

seems to wheel it out as a *deus ex machina* when other arguments fail, as in his reply here on the Chester Bowles conversation. Indeed he seems to rely on it more and more in his recent writings—as if conscious that his thesis about Cambodia is crumbling under the counter-evidence. (*Whatever* Nixon really did in Cambodia, it was wrong!)

American constitutional law is a subject Mr. Shawcross obviously knows nothing about. The Supreme Court of the United States, which usually decides such questions, never declared any aspect of the war unconstitutional; it stayed far away from

an issue so clearly political. Nor did the U.S. Congress ever legislate such a view (only an antiwar minority espoused it). Key legislative leaders were consulted on the bombing of Cambodia under informal procedures for covert military operations that had been customary since the Lewis and Clark expedition; the House Judiciary Committee in 1974 *rejected* an article of impeachment on this issue by more than two-to-one. And, of course, four Presidents over fifteen years regarded their actions as a proper exercise of the commander-in-chief's power. Mr. Shawcross can set himself up as a Lawgiver over and above the

three branches of government in this country; but his claim has no legal authority whatsoever. It is a fringe theory of the antiwar Left. Indeed, it is plain wrong. The balance of strength between the Executive and Congress in foreign affairs has been tested and shaped in political struggles over 200 years. Presidential powers exist whether Mr. Shawcross approves or not. If Franklin Roosevelt had followed such a constricted theory of executive authority before Pearl Harbor, Mr. Shawcross would have grown up speaking German.

Sideshow, in short, is a fraud. □

Don Herzog

MICHEL FOUCAULT AND THE PULLULATIONS OF POWER

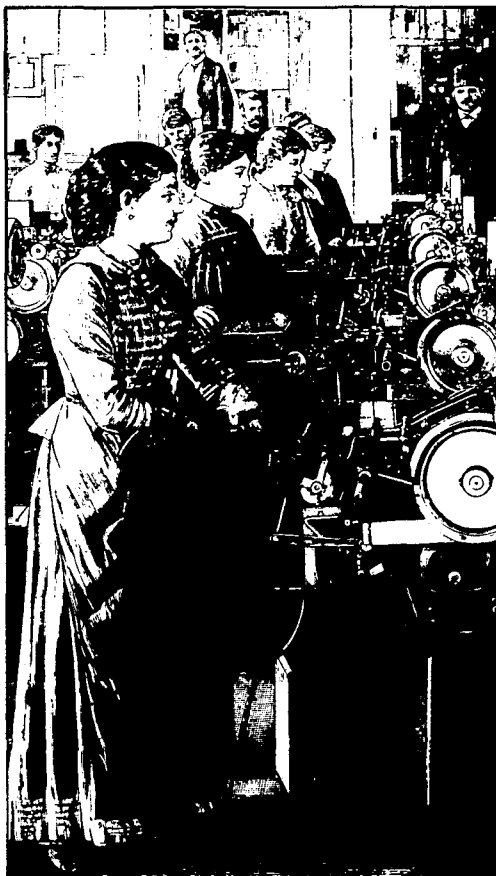
Power is all around, no need to waste it.

I first encountered Michel Foucault my sophomore year in college, in a European intellectual history class. The professor, an emphatically obscure fellow with a mystagogical penchant for lending dramatic emphasis to conjunctions and prepositions, made it clear, I suppose, that this Foucault was shamefully unknown in America. "In France," he offered disdainfully, "one would not introduce the writings . . . of . . . Foucault."

Eureka! thought this eager young man I am told is an earlier incarnation of myself. I/he was delighted to discover we would read *Madness and Civilization*, a study of the creation of the "mentally ill." The book, the professor intoned, was wretchedly translated, an unspeakable abridgment—an abortion. Sigh. "But it will have . . . to do." The eager young man, functionally illiterate in French, sighed too. He had no choice.

The book was puzzling. No. The book was utterly mysterious. It obviously warranted straightaway consignment to the bowels of some musty used bookstore crammed with works only a paper mill might purchase. Yet the book exercised some phantom attraction. It beckoned invitingly over lazy afternoon coffee and sedulous evening pinball. Blithely unconcerned with the previous contours of my life, it pulled me away from the piano and

even curtailed my hours of sleep. Foucault's prose wandered on aimlessly: Mere sentences described dizzying spirals, leaving pullulating subordinate clauses in their wake; I dare not try to describe the acrobatic feats of the paragraphs. "*Stultifera Navis*," proclaimed the first chapter. Surely this was the stuff of genius. Surely only the unyielding abominations of



abridgment and translation stood between my sophomoric self and the transforming intellectual experience which would anchor my inchoate reveries.

My French is still quite clumsy, but the translation, I find now, is quite good. And Foucault prepared the abridgment. But while I have read a good deal more Foucault, his prose still wanders, and I still lose myself in unblushingly oblique metaphors. Should I wish, as I do, to suggest that Foucault is worth reading, I had better step back a pace or two.

Conservatives and libertarians regularly insist on a fundamental dividing line between state and private action. Politics, they claim, is the stuff of coercion, the exercise of power; outside politics, free individuals come to voluntary arrangements redounding to their mutual benefit. We should, they go on, be especially wary of proposals to augment state power, however worthy the ends may seem, for the means necessarily invoked on their behalf are vicious. Worse yet, the state, feeding on increased activity, grows hungrier for still more power. Politics always threatens to swallow up the voluntaristic dealings of individuals, so beneficial, so inherently praiseworthy. Those on the Left either misunderstand or underestimate market institutions, and should, once educated, see the error of their ways. In the hands of some theorists—Tocqueville, say, or Hayek—the picture is painted in a

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subtle, elegant way, and attains no little compelling rigor. Once we accept such a contrast, the limited state, or even anarchism, beckons. Who would embrace Tocqueville's nightmare of an all-powerful, paternalistic state, ministering skillfully to the needs of isolated individuals incapable of ennobling joint action?

I first questioned these views while working one summer as a stockboy in a swimming pool store. I had been reading Ludwig von Mises' *Human Action*, and was prepared to meet free individuals. I was rudely surprised. The manager, a harried, bespectacled fellow with an unerring eye for the flagging worker, barked out the most incomprehensible orders. "Uh, Don, why don't you, uh, move all the boxes in the back, uh, a little closer to the wall." Two hours later, I had expended perhaps a quart of sweat and moved all the boxes. The owner, meanwhile, came storming through the double doors and erupted. The boxes, I gathered by riveting my attention on the occasional coherent phrases bubbling up from the black fury of this energetically obese capitalist, were too close to the wall, and the dripping water from the leaks in the roof might run down the wall, and—aha!—mar the boxes, which might then be spurned by customers. Chalk up two more hours and another quart.

I learned that one obeyed the owner and manager without question, hoped not to be caught in the crossfire of their remarkably frequent disagreements, and stood always ready for an unjustifiable volley of abuse from the owner (or, worse yet, his odiously fat son). I was, no doubt, free in the marketplace—free to join the ranks of the unemployed, free to let myself be ordered

around in some other job by another owner, manager, foreman, or petty dictator. I was, no doubt, very much the object of an uncomfortably palpable and almost frivolous exercise of power. Von Mises became increasingly puzzling. I remembered that my high school classrooms were not the most liberating places known to humankind. My teachers were intent on maintaining some semblance of order so they could teach us a smattering of math, science, and American exceptionalism—or did they teach to maintain order? We engineered fabulously complex plots to escape French and study hall. We forged passes, victimized substitute teachers, and transferred unimaginable quantities of hostility, fear, and boredom into soccer during gym. Even the family, nurtured by generations of diligent conservative applause, was tainted by power, sometimes blunt, generally masked, always present. I suddenly found it difficult to think of a social institution not permeated by power.

Now, granted political power is different, more dramatic. The state, as political theorists of all stripes have reminded us, claims the right of life and death. But we need to take seriously the idea that society is shot through with power, that power is an essential ingredient in social interaction, that it structures roles and behavior in all spheres of life. And so we need to sound out the conceptual contours of power, to develop a theory of power showing just what power is, how it is gained, lost, used, abused. There are stray insights in the literature of political science. The low men on the bureaucratic totem pole may exercise power over those on top by following all the rules and so forcing the organization

to grind to a halt. Or conversely, they may exercise power by acting unpredictably and so forcing decision-makers to take their vagaries into account. But there is, so far as I know, no good theory of power.

"In political theory," Foucault has written, "we have not yet cut off the head of the king." The point, I think, is well taken. We tend to cast power as lying in the hands of some all-powerful figure—the state, the boss, the teacher, the parent—who proceeds to prevent helpless underlings from doing what they want to. And so we might be led to extend this putatively political understanding of power to social domains, in ways which wouldn't illuminate matters. Foucault wishes to complicate our understanding of power; and while his contributions leave us still somewhat short of a full-fledged theory of power, they are valuable. I want here simply to set out some of Foucault's insights.*

To start with, we have to forget the omniscient figure bending us to his will; and we have to forget him in politics as well as society. Power is more diffuse, more interactive. It's not that I exercise power over you, but rather that power structures the relationship between us, in ways affecting both of us. Even a slave may contour his master's behavior, by obeying readily after being beaten instead of branded, or by sulking. The point is not that all of us share some wonderfully egalitarian allotment of power, but that even the apparently meek and helpless—the prisoner, the institutionalized "mentally ill," the child—exercise power.

We have to forget too the stereotypically Freudian conception of power as always repressive, denying, saying no. Foucault is at his best here in challenging some of the more tiresome pieties of the Left—that, say, repression is the theoretical key to understanding what's wrong with sex and politics alike. Repression, Foucault argues in the opening volume of his *History of Sexuality*, is too simplistic a category to capture anything of the richness and complexity of power as it actually operates in the world. Power is rather often a constructive force. One of the many ties Foucault wants to establish between power and knowledge is that power is used to compel us to produce "true discourses" about ourselves, in confession, psychoanalysis, and disciplinary mechanisms involving examinations of all sorts. Such knowledge may then serve to reinforce the hold of power. Here as elsewhere, Foucault wants to dismantle the humanist idea that knowledge is the enemy of power, and enlightenment will set us free. Bacon saw knowledge of the physical world as the means of power; Foucault thinks

* See especially Michel Foucault, *Power/Knowledge: Selected Interviews & Other Writings, 1972-1977*. Edited by Colin Gordon. Pantheon \$12.95/\$5.95.



the same is true of the human world.

A bit perversely, Foucault insists that we may find power without anyone exercising it, even power whose exercise serves no one. I'd like to borrow an example from Max Weber to make the point. Weber argued that early Protestants saw in worldly asceticism a magnificent opportunity to serve the Lord and deal with the unfathomable loneliness of Calvinist predestination. Ever ploughing mounting business receipts back into business, lest he be corrupted, the successful Protestant entrepreneur attained knowledge of the unknowable: His success was a sign that he was one of the elect. The ruthless rationalizing efforts of such entrepreneurs, and later those sharing their psychology if not their religious beliefs, forced other businessmen, whether Protestant or not, terribly diligent or not, to join in the incessant practice of double-entry book-keeping and all the rest of capitalist rationality. Otherwise they were driven out of business. The Protestant entrepreneurs died out; work is no longer a calling; yet we still have to play the game, though it has no meaning for any of us. Weber bitterly attacked the "iron cage" this historical process caught us in. I don't mean to defend his account here, but should anything like it be correct, we have an example of power without gain or conscious exercise. Power in the competition of the marketplace is built into the logic of profit and loss, right along with economic rationality. One could imagine (though here, I fear, we depart exotically from contemporary American society) a whole society of reluctant capitalists, each of whom would love to meander through economic life with far less rigor, no one of whom can afford to take the risk.

Finally, for Foucault power is everywhere. There are no privileged domains in society where people confront each other in relationships unmediated by power. It may well be that state power is different from that of other institutions. But the world of free agents cooperating voluntaristically, on Foucault's view, would have to be a myth, itself a piece of "knowledge" twisting our understanding and actions. (To invoke another rusty category Foucault indicts, we might call it ideology.)

Unaccountably missing from Foucault's thinking about power is the special place authority holds in buttressing power relationships. We are very good at cloaking domination in the respectful garb of authority. The state, the capitalist, the teacher, all rule by right. We are obliged to obey them all. Or so we believe. It is appallingly easy to poke holes in the arguments which purport to justify their authority (just as it is appallingly seldom one encounters arguments against them). Yet we cling to the aura of legitimacy so stubbornly that many will deny even that there is power here at all. Now, it seems

undeniable that a foreman exercises power over an assembly-line worker, an office manager over the office workers. There are even certain rituals—wearing ties, say—which must be adhered to, though we may find it impossible to assign responsibility for the rule. Such power may be defensible (though it may not be). Surely we ought to start by recognizing its prevalence. We need then also to understand the social and psychological mechanisms of authority, the ways in which people come to accept domination as legitimate. I simply don't know why Foucault is pursuing power and ignoring authority, any more than I know how he managed to write a study of prisons (*Discipline and Punish*) without ever probing the retributive theory of punishment.

Power/Knowledge, I must note, is a somewhat flimsy "book," an episodic collection of interviews and essays. The book commences, incredibly, with a thirty-five page discussion with some Maoists, on whether the people should employ people's courts after the revolution to try their oppressors. (Foucault is of the opinion they should skip the charade and start the shooting.) This dubious piece of science fiction testifies, I suppose, to the endurance of certain ideas and the concerns of the French intellectual Left; but it is all too dreary. The book ends with an exegesis of Foucault by the editor, a piece often as baffling as the writing of the master himself. Most of the pieces in between seem rather ho-hum, at best. But in "Two Lectures," Foucault traces, somewhat obscurely of course, his own concerns. And in "Powers and Strategies," he offers some biting strictures on understanding the Gulag. He insists, rightly I think, that it is irrelevant to argue that Marxist texts have been ignored, or to look for causes of the Gulag "as a sort of disease or abcess, an infection, degeneration or

involution," or to say that the Gulag represents a false socialism, or that it is everywhere and so is not a special problem. Although, comments Foucault, "it has to be posed for every socialist country, insofar as none of these since 1917 has managed to function without a more-or-less developed Gulag system." Foucault's approach is to see what the Gulag does for Soviet society, how it fits in.

I urge those still reading and interested to skip this collection. If transitory essays inspire you, read Cornell University Press's collection, *Language, Counter-Memory, Practice*, which is more philosophical and more sustained. But above all I'd recommend *History of Sexuality*, volume 1, almost all about power; and *Discipline and Punish*. The world as rendered by Foucault here is threatening, methodical, ruthless, even nightmarish. A world that one might well brush off as an unpleasant phantasm. A world that may well be ours.

The heroically Burkean response is available. Arguably, we shouldn't delve into these subjects. A touch (or even a healthy dose) of mystification is a valuable thing. If the power-free world of libertarian thought is a fiction, well, it's a valuable fiction. The truth is unbearable, and will unleash our dread passions. Only the veneer of sentiment, tradition, and manners prevents the struggle for power from engulfing everything. (Well, a patina of Menckenesque prose may help here too.) The grim truth of the matter is simple: The truth is not always useful. I confess that I'm not sure what to make of this hard truth. I would certainly like to see a good argument for it. Here as elsewhere, the whispering bearers of grim truths make their own power plays, encouraging the rest of us to be silent and accede to their terms. □





I'LL BE LYING AT STATE

by Michael Ledeen

From the *Washington Post*, recently stung by the discovery it had not checked its stories carefully enough, comes a new phenomenon in journalistic ethics: the double-whammy sandbag. On Saturday, May 16, the *Post* printed a story on the third page signed by Kathy Sawyer. It began, "A Labor Department official yesterday revealed a list of tentative regulatory changes . . ." At the end of the first paragraph we learn that the source "allowed himself to be taped [sic!] . . . but asked that his name not be used . . ." Fair enough (aside from the grammar, but that is the subject of another, longer, column), but then the *Post* printed a photograph with the unusual caption, "Labor official who briefed reporters under a condition his name not be used."

The point, I suppose, is that the next time you talk to a journalist from the *Post*, and wish to remain anonymous, you had better say, "you can't use my name, my picture, a tape recording of my voice, or any other identifying element. . . ." The result of operations like Kathy Sawyer's is that sources in the government will simply stop talking to the *Post*. And since the *Post* is something of a bellwether, alas, I expect to see other papers using the double-whammy sandbag: Promise a source confidentiality, and then print his picture.

If you read on in the *Post* of May 16 to page 10, you will find a story with a headline: "Haig Charges on New El Salvador Arms Flow Called Exaggerated." The first paragraph and the first sentence of the second paragraph are strikingly similar to the beginning of the Sawyer story (the page 10 article was signed by John M. Goshko):

Secretary of State Alexander M. Haig Jr.'s recent charges about big new arms shipments from Cuba to the leftist guerrillas in El Salvador are an exaggerated picture of the situation, according to U.S. officials familiar with intelligence from Central America.

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These officials, who declined to be identified, are in the State Department and the intelligence community.

There are no pictures of the officials from State and CIA. Now perhaps the *Post* tried hard to get photographs, and simply couldn't get them by deadline, but I doubt it. Respect for the rules thus seems to depend upon the editor's attitude toward the source and the story. The guy in the Labor Department wasn't liked, for some reason, while the leakers from State and CIA were protected. I have a guess, but only that: I think the Labor guy was carrying out orders, and that the *Post* didn't want to give the administration the privilege of "using" the press on a background basis (lots of good journalists and editors rail against such practices). The second story was anti-adminis-



tration and anti-Haig, and so the sources got full protection. You may be certain that Ben ("Janet Cooke's a hell of a writer") Bradlee would go all the way to the Supreme Court to protect Goshko's sources. But the Labor Department spokesman got sandbagged without mercy.

Such practices will destroy us all, for they demonstrate that there are no longer any reliable standards in the journalistic profession, and that protection of sources, respect for "background," etc., depend in all likelihood on the caprice of a given editor or journalist. If it grows unchecked, this attitude will soon lead to a war of all against all, where each faction will have its own set of loyal journalists and editors. In many foreign countries, this war in the press merely reinforces the fractiousness of the broader political culture. That it is spreading here is cause for profound alarm.

Some of our friends in Europe have noticed this trend, and have drawn the obvious conclusions. In an article written for *Le Matin* (Paris), Professor Michael Palmer of the University of Aston observes that while the American press may have reason to believe it is a veritable counterpower, "there are journalists who have mounted such enormous hoaxes that they leave one gasping." Palmer notes that hoaxes—or worse—are now widespread. In the case of Northern Ireland, an American journalist fabricated the existence of a British soldier, while international photographers (mostly French, according to Palmer), paid Irish children to stone—or worse—British soldiers. To round off the picture, the newspaper in Britain that denounced these ghastly procedures was none other than the *Daily Mail*, which itself had just paid enormous sums for the stories of the relatives and friends of Mr. Peter Sutcliffe, the new British "ripper."

Mary McGrory Department: I have a soft spot for Mary McGrory. She was

one of the most honest columnists during the last presidential campaign, she has real spirit, and she loves Italy, as do I. So when she took off for Rome for the *Washington Star* to cover the assassination attempt on the Pope, I was pleased. The results, however, have been mediocre-to-embarrassing. In her column from Rome published in the *Star* on Sunday, May 24, she gave a supercilious, faintly bemused treatment of a scandal that two days later brought down the Italian government. In the course of her ruminations, McGrory botched the name of Italy's leading newspaper (making it *La Corriere della Sera* rather than *Il Corriere* . . .), and she cheerfully accepted press accounts of a list of supposed members of a supposedly secret lodge of Italian Masonry. She did not say "alleged members," and piously concluded her coverage by stating "the real question is not whether Italy will go communist, but if its public officials will ever go straight." One might have hoped she would have waited for some convictions, rather than accept the street wisdom that all the accused (900-odd individuals) were involved in some chicanery.

Worse by far was her treatment of the attempted assassination of the Pope a few days earlier. Here we learn that the would-be assassin "is clearly a fascist," although the intelligence officials in Western Europe—and the Italian police—have reached no such conclusion. We also hear that "the Italians . . . are extremely sensitive about their inability to catch their own terrorists, including the murderers of Aldo Moro . . ." Yet the accused murderers of Moro are currently in prison, awaiting trial, along with more than 1500 other accused terrorists, facts that McGrory apparently didn't dig out.

Awards for the Month: The best column comes from Ellen Goodman, who pondered the conflict between the desire to have our doctors, lawyers, and other professionals be compulsive workers, and the desire to have our husbands and wives be normal, well-rounded people. "No