, which must be always open to doubt and questioning if they are to sustain a democratic polity.

Although, at one level, a focus on the strategic aspects of life, such as survival and continuance, generates a form of consequentialism, unlike utilitarianism it does not privilege aggregate or averages, nor does it exclude certain groups or individuals, nor does it privilege certain values, like happiness, at the expense of others, like well-being, security, or continuity. In this sense, by emphasizing both consequences and harm, it avoids the criticism frequently made against Utilitarianism. As Kraut (2007: 43) puts it:

\begin{quote}
Utilitarianism is committed to a regime of constant sacrifice—sacrificing some for the sake of others—in order to increase the quantity of good. And the wider our circle of concern becomes—the more beings there are for
\end{quote}
whom some things are good and others bad—the greater must be our readiness to diminish the well-being of some.

In addition, it is not narrowly consequentialist in that morality need not be conceptualized purely in terms of outcomes in the manner of the utilitarian. For my own conception is committed to both harm as well as consequences. As a relation to the real, or qualitative mode of being, life’s quest to continue is deeply interiorized as it is willed and can thus be represented as intrinsically worthwhile. As the quest to continue life and achieve (well)being is immanent within life, to trade life against life goes against the principle of life itself.\(^\text{19}\) It is on this basis that Bataille considered life as sacred.\(^\text{20}\) Sacred does not pertain in his sense to an objective religious truth, but simply expresses a sense of ‘utmost value’.\(^\text{21}\)

In addition, rights are not be neglected in a life philosophy approach. As liberty and a certain amount of property are necessary to continuance, rights are one mechanism for safeguarding entitlements in the complex interactions between part and whole, and in reconciling the individual and collective. But rights, like responsibilities, must be articulated in each age and arise, not from nature, but as necessary as a consequence of a commitment to democratic proceduralism, which is justified in this account as crucial to continuance in the coming age.

**Establishing Life as a Bad: The Organization of Life by Biopower**

I have argued above that a philosophy of life can serve our purposes for establishing a conception of good. Life has immanent powers that are to survive and flourish. A philosophy of life can also enable us to criticize the practices of other communities. Hence, it can save political theory from localism, patriotism, and nationalism, and solve the problem of moral and epistemological relativism, for which writers like Michael Walzer have been criticized.
This is to say that life continuance expresses real necessities and immanent qualities which characterize all communities, indeed which characterize humanity, and indeed, life itself. It is in this sense that life necessities, such as sustenance, are universal in all times and places. What communities do is organize life’s immanent tendencies in distinctive ways at the discursive level of cultural and linguistic practice. It is this distinction between the discursive and the pre-discursive that enables us to avoid relativism and localism. While a community constitutes a configuration that is always unique, and where even problems of translation from one community to another will always exist, inter-cultural criticism is possible in relation to the immanent tendencies that are universally recognizable as part of the forces of life itself.  

**Figure 1: Dualistic ontology of discursive and pre-discursive**

**Discursive**

(Language, discourse, culture, practices, states of affairs)

Configurations depend on time and place (therefore, infinite possibilities of configurative form)

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**Pre-discursive**

Life/non-life necessities

(Labor)

(Non-Discursive materialities: facts, things, regularities – e.g., birth, death – finite regularities, technologies, etc.)

This distinction between discursive and pre-discursive, as schematically represented in Figure 1, permits the elaboration of a dualistic ontology and is familiar in writers like Foucault and Adorno and others with the general orbit of neo-Kantianism, including Marx and Marxism. Central to both Foucault and Adorno was an impossibility of avoiding conceptual mediation and a refusal to accept that objectivity could be achieved through the
application of universally valid laws of reason. Both also rejected other familiar attempts to posit objectivity, and thus solve Kant’s paradox, including Bergson’s appeal to ‘intuitionism’, Husserl’s phenomenological reduction via ‘intentionality’, or via the ‘protocol sentences’ of positivism. There could be no knowledge except through reflexiveness and mediation. Although Foucault, at least in a formal sense, left the issue unresolved, for Adorno, all that grounded a limited conception of objectivity was life itself, or rather, the experience of life. In this sense, too, the positing of life necessities as historical represents a commitment for we can only know them indirectly via mediation. As Alastair Morgan (2007) notes, it was the impossibility of escaping conceptual mediation that characterizes Adorno’s solution to Kant’s paradox in reinstating life experience as the indirect route by which the real is apprehended and understood. As Morgan argues, such a concept of life enables Adorno to construct a normative theory which permits him to delineate the contours of a ‘damaged life’, as exemplified by Auschwitz, and to postulate more fundamentally enriched modes of living, without – hopefully – presuming an essential, ahistorical way of life that in some sense constitutes a ‘natural way of living.’

A philosophy of life can also help us understand life as a bad, by which I mean it can provide us with materialist categories whereby we understand violence, deceit, fraud, war, genocide, murder, and exclusion. In this section I want to consider Foucault’s account of racism and the collusion of sovereign and biopower, which culminated in Nazism. If power can organize life for good, it can also do so for bad. It is this latter prospect we now seek to understand.

For Foucault, it is around life that power organizes itself, the importance of life and death being a dysemmetrical in different systems of power. In the *History of Sexuality, Volume 1*, the transition of power from the Middle Ages to modernism alters the way life is focused
upon. Prior to the seventeenth century, life was focused upon in terms of death, or the right to end it, which was the prerogative of the Sovereign. The Sovereign “exercised his power over life only by exercising his right to kill,” or by refraining from killing: “He evidenced his power over life only through the death he was capable of requiring” (1978: 136). “The right which was formulated as the ‘power of life and death’ was in reality the right to take life or let live. Its symbol, after all, was the sword” (136). Power in this sense was juridical in that “power was exercised mainly as a means of destruction (prélèvement)” or as a “subtraction mechanism” (136).

Early modernism witnessed the rise of new forms of power over life—related to administrating it, and enabling it, in a more productive sense. This was crucially a form of positive power in that, rather than controlling it according to the simple axis of destroying it, or letting it be, it sought to constrain or alter forms of life as given in order to shape the ends and purposes desired; to improve it, to make it better, to foster it. The modern era witnessed two forms of such positive power—first, disciplinary power, centered on the body as a machine, aiming to integrate it into a specific system of control. Although such a system was exemplified by Foucault in relation to the prison, as a technology it could be applied to different settings. A second form of positive power that complimented sovereign power after modernism, Foucault called biopower. This form focused on man as a global mass, species, or population and concerned such phenomena as propagation, birth, mortality, health, and life expectation. Rather than being primarily juridical, centered on law as prohibition or destruction, its legal orientation was regulatory, its political vision teleological, and its epistemology constructivist. Biopower became especially important from the second half of the eighteenth century with the rise of demography, utilizing statistical knowledge, enabling new forms of control and new types of interventions, and enabling the individual to be
compared on the same conceptual space to others and to the population. New types of knowledge, such as political arithmetic, statistics, and eugenics, led to new knowledge of aggregates and wholes, which gave rise to concepts such as ‘population’ and new developments in relation to ‘insurance’, ‘planning’, and ‘interventions’ in relation to health, childcare, and the administration of welfare and security. Biopower thus operates at a more general level than disciplinary mechanisms and results in a more general form of knowledge. Its mode of operation is regulatory and it enables security as a discipline which aims to optimize life and protect it from dangers—both internal and external—by regulating them and rendering them secure. Both biopower and discipline constitute new positive forms of power whose focus is regulatory and broadly pedagogical rather than juridical, and focus on optimization rather than mere policing through control over death. Regulatory law relies on a knowledge of contexts, populations, and needs, as opposed to the formal nature of the juridical subject whose relation to others and characteristics as part of a population were not known, indeed, could not be known, prior to the modern era. These new forms of knowledge, together with the rise of capitalism and consequent urbanization and industrialization, thus constitute the material basis of these new positive forms of power, in the sense that they make them possible. Although, to a large extent, disciplinary and biopower were harnessed as technologies by the state, they were also utilized, increasingly, through society in the eighteenth and nineteenth centuries, by all manner of groups and organizations: religious, social, political, and charitable. Such an emergent form of power, which Foucault sees as materially grounded in the changes of the early modern period, linked to the rise of capitalism, the emergence of new conceptions of science, and the developments in philosophy related to the rise of liberalism. Biopower introduces new mechanisms of power such as forecasts, statistical estimates, and overall measures. It ushered in the importance and rise of the norm at the expense of the juridical system of law (1978: 144). Although norms,
for Foucault, constitute standards around an average, they are themselves based on the
immanent capabilities of life. Hence, Foucault says: ‘The ‘right to life’, to one’s body, to
health, to happiness, to the satisfaction of needs, and beyond all the oppressions or
‘alienations’, the ‘right’ to rediscover what one is and all that one can be, this ‘right’—which
the classical juridical system was utterly incapable of comprehending—was the political
response to all these new procedures of power which did not derive, either, from the
traditional right of sovereignty” (1978: 145).

Foucault thus contrasts the negativity of sovereign power with a positive power over life that
parallels the classical liberal mindset of the seventeenth century as constituting the condition
for the rise of capitalism and new forms of political order. The forms of power that the liberal
philosophers later identified as dangerous were materially inscribed in the social conditions
of modernity emerging from the seventeenth century. The model for sovereign power, he
says (2003: 265), “is a subject of natural rights or primitive powers” and it encapsulates a
negative power over death, while biopower parallels the emergence of positive forms of
power of the era of social democratic state of the eighteenth and nineteenth centuries. The
emergence of such power introduces dangers in relation to the abuse of power by the state.
This is what Foucault meant when he said that biopower inscribes racism in the mechanisms
of the state, in dividing the species into sub-species based on race and introducing a new
logic into the operation of the state—new enemies identified as threats to the population
(Jews, communists, terrorists, Muslims) establishing killing as (once more) acceptable on
certain conditions, as one sub-species becomes ‘other’, establishing a new logic of war,
signaling a destructive moment in biopower. Foucault asks:
What in fact is racism? It is primarily a way of introducing a break into the domain of life that is under power’s control: the break between what must live and what must die. The appearance within the biological continuum of a human race of races, the distinction among races, the hierarchy of races, the fact that certain races are described as good and that others, in contrast, are described as inferior: all this is a way of fragmenting the field of the biological that power controls. It is away of separating out the groups that exist within a population. (2003: 254)

Hence, the first function of racism is to fragment. It enables power to “subdivide the species it controls, into subspecies known, precisely as races” (2003: 255). Racism thus refers to the “caesuras within the biological continuum addressed by biopower” (255). Racism’s second function allows the establishment of a positive relation of the type: “The very fact that you let more die will allow you to live more” (255). This establishes the view: “if you want to live, you must take more lives” (255). Such a relationship was not invented by the modern state, but is essentially a relationship of war (255) for “in order to live, you must destroy your enemies” (255). Racism thus trades on a “biological-type relationship” (255). “The more inferior species die out, the more abnormal individuals are eliminated, the fewer degenerates there will be in the species as a whole” (255). Killing others, says Foucault, will make “life in general healthier: healthier and happier” (255). Biopower thus allows differentiation based on threats of biology and endeavors to eliminate threats in order to improve the species.

In this sense, life justifies not only an ethics of continuance, but a justification for war, fragmentation, murder and killing, expulsion and rejection. Under the biopower mode, what Foucault calls racism develops as an ever-present possibility. Foucault articulates how war
has been used as a way of enhancing one’s own life at the expense of inferior others, or impure races. War has been biopower’s strategy of protecting against others, of purifying and correcting anomalies. For Foucault, “racism justifies the death-function in the economy of biopower by appealing to the principle that the death of others makes one biologically stronger insofar as one is a member of a race or a population, insofar as one is an element in a unitary living plurality” (2003: 258).

Racism thus becomes the way the state, in the age of biopower, exercises sovereign power. Foucault takes the example of Nazism to show why “the most murderous states are also of necessity, the most racist” (258). Nazism was “the paroxysmal development of the new power mechanisms that had been established since the eighteenth century…. Controlling the random element inherent in biological process was one way of the regime’s immediate objectives” (259).

Racism is thus the way that the old sovereign right to take life is re-introduced under the era of biopower. With Nazism one gets the absolute coexistence of biopower and the sovereign right to kill (260). “Nazism alone took the play between the sovereign right to kill and the mechanisms of biopower to this paroxysmal point…. But this play is in fact inscribed in the workings of all States. In all modern States, in all capitalist States? Perhaps not. But I do think that—but this would be a whole new argument—the socialist State, socialism, is as marked by racism as the workings of the modern State, of the capitalist State…. Socialism was a racism from the outset, even in the nineteenth century” (2003: 261).

As to why Nazism arose at a particular juxtaposition of sovereign and biopower, Foucault seems not to be sure as to what precisely accounted for such aberrant tendencies: “The
coexistence in political structures of large destructive mechanisms and institutions orientated to the care of individual life is somewhat puzzling. It is this rationality, and the death and life game which takes place in it, that I’d like to investigate from an historical point of view” (Foucault, 1988: 147–48). It cannot, however, be explained, as liberals are wont to do, as a consequence of the ‘positive’ power of the state, nor as Max Weber, Walter Benjamin, several of the Frankfurt School, or more recently, Zygmund Bauman, would have us believe, solely on the basis of bureaucratic rationalization, or instrumental rationality. For while the specificity for the explanation for totalitarianism, or state violence, escapes any such single cause or answer, what is needed is a minute and detailed historical analysis that contemplates the full complexity of the mix of factors in their historical emergence. What Foucault invokes is a theory of affects, or combinations. As Mitchell Dean explains it: “It is not merely the succession or addition of the modern powers over life to the ancient right of death but their very combination within modern states that is of significance. How these powers are combined accounts for whether they are malign or benign” (2004: 20).

Hence, it is “the different ways in which bio-politics is combined with sovereign power [that] decide their character” (20). In relation to Nazism, says Dean, it is “the system of linkages, re-codings and re-inscriptions of sovereign notions of fatherland, territory, and blood with the new bio-political discourse of eugenics and racial hygiene that makes the unthinkable thinkable” (20). The possibility of such monstrous juxtapositions is always present. For Foucault identifies “governmentality which characterizes modernity as involving both sovereignty and biopower as ‘the intersection of two processes’—a way of managing the population using both poles” (Foucault, 1991: 18–19). Traditionally, as Dean notes also, liberalism has sought to apply preventative techniques of government through two mechanisms: the idea of a self-regulating market order which in turn justifies a restriction on
the scope and size of the state, and the discourse of rights, emerging from the seventeenth and eighteenth centuries. If the market order is self-regulating, and nature also constitutes a ‘spontaneous’ order which was ‘integrative’ and ‘self-correcting’, then the state could operate as an ‘umpire’, or ‘Night Watchman’ as liberals from Adam Smith to Robert Nozick have variously expressed it. In addition to the theories of ‘laissez-faire’, and the self-regulating market, the discourse of natural rights, and natural law, as developed by Locke, specifying ‘life, liberty and property’ as God-given rights, and which no government could dislodge without jeopardizing its right to govern, and legitimating revolt by the citizenry. Foucault, says Dean (2004: 21), is open to the possibilities of a “virtuous combination” and he ‘puzzles’ at the possibilities of various ‘pathological’ or ‘virtuous’ mixes.

**Conclusion**

In terms of constructing a future in the horizon that presents itself today, then, what prospects does positive power contain for peace and security that excludes or contains the potentials for war and fragmentation? The question is: how can positive power be rendered safe? The only answer is, I believe, a global democracy that incorporates norms for solidarity and equality and global justice and is based on a balance of power implemented at the global level, as well as new global norms of accountability and transparency. Unless people consider themselves fairly and appropriately treated, the compact for life continuance will break down. That there are prospects, in the current horizon for state racism and pathological insurrections cannot be denied. As Paul Hirst (2001, 2002, 2005) points out, the future squeeze on global resources and instabilities associated with climate change, global poverty, and terrorism, create distinct prospects of increased military conflict and war, as states compete for increasingly scarce resources. The future, then, is at best uncertain.
Notes

1 This chapter draws from Chapter 6 of Toward A Global Thin Community, published by Paradigm Publishers in 2009, and I would like to thank the publishers for reproducing segments here.

2 I am indebted to Morgan (2007) for originally drawing my attention to Schnädelbach’s work.

3 This is perhaps why, he says, the issue of anomaly “permeates the whole of biology” (1998: 476).

4 Agamben seems to conflate a distinction between the one and the many (individual and collective) with a distinction between nature and culture. As such, he essentializes sovereignty and presumes a naturalization of bare life as being prior to the social, because sovereignty always dominates biopower. As he says in Homo Sacer, for instance, “The entire character of homo sacer shows that it was not born on the soil of a constituted juridical order but goes all the way back to the period of pre-social life” (104). Or, again, he relates ‘bare life’ to “a fragment of the primitive life of Indo-European people” (104). He maintains further that the “Hobbesian state of nature
is...a condition in which everyone is bare life and homo sacer for everyone else” (106). For him, thus, homo sacer has a “pre-legal” quality (106). The distinction can only be valid, for Foucault, as indicating a tension, or continuum, between the one and the many. Foucault does not essentialize sovereignty, and is thus more optimistic about the future than Agamben, as sovereignty does not necessarily stand outside the law, or on the borderline between law and exception, but is capable of being democratized, or controlled.

5 Deleuze documents the criticisms that Bergson encountered as being against his rejection of eternal or foundational values. (See Marks, 1998: 68)


7 Although Dewey’s writings on continuity are insightful, his concept of growth betrays a Hegelian influence which is rejected in my conception. Growth for Dewey indicates continued progress and an inevitable direction to history as characterized by improvement. The notion also suggests a dialectical process of the reconciliation of contradictions through successive syntheses. Continuance in my conception is simply saying that the quest to continue is immanent within life.

8 Even if it is an instinct, it can be overridden by an act of choice, as in suicide. It is conceptualized here as both a relation to an environment and as a goal.

9 There is no need to deny that life might initially ‘decide’ on itself biogenetically, given sustainable ecological and environmental conditions, and that there may be ‘instincts’ that ‘facilitate’ transition to life. But, ultimately, life continues confirmed by a choice, if not actively, then by default. The active potential of life should not be denied or neglected.

10 This need not be justified according to something called nature, or natural law, but, rather on the basis that, within finitude and the limitations that that imposes, no
overriding evidence can support why any group or individual who wills survival should be excluded. The reader may accuse me of playing with words. The point however, is that to say that life has a quest for continuance immanent within it is not necessary to invoke nature. The pro-value on life is itself the vote of life. Who shall demur?

11 Continuance in this context asserts that it is preferable to achieve a settlement for the purposes of ‘continuing’, when conflict threatens life itself, rather than to fight endlessly over incommensurable value positions.

12 Richardson (1990) distinguishes theories of the good in relation to (1) metaphysical depth, detailing the types of foundational postulates it contains; (2) critical structure, pertaining to what enables it to prohibit or support a certain normative ordering; (3) scope, pertaining to the range of subject matter to which it applies, and whether it is narrow or broad; and (4) degree of detail of the conception, pertaining to whether it stipulates a few general principles, or sub-principles, and the degree of detail it requires to be specified in relation to them. This framework has guided me to some extent in the considerations in this section.

13 I believe that this typology is more useful and adequate to a global age than Mill’s ‘harm principle’, for instance. The harm principle depends upon a whole sub-structure of assumptions about ‘self-regarding/other-regarding’ behavior, or ‘private/public’ spheres, and is of limited use when considering complex issues, such as: “Would allowing ‘Faith schools’ to organize and recruit students solely on the grounds of religion cause harm to other groups or to a democratic polity as a whole?” to be answered. The issue is simply too complex to be considered in such simplistic terms. The ‘harm principle’ also permits too greater indeterminacy, and it is noteworthy that
Mill himself thought that ‘drug taking’ was an exclusively private affair, which no one had any right to interfere over.

14 Utilitarians such as Peter Singer have of course sought to make up for this neglect in recent years by focusing on animals.


16 Nietzsche’s position on this has already been touched upon. The difficulty here is Rawls viewing the good as always representing an ideal which is perfect, and then, after having set the situation up in this way, deciding that it is elitist. The counterargument to Rawls is that his detection of elitism, excellence, fascism, etc., in the good, is an artifact of the manner in which he constructs his argument.

17 Even the neoliberal theory of the self-interested subject, as developed by game theorists in America during the 1940s and 1950s, must be seen as contingent, rather than, as was supposed, foundational and universal. The game theorists postulated the idea that self-interested egoism was always the preferred rational choice, and that shared or cooperative behavior was not rational. (Such was the scenario of the classic Prisoner’s Dilemma, for instance). But in a situation where life’s limits to the biosphere are altered as a consequence of either population pressure, climate change, nuclear stalemate, or for any other reason, the boundaries between—and indeed the very conceptions of what is—‘self-interest’ versus ‘shared interest’, or ‘public interest’, radically alter. In a situation of a nuclear nightmare, for example, my self-interest becomes identical to yours! (i.e., shared!). Similarly, in a period of climate environmental crisis, new shared concerns emerge. Even adopting game theory logic,
once intense enough as a threat, the rational choice is to opt for the cooperative, or shared strategy.

18 Marks is citing Giles Deleuze from What is Philosophy? (see Deleuze and Guattari, 1994)

19 This is as near as one gets to natural rights. But, of course, life’s immanent quest for continuance gives only a right to be included—life and liberty—but not property, except as is sufficient to continue.

20 Spiritual could also allude to values of commonality and connectedness between life forms, sensed, but poorly articulated and therefore unable to be expressed, within liberal discourses which were atomistic. Also, see Agamben (1998).

21 It is rational for the religious person to claim a defense of agnosticism, within the bounds of finitude, but not atheism, or absolute definite knowledge. Such a sacred attitude, premised on the basis of an insufficiency of knowledge as the ontological condition of existence, may conceivably justify arguments, like those of Habermas (2003), that the active manipulation of the human genome would confuse or change morally important distinctions between life and non-life, the grown and the fabricated. Such issues are beyond the scope of this chapter.

22 Hence, we can distinguish the cultural form of articulation from the practice of life continuance it represents.

23 We may of course add to Dean’s list the doctrine of the separation of powers, as well as the separation of church from state.
References


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