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Hindess, B. (1996). *Discourses of power: from Hobbes to Foucault*. Blackwell Publishers.

## **Introduction**

1. Hindess (1996) introduced two conceptions of power. One, which has been especially prominent in recent academic discussion, is the idea of power as a simple quantitative phenomenon. The second, understanding power as involving not only a capacity but also a right to act, with both capacity and right being seen to rest on the consent of those over whom the power is exercised. (1)
2. Hindess further elaborates the two conceptions. The first conception of power, as a simple capacity to act, as Weber identifies power with 'the chance of a man or a number of men to realize their own will even against the resistance of others who are participating in the action' (Weber, 1978:926). This conception of power suggests that there will be an unequal relation between those who employ power for their own purposes and those who are subject to its effects. Power, in this sense, may be used as an instrument of domination. (2)
3. The second conception of power, as a legitimate capacity, as Parsons defines power as 'the generalized capacity to secure the performance of binding obligations by units in a system of collective action when the obligations are legitimized with reference to their bearing on collective goals and where in the case of recalcitrance there is a presumption of enforcement by negative situational sanctions' (Parsons, 1969:361). This definition encapsulates the fundamental idea of power as a capacity that operates primarily on the basis of its legitimacy, and therefore by means that presume the consent of those over whom it is exercised. (11)
4. Starting from a formal definition in Leviathan chapter X of the 'power of a man' as 'his present means to obtain some future apparent Good' (Hobbes, 1968:150), Hobbes goes on to describe sovereign power as combining the powers of many individuals. This description is significant for two reasons. First, it suggests that diverse particular powers can be combined to form a power greater than any one of them. In this respect, Hobbes' notion of sovereign power can be regarded as an early elaboration of the conception of power as simple quantitative capacity. Secondly, Hobbes' description is significant because it implies that the power of any single subject or group of subjects, since it combines the powers of all of

them. However, Hobbes' account of how that sovereign power is constituted in presumed acts of authorization by numerous individual subjects presents a rather different picture. This suggests that sovereign power is a right to make use of the powers of its subjects, but it does not follow from this, as Hobbes would sometimes have us believe, that the sovereign will therefore have an effective capacity to make use of those powers. Hobbes' argument here involves a confusion between the idea of power as a capacity and the idea of power as a right: a confusion that is endemic to modern political theory. (14-15).

5. Locke's Second Treatise on Government begins by defining political (sovereign) power as a right to make laws and enforce them, and to defend the commonwealth from injury. However, it goes on to consider the concepts of usurpation and tyranny, according to which political power may be exercised in the absence of its constitutive right. Here we see a confusion between power as capacity and power as right. (15-16)
6. While it might seem to lead my discussion away from the concept of power, this Lockean account of morality is important here for two reasons. One relates to Foucault's focus on how the effects of power (and of governmental power in particular) are produced: that is, on the techniques and the rationalities of power. In this respect, the significance of Locke's discussion of morality is that it furnishes the rationale for a variety of governmental devices intended to reform the behavior of those whose habits of thought and of behavior are regarded as undesirable. (17)
7. Locke's treatment of morality is important, secondly, because it describes a dispersed form of social regulation that not only acts directly on the behavior of its subjects but also moulds their thoughts and desires. I argue in the final section of chapter 4 that the idea of such a pervasive and insidious control represents the core of Lukes' third dimension of power, a conception that relates to the Gramscian notion of hegemony and to a central part of the analysis of power in contemporary critical theory. (18)
8. I explore the issue by considering, first, the significance of his critique of political theory, and, secondly, the parallels and differences between Foucault's arguments and those of critical theory. I argue that Foucault is largely successful in escaping from the presuppositions, and the problems, of the conception of power as a function of consent, and in particular, that much of his analysis precludes any utopian conception of human emancipation of the kind proposed by critical theory... I conclude by qualifying Foucault's claim that political theory is 'obsessed with the person of the sovereign'. Political theory certainly does have its obsessions, and many of these are indeed concerned with relations

between sovereigns and subjects. (21)

### **Hobbes on power and the sovereign**

1. Chapter X of Hobbes' *Leviathan* opens with a deceptively simple definition of power: 'The power of a man is his present means to obtain some future apparent Good. And it is either Originall, or Instrumental' (ch. X; 1968 p. 150). The first of these (also called Natural) refers to faculties of body or mind such as 'extraordinary Strengths, Forms, Prudence, Arts, Eloquence, Liberality, Nobility'. The second refers to 'those powers, which acquired by these, or by fortune, are means and instruments to acquire more: as Riches, Reputation, Friends, and the secret working of God, which men call Good Luck'. (22)
2. Power, in this view, then, refers to any one, or to any combination, of a remarkably heterogeneous set of attributes which appear to have in common the fact that they may be useful to their possessor in pursuit of at least some of his or her purposes. (23)
3. As we shall see in connection with his account of sovereign power, Hobbes in fact goes on to write as if the discrete powers of many individuals could be 'united by consent' (*Leviathan* ch. X; 1968 p. 150) to form a power greater than any of them. In another context he tells us that 'because the power of one man resisteth and hindereth the effects of the power of another: power is simply no more, but the excess of the power of one above that of another'. In these comments, Hobbes presents a view of power that departs from the simplicity of his initial definition in a number of important respects. First, it suggests that power should really be seen as a quantitative and cumulative phenomenon...There is also a second respect in which Hobbes writes of power as if it were capable of aggregation. Not only do the powers of different persons represent quantities of a common underlying capacity, they can also be combined to form a power greater than any one of them. 'The Greatest of humane Powers', he tells us, 'is that which is compounded of the Powers of most men, united by consent, in one person...that has the use of all their powers'. (25)
4. Hobbes appears to suggest that these powers can be united by the consent of the individuals concerned – but this is to ignore the organization required to achieve the effective coordination of the actions of numerous independent persons. (26)
5. While it may be tempting to regard this conception of power as simple capacity as Hobbes' central contribution to the analysis of power, it would be a mistake to do so. In fact, the greater part of his political argument makes use of a different,

and far more complex, view of power. (35)

6. The Greatest of humane Powers, is that which is compounded of the Powers of most men, united by consent, in one person, Naturall, or Civill, that has the use of all their Powers, depending on his will; such is the Power of a Common-wealth: Or depending on the wills of each particular; such as is the Power of a faction, or of diverse factions leagued. Therefore to have Servants, is Power; To have friends, is Power: for they are strengths united. (Leviathan, ch.X.; 1968:150).
7. The Common-wealth created through such multiple acts of Covenant is invested in a single person: i.e., Leviathan. 'And he that carryeth this Person, is called Sovereigne' (Ch. XVII; 1968:228). The 'sovereign power' wielded by this person is constituted in 'the strength and means' of all his subjects; his subjects are the authors of the power of their sovereign. Through the Covenant the sovereign is authorized to use such power as he thinks best, in order to ensure the 'Peace and Common Defence' of his subjects. (37)
8. The sovereign power that plays such an important part in Hobbes' argument, then, does not describe the 'present means to obtain some future apparent Good' at the disposal of any actual sovereign. It is, in other words, something other than a real and effective power, at least in the strict sense of his initial definition. In fact, Hobbes' discussion of 'sovereign power' is less about power, understood in the manner of his definition, than it is about the political constitution of society and the character of government: the government is the sovereign, and the activity of government is the exercise of sovereign power. (38-9).

### **Locke on political power and morality**

1. Locke sets out what he understands by political power at the beginning of his *Second Treatise on Government*. It is: a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the execution of such Laws, and in the defence of the Common-wealth from Foreign Injury, and all this only for the Public Good. (1980:8). Political power in this sense is the power of a sovereign over its subjects. (48-9)
2. Now consider Locke's definition of political power as a right. It does not accord with Hobbes' definition in which power is presented as a capacity to achieve one's objectives – although, as we have seen, the view of power as a right is an integral part of Hobbes' understanding of sovereign power. Nor does the idea of political power as a right seem to accord with Locke's own treatment of the

general concept of power in *An Essay Concerning Human Understanding*. Power as a right is an attribute of relations between persons. In contrast, the Essay presents a version of the Platonic view of power as an ability to affect or to be affected by something else. On this latter view, power should be seen as an attribute of substance, and specifically as the capacity of a substance to modify or to be modified by others. (51)

3. While the *Second Treatise on Government* begins with the definition of political power quoted above, it goes on to consider cases in which political power is assumed to be something rather different. He uses the term 'usurpation', for example, to refer to conditions in which political power is exercised by those who have no right to it. This suggests that the power that is under discussion here is not so much 'a right of making laws...for the Publick Good' as it is an effective capacity to impose laws and to employ 'the force of the Community': the right to do these things is of little value if the necessary capacity has been usurped by another. Political power, in Locke's sense, acts primarily through making laws and enforcing them and defending the commonwealth from injury. That power is legitimate if those who have the capacity also have the right. (52)
4. In many respects the idea of political power occupies a similar place in Locke's account of government as the idea of sovereign power does in Hobbes' account. First, Locke presents political power as the single most important power operating in a society and he assigns to its possessor responsibility for external defence. Secondly, apart from defence, he assumes that the most significant activities of political power are the enactment and enforcement of laws. Thirdly, at least in his *Two Treatises*, Locke treats subjects as having been formed as personalities (and as moral personalities in particular) independently of the activities of government. Nevertheless, there are also fundamental differences between these two perspectives on political or sovereign power. We have seen that the Hobbesian account of sovereignty denies the right of rebellion, since subjects are said to have no contractual rights with respect to the sovereign power. Hobbes also maintains that the sovereign need not be constrained by the moral concerns of its subjects. Here the sovereign power as right is understood in some absolute sense. Locke disputes both of these positions. His account of government clearly allows the people the right of rebellion, while his account of morality can be read as suggesting that their 'secret and tacite consent' provides the moral foundations on which the legitimacy of their government might be judged. (63)

## **Lukes and Critical Theory**

1. This 'radical' view encapsulates an approach to the analysis of power that has been extremely influential in the modern period. It can be found, for instance, in the belief – widespread amongst Marxists and other socialists – that capitalist society imposes a false consciousness on the working class, and in those feminist arguments which suggest that patriarchy manifests itself not only in legal and institutional arrangements working to the advantage of men, but also in the formation of the consciousness of gendered subjects. (69)
2. What is objectionable, rather, is the shaping of thoughts and desires so that people misrecognize, and therefore act 'freely' in ways that run counter to, their interests. Lukes suggests that collective decision-making under conditions of democratic participation would avoid that danger. In fact, the 'radical' view of power presented in Lukes' book and, in rather more complex form, in critical theory, rests on two fundamental components that play no part in the discourses of power we have considered up to this point. One is the bringing together of the two potentially conflicting conceptions of the human individual noted above: as autonomous rational agent on the one hand and as malleable creature of social conditions on the other. (73)

## **Foucault on Power, Domination and Government**

1. I now turn to the work of Foucault, which is important here precisely because he insists that the study of power needs to move away from these obsessions with questions of sovereignty and legitimacy. 'We need', he tells us, 'to cut off the King's head: in political theory that has still to be done' (Foucault, 1980:121). This chapter outlines Foucault's analysis of power, and of governmental power in particular, and considers how it differs from the analyses of political power considered in my earlier chapters. (97)
2. Foucault uses the terms 'pastoral power' and 'the shepherd-flock game' to refer to what he sees as an influential view of government: one which understands government in terms of the metaphor of the shepherd and his flock. The metaphor implies that the aim of government is to promote the well-being of its subjects by means of detailed and comprehensive regulation of their behavior. The shepherd exercises pastoral power over his flock, implying a relationship between ruler and ruled which is more intimate, and more continuous, than any of the standard models of government by consent would allow. (118)
3. The work of philanthropy was particularly significant in this respect: it was

intended not only to care for the less fortunate by easing their condition and guiding them in the paths of righteousness, but also to benefit society as a whole. (121)

4. But there is a further significant aspect of Foucault's treatment of the pastoral theme that should be noted here. This concerns his suggestion that Christianity modified the earlier Hebrew shepherd-flock metaphor in several important respects. Christian ideas of sin, atonement and salvation, for example, added to the moral complexity of relations between the shepherd and each member of the flock. However, the more important modifications, as far as Foucault's argument is concerned, involve the Christian appropriation of the Stoic practice of self-examination in such a way as to bring it together with the guidance of conscience...Christian pastorship, on the other hand, employed self-examination to turn the guidance of conscience into an integral part of a continuous relationship between the shepherd (or his local representative) and each member of the flock. (121)
5. Foucault's suggestion here is that the model of pastoral power which became influential in the West was first developed in the early church. It was later adopted, along with elements of replicanism, by government in the confessional states of seventeenth-century Europe. In fact, the 'pastoral' use of confession, self-examination and guidance continue to be found today, not only in Christian churches and sects, but also in the work of a variety of specialized state agencies and private charitable and philanthropic organizations, in many kinds of counseling, therapy and techniques of personality modification, and, of course, in the personnel development and training practices of many public and private corporations. In such cases, the training of individuals in the exercise of self-government serves as an instrument of the government of their conduct. (122)