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# Another Politics of Life is Possible

*Didier Fassin*

## **Abstract**

Although it is usually assumed that in Michel Foucault's work biopolitics is a politics which has life for its object, a closer analysis of the courses he gave at the Collège de France on this topic, as well as of the other seminars and papers of this period, shows that he took a quite different direction, restricting it to the regulation of population. The aim of this article is to return to the origins of the concept and to confront the issue of life as such. This implies four shifts with respect to Foucault's theory: (1) Politics is not only about the rules of the game of governing, but also about its stakes. (2) More than the power over life, contemporary societies are characterized by the legitimacy they attach to life. (3) Rather than a normalizing process, the intervention in lives is a production of inequalities. (4) The politics of life, then, is not only a question of governmentality and technologies, but also of meaning and values. The discussion is grounded on a series of empirical investigations conducted in France and South Africa on how life and lives are treated in our world.

## **Key words**

biopower ■ death ■ Foucault ■ governmentality ■ life

AT THE beginning of his 1979 course at the Collège de France, precisely entitled 'The Birth of Biopolitics', Michel Foucault announces his programme for the year: 'to recount the history of what could be qualified as the art of governing' and explains that he will limit his scope to the 'government of human beings inasmuch as it is given as a practice of political sovereignty' (2004b: 3).<sup>1</sup> After having summarized the previous series of conferences about the reasons of state from the perspective of 'mercantilism' and of 'security', he gets to what will be the object of

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this new series: ‘biopolitics’, which he confines to its ‘core’ meaning, that is, ‘what we call population’ (2004b: 24). But before getting to it, he explains to his audience that he has to analyse in depth the ‘political economy’ which underlies it, this ‘liberalism’ he follows from the 18th to the late 20th century. In fact the whole Course that year is dedicated to the study of liberalism under several of its metamorphoses and thus several months later, when he writes his yearly summary for the *Annals* of the Collège de France, he concludes: ‘What should be studied now is the way in which the specific problems of life have been posed within a technology of government which has always been haunted since the end of the 18th century by the question of liberalism’ (2004b: 329). However, the following year, he does not come back any more to these ‘specific problems of life’ and, under the title ‘The Government of the Living’, he gives seminars on the genealogy of confession which will be later continued through ‘subjectivity and truth’, the ‘hermeneutics of the subject’ and ‘the government of the self and others’, until his death in 1984.

Foucault’s theory of biopolitics, inaugurated in 1976 in the first volume of the *History of Sexuality*, thus remains largely a promise, an unfinished work that he never explicitly renounced but which always eluded him. The same remark can be made about his theory of biopower, also briefly developed in *The Will to Know* and announced in the first sentence of his 1978 course as being the matter of his future seminars (2004a: 3), but rapidly abandoned in favour of an analysis of the ‘pastoral power’ and of the ‘state of police’ which illustrates and nourishes his analysis of what he henceforth names ‘governmentality’, that is, ‘the way in which the conduct of groups of individuals has been increasingly involved in the exercise of the sovereign power’ (2004b: 374). Just as the word ‘biopolitics’ disappears after the first pages of the 1979 course, the word ‘biopower’ has no other occurrence after the initial lesson of the 1978 course. Significantly, in the indexes of key words later constructed by the editors of these two series of seminars, the entry ‘life’ is merely absent – a paradox, to say the least, for courses supposedly dedicated to biopower and biopolitics.

### Life as Such

From this brief evocation of the ambiguities in the last part of Michel Foucault’s intellectual production, we can draw several important conclusions about how he connected governmentality and life, how he understood biopolitics as an extension of the economic rationale and biopower as an expression of the modern state. To summarize these conclusions, I propose the following four statements: (1) ‘Governmentality’ corresponds to the rationalization of the ‘art of governing’ (2004a: 96) rather than the real practice of government: ‘politics’ as such is nothing more than the ‘game of these different ways of governing’ and the ‘debate they arouse’ (2004b: 317). (2) ‘Biopower’ is not so much a power over life as its opposition to the sovereign right of death initially implied, but a power over human conduct: ‘the government of the living’ mainly refers to the normalization of individuals

through political technologies (2004a). (3) 'Biopolitics' is not a politics of life as the etymology would suggest but a politics of population understood as a community of living beings: 'life' remains largely elusive while 'population' represents more and more clearly the true object of biopolitics (2004b). (4) As a consequence of the first three points, questions of life – and death – stay out of the picture in Michel Foucault's theory of power and subject: life – and death – are matters too serious to be left to politics – and even to philosophy – one could say, to paraphrase Clemenceau's famous sentence about war and generals.

Certainly these apparent paradoxes are perfectly coherent within Michel Foucault's thought on meaning and values, as has been shown by Hubert Dreyfus and Paul Rabinow (1982). The structuralist influence of his archaeological period made him suspicious with regard to the question of meaning: after having got rid of the signifier, we must abandon the signifying as well, he believes. The Nietzschean inspiration of his genealogical period confirmed him in his method: there is no secret or profound sense, interpretation must remain at the superficial level of things, he argues. But also his defiance towards morals and politics, hermeneutics and science, led him towards a form of detachment – in his intellectual life if not in his citizen's existence – with respect to values. In his humorous way, he defines his 'critical style' as a 'studious casualness' (1971: 72). Talking of governmentality thus avoids both meaning and values, since it does not go into the content of the practice of government (what is the sense of the decisions taken? do they have good or bad consequences for the individuals and populations concerned?) but rather remains at the level of the procedures of the art of governing (merely apprehended as it used to be in the 17th century when one talked of governing children or souls) or in a broader sense refers to 'the particular mentalities, arts and regimes of government and administration that have emerged since early modern Europe', as Mitchell Dean (1999: 2) phrases it. Considering the continuity of Michel Foucault's position on these matters, one can understand that he treats life from the perspective of conduct, biopower in terms of disciplines exerted on individuals, and biopolitics in terms of technologies normalizing populations. Issues of life as such do not interest him – we could say: as a principle of his method.

Thus when Giorgio Agamben (1997: 12) notes that Michel Foucault 'never oriented his research toward the very sites of modern biopolitics: the concentration camp and the structure of the great totalitarian states', he is right for the most part (we will see that there is an exception), but his surprise is itself surprising and his final comment ultimately incorrect: 'Death prevented Foucault from developing all the implications of the concept of biopolitics', he writes, implying in particular the exploration of the 'politicization of bare life'. In fact, the author of *The History of Sexuality* had eight years before he died to develop 'all the implications of the concept of biopolitics'. If he did not do it – or did not do it in the direction that Giorgio Agamben would have liked him to have done – it is simply because

his biopolitics is not a politics of life (Fassin, 2006). Neither life as *bios* nor life as *zoe* was his main concern, but rather the way in which impersonal ‘living beings’ were turned into populations and individuals, how governmentality and subjectification shaped our modern vision of the world and of humanity.

There is, however, an exception in this trajectory of biopolitics in Foucault’s work which corresponds to its first occurrence. Actually the end of the 1976 course ‘Society Must Be Defended’ (1997: 17 March) and the last chapter of ‘The Will to Know’ (1976: 175–211) open another perspective. The seminar evokes the shift from the ‘sovereign right’ to ‘make die and let live’ to the ‘bio-power’ to ‘make live and let die’ (1997: 214), in similar terms to those used in the book published that same year (1976) with its famous formulation: ‘For millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question’ (1976: 188). Two crucial differences exist here from later developments of biopower and biopolitics in Michel Foucault’s theory. First, it is the matter of life – and death – which is ‘in question’ and not conduct: rather than the technologies of power, he is then interested in the object of power – what he calls the ‘power over life’ (1976: 175). Second, there is a dimension of the tragic – and not of ‘casualness’ – in these statements: they deal in particular with the extermination of human beings in Nazi camps as a consequence of state racism – which represents the new ‘exercise of the function of death’ (1997: 230). This content and tone in the first appearance of biopower have no echo in the philosopher’s later work. It is in this direction that I would like to follow Foucault’s steps – to develop some ‘implications of the concept of biopolitics’, taking seriously the question of life as such that Foucault, in a certain manner, definitively abandoned when he moved towards governmentality – and subjectification.

Of course, the problem of what is life – or more simply what we should understand here by this word – is complex. In his text on ‘The new knowledge of life’, Georges Canguilhem (1968: 335), who was one of Foucault’s most influential teachers, distinguishes two grammatical forms to differentiate the two meanings of the word: ‘By life, one can hear the present or the past participle of the verb to live – the living (*le vivant*) and the lived (*le vécu*)’, which correspond respectively to ‘the universal organization of matter’ and to the ‘experience of individual human beings’. And he adds: ‘The second meaning is, according to me, commanded by the first one, which is more fundamental. It is in the sense that life is the form and power of the living that I would like to treat relations between concept and life’ (1968: 335).

And it is this path that Paul Rabinow (1996, 1999) and, more recently, Sarah Franklin (2000) and Nikolas Rose (2001), with their simultaneous and convergent definition and use of the idea of the ‘life itself’, have explored – the side of life sciences and of biomedical interventions on living matter.

But it is only one possible exploration of the anthropology of life. Alternative paths would refer to life as the course of events which occurs from birth to death, which can be shortened by political or structural violence, which can be prolonged by health and social policies, which gives place to cultural interpretations and moral decisions, which may be told or written – life which is lived through a body (not only through cells) and as a society (not only as species). I propose to name it ‘life as such’. Obviously it is related through many ramifications to ‘life itself’ if we use this expression to designate the biological existence of the living and its political extension as populations.

In fact, Hannah Arendt (1958) when she analysed the human condition through what she called ‘*vita activa*’, putting together life as labour (*animal laborans*), work (*homo faber*) and action (*zoon politikon*), proposed to think together the different dimensions of life which she eventually associated with the more classical ‘*vita contemplativa*’ tending towards Aristotle’s ‘good life’. And actually in a later work (Arendt, 1962), she even invoked ‘life itself’ – in a rather different orientation from the authors mentioned earlier – as the motor of revolutions. From a methodological perspective I would thus suggest that we do not limit our perspective on life to a single dimension – *bios* or *zoe*, political or biological, *vécu* or *vivant*, life lived or the life of living matter. This is probably what Stephen Collier and Andrew Lakoff (2005: 22–3) mean by ‘regimes of living’ in which they associate ‘ethical regulation in Canada, development and urbanism in Brazil, garrison-entrepôt in the Chad Basin, organ trade in India’, a series of heterogeneous configurations which have in common that they show ‘the dynamic process through which a situated form of moral reasoning – a regime of living – is invoked and reworked in a problematic situation to provide a possible guide to action’. Here life is not given a priori but operated through discourses, programmes, decisions, actions.

My idea is similarly not to give a definition or even a delimitation of life. It is to render its full meaning and its multiple senses when it is not confined to a biological phenomenon – although it is also that – and when the living beings are not reduced to populations – which they obviously are from the perspective of the state (Scott, 1998). It is to consider how life can be grasped by a political and moral anthropology, how it simultaneously shapes and is shaped by the political choices and the moral economies of contemporary societies – the way in which it is historically ‘problematized’, to use a concept Michel Foucault developed in his later work. Ultimately it is to get back to where he left biopower before he limited politics to its technologies and morals to an ethics.

I will thus propose four statements responding in some way to the four conclusions drawn earlier from his work: (1) Politics is not just a ‘game of arts of governing’ but is about ‘the issues at stake in the practices of government’ (in French: politics involves ‘*enjeux*’ even more than ‘*jeux*’): in other words, the matter of governing matters for governmentality. (2) Contemporary societies are characterized less by the emergence of biopower than by

the imposition of biolegitimacy (it is the power of life as such rather than the ‘power over life’ as Foucault writes): what some have defined as ‘biological citizenship’ enters this reformulation of the problematics. (3) Etymologically apprehended biopolitics is not merely a politics of population but is about life and more specifically about inequalities in life which we could call bio-inequalities (curiously ‘inequality’ is a word that never appears in Foucault’s writings): it is about not only normalizing people’s lives, but also deciding the sort of life people may or may not live. (4) Finally, as a result of the first three statements, to comprehend the politics of life implies a return to two concepts Foucault avoided, but which Gilles Deleuze (1962: 1) – with whom he broke at the end of his life – gave as the ultimate project of Nietzsche’s philosophy: ‘meaning and value’. This is probably the only way to be faithful to a great thinker: to enter his thought in order to criticize it. In the case of Foucault, is it not what he did to himself in his own intellectual trajectory?

In the following pages, I will focus my analysis on the second and third points, considering that the first and fourth ones find their evidence in the other two: if politics is about issues and not just games, life is such an issue, maybe the most crucial one; and if we take seriously the proposed shift, it is clear that biolegitimacy and bio-inequalities tell us much about the meaning and value we attach to life as such and to lives concretely. Of course, these developments should be seen as an alternative way to apprehend the politics of life – in its complexity, linking the biological and the biographical, the matter of the living and the sense of life – which is in no way exclusive of the classical approach of governmentality – through technologies over population emblemized by the pastoral power.

### **From Biopower to Biolegitimacy**

In the final lesson of his 1976 course, Michel Foucault (1997: 221) breaks with his self-imposed rule to avoid contemporary issues in his research by incidentally referring to Franco’s death – and even more to his medically prolonged agony – which had occurred a few months earlier:

It is quite an interesting event because of the symbolic values it displays, since he who was dying had exercised the sovereign power of death with the savagery we know . . . and at the very moment when he dies he enters this sort of new field of power over life, which consists not only in planning life, but in making the individual live beyond his death.

And he cannot refrain an expression of pleasure: ‘I believe the shock between these two systems of power, that of sovereignty over death and that of regulation of life, is illustrated by this small and joyous event.’ The confrontation of the two forms of power is certainly ironical, but it does not tell us much in terms of meaning and values of life: it has more to do with technologies of surviving. It is, however, possible to adopt another perspective.

Let us consider the end of life of three dictators and war criminals in the recent period. What do Augusto Pinochet, Maurice Papon and Heinz Barth have in common? Indeed, all three have been convicted of the worst abuses of power: Pinochet after 1973 in Santiago, where he transformed the stadium into a huge prison and torture centre for political opponents; Papon from 1942 on in Bordeaux, where he organized the selection of the Jews to be sent to concentration camps and in 1961 in Paris where he ordered the ferocious repression on Algerians demonstrating in the streets; Barth in 1944 in Oradour-sur-Glane, where he commanded the group of German soldiers who massacred 642 civilians among whom were 247 children. But besides their brutal exercise of the sovereign right of life and death over other human beings, they share another interesting fate.

All three escaped justice on humanitarian grounds, after their lawyers pleaded that they were too seriously ill to endure their punishment: Pinochet thus avoided in 1999 his trial for human rights violation in Spain after a decision of the British Parliament; Papon was released in 2002 after only three years spent in jail for complicity in crimes against humanity; Barth was set free in 1997, 17 years after having been sentenced for life. The fact that, at least in the first two cases, the culprits provocatively appeared in public soon after to demonstrate their good physical and intellectual shape does not add much to the story, except that it underlines the protagonists' cynicism. The lesson of these judicial episodes is that the legitimacy of their supposedly threatened biological life thus overruled the evaluation of their political life.

It is not so much the power over life which is at stake here but rather the power *of* life as such. If Foucault designated the former as biopower the latter can be called biolegitimacy, i.e. the recognition of what Walter Benjamin (1978) names the 'simple fact of living'. In other words, it refers to the sacredness of life as such. My assumption is that, beyond this limited example, one may think anecdotal, biolegitimacy has become a crucial issue in the moral economies of contemporary societies. Nowhere is it so obvious as in the proclamation of a humanitarian rationale in the government of human beings, which has become a major feature of present politics (Fassin, 2007a). Actually, humanitarianism is not about human rights in general (Ignatieff, 2001), but about the right to live in particular (Wheeler, 2000): saving lives is its higher mission. But contrary to what is often assumed, it is not limited to its internationally most visible expressions, whether through non-governmental organizations or state interventions acting in the name of its values (Weissman, 2004), it has become a generalized mode of governing.

The recent evolution of the French politics of immigration is instructive in this regard (Fassin, 2005). Since 1974 policies have been increasingly restrictive, first toward workers, then their families, finally toward all categories of migrants, including students and even those who had been long settled but had lost their job. Refugees were not spared by this evolution and, even though the 1951 Geneva Convention stipulates that asylum is the right of any person threatened in his own country because of his political,



religious or ethnic situation who seeks the protection of another state, in fact refugees have increasingly fallen under the general principle of the control of migration flows without consideration for the specificity of the condition of the refugee. Significantly, in France during the 1990s the number of adults granted asylum was divided by six as a result of a politics of deterrence at the borders and of rejection by the national administration dealing with refugees. Meanwhile, under the pressure of non-governmental organizations the state has created a new criterion to legalize undocumented immigrants who suffer from a severe disease which cannot be treated in their home country. This clause, known as 'humanitarian', thus functions as an exception to the rule and, during the same decade of the 1990s, the number of beneficiaries was multiplied by seven. Actually deterred asylum-seekers now often try to get their documents by putting forward their health status and ironically express their despair when told that their case is not serious enough to be considered relevant with respect to the humanitarian clause.

The parallel between the two evolutions – that of asylum and that of humanitarianism – illustrates the shift in the politics of life which occurred during this period. It would be more correct to talk of a shift in the sort of life politics is interested in. To the life of the refugee, with its painful past and its political meaning, is henceforth preferred the life of the sick, with its present suffering and its physical evidence. Whereas the question of asylum was obscured by the spectre of the 'false refugee', invented precisely during this period, the issue of humanitarianism became consensual: in Parliament, barely any opposition was raised when the article of the law which introduced the clause was discussed.

Bioglegitimacy thus gives the foundation of what Adriana Petryna (2002) calls 'biological citizenship'. After Chernobyl the Ukrainian government granted the victims of the disaster a specific political status which gave them access, inasmuch as they were officially recognized as such, to compensation and aid. From then on they only existed through the physical sequels of their irradiation, which they would have to exhibit in front of civil servants in public administrations. In a similar way, undocumented immigrants may be granted social rights – not only a residence permit but also medical aid – as long as they can prove their pathology. A Kenyan man who had stayed in France and Germany for many years in an illegal situation, living under the permanent threat of being expelled, finally received his documents when he was discovered to be suffering from AIDS: 'It is the disease which kills me that has become my reason for living now', he once told me. The concept of biological citizenship allows us to think this sort of situation in a more accurate way than would do the concept of 'bare life' proposed by Giorgio Agamben (1997). It links the matter of the living (biological, whether as an irradiated or infected body) and the meaning of politics (citizenship, in terms of social as well as civil rights, since the migrants not only get access to medical protection but also obtain the freedom of movement, for instance). As Monica Greco (2004) asserts, the 'right to health' is more than social and economic, it is civil and political.

In fact charity organizations, such as Médecins sans frontières and Médecins du monde, together with others more directly engaged in the defence of immigrants and refugees, have often utilized the humanitarian argument in the public debate in order to get documents – and rights – for illegal foreigners, and even to have the law changed on these issues. They did not stand for bare life but effectively promoted a biological citizenship.

Talking of bioglegitimacy rather than biopower is thus to emphasize the construction of the meaning and values of life instead of the exercise of forces and strategies to control it. Considering politics beyond governmentality is similarly to insist on the issues involved in the way human beings are treated and their lives are evaluated more than on the technologies at work in these processes. To use the Foucauldian metaphor, it is moving from the ‘rules of the game’ to its stakes. These perspectives are not contradictory, but complementary: by analysing the new forms of the art of governing one may apprehend what its political content is. If we consider the recent battles led by the Brazilian, South African and Indian states against the multinational drug companies, and the mobilizations of non-governmental organizations to obtain an exception for health in the global commercial regulations during the negotiations of the World Trade Organization at Doha in 2001, it is not merely to identify the changing rules of the liberal world with its new actors and new techniques of intervention, it is also to interrogate the stakes with respect to the sort of life which is defended today and which can enter, at some point, this space of ‘humanitarian exception’. Who should live and in the name of what is definitely a political question.

### **The Hidden Horizon of Death**

Most analysts of Michel Foucault’s theory of biopower have retained only one aspect of it – the fostering of life – and most of his followers have worked on the technologies which have been developed since the 18th century to increase knowledge and improve interventions on ‘living beings’, considered in terms of populations. This is what biopolitics is about: demography, epidemiology, psychology, on one side; family planning, public health, policing of the self, on the other. And it is true that Foucault himself had shown them the way with his seminars and articles on pastoral power and the political economy, on security and liberalism. But there is another dimension of biopower included in his famous statement (1976: 180): ‘One might say that the ancient right to kill and let live was replaced by a power to make live and reject into death’ (I believe that in the official English version – ‘a power to foster life and disallow it to the point of death’ – the exact and profound meaning of *‘faire vivre et rejeter dans la mort’* is somewhat lost in translation.) Biopower is not only about life: it is also about death. What ‘to reject into death’ means is not entirely clear in Foucault’s writings. When he relates it to the ‘disqualification of death which marks the recent wane of the rituals that accompanied it’, he seems to be merely borrowing from Philippe Ariès’ thesis developed during the same period (1977). But there might be more to it. If ‘now it is over life that power

establishes its domination', one may think that 'death is power's limit, the moment that escapes it, and becomes the most secret aspect of existence'. The implication is that there is no politics of life that does not have a politics of death for a horizon. But this horizon remains invisible, occluded.

To 'make live' actually supposes implicit or sometimes explicit choices over who shall live what sort of life and for how long. In most cases, it is not formulated as such. But choices in terms of health and social policies, on employment and housing programmes, on education and welfare, have concrete and measurable impacts on life expectancy, which is the average duration of life. Here quantity rhymes with quality. Disparities in mortality rates are not only statistical data, they mean differences in values attached to lives. This is a lesson Michel Foucault may not have retained from Georges Canguilhem, who observed, in a paragraph of his work that is rarely mentioned, that whereas 'Buffon was looking at man, to whom he ascribed a normal life, with the same biologist's eye as he did for rabbit or camel', conversely 'Halbwachs treats death as a social phenomenon, considering that the age when it comes largely depends on working and hygiene conditions, on attention towards fatigue and disease, in short on social as much as on physiological conditions' (1966: 103). This praise for the French sociologist of the social classes gives Canguilhem the opportunity to present his own theory of death as a social phenomenon: 'It is as if each society had "the mortality which suited it", the number of deaths and their distribution at the different ages expressing the importance society gives or not to the prolongation of life'. Thus, 'it is a value judgement that is expressed in this abstract figure which corresponds to the average life duration' (1966: 103). Statistics about life expectancy, as disincarnated as they may seem, tell us about how much life is worth depending on the social environment into which one was born.

Remarkably, the fact that biopolitics has consequences in terms of inequalities, that governmentality conveys disparities in the quantity and quality of life, that subjectification might be distinct for the dominant and the dominated is almost absent from Foucault's work. Brief allusions to extreme forms of these realities appear when he refers to 'genocide' (1976: 180) and 'racism' (1997: 230), but they remain isolated and marginal, more related to violence and exclusion than to social inequalities. In a sense, one could say that his thought has to do with normalization and thus leaves no space for differentiation. If we consider that gaps in life expectancies at the world level have never been so wide, reaching 40 years between the poorest and richest countries, but also very marked within countries even in Western Europe, facts already well known in the 1970s, Foucault's indifference with regard to inequalities is somewhat intriguing. A clue to this lack of interest may be found in the analysis he gives of what he considers as a paradigm of the government of living beings and an archaeological form of biopolitics: 'pastoral power', analysed in his famous seminar: 'Omnes et Singulatim' (1994: 144). The shepherd – in the literal sense as well as in the Christian figure – is in charge not of individuals but of a herd – or a

flock of souls. 'The political problem is that of the relation between the one and the multitude within the polis and among citizens. The pastoral problem concerns the life of individuals.' Certainly the shepherd knows individually each one of his animals as the pastor is supposed to know individually each one of his subjects. But the art of governing is precisely a process of homogenization of lives. For Foucault, the relation between the one and the multitude is not social in the sense Hannah Arendt (1962) gives to the 'social question' in her study on the French Revolution: it is strictly political. It is about how power transforms individuals, not how it differentiates them. The inequality of lives falls outside of his perspective.

However, biopolitics, in the exact sense Foucault gives to the concept (1976: 183) – regulation of populations through techniques of knowledge and intervention – does have to do with inequalities. It is probably obvious in terms of interventions and policies (considering social security, public health or nutrition programmes, for instance). But it is also true in terms of knowledge and information (examining the sort of statistics which are produced and the kind of differentiation which is seen as relevant, in particular). In other words, 'to make live' – which is how biopower is usually understood – is also 'to reject into death', either practically as a consequence of the neglect of policy-makers towards certain groups of population, or intellectually as a result of not measuring the effects of these policies. This is paradigmatically how South African politics of racial segregation, culminating in the regime of apartheid, may be read, and this is what contemporary realities and debates around AIDS reveal (Fassin, 2007b). The institution of a social and later legal system of separation of so-called races did not only have effects on the practical organization of everyday life (considerable limitations as to where to reside and how to move, in having sex and getting married), but also had profound consequences in terms of biological life (nutritional status, risk of getting sick, rates of infant death, etc.). Racial policies were biopolitics.

The first programme of spatial separation in South Africa occurs in 1900, during the epidemic of bubonic plague: although statistical data shows that Africans were less affected by the disease than Whites and Coloureds, they were deported from Cape Town to the first 'native reserve location'. The 'sanitation syndrome', as Maynard Swanson (1977) puts it, thus consists in the justification of racial segregation by hygiene precautions under the Public Health Act of 1897. The same argument is used later during flu, syphilis or cholera epidemics, to reinforce the process of physical separation of so-called races. In the case of tuberculosis, which was an unknown infection among African population until the end of the 19th century, it is the social organization of the mining industry which causes its expansion, as has been demonstrated by Randall Packard (1989). The male workforce extracted from rural areas and concentrated near the mine pits lives in overcrowded barracks where sanitary conditions facilitate the transmission of the bacillus. When miners get sick they are sent back to the villages where they disseminate the infection among their families and

neighbours. The political economy of tuberculosis can thus be seen as an extension of the biopolitics of capitalist and racist exploitation. From 1948 on, under the apartheid regime, the systematization of spatial segregation, with the creation of ‘townships’ and ‘homelands’, allows the national government not only to abandon populations to their miserable fate but also to ignore them (Beinart, 2001). Unconcerned with Blacks, especially in the Bantustans, supposedly independent, vital statistics do not permit the production of data on mortality that would reveal the wide gaps with the rest of the national territory. Here technologies of government produce inequalities of life but simultaneously erase their traces. Necropolitics, in Achille Mbembe’s words (2003), is inextricably linked with politics of death.

The South African case may of course appear exceptional, and even belonging to the ancient paradigm of the sovereign power rather than to the modern paradigm of biopower. In fact, one should rather consider it as an extreme form of biopolitics, which certainly maintains the sovereign prerogative of killing but also develops complex and often contradictory technologies of regulation of populations and policies operating on individual lives (Posel, 1991). This is what colonial administration did under distinct forms, but this is more broadly what governing means in contemporary societies when it comes to include and exclude citizens, as Zygmunt Bauman (2004) tragically expresses it. Political and social choices in labour, housing, education, justice, welfare are made every day, which have immediate or long-term consequences in terms of making or unmaking inequalities of life and of acknowledging or dissimulating them. Ironically the ‘zone of abandonment’ that João Biehl (2005: 1) studied in Porto Alegre is called *Vita*. Out of the city, this place gives rise to a lucid comment from Catarina, the young woman whose story is narrated: ‘In my thinking, I see that people forgot me.’ And actually, this isolated infirmary is the final residence of many, a social institution ‘where the abandoned wait with death’. *Vita* is the end of a process, but it is part of it: a process in which the worthiness of individual lives is – rarely in an explicit manner, more generally in an implicit way – evaluated.

But statistics – a German word forged to designate the sort of knowledge necessary for the administration of the state (Desrosières, 1993) – is more than a technology producing information about populations. It is not only an expression of biopolitics. It is also a powerful indicator *on* the politics of life as international conflicts recently proved. Let us examine the Second Gulf War from this perspective. When epidemiologists estimated that the number of Iraqi civilian casualties during the first 15 months after the invasion of their country in 2003 reached 100,000, a majority of whom were women and children whose deaths were mostly attributed to the Coalition forces (Roberts et al., 2004), whereas in the same period the number of fatalities among soldiers of these coalition forces was declared to be 1040 (<http://icasualties.org/oif>), the comparison of the two figures suggested the following interpretation: if we admit that the Coalition forces did not intend to kill civilians, whose deaths corresponded to unfortunate

'collateral damage' of the war, it should also be considered that these casualties were a sort of cost implicitly accepted by the US government and its allies to maintain as low as possible fatality rates among themselves; the evaluation *ex post* of the value of life therefore reveals that the life of a Coalition military is worth about 100 lives of Iraqi civilians. This macabre model is not pure speculation. It has been recently formalized as a doctrine by Western armies under the name of 'zero-casualty warfare' (Rogers, 2000): it implied for instance that during the intervention of NATO forces in Kosovo in 1999 aircraft pilots were flying at the altitude of 15,000 feet which made the targeting rather imprecise; whereas no NATO pilot died during the military operations, it is estimated that 500 civilians were killed by their attacks, the most serious episode being the so-called 'incident of 14 April 1999', when 61 civilians were killed in an attack on their convoy. Again avoiding casualties on one side implied risking lives on the other side. But this kind of calculation does not concern exclusively the belligerents. In fact, even humanitarianism is subject to this reasoning (Fassin, 2007c). Studies have shown that the majority of casualties recorded by humanitarian organizations during conflicts are not 'expatriates' but 'nationals', that is local workers. In Columbia, Chechnya, Sri Lanka, where attacks have been conducted against humanitarian missions, it has become increasingly clear that belligerents tend to distinguish humanitarian agents in terms of what their lives are worth in the most material sense of the expression: whereas expatriates are kidnapped and exchanged for ransoms, nationals are simply killed.

But statistics more ordinarily give subtler indications on doctrines that remain largely implicit and would probably even seem quite shocking were they expressed publicly (Leclerc et al., 2000). In France the difference in life expectancy at the age of 35 is nine years between male unqualified workers and public services management: as an average, the former reach the age of 72 and the latter the age of 81 (Mesrine, 1999). The gap has not been reduced in the last decades and puts France at the first rank for the level of its male mortality inequalities among 11 Western Europe countries (Kunst, 1997). When considered in the light of what is known of the determinants of health (the higher the economic inequalities the wider the mortality gap) and of the French situation in the international comparisons (it has one of the highest differentials in household resources measured after redistribution) it may be said that political choices in terms of social justice indicate an evaluation of how far inequality in life expectancy remains tolerable for a society.

## Conclusion

In her discussion of the uses of Wittgenstein's 'forms of life', a concept which has inspired many comments and much research, Veena Das (2007: 15–16) remarks, after Stanley Cavell, that what is 'wanting in the conventional views is that it emphasizes form at the expense of life', and adds that this concept should also be understood in terms of 'the limit of what or who is recognized

as human within a social form'. In particular, what we have to apprehend is 'the dangers that human beings pose to each other', a reality 'related to not only disputations over forms but also disputations over what constitutes life'. This does not necessarily mean a right to kill as the sovereign power authorizes but more ordinarily the fact of 'withholding recognition from the other'. It is in this direction that I have tried to take Michel Foucault's work on biopolitics – which I have proposed to reformulate as politics of life – and on biopower – which I replaced by biolegitimacy. It is not only crucial for me from the perspective of the exegesis of his work – which others have done with talent – but from the perspective of the uses of his thought within social sciences – and I would add in everyday life as well. What politics does to life – and lives – is not just a question of discourses and technologies, of strategies and tactics. It is also a question of the concrete way in which individuals and groups are treated, under which principles and in the name of which morals, implying which inequalities and misrecognitions. In other words, to prolong the Wittgensteinian reference, it is indeed a question of form but it is also a question of life.

Following Michel Foucault, who often anticipated and discussed the arguments of his potential contradictors, I will respond to two critiques that might be addressed to my analysis. The first one is that life implies many more dimensions than what I evoked; I could even be accused of having focused too much on the 'dark side' of life. I will not deny it: my vision of contemporary worlds is certainly tragic. Although I would agree that other dimensions are also relevant in the description and comprehension of life, a sense of priority – both intellectual and political – makes me privilege this dimension. The second critique is that life is not only a question of politics seen from the outside, through the lenses of the state, of institutions, of immigration policies, of statistics on mortality, but should also be seized from inside, in the flesh of the everyday experience of social agents, immigrants and refugees, those who suffer war and poverty. Again I entirely share this perspective and a good part of my fieldwork goes in this direction, trying to revalorize the voice of the social actors, their perspective on their lives, their practice of politics. My point here was, however, different: it was to reflect on how contemporary societies treat their members, on the value they attach to life in general and on the worth they attach to lives in particular. Probably this was the sort of question Michel Foucault was keener to deal with as a committed citizen than through his philosophical work.

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*Note*

1. Quotations from French sources have been translated by the author of this article.

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