

# O LIBERALISMO ECONÔMICO E AS PRÁTICAS DE SEGURANÇA: O “AVESSO” DAS DEMOCRACIAS LIBERAIS

## ECONOMIC LIBERALISM AND SECURITY PRACTICES: THE “REVERSE” OF LIBERAL DEMOCRACIES

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### RESUMO

Este artigo tem por objetivo analisar alguns dos paradoxos relacionados ao liberalismo econômico e os discursos de segurança a ele subjacentes que, embora neguem os princípios basilares das democracias modernas, passam a fazer parte delas. Neste exame o principal eixo teórico será o pensamento de Foucault. Primeiramente será apontado que o liberalismo econômico, na análise foucaultiana, tem como premissa uma essência antropológica de ser humano, pois assume como ponto de partida que a liberdade só floresce na ausência de constrangimentos. Na medida em que esta premissa metafísica se impõe às instituições das democracias modernas, alguns desdobramentos se colocam. Surge a noção de que o papel das instituições democráticas é o de proporcionar liberdade. Entretanto, só pode haver liberdade se houver segurança. Assim, impõe-se um paradoxo: as democracias têm como *telos* a liberdade, mas a liberdade pressupõe medidas de segurança (na guerra ao terror, por exemplo) que negam tanto os preceitos democráticos quanto a própria liberdade.

### PALAVRAS-CHAVE

Liberalismo econômico. Segurança. Liberdade. Democracias liberais.

### ABSTRACT

This article aims to analyze some of the paradoxes related to economic liberalism and the underlying security discourses that, although denying the basic principles of modern democracies, become part of them. In this exam the main theoretical axis will be Foucault's thought. First, it will be pointed out that economic liberalism, in Foucaultian analysis, has as its premise an anthropological essence of being human, since it assumes as its starting point that freedom only flourishes in the absence of constraints. As this metaphysical premise imposes itself on the institutions of modern democracies, some developments are posed. Arises the notion that the role of democratic institutions is to provide freedom. However, there can be freedom only if there is security. Therefore, a paradox is imposed:

democracies have freedom as their *telos*, but freedom presupposes security measures (in the war on terror, for example) that deny both democratic precepts and freedom itself.

## KEYWORDS

Economical liberalism. Security. Freedom. Liberal democracies.

## INTRODUCTION

The objective of this original article is to critically analyze some of the contradictions constituted by the connection between economic liberalism (in the Foucaultian analysis) and modern democracies, considering that the conception of freedom assumed by these models presupposes the adoption of security practices that, paradoxically, deny both democratic principles and freedom. In this analysis, the main analytical lines will be the courses of Michel Foucault in the Collège de France, *The Birth of Biopolitics* and *Security, territory, population*, in 1979 and 1978, respectively. As it will be examined, economic liberalism is much more than mere economic doctrine insofar as it assumes that economic processes are not only capable of self-regulation, but that non-intervention in this domain will lead society to full equilibrium. However, what would be implied in this premise is a deeper dogma, that there would be an economic and liberal anthropological determinant in the human being.

First, the question of liberalism in Michel Foucault’s perspective, as well as the unfolding of his premises, will be examined in order to analyze the paradoxes to which these developments lead. In this sense, although some references are made to liberal thought, the heart of this article is the Foucaultian examination of the theme. In liberalism, the human being would be free “by nature” or “by essence”, which is why all humans who already exist and who will exist have a “natural will” to exercise freedom, and will do so as long as there are no constraints to its essence. In this sense, human essence can only be realized if negative freedom is allowed to flourish, with both society and political institutions having to avoid applying unnecessary constraints to its members. Because of this, it is possible to infer that a regime or a political order that is considered good or democratic must, above all, respect the liberal essence of the human being.

However, and here we will examine the reflections of Thomas Lemke, Opitz and Krasmann, there is a difficulty in not applying constraints, which means that there is an impasse in the possibility of being able to become a field in which the essence of the human being can be manifested. This is because the manifestation of freedom presupposes, on one hand, that freedom cannot be restricted. However, there are those individuals who, in the exercise of their freedom, restrict the freedom of others. Moreover, for freedom to flourish, there must be security, which will be guaranteed by

security measures. One can only be truly free when individuals feel secure in exercising their freedom. And, if respect for the liberal essence is the basis of a democratic regime, both lack of coercion and security measures become part of the models of democracy. In this way, certain security practices that, at the same time, are part of the liberal democracies will be analyzed, totally denying the democratic precepts, as well as the exceptional measures employed in the war on terror.

## 1 ECONOMIC LIBERALISM AND FREEDOM

Although economic liberalism is treated as a simple doctrine, a theoretical tendency of the economy or as a regime of knowledge that defends the limitation of the States' interventions entity in economic relations, it must be analyzed as a phenomenon that goes far beyond that. This is because liberalism assumes that abstention from state action in economic relations would lead society to a status of social equilibrium, given that economic processes would be able to self-regulate and thereby universalize the rules of economics (of the "market") to other social instances, in order to establish the perfect social balance. Since the laws of economics could radiate their balance to other spheres, this means that the role of a democratic government is simply to abstain from the "market." That means, as if "democracy" and "respect for the rules of the market" were synonymous, since the role of democracy is to realize the potentialities of the human being and this could only be done through the abstention of the State in economic affairs.

Political freedom itself could be posed as a consequence of economic freedom, that means that, if it is assured, it will necessarily be achieved. Since competitive capitalism and economic organization make economic freedom feasible, this means that it necessarily produces political freedom, insofar as such a model would be able to separate (not only in the abstract) the economic power from political power. In Friedman's terms, there is a strong historical evidence that demonstrates the relationship between political freedom and free markets. Since the West would live in a state of freedom, people would tend to forget how limited the space of time and the part of the world where there is political freedom, being tyranny, servitude and misery, the typical state of humanity. Political freedom would only emerge in contemporary times (as it did during the classical and Roman ages), and would bring about the human liberal potential, with the free market and the development of capitalist institutions (FRIEDMAN, 1992, pp. 8-10).

Economic liberalism, insofar as it adopts as presupposed an ideal about reality (which is that the laws and economic processes are left free for society to achieve something close to what a Greek would call *eudaimonia*), carries in its formulation an “Anthropological thesis”, an essentialist conception of the human being. If economic relations are relations between individuals in a universal instance called a market that, in turn, has its own laws that must be captured by economists (who are the analysts of the universal laws of freedom) objectively, these market laws, because they are absolute, must necessarily have as a background the dogma that individuals behave in the same way, with the same spirit and according to the same standards (PIZZORNO, 1989, p. 236; SAFATLE, 2015, pp. 19- 200)<sup>1</sup>. Foucault (2008, pp. 78-80) points out that it is as if the human being was marked *by nature* by an economic liberal essence, which is the element that shows that liberalism and neoliberalism go far beyond a mere doctrine or economic development. It is as if “nature” had wanted the human being “[...] to be given over to the economic activity of production and exchange. [...] nature dictated it sneaky, to a certain extent left imprinted in the dispositions of things, geography, climate, etc.”.

And what are these provisions? First, men may individually have exchange relations based on property, etc., and that is, this prescription of nature, that precept of nature, which men will take back as legal obligations, and thus we shall have the civil law (FOUCAULT, 2008, p. 79).

As Lemke (2011, p. 45) points it out, “Foucault conceives of liberalism not as an economic theory or political ideology, but as an specific art of governing living beings”. Moreover, he points out that “Liberalism introduces a rationality of government that differs both from medieval concepts of domination and from modern reason: the idea of a nature of society that forms the basis and limits of the government practice”.

As a great exponent of neoliberalism, Friedman (1992) states that economic freedom would be an end in itself, inasmuch as the economic arrangements owed could provide a free society (i.e., to provide freedom in all its aspects). In this sense, economic freedom would be the component of freedom in a broader sense, as well as a condition of possibility for achieving political freedom. Margaret Thatcher’s phrase

<sup>1</sup> Safatle (2015) points out that neoliberalism is a reformulation of the liberal model of social management, production of life forms and subjects (*homo oeconomicus*) that led to the process of accumulation by the absolute expropriation of labor. It was a generalizable model, the “business ideal itself”, whose introjection made everything be thought by the logic of the market. With this, neoliberalism radiates effects of truth with an “essentialist” background, and all must act according to this essential and normalizing standard.

“Economics are the method. The object is to change the heart and soul” (SAFATLE, 2015, p. 193) clearly demonstrates the “anthropological thesis” that underlies economic liberalism, as well as it demonstrates what would be the science per excellence of the liberal model, the economy. If laws exist, which can be apprehended through a systematic application of a certain rationality, and if these laws have as their presupposition an economic essence of the human being, there must necessarily be a science capable of apprehending all such absolute and, for this reason, eternal laws.

So, one can ask four questions: 1) what would this liberal essence of the human being consist of? 2) being the knowledge of this essence the condition of possibility to ensure freedom, in what way could it be unveiled? 3) in the scientific search for the apprehension of this essence, which anthropological maxims could be universalized so that the society reaches the fullness? 4) would it be possible to carry out the liberal model and what are the possible consequences thereof?

Regarding the first question, it should be stressed that the human being would be a free being “by nature” or “by essence”. In this sense, all human beings who have already existed and who will exist would have a “natural will” to exercise freedom, and will do so as long as there are no constraints. According to Pizzorno (1989, p. 236), “Individuals are always there, each identical to himself in his time, with his wills and his decisions. When a certain constraint is not employed, the individual is socially free”. In this sense, human essence can only be realized if a kind of “negative freedom” is allowed to flourish, and society must avoid imposing unnecessary constraints on its members.

So, the human being is a being who longs for a liberation of all constraints, an aspiration that derives from its essence. In this sense, if freedom is the essence, the human being must seek it at all times. From this, one can infer that the “will to power” would truly translate into a “will to release” the constraints<sup>2</sup>. It is worth saying that if the human being possesses such an essence, this is a mark that precedes all the relationships that he will constitute in community life and relationships only establish themselves from this will to liberation. And, as mentioned, if economic freedom is capable of generating all other forms of freedom by itself, it means that the human being is, above all, an economic being, that is, he is a *homo economicus*. A being who, being the master of himself,

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<sup>2</sup> Foucault (2008, p. 85) himself states that neoliberalism is a naturalistic doctrine for operating with the dimension of freedom. For him, in truth and legal forms, notions of absolute would constitute a will to power, and the absolutization of economic essence is no exception. Foucault (from the thought of Nietzsche) argues that an absolute is that it stems from an “instinct” of power, or “will to power.”

must be analyzed to serve as a grid of intelligibility not only of economic activity, but of the whole real (FOUCAULT, 2008, pp. 310-311). And because the human essence is not lost, the *laissez-faire* liberal slogan must be put into practice.

The constraints that detract from the human economic essence could come as much from political institutions as a State or an intervening government (interventor understood as “embarrassing”), as from other human beings. In another words, the constraints could come from a range of sources, from human relationships on a personal level (family, friendship, work) to macro-relations or institutions potentially corrupting that will for liberation (FOUCAULT, 2008, pp. 310-311). Once again, the human being must be free of any constraints, otherwise he will not realize his potential as a “free individual by nature”. Even if there are possible models of political institutions or social entities in macro-relations, the task of these organizations is only to guarantee economic freedom. In this sense, not even laws should withdraw parcels of this freedom, because that would be to reap the human nature. As Foucault (2008, p. 61) explicitly states in the *Birth of Biopolitics*, the exercise of political power has to obey individual interests.

Thus, starting from the assumption that the individual is marked *by nature*, by the “will to liberate”, this implies that the human being possesses such an essence even before life in community, that means, even before life with other human beings and, surely, before the political life. Life in community and, above all, in the political sphere, would only prove on a collective level what at the individual and private level already has as an ontological fact: that the human being, so that he is human, must be radically unimpeded from all any external imposition, which leads to the second question. Because of this, it is questioned on how the liberal essence could be unveiled, the answer would be directly tied to the first one: such nature would appear to the extent that man ceases being coerced.

Based on these imperatives, human nature must be analyzed and understood, with the possibility of extracting universal laws through a systematic and *neutral*<sup>3</sup> examination of the economic data emanating from coercive action. However, since the human being can only be subjected to a systematic examination if it is taken as an object of analysis by other human beings, even if its essence precedes community life and social relations, it can only be

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<sup>3</sup> The question of neutrality is, for Foucault, a quite dangerous artifice of domination. This is because, as the author puts it in *In defense of society*, power relations (which are structuring the human reality) are marked by relations of force, reason why they are not neutral, just as they are not the individuals that act in the mesh of power. Whenever a certain field of power arrogates to itself the status of neutrality is to impose its interests, causing them to assume effects of truth.

objectified after the establishment of relationships<sup>4</sup>. If there is no way to isolate individuals to understand their freedom (even if liberty only makes sense among agents that are related), the “scientists of liberalism” should examine the environment in which individuals are inserted and try to reinforce *in practice* the *theoretical* necessity of the absence of constraints. And, to the extent that research on economic essence is fought in modernity, a variable to be considered in the “middle” of analysis is the State.

In this sense, there is a governmental entity that projects beyond individuals and their micro-relations and whose main characteristics are sovereignty (absolute power) and the monopoly of violence<sup>5</sup> (the power to coerce), so that the nature of these individuals can be understood and analyzed (in order to improve human progress more and more), this state entity must be limited. Otherwise, human nature will not be revealed. Therefore, the government entity should assume as a form of government the non-constraint of the human liberal essence.

According to Offe (1984), politics of the capitalist State is defined as a tangle of strategies through which attempts are made to create conditions for each citizen to be included in relations of exchange.

*As long as each owner is able to introduce their property into terms of trade, there is no reason for the State to intervene in the private allocation process. [...] the structure of the capitalist State becomes problematic only when the individual units of value are not incorporated into the relations of exchange (OFFE, 1984, pp. 125-126, emphasis in original).*

In this sense, “The link between the political and economic structures of capitalist society is, therefore, the commodity form. The stability of each of these structures depends on the universalization of the commodity form” (OFFE, 1984, p. 126). So, as individuals are embedded in the field where they can exercise their natural freedom – the economic field – the government is left with abstention.

According to Foucault, in *Security, territory, population*, to the extent that the State is the target of the abstentionist guidelines of liberalism, it must be clarified that it does not arise in modernity as a continuation of medieval salvation practices. The modern state now

<sup>4</sup> It is necessary to emphasize that the subject is, for Foucault, constituted by relations of power, theme explored by him in *History of sexuality I* and *Leçons sur la volonté de savoir*. Since he criticizes the absolutes, analyzing them from the relations of power, the same must be done with the subject. It is the relations of power that constitute the subjects and the human reality, the human cannot be understood as a natural *datum*. When it is posited that neoliberalism presupposes an essence of subject, this would be one of the targets of Foucaultian criticism.

<sup>5</sup> Regarding the state monopoly on violence, Weber (1982) conceptualizes the State as a compulsory association that organizes domination, the privileged space of politics, being this participation in power and the possibility of influencing its distribution, among States and between groups of a State. If the State organizes domination, it must monopolize violence and base itself on it, and for it to be constituted in these terms, it must be autonomous and project itself beyond society, but remain open to it (by the risk of being authoritarian).

embraces a range of historically diffuse and discontinuous practices and devices, and although it is not unison, it is considered this way because of the unifying theories that generate truth effects from the late medieval period. This artificially unified entity takes form in specific governmental organizations: 1) mercantilism: more than an economic doctrine, it was the political organization of production and the commercial circuits directed to the enrichment and accumulation of the State, which should be strengthened by the promotion of growth population and of staying in international economic competition; 2) the State police: state reason that aims at the internal management of the dense urban demographics that result from the population increase mercantilist; 3) the permanent diplomatic-military apparatus: it aims to maintain the plurality of States and maintain the international balance. These are “three ways, in solidarity with each other, [to] govern according to a rationality which has as its principle and domain of state application” (FOUCAULT, 2008, p. 10). The difficulty is to establish where the economy emerges as a science that will overlap politics.

In this process of limiting state intervention, what was sought was a regime of knowledge that could exercise this limiting role, as well as apprehending the universal laws of economic processes that would limit government action, a role assumed by the economy (ADVERSE, 2014, p. 17).

“Political economy”: the misunderstandings of the word and its meaning at that time also indicate that it was fundamentally speaking, so if you know that the expression “political economy”, you see it, between 1750 and 1810-1820, oscillate between different semantic poles. It is a question of seeking, through this expression, a strict and limited analysis of the production and circulation of wealth. “Political economy” also means, in a broader and more practical way, any method of government capable of ensuring the prosperity of a nation. And finally, political economy [...] is a kind of general reflection on the organization, distribution and limitation of powers in a society. Political economy, in my point of view, is fundamentally what enabled the self-limitation of governmental reason (FOUCAULT, 2008, pp. 18-19).

For this system of knowledge, since the human being is naturally marked by the will to be free from constraints, human processes (provided there are no external forces of interference) will be able to find the balance in society, because the human essence is project for all other spheres. If the nature of man is liberal, it follows that human processes are naturally capable of self-regulation, and they are the object of analysis of a human science which will infer the laws about human nature as a whole, once that it is economic and aspires for freedom (SILVEIRA, 2005, pp. 99-100). And, according to Friedman (1992, pp. 10-11), since political freedom is only reborn in



contemporary times because of the rise of capitalism, this model would be the condition for the real political freedom.

So, if the nature of man precedes his life in society, it can be said that it would be contained, rather in his private relations, that means, in the *nomos* of the *oikos*. Moreover, the fact that human natural processes, as long as they are not the object of constraints, necessarily lead to the realization of their best potentialities, this means that if each person individually seeks their release from the constraints, another possibility would not be than balance, which is why freedom should be sought. In other words, if nature emanates from the individual in isolation, both the realization of his (egoistic) will for liberation, and global processes, if they are not targets of intervention, can be expressed in universal laws that can explain the essence of man and this may be the answer to the third question). A kind of “invisible hand” is embraced, in the sense that if each one acts according to his personal interests of freedom, without worrying about the freedom of all, necessarily the common good will be attained<sup>6</sup>.

In this regard, Hayek (2010), in *The Road to Servitude*, exposes that attempting to coordinate economic activities by a centralizing route is highly ineffective, since “competition” would be the most effective way of self-regulating the market.

Liberal doctrine is in favor of more effective employment of the competitive forces as a means of coordinating human efforts rather than leaving things as they are. It is based on the conviction that where effective competition exists, it will always prove to be the best way to guide individual efforts. This doctrine does not deny, but even emphasizes that, in order for competition to function in a beneficial way, it will be necessary to create a carefully designed legal structure, and that neither existing nor past legal norms are free from serious flaws. Nor does it fail to recognize that, since it is impossible to create the conditions necessary to make competition effective, it is necessary to resort to other methods capable of guiding economic activity. However, economic liberalism runs counter to replacing competition with less effective methods of coordinating individual efforts. And it regards competition as a superior method, not only because it is in most circumstances the best method known, but above all because it is the only method by which our activities can adjust to one another without coercive or arbitrary intervention authority. Indeed, one of the main justifications for competition is that it dispenses with the need for “conscious social control” and offers individuals the opportunity to decide whether the prospects of a particular occupation are sufficient to compensate for the disadvantages and risks that accompany it (HAYEK, 2010, p. 58).

<sup>6</sup> According to Friedman (1992), in *Capitalism and Freedom*, the need for a government (understood here as a political sphere) emerges from the impossibility of absolute freedom, in the sense that everyone can do what they want, to exist in a society. According to him, although some issues, such as the prohibition of homicide, there is no difficulty in concluding that government should restrict freedom, in others the answer is not as obvious as in economic matters.

Hayek goes further. According to him, “good use” of competition is a principle of social organization that excludes other kinds of coercion in economic life, admitting that other types of coercion can help the functioning of competition, which is why government action is still necessary (HAYEK, 2010, pp. 58-59). With this, the government entity will only have the task of ensuring a social space where individuals can project their economic nature. Therefore, the government should establish a way where some will not interfere with the natural sphere of freedom of others, otherwise human nature and the laws that govern it will not be shown. So, since the human being is an individual inserted in the liberal state reason, according to which the State is limited by “true” and natural data that emanate from the economic processes, a government can only be considered democratic if it is liberal, allowing the human essence to materialize. This is because it is not the usurpation or the illegitimacy that is intended to combat, but the excess of government. “If the government runs over this limitation and violates these frontiers, it will not be illegitimate, it will not have somehow abandoned its essence, it will not be deprived of its fundamental rights” (FOUCAULT, 2008, p. 15).

In this process of limiting government action, a science has been legitimized not as a limiting role of government action, but as a regime of knowledge that poses itself as absolute versus political (ADVERSE, 2014; SILVEIRA, 2005). The *laissez-faire* slogan demonstrates that democratic politics exists only to respect market laws and enable their *natural* functioning. According to Silveira (2005), liberal governmentality treats every human action (even those supposedly external to economic relations) as “market” choices and decisions, the agent being an animal of will (egoistic) previously defined, whose freedom is determined by market laws. Since the modern subject is inserted in liberal reason, according to which the State must be limited by economic freedom, the government can only be considered democratic if it respects such natural processes. If there is a disrespect to the market, the government will therefore be undemocratic, as it disrespects freedoms and human nature itself. This establishes an inseparable link between democracy, liberalism and economics and establishes an imperative: for a government to be democratic, it is enough that it obeys the laws of the market.

As Friedman (1992, pp. 13-14) considers it, for example, political freedom would have manifested itself at some moments in history, as in the Greek *polis* and the Roman republic, which leads one to believe that the liberal essence appears only under the liberal conditions. But, according to him, the basic problem would be how to coordinate the economic activities of a large number of people, which is a contemporary reality. Thus, there would be two ways of coordinating the economic activities of millions of people: through the use of coercion (through the use of totalitarian measures) or through

the voluntary cooperation of individuals (which would be the market). The possibility of coordination through voluntary cooperation (and therefore not totalitarianism and respect for the liberal human essence) is based on the fact that both parties benefit from the economic transaction, i.e. the “exchange” in the “Market”, if it is “free”, enables coordination without coercion. Thus, to the extent that “freedom of exchange” is ensured, the “free market” enables the freedom of all its agents. For example, a consumer is protected from the constraint of the seller due to the existence of other sellers who offer the product. If the government secures this field and if it interferes with it, it will be democratic. Otherwise, it will be tyrannical.

In this sense, the instance from which the liberal maxims to which the government owes unconditional respect emanate is the “market”. If human nature precedes life in community, such nature would be present precisely at the moment when the human being seeks to produce to meet present needs and to accumulate for potential future needs (*oikos*). Moreover, if this were its nature, any coercion to impose a limit on its accumulation to future needs would only misrepresent its liberal nature. Thus, the only science capable of effectively understanding the natural laws of man and imposing limits on the constraints for these laws to unveil is the economy. Such science, in turn, in establishing this field of action, will be able to permeate the market by reason and thereby transform to perfection any corruptions of the human liberal nature.

Of course the “free market” does not eliminate the need for government, as it is essential to determine the “rules of the game”. What the market does is to reduce the issues that must be decided by the political sphere, minimizing the size of the government and the need for its participation in the game. If freedom is the absence of coercion, the absence of government action in the market sphere is therefore the means by which “market freedom” would enable political freedom. In other words, by removing economic organization from the control of political power, the market, by having its laws respected, eliminates a source of coercion (FRIEDMAN, 1992, pp. 15-16).

Regarding freedom from constraints, as well as reason, not everyone is able to use it with the same dexterity. In other words, some individuals have more clarity of means that will enable their liberation from constraints than others, so that, although the realization of the liberal nature generates equilibrium, such equilibrium is marked by a *natural* inequality. Callicles, a character who debates with Socrates in the Platonic dialogue *Gorgias*, certainly clarifies any doubts about the unveiling and potentialities of the liberal natural essence of man (PLATO, 2011, 481b-522e). According to him, one must know the difference between nature (*physis*) and law (*nomos*), which are dimensions that, although potentially convergent (which depends on a

series of contingencies), are unassimilable, governed by different logics. Calicles, by differentiating law and nature from what he means by “higher” and “stronger” individuals, says that for nature, everything that is more shameful is worse, whereas for the law it is not always so. If, in nature, suffering an injustice (or coercion) is worse than to commit it, when it comes to the space of laws, which are human conventions, it may be that committing an injustice or embarrassment is worse. Because men who are weak by nature are more likely to be coerced by their inferiority, since they are more numerous, they can impose laws that are more convenient to them, corrupting nature. Because of this, it would be for a government concerned to make the free nature of man reign prevent such situations. It is worth noting that Calicles was probably one of the first theorists of economic neoliberalism.

## 2 DEMOCRACY AND SECURITY PRACTICES

If the essence precedes life in a political community, that means, whether essence can and must be apprehended through the *nomos* of the *oikos*, this means that human nature can only be economic, since only the consolidation of biological needs and constraints by means of productive relations could provide a field for the manifestation and realization of the human liberal nature. Moreover, if each one must individually seek his release from the constraints and, being all inserted in this individual search (even because the essence part of the individual as individuality), society would reach a status of fullness. In order for this *telos* to be reached, the only possible route would be the liberal, in economic terms (*nomos of oikos*).

Because of this, the modern conception of liberal democratic government tends to form a connection, which is assumed to be an absolute imperative, with economy, insofar as the liberal form of government is that where the State does not intervene in the processes of natural liberty, respecting them (ADVERSE, 2014, p. 19). In this way, the economy becomes the science that seeks to realize the democratic political project that is made to free all of constraints and determinations. The market places itself as the privileged place of manifestation of “natural and universal laws” of the human essence, where natural processes are noted if coercive means are not employed. Thus, it will be the government’s ability not to trample over market laws that allows it to be classified as democratic or authoritarian. Democratic governance is not the one that respects rights, but the one that respects the truth of economic processes and generates positive economic effects by refraining from governing too much. The economy, by itself, is the knowledge that suffices to the political body (FOUCAULT, 2008, p. 20).

Since the market dictates the laws of government and, therefore, of the real, the subjects that will act in this abstract space also take on the naturalness of the market. In other words, since the market is the place where agents are able, in the exercise of their freedom, to constitute processes that lead to social equilibrium, social agents necessarily have an “economic essence”, as does society. By establishing totalizing analytical methods and generalizing the laws of natural economic processes to the other spheres of society, economics would reveal a series of factual regularities that necessarily reproduce in function of objectively intelligible mechanisms. According to Foucault himself:

It is always in this same project to analyze, in economic terms, the types of relationship that until then belonged to democracy, sociology, psychology, social psychology, it is always in this perspective that neoliberals seek to analyze, for example, the phenomena of marriage and individual coexistence (FOUCAULT, 2008, p. 336).

Freedom and all human relationships linked to it are now understood as performance within these processes. In this context, liberal government emerges as the form of political ordering of true human essence.

From this panorama, some phenomena take place. The generation of positive economic effects through abstentionist socio-state order in market processes and economic progress as *telos* make democratic participation somewhat secondary. This is because the ultimate democratic goal is the liberation of constraints and economic freedom. In case some certain “secondary” democratic objectives are sacrificed, as abstract rights, there would be no problems if the political objective is achieved: non-constraint in processes governed by the *nomos* of *oikos*.

Since liberalism and democracy are understood as synonyms, other liberal post-Calician formulations will emerge, such as German neoliberalism (Freiburg’s school) and the American one (Chicago School), although the issues raised revolve around the same problem: freedom. It is necessary to clarify that, according to Lagasnerie (in *The last lesson of Michel Foucault*), Foucault differentiates the classic liberal model from what it is called “neoliberalism”. The classical liberalism of Adam Smith, Ricardo and Say, for example, had the objective of separating and maintaining the autonomy of politics and economics, whereas neoliberalism imposes a subordination of political rationality to the regime of economic knowledge. In this sense, the argument of neoliberalism that underlies this subordination is the assumption that market and competitive logic are more effective in maintaining freedom and choice than “state intervention”, as Hayek and von Mises support. And in defending this subordination, being the human being a being of

political relations (a political being), this means that all its essence would be subordinated to the economic one.

In this sense, it can be said that both the German and the American neoliberal doctrine were constituted as an attempt to reorganize governmentality in a social cohesion based only on the market laws, in which the rule of law would be the guarantee of respect to these laws by the state entity (FONSECA, 2002, pp. 231-238). This theory constituted grids of intelligibility for all human behavior, formulating “economic” laws that go far beyond the laws of the market. The subject is constituted and is explained, in its totality, by economic laws. “The economy has become an approach capable, in principle, of accounting for the totality of human and economic behavior to program the totality of governmental action” (SILVEIRA, 2005, p. 103).

This means, in particular, that the major issues of liberalism concern the way men are governed, their primary concern is not to draw the limits of government action for the protection of individual rights but to engender political technology that ensure the effectiveness of state power. In other words, liberalism, insofar as it integrates the techniques of government, is at the service of the management of human life, taken both on an individual scale and on a collective scale (the population). But if Foucault inserts liberalism into the larger picture of what he termed *biopolitics*, it remains to know what its precise function is there, that means, how it leaves its indelible mark on modern governmentality (ADVERSE, 2014, p. 18, emphasis in original).

Precisely in this sense, Lemke (2011, pp. 44-45) asserts that liberalism would not be a simple economic ideology. More than that, it can be said that liberalism is a form of metaphysics in which, like other forms of metaphysics, tends to colonize existence in order to effect projects in dissonance with reality. The concept of liberalism, therefore, is a power-producing regime in which modern reason proposes a secular sovereign artificiality that transfers the omnipresence of the medieval God to liberal assumptions and sovereign theories. “With Physiocrats and political economy, nature reappears as a point of reference for political action...”, but not as a creationist or cosmological order, but as that which will involve civil society in order to limit the monster of the State (LEMKE, 2011, p. 45).

It is clear that, however this emergence of liberalism has been established as the possibility of realization of the individual who is free, since the State (or other potential constraining agents) does not intervene, government practices demonstrate another situation. In the genealogy of this model, there is no fundamental right of the individual as a sovereign subject and free of the arbitrariness of the State. The emergence of liberalism occurs at the heart of the problem of the

effectiveness to exercise power, informed by population-driven techniques. This means that the liberal knowledge regime is assumed to be true at a time when new forms of government are being sought (PIZZORNO, 1989, p. 240).

According to Adverse (2014), with neoliberalism at the heart of this crystallization of ways of governing people, contrary to what he would assume in theoretical terms, he cannot be a non-government, but a reflected practice of government, which is divided into two moments: “[...] the first coincides with the development of theories of ‘state reason’, while the second corresponds to the formation of ‘Political economy’, the nucleus of liberal political rationality” (ADVERSE, 2014, p. 17). Liberalism finds its initial and deeper motivation in the need to govern conduct, not simply in the struggle for recognition and respect for the fundamental rights of individuals, but in the creation, incitement, and manipulation of liberties through security and government mechanisms<sup>7</sup>.

Precisely because liberalism’s goal is not a limitation of government actions in order to promote freedom and human essence, but a deeper and more cohesive governance of modern societies, Sven Opitz (2011) and Susanne Krasmann (2011) analyze the question of “liberal” government by local security practices, exposing that liberalism, far from providing more freedom, subverts it. The analyzes presented by the authors are aimed at showing the liberal forms of government that, contrary to what it could be put, restrict freedom under the argument of increasing it, legitimizing itself through a discourse that defends the liberal nature of man. According to Opitz, the Liberal State assumes the same role as the sovereign theories of the past. It is a doctrine that attempts to legitimize certain practices of government that, even in total disagreement with the guiding principle of liberal democratic institutions (freedom), are paradoxically at their service. Indeed, Opitz argues that “...the notion and logic of security are indispensable if we wish to understand contemporary forms of practices such as shoot-to-kill cops or methods of interrogation involving torture” (OPITZ, 2011, p. 94).

In a space of liberal government where universal principles dictate that individuals should exercise their liberty *vis-à-vis* the State, which must respect it, a series of discourses emerge that call attention to an urgent need for security in the sense that individuals

<sup>7</sup> Even though the “Social state” has intervened in the midst of the discussions raised, the concern would still be centered on the question of a private essence of the human being, since the function of a social welfare government would be to provide citizens with conditions so that they could be free. Thus, providing certain types of “assistance” would not properly be a paradigm shift in relation to the citizen as *homo oeconomicus*, but to try to alleviate the problems that the economic essence imposes (QUADROS, 2008, pp. 36-41).

can exercise their freedom. After all, without security, the human essence could not find a space to manifest itself fully. Opitz and Krasmann (2011, p. 96) cite several examples: a legislative proposal was launched in Germany in 2006, allowing the air force to shoot down aircrafts with civilians on board, provided there was a terrorist threat; the director of the German Federal Office for the Protection of the Constitution, Heinz Fromm, stated that information from outside sources, even extracted through torture, should be used; American prisons that have imprisoned and tortured subjects that threaten national security.

It is worth noting that in this type of situation, the arguments for the need for such measures call for the need for security of the population, since “under terrorist threat” or “uncontrollable urban violence” freedom cannot be exercised. Although there is an explicit prohibition of torture or attacks on civilians that has taken shape in treaties, laws, constitutions, and in the self-understanding of liberal Western society, recent discussions are still being debated. This is because, in defense of the human liberal essence, it is assumed that any measure is valid. And, as Calicles has preached, it is preferable that individuals who are absolutely free from constraints should practice injustice by giving vent to their will for power, so that constraints on their freedom are imposed.

Based on the example of torture as a security practice, what these speeches do is to establish a difference between torture in the name of security (allowed) and torture as punishment (forbidden). However, population safety practices are not limited to extreme cases like these, transforming the architecture of football stadiums, train stations and even cities. As Opitz (2011, p. 95) says, “In the name of security, individuals abandon their posture of passive watchers and become part of a proactive community vigilantly collecting information and taking measures against potential dangers [...]” that violate the normality curve. In the United States of America, there is even an Internet site portal that allows an interactive “war on terror” in which citizens can report any potential danger that endangers the population’s freedom. It is perceived a war waged internally in society in defense of those who want to exercise their liberties in liberal governments, they admit, at the core of a liberal government, interventions in the individual sphere that, however much they contradict the universal precepts of freedom, operate as *infra* securities without any formal incoherence.

According to Krasmann (2011, pp. 116-117), the speeches that carry out security practices such as torture, legalizing it, are based on the fact that any extraordinary threats require extraordinary measures. The classic example is that of a person who knows where a bomb is, the question arises to the possibility of torturing it to get the information, with the



intention of saving other lives. Apparently a law regulating this issue does not necessarily lead to the normalization of torture practices, since the legal sovereign system as a whole remains cohesive, with the principles of a sovereign parliamentary democracy continuing. However, for Agamben, these certainties are doubtful:

The “state of exception”, he argues (with his starting point being Carl Schmitt), is an integral element of the law. It is not a response to a chaotic situation preceding a legal order, but rather the result of a suspension of the rule so that it can remain cohesive - the law is repealed by law. The state of exception does not mark a zone beyond the law, but a legality defined as a zone, where the norm is suspended, giving the sovereign power direct access to “naked life” (KRASMANN, 2011, p. 117).

So, Agamben places the state of exception not as something inscribed in sovereign power, but as an eventual resource of democratic liberal societies. However, Foucault’s perspective seems to disagree somewhat, insofar as his notion of governmentality is to some extent separated from the logic of law and sovereign power. Unlike Agamben, Foucault does not devise security practices such as torture as a means for sovereign power to gain access to biological life at the time of suspension of law and constitutionality. “Instead, torture circumscribes the operational horizon of a liberal government in the name of security – and it produces law along this path” (KRASMANN, 2011, p. 117).

Security discourses point to unlimited and multiplied population governance technologies, thus leading to an erosion of distinctions such as legal/illegal, private/public, civilian/military. Thus, in the name of the protection of freedom (universal attribute), numerous contradictory local practices are employed. Liberal democracy is affected by a profound paradox, as a government practice that limits and makes possible the government, Foucault’s (apud ADVERSE, 2014) thesis is that liberalism is a reflexive practice of government that, as such, governs population and does not provide a space for non-intervention to individuals in which they can be realized as dignified and absolutely equal beings (ADVERSE, 2014, p. 17). In other words, local security practices of liberal governments are the reverse of democracy, for although their mechanisms are able to coexist with modern democratic ideals (since they act in different instances), fundamental and individual rights and types of freedom are misrepresented, since they operate mechanisms that are contrary to egalitarian law (MONOD, 1997, pp. 64-65).

Therefore, the most important feature of liberal governmentality was to ensure the complex play of interests and ensure freedom for this game to unfold, seeking to produce and organize freedom [...]. Governmentality had its functioning linked to the need to determine the extent to which individual interests and freedoms

constituted a danger to the interests of all [...]. The central objective of governmentality was to guarantee a security mechanism that provided mechanisms and modes of state intervention, whose function was to promote security to the natural process, economic processes and processes intrinsic to the population. Freedom was an indispensable element of governmentality (SILVEIRA, 2005, pp. 101-102).

Foucault points out that liberal governmentality, contrary to conventional history, does not consist merely of respect for the individual, for the individuals' rights, and for freedom as a process capable of manifesting itself naturally. Instead, the philosopher's proposition is that liberalism discovers and adopts an immanent logic capable of generating an appearance of order. The supposed natural freedom of the human species is, in fact, constituted within the scope of the political artificiality of power relations. By taking the population as a physical entity that holds immanent natural regularities, governmental activity should not hinder natural processes, but rather ally them in order to expand their dynamics and possibilities so that the population becomes productive (OPITZ, 2011, pp. 97-98). According to Adverse,

If, on one hand, the effective exercise of the power of the modern State is informed by conduction techniques, on the other, it will rise to a conceptual elaboration. This means that governmentality is also a "reflected practice of government" whose history can be divided into two moments: the first coincides with the development of theories of "reason of state", while the second corresponds to the formation of "Political economy", the nucleus of liberal political rationality (ADVERSE, 2014, pp. 16-17).

In other words, under the guise of not governing, liberal governmentality rules.

Because of this, the population assumes postulates of economics that appear in the social field as natural laws. Insofar as these processes will be the targets of indirect political interventions, there is a rationalization of the mechanisms of power in order to manage human potentialities, and also to pretend that freedom is absolute, but that, remembering, it is in the artificiality of power relations. In this liberal game, interests and cost analyzes become the central elements of a government intervention transvestite of non-intervention. Consequently, the position of transcendent sovereignty is replaced by a government action centered on political economy focused on natural processes.

However, the presupposition of social self-organization already presupposes interventive measures, a thesis that is justified by the aforementioned security measures. For Opitz (2011), in liberalism there is a paradoxical relation between intervention and nonintervention. According to Opitz,

On one hand, Foucault explains, liberal government constitutes specific structures of contingency in which one acts in order to manage freedom. "This consumes freedom, which means that it must be produced. It must be produced, it must be organized" (Foucault 2008: 63). [...] Seen by these lenses, liberal government avoids destructive relations of violence

and direct coercion. Instead, “it incites, induces, seduces, facilitates or hinders” (Foucault 1982: 220). Correspondingly, security technologies are “environmental technologies” [...] that work indirectly and ensure that individuals make use of their specific freedoms. On the other hand, security technologies also direct practices and subjects that do not fit into the transactional game of freedom. They focus on heterogeneous practices, ways of being and modes of being that threaten to corrupt the “powers of freedom” from within (OPITZ, 2011, p. 99).

Thus, because of a whole range of security devices, one can say that the technologies of power that determine the plan of governmentality produce and incite freedom, but manage it through indirect interventions. Measures are taken compulsorily to ensure the use of liberty in all places. Yet Opitz (2011, pp. 99-100) will say that the issue of security in liberalism is complex because security discourses justify intervention only in terms of non-intervention, i.e., government intervention is necessary for processes in which should not be intervened are not threatened. It is as if the intervention was given only in order to make non-intervention possible and viable. “According to government reason, intervention always refers to nonintervention and vice versa. The crucial point is that this paradox is not an error or a failure to be dissipated [...]”, but a rationalized mechanism of liberal governmentality which, in turn, is never fixed, being a constant calibration process of safety calculations. “Security calculations mark the inflection point that navigates between intervention and nonintervention, negotiating the conditions [...] of both” (OPITZ, 2011, p. 100).

So, if security practices intervene, justifying themselves in the interest of enabling freedom, governmentality will answer questions such as: what practices of freedom are desirable? What are the possible negative consequences? Are there feasible intervention measures? What are the potential sources of danger? In what form and to what extent can danger be tolerated? How can it be neutralized? Is it worth the cost of neutralization? To the extent that security devices are allied to the expansion of illiberal modes of government, security ultimately reverses freedom within the sovereign machine that would have as its task the curator of freedom.

For this reason, Foucault draws attention to the fact that the intervening mechanisms of liberalism guarantee the foundation, the legitimation and the creation of a formidable legislative body to act intervening within the general framework of the egalitarian global precepts of parliamentary democracies. Liberal freedom is not a given, a dogma to be taken as truth, an inexorable redoubt, but that with which power is exercised, that is, “[...] the counter-face of the political investment of freedom” (ADVERSE, 2014, p. 23). Recalling the distinction examined by Krasmann between Agamben and Foucault, it is important to note that the French thinker does not conceive of the security practices that underpin the liberal regimes as a

suspension of the norm, but, like freedom, as the counterface of liberal democratic political investment, as if the suspension of form were part of the modern liberal legal apparatus.

Thus, while fundamental principles, such as the inalienability of human rights, impose external control on the limitation of power, criteria such as the utility or need for security have the potential to remove the limits to the exercise of power, legitimizing a struggle for freedom, but which violates it. The fact that liberalism adopts the criterion of utility as a principle of valuation means that no instance, not even infra-constitutional legislation, has to submit to the criterion of legitimacy. Incitement to the culture of fear as an indirect intervention, for example, creates an internal condition for interventions at the heart of freedom that apparently fit perfectly into the universal democratic principles.

It is only necessary to emphasize the fact that, no matter Foucault (2008) does not limit governmentality to law and security measures to suspend the norm, it does not dismiss the law of its historical significance. According to Krasmann (2011), the Foucaultian proposal is to attribute to this notion a new significance, an instrument for the implementation of norms and standardization processes. The law would ultimately be the instrument through which government interventions are legitimized in view of the need for security that private (*oikos*) freedom requires to manifest. Returning to the example of torture, which can be extended to other security measures, since the law must guarantee the constitutional principles of liberal democracies, rationalization of torture with a legal seal of regulated violence used only to end violence and enable freedom makes this speech paradoxical.

### 3 FINAL CONSIDERATIONS

Insofar as non-interventionist political regimes, which ensure individual rights, are established, this does not follow the conclusion of a State which refrains from infringing individual freedom. In fact, with the creation and apparent effectiveness of a legal field in which the State cannot intervene, the possibilities of government practices are maximized, since, once action in a field is prohibited, one can intervene in all others. Although liberal governmentality must guarantee the appearance of freedom in the market and in individual interests, one can intervene indirectly in these elements insofar as it intervenes in all

the rest, creating an appearance of freedom and forms of subject from the effects created by political economy.

Thus, concerned to the paradox according to which the human being needs to be freed of the constraints to be able to exercise its essence, but requires security for that, a series of measures that are part of the liberal democracies arise. After all, the anthropological metaphysical thesis is adopted according to which the human being can only be realized as if there are no constraints. So, measures that restrict freedom and directly deny democratic precepts (such as torture, uninterrupted surveillance, and arbitrary arrests) become part of democracies.

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