Reason Versus Power: Genealogy, Critique, and Epistemic Injustice

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ABSTRACT

In this paper, I take issue with the idea that Michel Foucault might be considered a theorist of epistemic injustice, and argue that his philosophical premises are incompatible with Miranda Fricker’s. Their main disagreement rests upon their divergent ways of conceiving the relationship between reason and power, giving rise to the contrasting forms of normativity that characterize their critical projects. This disagreement can be helpfully clarified by addressing the different use they make of the genealogical method. While Fricker’s genealogy of Testimonial Justice aims to ground her claim that reason and power can be neatly pulled apart, thus avoiding the reductionist and relativist conclusions entailed (in her view) by Foucault’s genealogies, I argue that Foucault’s mature, overlooked definition of genealogy is based on a sophisticated distinction between games and regimes of truth, and is thus not vulnerable to these criticisms. Consequently, Foucault’s genealogical inquiries prove helpful for understanding issues that normally fall under the umbrella of epistemic injustice in a new light, while also allowing us to avoid some of the main objections that threaten Fricker’s project.

I

This paper originates in a sense of puzzlement. In the past fifteen years, a significant number of contributions to the fields of social epistemology, ethics, and political philosophy has grown out of Miranda Fricker’s notion of epistemic injustice (1998, 2003, 2007), which she famously defines as “a wrong done to someone specifically in their capacity as a knower” (2007, 1). Given Fricker’s claim that her work builds on Michel Foucault’s conception of power (2017, 56),¹ and given the influence that Foucault’s views have exerted—and continue to exert—in the fields of social and political philosophy, feminist and gender studies, and critical theory broadly construed, the almost complete absence of sustained engagement with those views in the literature on epistemic injustice is baffling.²

In the only contribution specifically devoted to this topic, Amy Allen helpfully dispels some of the most common misconceptions that surround Foucault’s notions of power/knowledge and resistance, and argues that Foucault “could well be considered

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a theorist of epistemic injustice avant la lettre” (2017, 187). She thus concludes by voicing a puzzlement analogous to mine: Why isn’t Foucault’s work “more widely cited and discussed in the literature on epistemic injustice” (193)? Her tentative response blames the “long-standing but also largely unproductive” oppositions between analytic and continental philosophy (193–94). While I agree with her that this is a relevant factor, in this paper I will go a step further and constructively complicate the picture she offers of Foucault as a theorist of epistemic injustice. My argument will be organized around six main claims:

1. Foucault’s and Fricker’s respective philosophical premises are incompatible.
2. Their main philosophical disagreement rests upon their divergent ways of conceiving the relationship between reason and power, giving rise to the contrasting kinds of normativity that characterize their critical projects.
3. In order to shed light on this disagreement, one needs to address their divergent uses of the genealogical method.
4. Fricker’s state-of-nature genealogy aims to ground her claim that reason and power can be neatly pulled apart, at least as a matter of theory, thus avoiding the reductionist and relativist conclusions which, in her view, Foucault’s genealogies necessarily entail.
5. Foucault’s mature definition of genealogy, based on the distinction between games and regimes of truth, is not vulnerable to Fricker’s objections.
6. Foucault’s genealogical inquiries can prove helpful for understanding issues that normally fall under the umbrella of epistemic injustice in a new light, while also allowing us to avoid some of the main objections that threaten Fricker’s project.

Section II will be devoted to the elaboration of claims (1) and (2); sections III and IV will focus, respectively, on Fricker’s and Foucault’s genealogical methods, and therefore on the exploration of claims (3), (4), and (5); finally, the concluding section will develop and defend claim (6).

II

While acknowledging that Foucault’s conception of power has played a crucial role in the elaboration of the epistemic injustice framework, Fricker has nonetheless frequently criticized the allegedly reductionist and relativist implications of his views. To explore the relations between knowledge and power in order to reveal the ethico-political dimensions of our epistemic practices—which, as she convincingly argues, are played out by socially situated subjects who stand in relations of power to one another (2008, 28–29)—Fricker claims that one must avoid both the “heavy theoretical burdens of historical materialism” and the “relativistic reductionism of postmodernism,” i.e., both Marx and Foucault (2015). More specifically, Fricker criticizes Foucault’s “refusal to separate power and truth” (2017, 55): the reduction of truth to an operation of power necessarily has relativist consequences and thus undermines the possibility of meaningfully formulating any judgment of justice and injustice—and
therefore the very possibility of social and political critique (2007, vii). By contrast, the notion of epistemic injustice aims to “mark out a delimited space in which to observe some key intersections of knowledge and power,” and to make sense of “everyday lived experiences of injustice,” without relying on a “risky flirtation with a reduction of truth or knowledge to de facto social power” (2017, 56).

Allen (2017, 187) has responded to this criticism by arguing that, in fact, Foucault avoids all naïve, straightforward reduction of reason to power. His project rather consists in genealogically interrogating the complex network of relations between the two, or their “inescapable entanglement” (2010, 94), thus offering what Foucault himself calls a “rational critique of rationality”:

I think the blackmail that has very often been at work in every critique of reason or every critical inquiry into the history of rationality (either you accept rationality or you fall prey to the irrational) operates as though a rational critique of rationality were impossible, or as though a rational history of all the ramifications and all the bifurcations, a contingent history of reason, were impossible. (Foucault 1998, 441)

Fricker, however, does not read Foucault as being straightforwardly committed to “any bald reductionism” (2017, 56), but as perpetually suggesting it by refusing to distinguish between those operations of power that are rational or veridical and those that are not. According to her, a reductionist—and therefore relativist—conclusion “inevitably attends any view characterized by a refusal to separate truth from power”: if one is not interested in drawing that distinction, “then it at least sounds like [one is] saying there is nothing more to knowledge than having the power to count as having knowledge, but if that were so then there could never be any injustice in being deemed not to know” (56, emphasis added; see also 2000b, 93). Thus, the crux of the problem lies less in Foucault’s project of a “rational critique of rationality” than in the form that such project takes in his genealogical works, i.e., that of a “contingent history of reason” which, in Fricker’s view, undermines that very project by making it impossible to draw the normative distinctions that she deems necessary. In short, Fricker criticizes Foucault for not showing “any real will to bring questions of justice and injustice to bear in reason’s entanglements with social power” (2007, 2–3). This “suspicion of the category of reason per se and the tendency to reduce it to an operation of power,” Fricker adds,

actually pre-empt the very questions one needs to ask about how power is affecting our functioning as rational subjects; for it eradicates, or at least obscures, the distinction between what we have a reason to think and what mere relations of power are doing to our thinking,

or between “rejecting someone’s word for good reason and rejecting it out of mere prejudice” (2007, 3). In the absence of these distinctions, “there could be no distinctively epistemic injustice” (2017, 56).

Fricker is right that adopting a Foucauldian (genealogical) framework prevents one from drawing these distinctions in a clear-cut manner. Indeed, as I argue in
section IV, Foucault’s genealogical inquiries aim precisely to blur such distinctions and problematize the very notion of a “rational subject” taken as an absolute norm or suprahistorical ideal. They historicize concepts such as “reason” or “knowledge” by exploring the multiple meanings that the latter have taken in different times and places, and the complex ways in which what one considers “rational” is inevitably shot through with power relations (see, e.g., Foucault [2006]). By contrast, as I show in section III, Fricker’s state-of-nature genealogy aims to ground her suprahistorical distinction between our functioning as rational subjects and what relations of power do to our thinking, thus allowing her to formulate normative judgments of (epistemic) justice and injustice.

The philosophical premises of Foucault’s and Fricker’s respective projects are therefore clearly incompatible, and it would be a mistake to try to make Foucault into a theorist of epistemic injustice—or, for that matter, Fricker into a Foucauldian genealogist. Their main philosophical disagreement rests upon their divergent ways of conceiving the relationship between reason and power: while neatly pulling them apart allows Fricker to formulate normative judgments of (epistemic) justice and injustice, Foucault adamantly refuses to do so. To further explore—and problematize—this disagreement, in the next two sections I will focus on Foucault’s and Fricker’s significantly different uses of the genealogical method.

III

Fricker maintains that, while our epistemic practices are played out by socially situated subjects who stand in relations of power to one another, it is nevertheless possible to neatly separate our functioning as rational subjects from the workings of power. But given that she draws her definition of power from Foucault, on what grounds can she establish such a clear distinction between what we have reason to think and what relations of power do to our thinking? The answer, I argue, is to be found in the genealogical account that she offers of the virtue of Testimonial Justice in the fifth chapter of her book—one that has received very little attention, even though it plays a foundational role in her project. Indeed, Fricker’s state-of-nature genealogy aims to ground both her claim that knowledge and power concretely intersect in many, complex ways, such that, in practice, it may well be impossible to pull them entirely apart (2000a, 154–55), and her rejection of reductionism, i.e., her claim that, in theory, one can and must keep them absolutely separate.

Fricker builds on the way genealogy as a state-of-nature story has been (re)appropriated, within the field of epistemology, by Edward Craig (1990) and Bernard Williams (2002). Her aim is to show that Testimonial Justice emerges in the epistemic state of nature as an original “virtue of truth” (2007, 6) by offering what Matthieu Queloz calls a “pragmatic genealogy” that uncovers the practical origins of such a virtue (2021)—one that allows the hearer to reliably correct for the influence of prejudice when assessing the credibility of the speaker, and thus to counteract testimonial injustice. Hence, Fricker posits a state of nature where one of human beings’ basic needs is the need for reliable information: where to find food, which foods are good to eat and which are poisonous, how to light a fire, etc. To acquire such vital information, one cannot just rely on one’s own five senses but needs to
cooperate with others and engage in an epistemic “division of labor” whereby bits of information coming from different sources are successfully pooled. Fricker (2007, 109–10) thus agrees with Craig and Williams in establishing two basic epistemic needs in the state of nature:

1. the need to possess enough truths (and not too many falsehoods) to facilitate survival;
2. the need to participate in an epistemic practice whereby information is shared or pooled.

At this point, however, Craig’s and Williams’s genealogies diverge: while the latter retains the speaker’s perspective, the former shifts to the hearer’s perspective. One of the distinctive features of Fricker’s genealogical account is that it builds on both perspectives to argue that Testimonial Justice is a virtue with an intrinsic value (Williams), but one that the hearer, and not the speaker, must cultivate (Craig). First, Fricker (111) follows Williams and posits a third basic epistemic need in the state of nature:

3w. the need to encourage dispositions in individuals that will stabilize relations of trust.

According to Williams (2002, 57–59), this explains the emergence of Accuracy (the disposition directed toward acquiring true beliefs) and Sincerity (the disposition to express what one believes, when appropriate), whose practical value does not merely consist in their being instrumental for the individual who manifests them, but in their advantageousness for the entire group. Accuracy and Sincerity are dispositions worth having for their own sake, i.e., virtues—what Williams calls “virtues of truth” (44). Yet Fricker argues that the need to pool information makes demands not only on speakers but also on hearers, who “will need to be open to truths offered to them by their peers, and to be open without being credulous of testimony that is in fact false” (2007, 114). Therefore, the third basic epistemic need posited by Craig, i.e.,

3c. the need for potential informants to bear “indicator properties” (that is, properties which reliably indicate that they are conveying the truth), requires that the hearers develop an appropriate responsiveness to such indicator properties, or better, acquire a disposition allowing them “reliably to accept truths and reject falsehoods” (115) —which, according to Fricker, is more demanding than Craig thinks, for it does not merely amount to the fact of possessing the concept of (proto)knowledge (Craig 1990, 90–91). Indeed, Fricker argues that it would be a mistake not to posit the existence in the state of nature of the insider/outsider relations that human groups necessarily generate, and thus of the relations of allegiance and enmity that spring from them. Since social perception involves social categorization, one is forced to conclude, according to Fricker, that “basic identity-prejudicial stereotypes” already exist in the state of nature (2007, 115–16). This explains the necessary
emergence of a third, *hybrid* (intellectual-ethical) virtue of truth: a “specifically anti-prejudicial virtue” whose practical value lies in allowing the hearer to reliably correct for the “counter-rational influence that identity power would otherwise have on his credibility judgments” to his own detriment (116).

As Queloz (2021, 201–208) has aptly argued, Fricker’s genealogy of Testimonial Justice is thus not merely vindicatory but *ameliorative*: it is indicative of what we should strive for (namely, cultivating the virtue of Testimonial Justice to counteract the distorting influence of prejudice) and does not simply vindicate what we already do. Indeed, according to Fricker, history “has not yet done very much for the virtue of testimonial justice” (2007, 118). Consequently, her state-of-nature genealogy aims to demonstrate that the virtue of Testimonial Justice is something that we *should*—but have so far in large part failed to—develop. In this regard, Fricker’s “signature move” with respect to Craig’s and Williams’s respective genealogies consists in de-idealizing the state of nature *just enough* to introduce social and political categorization into it (Queloz 2021, 193). This is the consequence of her crucial insight—which she draws (at least in part) from Foucault, and which sets her apart from both Craig and Williams—that our epistemic practices have inescapable ethico-political dimensions. Yet Fricker does not want to de-idealize the state of nature more than strictly necessary: the model should remain “as generic and idealized as possible,” and this not only because a genealogy that mostly appeals to basic survival needs is “less vulnerable to empirical refutation” (Queloz 2021, 198). The point here is that de-idealizing the state of nature more than strictly necessary would inevitably blur the clear-cut distinction that Fricker needs to draw, at least as a matter of theory, between reason and power.

Thus, the aim of Fricker’s state-of-nature story is still to identify “peripheral features” of our concepts and practices that result only from “historical accidents,” and to neatly distinguish them from *core*—original and necessary—features (2008, 42). Like Craig and Williams, and in an anti-Nietzschean and anti-Foucauldian fashion, she puts genealogy in the service of the revelation of “the necessity of the origin”: “[O]ne of the great virtues of the state-of-nature method,” she writes, “is precisely its separation of features of a concept that bear the necessity of the origin, from features that are more or less contingent matters of history”; from her perspective, Foucault’s claim that “all is history and nothing origin” is therefore “Quixotic prejudice,” since the state of nature “is still with us, at the core of what it is for us to know” (2008, 48–49). As I suggested above, the crux of the problem is that Foucault’s genealogical project takes (among others) the form of a “contingent history of reason,” whereas in Fricker’s view, if reason does have a history, this history is not entirely contingent, because certain core features of what it means for us to be rational are suprahistorical: they are necessary, at least for the kind of beings that we are (29–30).

If Fricker helpfully de-idealizes Craig’s and Williams’s picture of the epistemic state of nature to introduce the workings of power and prejudice into it, she nevertheless carefully avoids blurring the boundaries between reason and prejudice, knowledge and power—at least in that “original” context. In any given, concrete historical situation, Fricker would certainly concede that these boundaries are in practice very
difficult to establish in a clear-cut manner. Yet her genealogy of the virtue of Testimonial Justice allows her to neatly draw them in theory, which she considers paramount in order to eschew reductionism and relativism. In other words, Fricker’s state-of-nature genealogical account aims to guarantee that the distinction between reason and power is established solidly enough to play the role of (suprahistorical) normative ground for her critical project.

IV

Is Fricker’s genealogical account convincing? On the face of it, her task seems impossible even for the most skillful tightrope walker: de-idealizing the epistemic state of nature just enough to introduce a basic form of power into it (thereby correcting Craig’s and Williams’s idealizations), but without blurring the boundaries between reason and power (thereby not aligning with Foucault). As mentioned above, Fricker introduces into the state of nature “basic identity-prejudicial stereotypes” connected to social categorization and the insider/outsider relations that human groups generate. But why should the workings of power be limited to the latter? Why shouldn’t we suppose, for instance, that the epistemic division of labor required in the state of nature to facilitate survival also inevitably produces forms of social hierarchization within each human group, so that prejudice already has a far greater reach than Fricker posits? If that is the case, then her distinction between what we have reason to think and what relations of power do to our thinking risks becoming hopelessly blurred. In other words, it seems that Fricker needs to more carefully justify her choice to so strictly limit the forms of power at play in the state of nature, or else her account remains vulnerable to well-known objections against idealizations in political philosophy.10 Relatedly, given Fricker’s notion of power and her claim that one must rely on a “Situated Social Conception” of epistemic subjects when exploring issues of epistemic injustice—for “it is an essential feature of human inquirers that they operate in a context in which such entanglements [between reason and power] can arise” (2008, 28–29)—her account is also vulnerable to a skeptical threat. Suppose that one accept Fricker’s separation between genuine reasons and the workings of power: it would still be unclear how any socially situated epistemic subject could be justifiably confident that they are thinking in accordance with genuine reasons, and not with what only appear to be genuine reasons.11 As Williams argues in his critique of Habermas’s Ideal Speech Situation model, what is unclear is how to establish “in quite general terms” the very idea of genuine reasons or illegitimate power in advance of concrete conversations—i.e., in the state of nature—in order for such an idea to function “as a condition on them” (2002, 226).

When recently defending what she now calls “paradigm-based explanation,” Fricker has made clear once again that “what is claimed about the state of nature […] is really a claim about what is basic (or ‘core’) in our actual concept or practice”: her state-of-nature story aims “to substantiate a philosophical claim about which features of our actual practice are more or less necessary and which features are increasingly contingent” (2019, 244). This does not respond to the above-mentioned worries, however, and in addition, even though “necessary” does not mean “metaphysically necessary” here, but “necessary in one of a range of qualified senses
that should be made explicit by whoever is telling the story” (245), Fricker still seems to make the exact same mistake that Nietzsche reproached the “moral genealogists” who came before him: placing the current purpose of a practice “at the start” of their story, as “causa fiendi” of that practice, thus suggesting that the latter has a suprahistorical core, whereas “anything in existence, having somehow come about, is continually interpreted anew, requisitioned anew, transformed and redirected to a new purpose,” so that its “former ‘meaning’ [Sinn] and ‘purpose’ must necessarily be obscured or completely obliterated” (1994, II.12). Those genealogists risk finding in the state of nature only what they always wanted to find there.

But what if Fricker’s rejection of Foucauldian genealogy was based on a (common) misunderstanding of its main features? By dispelling such misunderstanding, I hope to show that Foucault’s mature genealogical inquiries are not vulnerable to the charges of reductionism and relativism, and that they can be fruitfully used to newly inquire into issues that normally fall under the umbrella of epistemic injustice, while also allowing us to eschew some of the main objections that threaten Fricker’s own project.

Foucault’s mature understanding and practice of genealogy are based on the distinction between games and regimes of truth that he draws in On the Government of the Living (2014a). Foucault initially coined the notion of regime of truth in order to criticize the philosophico-political “myth” according to which truth and power are incommensurable to each other. By contrast, he famously argues that “truth isn’t outside power, or deprived of power”: it is “produced by virtue of multiple constraints” and it itself “induces regulated effects of power” (1977, 13). Therefore, “each society has its regime of truth,” and by this expression Foucault simultaneously refers to

the types of discourse [society] harbors and causes to function as true; the mechanisms and instances which enable one to distinguish true from false statements, the way in which each is sanctioned; the techniques and procedures which are valorized for obtaining truth; the status of those who are charged with saying what counts as true. (1977, 13)

Thus, in the 1970s, Foucault defines the notion of regime of truth in terms of the reciprocal relations between knowledge and power. It is precisely this definition that Fricker has in mind when she argues that the reductionist position “is captured in the view that reason is just another form of social power—or alternatively, in Foucauldian terms, the view that reason is a fundamentally ‘disciplinary’ authority in the service of a ‘regime of truth’” (2000a, 154).12

This definition characterizes Foucault’s most famous genealogical inquiries (see, e.g., [1995]), yet scholars have so far failed to notice that it does not constitute the last nor the most sophisticated stage in his reflection on this topic. In 1980, after announcing his decision to get rid of the notion of power/knowledge and to replace it with the notion of the “government of human beings by the truth” (2014a, 11, trans. mod.), Foucault redefines a regime of truth as “that which determines the obligations of individuals with regard to the procedures of manifestation of truth” (93). But he immediately asks: “[H]ow does the truth oblige, in addition to the fact that it is
manifested?” (94) Indeed, if there is an obligation that forces individuals to accept what is presented to them as true, it seems that they are not actually dealing with “the truth” (or so the objection goes), since the latter is “sufficient unto itself for making its own law”: it obliges by virtue of its intrinsic force and not of a “regime” that is added to it—or better, the truth strictly speaking never obliges, but is accepted simply because it is the truth (95).

To respond to this objection, in On the Government of the Living Foucault elaborates what I take to be a crucial distinction: the distinction between games and regimes of truth. On the one hand, he claims that the truth is “index sui,”13 which means that in any game of truth, i.e., in any regulated system that produces truth claims, “only the truth can legitimately show the true” and separate true from false statements (96). On the other hand, however, Foucault argues that, at the level of the regime of truth, i.e., when considering the effects that the acceptance of the truth has on people’s conduct, “the truth is not the creator and holder of the rights it exercises over human beings, of the obligations the latter have towards it, and of the effects they expect from these obligations when and insofar as they are fulfilled” (96). But what does this mean? The distinction between games and regimes of truth can be helpfully construed as a distinction between the epistemic acceptance of a given truth claim and the practical submission to that claim. Indeed, while acceptance of the truth can be explained at the level of the game of truth, i.e., by relying exclusively on its formal structure and rules, submission to the truth—giving the truth the right and power to govern one’s (and others’) conduct—must be addressed at a different level: that of the regime of truth.14 The latter, according to Foucault, relies on a claim which does not belong to the epistemic domain of truth and falsity as such, but is rather “a sort of commitment, a sort of profession”: “[I]f it is true, then I will submit; it is true, therefore I submit” (96–97). This claim is the crucial element on which the government of human beings by the truth ultimately relies: it is the (allegedly free) commitment through which subjects give the truth the right and power to govern their own conduct.

Let’s take an example. The contemporary medical and psychiatric game of truth defines the condition of “gender dysphoria” as the distress resulting from “the incongruence between one’s experienced or expressed gender and one’s assigned gender.”15 Imagine a conversation with my doctor focusing on relevant symptoms at the end of which, according to the criteria laid out in the DSM-5, it turns out that I do suffer from the condition. The rules of the current medical and psychiatric game of truth allow us to reach the conclusion that “I am gender dysphoric,” and are certainly enough to explain and justify my epistemic acceptance of it. This conclusion, however, concretely entails a series of major consequences at the level of the government of my conduct: if it is true that I am gender dysphoric, the current medical and psychiatric practice suggests that I must be medically treated.16 Foucault’s point is that my submission to this further claim (“I suffer from condition X, therefore I must be medically treated”) cannot be explained at the epistemic level of the game of truth, but has to be addressed—and problematized17—at the practical level of the regime of truth, which focuses on the obligations that derive from the truth claims established within a given game of truth.
The problem is that, in most cases, the “therefore” that links the “it is true” to the “I submit” is imperceptible, for we tend not to see the difference between games and regimes of truth, or between the epistemic acceptance of a given truth claim and the practical consequences of such an acceptance at the level of the government of our conduct. Foucauldian genealogy, in its mature form, is to be conceived as a remedy for this specific kind of short-sightedness—and thus, in a Nietzschean fashion, as a way to problematize the “unconditional” nature of our “will to truth” (1994, III.24).

In other words, in the 1980s, Foucault gives genealogy both a new target and a new aim. On the one hand, genealogy no longer targets power/knowledge mechanisms per se, but more specifically the link between the “it is true” and the “I submit,” or the “therefore” that constitutes the keystone of the government of human beings by the truth. On the other hand, genealogy now aims to unmask the—usually imperceptible, because allegedly free—commitment that sustains the functioning of regimes of truth in our society, thus also revealing that the formal rules dividing true from false statements within any given game of truth do not derive the binding force they exert on people’s behavior from the internal structure of that game of truth.

What is particularly noteworthy in Foucault’s mature (re)definition of genealogy is therefore the explicit acknowledgment that every game of truth possesses a formal structure and rules which autonomously establish the distinction between true and false statements, and the claim that genealogy operates at a different level: that of the regime of truth, or better, of the necessary interaction between games and regimes of truth—because, for Foucault, no game of truth exists without or outside a regime of truth (Lorenzini 2015, 2). Hence, far from reducing knowledge to power, or games of truth to regimes of truth, Foucauldian genealogy does exactly the opposite: by distinguishing them, it aims to problematize their interaction and their effects on people’s conduct. It thereby becomes possible to extricate Foucault’s project from what Colin Koopman calls “the impasse between foundationalism and relativism” (2021, 110). Indeed, according to Foucault, within each game of truth (i.e., at a first-order normative level), truth is index sui and is therefore not relative nor reducible to power. Genealogy does not operate at this level, however, but at a second-order or metanormative level: it addresses the interaction between games and regimes of truth on which “governmental” operations rely. Thus, while Foucauldian genealogy acknowledges that, within any given game of truth, the rules for the establishment of truth claims are autonomous and noncoercive (albeit still historically variable; see Foucault 1997, 297), it targets the ways in which those truth claims are given binding force at the practical—ethico-political—level of the government of human beings’ conduct.

Consequently, by distinguishing games and regimes of truth, Foucault acknowledges that our thinking and reasons are not molded through and through by relations of power, and that there is something like a first-order epistemic normativity. At the same time, he also thereby emphasizes that “having reasons to think X,” within a given game of truth, does not ensure that relying on those reasons to govern one’s own (and others’) conduct will give one access to a space in which no epistemic “violence” (Spivak 2010) or “oppression” (Dotson 2012) will be perpetrated. Consider the following example: according to Foucault, when Descartes says “I
think, therefore I am,” behind the explicit “therefore” of the game of truth based on the évidence rule, there is a further, hidden “therefore”—that of a regime of truth which entails the exclusion of the mad person from the realm of rationality (2014a, 98). This does not mean that the individual who plays the game of truth based on the évidence rule has no reason to believe the conclusions she thereby reaches. However, the question that Foucauldian genealogy pushes us to ask is whether deeming “irrational” those who cannot (or do not accept to) play that game of truth—and who therefore do not submit to the governmental injunctions of the corresponding regime of truth—actually constitutes epistemic violence and sustains forms of epistemic oppression that we should criticize.

V

Thanks to the distinction between games and regimes of truth, Foucault’s mature conception of genealogy thus eschews both reductionism and (first-order) epistemic relativism. Consequently, Fricker’s worries about the implications of Foucauldian genealogy appear largely unwarranted. To this, Fricker would no doubt object that embracing Foucauldian genealogy still comes at a price, and a very high one: if there is no suprahistorical perspective, but only a multiplicity of historically situated games of truth, then judgments of (epistemic) justice and injustice would also have to be considered as part of one or more of these games, and they would thereby lose their normative foundation and force. But what if Foucault’s mature genealogical project, while abandoning the search for suprahistorical normative grounds, does not actually entail the rejection of socio-political normativity, just like it does not reject first-order epistemic normativity? The idea here is that rejecting a normativistic standpoint, i.e., “external normative standards” that allow one to measure reality “against an ‘abstract ought’” (Jaeggi 2009, 73), does not entail giving up the normative significance of one’s arguments—and that Foucault’s genealogical project does possess such a significance.

One of the most common claims in the literature on Foucauldian genealogy is that the latter is at best “preparatory,” and is therefore constantly in need of a further, normative proposal. This claim is shared by virtually all the scholars who have engaged with Foucauldian genealogy, including those sympathetic to it (see, e.g., Saar [2002]; Koopman [2013]). Unsurprisingly, it is also formulated as an objection by those who are critical of Foucault and who argue—like Fricker—that Foucauldian genealogy reduces knowledge to power, thus barring the possibility of grounding socio-political critique on stable normative principles (see, e.g., Fraser [1981, 1985]; Habermas [1990]). Yet this claim is misleading, to say the least, since Foucault’s genealogical inquiries have a possibilizing dimension built into them—one that, I have argued, is normatively significant.

Foucault famously claims that genealogy aims to “separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think” (1984b, 46). This possibility, far from simply being a logical one, is to be conceived in terms of the concrete elaboration and practice of ethico-political counter-conducts, each of which aims to criticize a given regime of truth that still governs (certain aspects of) our conduct. Hence, Foucauldian
genealogy entails what I have called a “we-making” process: by revealing that the
regimes of truth that human beings engaged with and fought against in the past are
still at play in the present, albeit transformed, genealogy recounts a story that is
ours—one not only of subjection, but of contestation, resistance, and critique as well
(Foucault 2019, 63). It thus situates each of its readers within a multiplicity of struc-
turally open “we”s which are created and recreated in the course of the genealogical
narrative itself. Each of these “we”s immanently carries with it a normative force that
takes the form of an ethico-political commitment (“I will not submit”) explicitly re-
versing the commitment that Foucault discusses in relation to the “therefore” that,
within any given regime of truth, links the “it is true” to the “I submit.”

José Medina emphasizes this aspect of Foucauldian genealogy when describing it
in terms of a “guerrilla pluralism” that allows us to “become part of multiple commu-
nities of resistance—past, present, and future ones—which, without being unified,
intersect and overlap in complex ways, creating frictions of all sorts” (2011, 12, 29).
Yet he does not realize that the we-making dimension of Foucauldian genealogy is
actually enough to prevent our epistemic, ethical, and political practices from dissolv-
ing into chaos.24 Indeed, if it is undeniable that one of its main goals is to make our
past and present alien to us, thus producing self-estrangement and perpetual resis-
tance to unification (26–27),25 Foucauldian genealogy also initiates processes of col-
lective (re-)subjectivation: it creates a multiplicity of “we”s that, while resisting
totalization, constitute (provisional and open-ended) “communities of resistance”
mutually intersecting and overlapping.

Therefore, one must ultimately reject the conclusion drawn by virtually all schol-
ars, including Fricker and Medina, that although some of Foucault’s insights may be
helpful, his genealogies are only able to debunk and destroy, thus abandoning their
readers in a normative void. It is true that, at times, Foucault’s genealogical project
takes the form of a guerrilla pluralism which “allows us to constitute a historical
knowledge of struggles and to make use of that knowledge in contemporary tactics”
in order to “to oppose and struggle against the coercion of a unitary, formal, and scient-
ific theoretical discourse” (Foucault 2003, 8, 10). Yet, in its mature form, Foucauldian
genealogy is more accurately characterized as an exercise in critical reflexivity and
ethico-political possibilization that entails both a process of de-subjectivation (a perpetual
debunking of our beliefs, our practices, and our selves) and a process of re-subjectivation
(an open-ended and collective one produced by genealogy’s we-making function).

The forms of normativity that characterize Foucault’s mature genealogical inqui-
ries might still not be enough for Fricker, who will certainly lament the absence of
more solid normative grounds allowing one to extricate judgments of (epistemic)
justice and injustice from the historical and social situatedness of games and regimes
of truth.26 Yet, in this paper, I hope to have shown that Fricker’s own genealogical
project comes with problematic baggage, and that Foucauldian genealogy, when
grounded in the distinction between games and regimes of truth and understood as a
possibilizing and we-making endeavor, is neither reductionist nor relativist, but pos-
sesses epistemic and socio-political normative significance. It can therefore be safely
used to newly inquire into issues that normally fall under the umbrella of epistemic
injustice, and perhaps even to broaden the spectrum of issues that merit consideration: not just cases in which one’s words and experiences are discounted because one is deemed not to know (the Descartes example), but also cases in which one is deemed to know, and precisely on the basis of such knowledge one is asked to govern oneself or to let oneself be governed in a specific way (the gender-dysphoria example).

Ironically enough, I would argue that one of the main upshots of Foucault’s mature genealogical practice consists in offering crucial resources for the cultivation of precisely the intellectual, ethical, and political virtues that Fricker also recommends in her book. Indeed, if for Fricker critique takes the form of a reflexive critical openness prompted by the cultivation of the virtues of testimonial and hermeneutical justice— or what we could call “testimonial sensibility” (Fricker 2003, 161–64) and “hermeneutical charity” (Medina 2017, 48)—it is undeniable that Foucauldian genealogy contributes to such cultivation by encouraging its readers to develop an attitude of epistemic humility towards their own judgments. More precisely, this contribution takes two main forms. On the one hand, it is clear that one’s ability to cultivate and exercise the virtues of testimonial sensibility and hermeneutical charity largely depends upon the historical and socio-political context one finds oneself living in, and upon the collective struggles that are successful in transforming the content and distribution of epistemic resources available to individuals and groups. Insofar as Foucauldian genealogy aims to facilitate epistemic insurrections and socio-political struggles, while also contributing to the creation of new communities of resistance, it manifestly plays a crucial role in opening up the concrete possibility for people to cultivate and exercise testimonial sensibility and hermeneutical charity. On the other hand, as mentioned above, Foucauldian genealogy pushes its readers to apply the reflexive critical awareness Fricker talks about to the very norms that (explicitly or implicitly) organize their own critical discourse—for instance, the suprahistorical idea of a “rational subject” or the clear-cut distinction between knowledge and power. The point, of course, is not to go the opposite way altogether and deny any value to these ideas and distinctions. It is rather a matter of historicizing (or better, genealogizing) them in order to reveal their inescapable situatedness and problematize their actual effects on people in any given context—thus always remaining open to the possibility that they might themselves entail forms of epistemic violence and oppression.

NOTES

1. Fricker’s definition of “social power” as “a socially situated capacity to control others’ actions” (2007, 4) is clearly inspired by Foucault’s definition of power as “a mode of action” which “acts upon [others’] actions” (2001, 340). While Fricker explicitly draws from Foucault when it comes to the relational and “microphysical” aspects of power, however, her idea of power as a capacity (i.e., something that exists even when it is not exercised) clearly departs from his.

2. For the few exceptions to the rule, see Medina (2011), Keet (2014), and Allen (2017).

3. I am grateful to Miranda Fricker for clarifying this aspect of her view to me.

4. For Foucault’s explicit rejection of the (normativistic) language of justice and injustice, see, e.g., Chomsky and Foucault (2006, 49–50), where Foucault famously claims that “if justice is at stake in a struggle, then it is as an instrument of power”—that is, appeals to justice should be conceived as tactical elements
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within a strategic situation which is itself the object of social struggles and of different, conflicting historical definitions. For a lucid analysis of Foucault’s “critical praxis of rights” in his later writings, one that complicates some of his claims in the debate with Chomsky, see Golder (2015).

5. Fricker (1998) builds on Craig’s state-of-nature story in order to offer “a characterization of rational authority which is genuinely independent of social power” (161). Such characterization, in her view, is necessary to avoid any reductionism about reason, for “if rational authority were the same as the power to appear rationally authoritative, then there could be no genuine notion of discrimination” (175).

6. For more details on Craig’s and Williams’s respective genealogical projects, see Queloz (2021, 132–92), as well as Longworth’s “Vindicating Reasons” (The Monist 105[4]: 558–73) and Queloz’s “Genealogy, Evaluation, and Engineering” (The Monist 105[4]: 435–51) in this issue.

7. According to Fricker (2007, 1), testimonial injustice occurs “when prejudice causes a hearer to give a devalued level of credibility to a speaker’s word.”

8. Vindicatory genealogies are defined by Williams (2002, 283n19) as real, conjectural, or fictional narratives that explain the origin and development of a set of values, beliefs, or practices in order to strengthen one’s confidence in them. By contrast, an “ameliorative genealogy undertakes to evaluate the point of having a concept or structure of concepts (along with related practices) and proposes improved resources to fulfill them” (Haslanger 2012, 372).

9. Both Nietzsche and Foucault construe genealogy as a method that “opposes itself to the search for the ‘origin’ and actually ‘teaches us to laugh at the solemnities of the origin,’” because what it finds “at the historical beginning of things in not the inviolable identity of their origin,” but multiplicity and disparity (Foucault 1984a, 77–80, trans. mod.). See also Nietzsche (1994, I.1–10; II.4–6, 16; III.16) and Geuss (1994, 276).

10. See O’Neill, who argues that idealizations often “produce theories that may appear to apply widely, but in fact covertly exclude from their scope those who don’t match a certain ideal” (1989, 210). See also Mills (2005). I am grateful to David Owen for pressing me on this point.

11. I am grateful to Andrew Huddleston for this suggestion.

12. Note, however, that when describing the relationship between knowledge and power as a reciprocal one, Foucault is already departing from a straightforwardly reductionist position (Allen 2017).

13. See Spinoza’s LXXVI letter to Albert Burgh (1928, 352): “[T]he truth reveals itself and the false [est enim verum index sui, et falsi].”

14. I am grateful to Guy Longworth and Sabina Vaccarino Bremner for pressing me to clarify this point.

15. American Psychiatric Association 2013, 451.

16. See, e.g., Wylie et al. (2014).

17. Indeed, my acceptance of the conclusion that, according to the current medical and psychiatric game of truth, I count as “gender dysphoric” does not entail that I must submit to its expected consequences at the level of the regime of truth: I do not have to recognize myself as gender dysphoric, or change my behavior (or my body) accordingly. In other words, I do not have to submit to this “‘you have to’ of the truth” (Foucault 2014a, 97). This also opens up the possibility of using the very rules of the medical game and regime of truth strategically: because diagnosis makes available intervention, if the latter is what I ultimately want, I may choose to accept the “it is true” and submit to the “you have to” of such a truth merely as a way to access care. I am grateful to Verena Erlenbusch-Anderson for pressing me on this point.

18. Note that the mere fact of saying “it is true” is often enough to entail effects of submission, or at any rate to give specific mechanisms of power the right to govern our conduct, as Foucault’s work on religious, medical, and juridical avowal clearly demonstrates (see, e.g., 2014b).

19. This argument draws from Allen’s defense of contextualism about normative justification against the threat of first-order moral relativism—one that relies precisely on the distinction between first-order and second-order normative levels, which according to her is implicit “in the work of Butler, Adorno, and Foucault” (2016, 212).

20. The first rule of Descartes’s method is also known as the “règle de l’évidence”: “Never to accept anything as true that I did not incontrovertibly [évidemment] know to be so” (Descartes 2006, 17).

21. On the “violent” exclusion of madness in Descartes’s Meditations, see Foucault (2006, 44–47).

22. Cf. Fanon (2004, 37): “For the colonized subject, objectivity is always directed against him.”

23. I have developed this argument in more detail in Lorenzini (2020). For an interesting characterization of Foucault’s philosophical project as aiming to illuminate the obstacles that prevent us from grasping the full scope of possibilities for thought, see Tiisala (2017).
24. Medina (2013, 297) argues that “after epistemic regimes are shattered, we have to undertake a process of reconstruction with the pieces we are left with […] in order to make our heterogeneous (and sometimes conflicting) epistemic practices livable,” so that they “do not dissolve into chaos […]”. Guerrilla pluralism,” he concludes, “has a lot to offer in terms of epistemic disruptions and processes of unlearning, but very little in terms of epistemic regrouping and resuming processes of collective learning. If we only had the epistemic subversions and insurgencies of this guerrilla pluralism, we would be doomed to relativism.”

25. On the “de-subjectifying” effects of (Foucauldian) genealogy, see Saar (2008).

26. Fricker (2000a, 150) clearly argues that the “localness of all norms of judgment” renders one “incapable of sustaining ordinary critical judgments.” However, in the same paper she also defends a “first-order epistemic pluralism,” or a “perspectival realism” that “acknowledges the existence of many different perspectives on a shared world” and arises “from a conception of discursive relations which […] is informed by the idea of power’s immanence in those relations” (159–60). I see no good reason why Foucault’s mature genealogical project, based on the distinction between games and regimes of truth, could not be considered compatible with such perspectival realism.

27. According to Fricker (2007, 1), hermeneutical injustice occurs when “a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences” and/or to rendering them communicatively intelligible to others. This gap, Fricker argues, is normally caused by “hermeneutical marginalization” of the group to which the subject belongs (153).

28. Fricker is aware of this fact: “Eradicating these injustices,” she writes, “would ultimately take not just more virtuous hearers, but collective social political change” (2007, 8).

29. Versions of this paper were presented at the Moral and Political Philosophy Research Seminar at the University of Helsinki (April 7, 2021), the international conference “Les métamorphoses de la ‘généalogie’ après Nietzsche” at the Université Saint-Louis—Bruxelles (April 22–23, 2021), and the workshop “Genealogy” at the University of Warwick (June 3–4, 2021). I am indebted to Amy Allen, Javier Burdman, Arnold Davidson, Verena Erlenbusch-Anderson, Miranda Fricker, Michele Giavazzi, Sacha Golob, Andrew Hudstellon, Guy Longworth, Fraser MacBride, David Owen, Alexander Prescott-Couch, Matthieu Queloz, Daniel Rodriguez-Navas, Emmanuel Salanskis, Tuomo Tiisala, and Sabina Vaccarino Bremner, as well as to an anonymous reviewer from The Monist, for their engaging questions and helpful feedback.

REFERENCES

Allen, Amy. 2010. “The Entanglement of Power and Validity: Foucault and Critical Theory,” in T. O’Leary and C. Falzon, eds., Foucault and Philosophy, Oxford: Wiley-Blackwell, 78–98.

——. 2016. The End of Progress: Decolonizing the Normative Foundations of Critical Theory, New York: Columbia University Press.

——. 2017. “Power/Knowledge/Resistance: Foucault and Epistemic Injustice,” in Kidd et al., eds. (2017, 187–94).

American Psychiatric Association. 2013. Diagnostic and Statistical Manual of Mental Disorders: Fifth Edition, Washington, DC: American Psychiatric Publishing.

Chomsky, Noam and Michel Foucault. 2006(1971). The Chomsky-Foucault Debate: On Human Nature, New York: The New Press.

Craig, Edward. 1990. Knowledge and the State of Nature: An Essay in Conceptual Synthesis, Oxford: Clarendon Press.

Descartes, René. 2006(1637). A Discourse on the Method, Oxford: Oxford University Press.

Dotson, Kristie. 2012. “A Cautionary Tale: On Limiting Epistemic Oppression,” Frontiers 33(1): 24–47.

Fanon, Frantz. 2004(1961). The Wretched of the Earth, New York: Grove Press.

Foucault, Michel. 1977(1976). “The Political Function of the Intellectual,” Radical Philosophy 17: 12–14.

——. 1984a(1971). “Nietzsche, Genealogy, History,” in The Foucault Reader, ed. P. Rabinow, New York: Pantheon Books, 76–100.
Koopman, Colin 2013. Genealogy as Critique: Foucault and the Problems of Modernity, Bloomington, IN: Indiana University Press.

— —. 2021. “Critique in Truth: Bernard Harcourt’s Critique & Practice,” Foucault Studies 30: 106–12.

Lorenzini, Daniele 2015. “What Is a ‘Regime of Truth’?” Le Foucauldien 1(1): 1–5.

— —. 2020. “On Possibilizing Genealogy,” Inquiry. https://doi.org/10.1080/0020174X.2020.1712227.

Medina, José 2011. “Toward a Foucauldian Epistemology of Resistance: Counter-Memory, Epistemic Friction, and Guerrilla Pluralism,” Foucault Studies 12: 9–35.

— —. 2013. The Epistemology of Resistance: Gender and Racial Oppression, Epistemic Injustice, and Resistant Imaginations, Oxford: Oxford University Press.

— —. 2017. “Varieties of Hermeneutical Injustice,” in Kidd et al., eds. (2017, 41–52)

Mills, Charles W. 2005. “‘Ideal Theory’ as Ideology,” Hypatia 20(3): 165–84.

Nietzsche, Friedrich 1994[1887]. On the Genealogy of Morality, ed. K. Ansell-Pearson, Cambridge: Cambridge University Press.

O’Neill, Onora 1989. Constructions of Reason: Explorations of Kant’s Practical Philosophy, Cambridge: Cambridge University Press.

Queloz, Matthieu 2021. The Practical Origins of Ideas: Genealogy as Conceptual-Reverse Engineering, Oxford: Oxford University Press.

Saar, Martin 2002. “Genealogy and Subjectivity,” European Journal of Philosophy 10(2): 231–45.

— —. 2008. “Understanding Genealogy: History, Power, and the Self,” Journal of the Philosophy of History 2(3): 295–314.

Spinoza, Baruch 1928. The Correspondence of Spinoza, New York: Lincoln MacVeagh/The Dial Press.

Spivak, Gayatri Chakravorty 2010[1988]. “Can the Subaltern Speak?” in R.C. Morris, ed., Can the Subaltern Speak? Reflections on the History of an Idea, New York: Columbia University Press, 21–78.

Tiisala, Tuomo 2017. “Overcoming ‘the Present Limits of the Necessary’: Foucault’s Conception of a Critique,” Southern Journal of Philosophy 55: 7–24.

Williams, Bernard 2002. Truth and Truthfulness: An Essay in Genealogy, Princeton, NJ: Princeton University Press.

Wylie, Kevan et al. 2014. “Good Practice Guidelines for the Assessment and Treatment of Adults with Gender Dysphoria,” Sexual and Relationship Therapy 29(2): 154–214.