Sovereignty, Discipline, Security: Foucault and the Governmentality of U.S. Border Enforcement

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Abstract
This article examines Michel Foucault's political philosophy, arguing that concepts developed by Foucault in the mid-1970s can continue to inform critical political analysis. Offering a detailed reconstruction of Foucault’s lectures and key published works, the article argues for an overall coherence in Foucault's vision of governmental power. Then, this vision is applied to the system of immigrant detention and policing at the U.S.-Mexico border. Here it is shown that concepts such as discipline, security, bio-power, and governmentality shed considerable light on the racialized regime of capture and enclosure that preponderates in the borderlands. On the other hand, the article encourages a movement beyond mere scholarly inquiry, acknowledging that regimes of organized terror demand concrete resistance. To that end, the article concludes by suggesting some ways that Foucault's critical apprehension of “governmentality” can inform radical praxis as well as scholarship.

Keywords: Foucault, governmentality, immigration, biopolitics, sovereignty

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Introduction
Michel Foucault is noteworthy as a conceptual innovator in philosophy and political theory whose work challenges readers to examine power relations at various levels of society. Foucault stressed the relational character of power, rejecting the view that power is something which exists in the abstract and can be possessed by individuals (Foucault 1980, 98). He viewed power relations as omnipresent within the social field, abjuring analyses dependent on a simple division between the powerful and the powerless (Foucault 1980, 187-89, 208). Instead, he laid stress on the ways power produces forms of resistance, “counter-conducts,” and “practices of freedom” (Foucault 2009 [1977-1978], 201; Foucault 1997, 282). Forms of resistance cannot be dissociated from power’s exercise, Foucault argued, and by emphasizing this point he hoped to develop more subtle analyses of power than those offered by earlier political theorists (Foucault 2001, 328).

With the 1975 French publication of his landmark work, *Discipline and Punish*, Foucault undertook to investigate forms of power distinct from those traditionally studied by political philosophers—sovereignty, law and the state (Foucault 2001, 327). From the seventeenth century, Foucault argued, “disciplinary power” emerged as a set of techniques employed in various institutions—barracks, hospitals, schools and prisons—engendering docile, productive subjects through surveillance and training (Foucault 1977 [1975]). Foucault’s historical account of disciplinary techniques demonstrates that such power relations are productive of affects and behaviors. Power, he insisted, could no longer be seen as a purely repressive force. Indeed, Foucault contended that a myopic emphasis on repressive power obscures the scope and pervasiveness of power relations.

Following the publication of *Discipline and Punish*, Foucault undertook further research, more or less setting aside the theme of disciplinary power. On the one hand, he analyzed the development of “apparatuses of security,” or governmental programs and strategies that utilize statistical data concerning population and natural phenomena in order to manage and direct forces such as production
and consumption, as well as health, crime and population density (Foucault 2009 [1977-1978]). Alongside his analysis of security, Foucault examined how the eighteenth and nineteenth centuries witnessed a dramatic “governmentalization of the state” (Foucault 2009 [1977-1978], 108). He introduced the term “governmentality” to name an approach to governance which ceased to foreground legal interdiction and instead employed a detailed managerial matrix to direct population and economy through the synchronized application of disciplinary techniques and security measures, often emphasizing the latter over the former (Foucault 2009 [1977-1978], 108).

This article explores Foucault’s political philosophy through precise accounts of sovereign power, discipline, and security. Foregrounding Foucault’s public lectures of the mid-1970s while drawing on published works such as Discipline and Punish (1977 [1975]) and The History of Sexuality, Vol. 1 (1990 [1976]), the article finds an overall coherence in Foucault’s vision of governmental power. Moreover, the article demonstrates the continued vitality of Foucault’s work by applying his concepts to an analysis of contemporary policing and immigrant detention at the U.S.-Mexico border. On the one hand, this analysis shows how Foucault’s conceptual innovations can be used to advance scholarship concerning phenomena Foucault himself never addressed. Beyond that, it is argued that such scholarship should follow Foucault’s lead in attempting to shed light on oppressive institutions with a strategic view toward those institutions’ abolition (Thompson 2016).

The first section of the article outlines Foucault’s analysis of security apparatuses, distinguishing the latter from legal interdiction and disciplinary control, while identifying “bio-power” as a form of security-based governance (Foucault 2009 [1977-1978], 1). The second section interrogates immigrant detention and policing at the U.S.-Mexico border in light of Foucault’s theoretical interventions. The
article argues that Foucault’s analyses of governmentality and biopolitical racism shed particular light on the dispensation of state-based violence preponderant in the borderlands; but discipline, security, and biopolitics all cohere in the U.S. government’s criminalization and detention of racialized immigrant populations in the region. The article concludes by discussing how the present analysis, and Foucault’s approach more broadly, can inform students’ and scholars’ engagement in concrete social struggles.

**Sovereignty, Discipline, Security**

In a lecture from 11 January 1978, Foucault describes an elementary legal or juridical mechanism consisting of a simple prohibition. This prohibition is attended by the sovereign power to dispense punishment when law is transgressed. Foucault associates this sort of legal order with the form of sovereignty traditionally exercised in the West. In other words, sovereign power is understood by Foucault as a power rooted in the binary division between the permissible and the impermissible, which is made manifest in the sovereign’s ability to punish. In the late seventeenth century, Foucault goes on to note, this simple organization of power began to be embellished with a regime of “disciplinary” techniques (Foucault 2009 [1977-1978], 3). With the advent of disciplinary power, carceral spaces were organized to permit supervision and surveillance, and methods were developed to detect whether or not a given infraction might be committed by a suspect individual. Alongside surveillance, training protocols were deployed at the level of the individual subject, and punishments were adapted so as to be “corrective” rather than “spectacular” (Foucault 2009 [1977-1978], 4). Within a disciplinary framework, then, subjects began to be

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1 From 1970 until his death in 1984, Foucault offered an annual series of public lectures at the Collège de France. Following his death, the original taped lectures were transcribed, gradually appearing as published volumes in French. All of the volumes are now available in English translation.
“constituted” according to the specifications of the institutions in which they were embedded, drastically altering the way power operates (Hass 1996, 62). Unlike the repressive power of simple sovereign interdiction, disciplinary power produces affects, gestures, comportments, and forms of subjectivity.2

In *Discipline and Punish*, Foucault argued that disciplinary techniques emerged in the late seventeenth and early eighteenth century in numerous institutions: barracks, schools, hospitals, and prisons (Foucault 1977 [1975]). Detailed analyses of punishment, interrogation and surveillance showed how disciplinary techniques endeavor to identify, classify, manipulate, and transform individuals by breaking down multiplicities into observable and manipulable units (Foucault 1977 [1975], 170, 195). Disciplinary power is “individualizing,” in so far as it marks out the individual as power’s target and makes the manipulation of the individual power’s objective (Foucault 2001, 332). Disciplinary techniques thus work in concert with sovereign power, mediating the “binary division between the permitted and the prohibited” with a series of “detective, medical, and psychological” protocols which target and control subjects at the level of the body (Foucault 2009 [1977-1978], 5). For Foucault, discipline is the concrete framework through which legal sovereignty came to be articulated in early Western modernity.

Yet, following the publication of *Discipline and Punish* in 1975, Foucault began to shift his focus away from discipline. His public

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2 Because Foucault uses the term *discipline* to mark out a set of techniques used in different institutional contexts, disciplinary power should by no means be reflexively linked to the functions of the state. In the context of state power, discipline complements legal sovereignty; but in other contexts disciplinary techniques attend other dispensations, for instance those associated with capitalist production or the collection and implementation of medical knowledge.
lectures at the Collège de France started to examine an organization of power and a series of governmental techniques that were not disciplinary and individualizing, but were rather “totalizing” (Foucault 2003 [1976-1977]; Foucault 2001, 332). The final section of his landmark History of Sexuality, Vol. 1 (1990 [1976]) similarly addressed a general “power over life,” or “bio-power,” distinct from disciplinary power, which Foucault saw as constitutive of modern politics (133, 138). But it was not until his 1977-1978 Collège de France lecture series, published in English as Security, Territory, Population (2009), that Foucault developed the extensive analysis of security apparatuses and governmentality that would contextualize and extend his research of the preceding years.

Having noted the disciplinary embellishment of traditional legal sovereignty in his lecture from 11 January, Foucault indicates a further architecture of “security,” over and above the level of discipline (Foucault 2009 [1977-1978], 6). Apparatuses of security, deployed in this context, concern themselves with questions regarding the general implications of legal prohibition, the factors which affect the number of infringements, and the efficacy of disciplinary tactics. They facilitate the consolidation of governmental knowledge concerning a given phenomenon, for instance crime, and enable the implementation of regulatory programs, which will keep this phenomenon “within socially and economically acceptable limits and around an average that will be considered as optimal for a given social functioning” (Foucault 2009 [1977-1978], 5). Like discipline, security is a “normalizing” power (Foucault 2009 [1977-1978], 55). But where discipline grasps individuals at the level of their physicality and subjectivity, sculpting them in the image of a norm, security apparatuses collect data concerning population, social forces, and natural phenomena, using this data to normalize the overall field of social and environmental life by affecting general tendencies and guaranteeing predictable outcomes. Security apparatuses measure probabilities, calculate cost, risk, and benefit, establish averages, and set the limits of acceptable
excess (Foucault 2009 [1977-1978], 6). Their domain of application is not the individual subject but the multivalent totality.

Like the traditional legal code, disciplinary power unfolds within the horizon of a binary division of the permissible and the impermissible. Yet, Foucault notes, the legal code “focuses with greatest precision on what is to be prevented,” in an essentially negative gesture, whereas discipline constitutes an order based on a system of positive obligations (Foucault 2009 [1977-1978], 46). This distinction is vividly illustrated in the case of industrial production: here, bodies are inserted into a factory system and trained as mechanical elements that become docile and productive to the extent that disciplinary power is applied. With disciplinary power, Foucault writes, “what is determined is what one must do, and consequently everything else, being undetermined, is prohibited” (Foucault 2009 [1977-1978], 46, emphasis added). Conversely, security apparatuses do not appeal to any absolute opposition between the permissible and impermissible. Instead, they measure dynamic conditions, configure and optimize variables to produce desirable outcomes, and conduct a “regulation within the element of reality” (Foucault 2009 [1977-1978], 47). Rather than erecting a utopia, security manages the real, creating optimal links between various fields and levels.

At this point, a simple example might help illustrate the distinction between sovereign, disciplinary, and security-based dispensations. Suppose that a population occupies a region that a sovereign power wants cleared. At the most basic level, the sovereign could impose a prohibition against remaining in the region, threatening any transgressor with punishment. On its own, however, this interdiction could prove difficult to enforce, particularly if the region is populous. Sovereign law might therefore be supplemented with a disciplinary regime which includes surveillance of those who do not readily vacate the region. Individuals might be called in for questioning,
or subjected to protocols that encourage compliance with sovereign law. Disciplinary architecture, such as fences and checkpoints, might begin to appear in the region. On the other hand, security measures could be employed. Surveyors might be sent to discern why the population has not vacated the area. Perhaps the roads are treacherous; they can be paved. Perhaps economic opportunities outside the region are scarce; they can be improved. Perhaps agricultural production is subsidized in the region; the subsidies can be cut. Perhaps nearby regions are arid; irrigation can be developed. With the application of security, the ends of the sovereign might even be reached without ever needing to impose legal injunctions or appeal to any member of the population individually.

While the above example is valuable as a heuristic, it is imperfect insofar as it suggests that discipline and security are simply interchangeable strategies. In point of fact, the two are regularly deployed in different contexts to achieve different, but complementary, ends. Their differences can be readily discerned in their divergent approaches to spatial organization. Foucault explains that a disciplinary order is instituted whenever an “empty, closed space” is divided such that “artificial multiplicities are […] constructed and organized according to the triple principle of hierarchy, precise communication of relations of power, and functional effects specific to this distribution” (Foucault 2009 [1977-1978], 17). Disciplinary organization begins with enclosure and a subdivision of space that breaks a multiplicity down into cellular units, which is why it is conventionally deployed in closed spaces like schools and prisons. Conversely, security concerns itself with circulation—in the first instance, the circulation of population and goods between town and country. Expansive in its scope, security-based governance attends to the movement of groups, dangerous elements, individuals of different classes, the unemployed; the circulation of diseases, air; and the distribution of commodities and the necessities of life. Presupposing the impossibility or undesirability of complete enclosure, security apparatuses are deployed to regulate circulations which must be
managed to ensure desirable results. Rather than breaking down the multiplicity to act on individual bodies, security shapes the general environment in which bodies and goods move (Foucault 2009 [1977-1978], 19).

According to Foucault, the emergence of population as an object of scientific knowledge was a key factor in the historical development of security-based governance. With the advent of the sciences of life, human populations emerged as dynamic collectivities responsive to their environments and therefore susceptible to influence, management and direction through the operations of an increasingly administrative governmental power. The emphasis Foucault lays on population as a perforce organic phenomenon indicates a link between his analysis of security and his articulation of “bio-power” in The History of Sexuality, Vol. 1. In that work’s final section, Foucault argued that traditional sovereign power—paradigmatically expressed as the sovereign’s right to take the life of subjects as punishment for legal infraction—has been superseded since the eighteenth century by a power to “administer life” (Foucault 1990 [1976], 139). That is, in Foucault’s view, the raison d’être of government increasingly appears to be the preservation—and control—of the population’s health and well-being.³ Where traditional

³ To be sure, this claim warrants scrutiny, especially in a period marked by neoliberal welfare-state retrenchment and widespread state-based violence against racialized subjects. In defense of Foucault’s claim, we might observe that while actors across the political spectrum may disagree as to whether or not the state in fact preserves the health and well-being of the population, and may likewise disagree about what sorts of measures would rightfully constitute such preservation, the fact remains that these actors would largely agree on the more basic premise that the raison d’être of government is precisely such perseveration. This premise equally underpins, for instance, conservative arguments for the necessity of policing and progressive arguments for universal healthcare. Despite programmatic differences, both agree that government exists to keep the population safe—that is, to keep the
sovereign power can be understood as the “right to take life or let live,” the “bio-power” that Foucault sees as constitutive of contemporary government appears as a power to “foster life or to disallow it to the point of death” (Foucault 1990 [1976], 137, 138).

As a form of security-based governance, bio-power fosters the life of the population through diffuse managerial control of factors such as health, hygiene, nutrition, morbidity and birthrate. Yet despite its imperative to foster life, biopolitics should not be taken for a benevolent form of power. On the contrary, power’s emerging concern to stimulate the growth and vitality of the population was directly linked to concurrent innovations in political economy, which

population living. This is precisely the point which, according to Foucault, distinguishes our period from one defined by the logic of traditional sovereign power. In other words, the notion that government exists to promote the wellbeing of the citizenry would have made little sense prior to the eighteenth century.

4 As Benjamin Muller notes, biopolitics remains a relatively elastic concept in Foucault’s work as well as in subsequent scholarship (Muller 2011). In part, this may be due to the provisional and at times improvisatory character of Foucault’s lectures, where the notion of biopolitics was largely developed. While the term is sometimes deployed in ways more or less synonymous with security, in other contexts it appears to name strategies more specifically linked to medical, genetic, or biological knowledge and interventions, such as eugenics. Rather than attempting to parse the distinction between the two concepts here, it suffices to note that the epistemological emergence of biological objects of power—such as population—as well as statistical data collection and managerial techniques in sectors like public health and hygiene, suggests that biopolitics is situated in a terrain defined by a general shift towards security-based governance.

5 In general, Foucault avoids normative judgements concerning power—X power is bad, Y power is good—in favor of a descriptive method—X power works in this and that way and produces these effects. This choice may reflect Foucault’s belief that his work should be strategically useful (Foucault 1980, 83). Taking for granted that the exercise of power produces resistance, Foucault may have concluded that a map of the strategies by means of which power is exercised would be of greater tactical utility than a doctrinaire condemnation of this or that form of power.
identified population and its capacity to labor as the source of national wealth. What’s more, as Foucault stresses in the *History of Sexuality, Vol. 1*, the obverse side of the power to foster life is the power to abandon life, or to “disallow it to the point of death” (Foucault 1990 [1976], 138). While this point will be discussed in greater detail in the next section of this work, it should be noted that bio-power produces caesuras in populations, identifying certain groups as expendable surplus—or mortal danger—which can or must be sacrificed to ensure the health and vitality of the whole (Foucault 2003 [1975-1976], 255).

By demonstrating how security apparatuses dovetail with disciplinary power, Foucault makes it clear that his intention is not to construct an historical periodization. Sovereign power is not replaced by disciplinary power, only to be replaced in turn by security-based governance. Rather, the three modalities can and do coexist, with disciplinary regimes subtending the legal code and security apparatuses studying and optimizing the broader terrain in which discipline is deployed. The statistical knowledge generated through the use of security apparatuses may influence positive law, negative prohibition, or disciplinary practice. Whatever the case may be, life is grasped, fostered, regulated, and population is directed within a security-based organization of power. Foucault’s pivot towards an analysis of security, and his implicit and explicit cues that security has superseded discipline as the predominant technology of state power in the modern period, suggests that a critical apprehension of security-based governance is of vital importance for understanding our historical present (Foucault 2009 [1977-1978], 10f; Foucault 2003 [1976-1977], 253).
Governmentality at the U.S.-Mexico Border

Foucault’s pivot towards an analysis of security-based governance from the mid-1970s coincides with his articulation of the concept of governmentality. Put simply, governmentality names a mode of state power which foregrounds mechanisms of security, coordinating macro-power over population with disciplinary micro-power over bodies, and linking both to the operations of sovereign law (Valdez 2016). Put differently, governmentality is the overall strategic framework in which the “individualizing” pole and the “totalizing” pole of contemporary governance are reconciled and enmeshed (Foucault 2001, 332). Governmentality is a state-based logic; as Foucault notes in the closing address of his 1976-1977 lectures at the Collège de France, while disciplinary power finds expression in a host of institutions not directly linked to the state or even to one another—such as factories—the centralization which is required to manage overall movements and dynamics of population situates security, and hence governmentality, at the level of a highly centralized power: the state (Foucault 2003 [1976-1977], 250). Yet the centralization which

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6 It is important to note that the vast territory presently traversed by the border separating the U.S. and Mexico covers the ancestral homelands of a host of Indigenous peoples, among them the Cupeño, Cahuilla, Cocopah, Kumeyaay, Quechan, Maricopa, Pascua Yaqui, Tigua, O’odham, Tohono O’odham, Sobaipuri, Pescado, Mansos, Sumas, Jumanos, Kiikapoi, Sana, Karankawa, Tonkawa, Coahuiltecan, Comanche, and numerous bands of Apache, including the Lipan and Chiricahua. The very existence of the border, and its salience as a political marker, must be understood as topographical artifacts of colonial occupation.

7 To be sure, data collection and its application in the interest of population manipulation is, today, equally a tactic of capital via, e.g., targeted marketing. The fact that a logic of security has permeated non-state spheres only speaks to the ascendant significance of governmentality as a mode of power and as a theoretical paradigm (Skålén et al., 2006). In fact, the algorithmic capacity for hyper-individuation alongside generic or drag-net data collection exemplifies the synthesis of disciplinary and security-based technologies which Foucault marks out with the term governmentality (see: Rouvroy and Berns 2013).
characterizes a “governmentalized” state differs from that found in a monarchy; governmentality names the process whereby an increasingly diffuse state apparatus consisting of networked agencies, countless bureaucrats, offices and technicians can nevertheless act as a more or less coherent, coordinated body.

This section applies Foucault’s analysis of governmentality—and the multiple technologies it combines—to contemporary immigrant detention and policing at the U.S.-Mexico border. Highlighting Foucault’s analysis of biopolitical racism, the section demonstrates the continued vitality of Foucault’s conceptual tools. Yet such an academic exercise should not overshadow the need to engage concretely with the reality under consideration; to study regimes of organized violence without equally working for their abolition is to engage in the most parochial and solipsistic form of academic work. Thus, the article concludes by considering some ways Foucault’s thought can promote a convergence between scholarship and radical praxis.

The contemporary violence of border policing and the criminalization, abuse, and detention of immigrant populations at the U.S.-Mexico border is well documented (e.g., Slack et al., 2018; Androff and Tavassoli 2012). Historically, this regime is situated in a timeline which includes the U.S. federal government’s termination of the Bracero program in 1964; subsequent reforms to federal immigration policy through the 1970s; political instability prompted by American military and paramilitary interventions in Central and South America through the 1970s and 80s; the concurrent ascendance of neoliberal globalization and the restructuring of Latin American economies, culminating in the passage of the North American Free Trade Agreement (NAFTA) and the Central American Free Trade Agreement (CAFTA) in 1994 and 2006; the founding of the U.S. Department of Homeland Security in 2002 and Immigrations and
Customs Enforcement (ICE) in 2003; and the militarization of U.S. border enforcement under the Clinton, Bush, Obama, and Trump administrations (Massey 2016; Androff and Tavassoli 2012).

Moreover, this recent history is embedded in a much longer timeline—one of conquest, genocide, and imperial warfare between the U.S. and Mexican nation states as well as Spanish colonial power. As Monica Muñoz Martinez notes, the borderlands have long been plagued by a “culture of impunity in which state agents abused their authority and denied protection to ethnic Mexicans within their jurisdiction,” creating a “reign of social terror” coextensive with the nation-building project, which “routinely denied [...] civil and social rights” to racialized subjects who called the borderlands home (Martinez 2014, 662). An exhaustive historical analysis of the current regime of U.S. immigration detention and policing, its genealogical antecedents and its multiple apparatuses is beyond the scope of this article; staying close to Foucault, we instead show how governmentality and its attendant technologies—sovereign power, discipline, security and biopolitics—are reflected in the contemporary regime of U.S. border policing and immigrant detention. Each of Foucault’s concepts sheds light on a particular aspect of the dispensation of state-based violence seated in the borderlands; and as a coordinating logic, governmentality allows a kind of strategic coherence to emerge among the diverse techniques and strategies of power deployed in the region.

Sovereign power is defined by Foucault as the ability to arbitrate between the permissible and the impermissible and to dispense punishment in the event of law’s transgression (Foucault 2009 [1977-1978], 2). By this definition, sovereign power is clearly at play in immigration law and interdictions surrounding national borders generally. Indeed, normative international relations theory confirms that sovereignty is coextensive with the ability to institute and defend national borders which are considered legitimate by the international community (Chowdhury and Duvall 2014, 191). On the other hand, Foucault argues that sovereignty as it has been traditionally conceived
in the West is defined by the sovereign’s right to take the life of subjects (Foucault 2003 [1975-1976], 244; Foucault 1990 [1976], 135). And while de jure capital punishment does not attend U.S. immigration infractions strictly speaking, those subject to persecution and detention at the U.S.-Mexico border are nonetheless subsumed in a morbid regime where death, bodily violence, illness and trauma proliferate alongside what Foucault elsewhere calls the “political death” of incarceration or abandonment by the state (Foucault 2003 [1976], 255).9

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8 As we have seen, one of Foucault’s major theoretical innovations was to posit a movement beyond this traditional view of sovereignty by introducing the concept of biopolitics. While this shift will be discussed in greater detail below, it must also be stressed that if a new model of sovereignty indeed emerged in the eighteenth century, as Foucault claims, this new model complemented rather than replaced the older sovereign dispensation. Foucault nowhere denies that law and punishment remain key technologies of power.

9 Notably, the relevance of sovereign power to the present analysis exceeds the mere existence of the national border. Sovereign legal authority is also exercised in defining immigration. To take just one example, the U.S. government’s termination of the Bracero program in 1964, and the imposition of an annual cap on legal immigration from the western hemisphere the following year, led to a large scale transformation in the legal status of thousands of migrant laborers from Mexico, and, to a lesser extent, Central America (Massey 2016). As Douglas Massey notes, Mexican and Central American immigration was, in this sovereign gesture, “transformed from an overwhelmingly legal flow into one that was substantially illegal” (Massey 2016, 350). What is notable here is that the U.S. legal reforms of the 1960s and 1970s, and the increasingly militarized character of their enforcement from the 1980s onward, did little to alter the socioeconomic factors which drive Latin American emigration. Instead, sovereign restrictions on immigration restructured the legal status of subjects in a fundamental way, thrusting them into a precarious and afflicted position before the law. The termination of the Bracero Program, then, reveals an interesting confrontation between the logics of sovereignty and security in the context of the borderlands; legal injunction, situated
Foucault’s definition of sovereignty, like those offered by normative international relations theory, are necessary for understanding border enforcement generally. Yet on their own they fail to capture the reality of a militarized border replete with mass extrajudicial detention. Sovereign power is, of necessity, complemented by disciplinary technologies, security apparatuses, and biopolitics (Foucault 2009 [1977-1978], 4). Discipline, first of all, is a crucial concomitant to sovereign power insofar as its application is intended to produce subjects who “self-police,” rendering the operations of sovereign legal power more efficient (Brendese 2014, 173). Although discipline has come to be reflexively associated with carceral environments since the publication of Discipline and Punish, it must be observed that the detention camps where detainees are warehoused along the U.S.-Mexico border do not always embody the clinical, classificatory principles of utopian disciplinary space; nor do they necessarily obey a logic of penitentiary punishment aimed at reforming individuals.

Still, disciplinary techniques and logics proliferate in the system of U.S. immigrant detention. Lauren Martin writes that, at the most basic level, detention itself is a “particularly spatial practice that bounds space in order to prevent bodily movement,” marking it out as a disciplinary technology (Martin 2015, 231). Martin’s emphasis on bounded space and bodily inhibition signals a disciplinary aspect of the border itself, in addition to detention. Furthermore, because mass immigrant detention is avowedly deployed as a “deterrence strategy,” and “deportation reaffirms national identity through the process of repatriation,” the system of immigrant detention can be seen as one in which subjectivities are grasped and restructured along lines inscribed at the level of sovereign power, affected the juridical status of a population, without, however, significantly altering the circulation of that population, as security measures are intended to do.
by state power (Martin 2015, 236). Mathew Coleman and Austin Kocher point out that the surveillance and policing of immigrant communities brings “the threat of deportation into the most intimate recesses of immigrant life,” creating conditions in which, as Martin writes, immigrants live “highly circumscribed lives,” even outside detention (Coleman and Kocher 2011, 235, quoted in Martin 2015, 236; Martin 2015, 236). A rigidly spatial, subjectifying technology is a key element in the governmentality of the U.S. border.

Before moving on, it should be noted that although disciplinary power operates in the borderlands—and in racialized immigrant communities throughout the U.S.—the logic of discipline confronts a contradiction within U.S. immigration policy. Strategically, the aim of discipline is to produce docile subjects who do not transgress sovereign law and who “conform to prevailing regulations” (Brendese 2014, 173). Yet the socioeconomic, political, personal and environmental drivers of Latin American emigration converge to create conditions in which this logic is impotent, and disciplinary power at the U.S.-Mexico border lapses into a quasi-archaic display of gratuitous violence. While the advent of discipline in the late seventeenth century was intended to rationalize and economize the regime of sovereignty, in the present context the effect is the opposite; as those who emigrate northward find themselves in an overwhelming political and economic double-bind, disciplinary practice marks out the political present of the borderlands in barbed wire and bones.

Still, the concept of disciplinary power furnishes a powerful analytic tool for grasping those elements of immigrant detention and border policing that lay hold of the subjectivities and bodies of targeted individuals. Yet in the context of U.S. immigration enforcement and detention, disciplinary power strictly speaking is subordinated to more sweeping practices of state-based population management, control and capture. In the service of sovereign law, discipline is deployed in a
terrain shaped apparatuses of security. The 1990s oversaw a drastic infrastructural expansion of the U.S.-Mexico border, as well as a twofold increase in U.S. Border Patrol’s budget and personnel (Androff and Tavassoli 2012). As David Androff and Kyoko Tavassoli note, this expansion, which has continued over the past two decades, had the effect of “[closing] the border at urban centers,” creating a “funnel effect” that pushed those crossing the border into more remote areas (Androff and Tavassoli 2012, 167). While the avowed intention of border militarization was to curb undocumented immigration, the practical effect was to force the flow of immigrant populations into more forbidding geographies. As a result, thousands of immigrants have died of thirst, starvation and exposure in the hostile terrain of the Sonoran Desert, which covers 120,000 square miles of the southwest borderlands (Androff and Tavassoli 2012).

The militarization of the U.S. border—which required both sovereign and disciplinary interventions—offers a case study in security, too, as a mobile population group was geographically manipulated by a heterogenous and temporally disjointed proliferation of policies, informed by economic, sociological and demographic considerations. Yet, whether intended or inadvertent, the expansive state-based production of a “geography of death” in the Sonoran Desert would seem to controvert Foucault’s view that sovereign power has, since the eighteenth century, embraced the prerogative to produce vital, living populations (Soto and Martinéz 2018). Indeed, how can the administration of death be reconciled with Foucault’s claim that biopolitics permeates the modern state? Flagging the conflict between bio-power and the politics of death, Foucault himself asks:

If it is true that the power of [traditional] sovereignty is on the retreat and that disciplinary or regulatory […] power is on the advance, how will the power to kill and the function of murder operate in this technology of power, which takes life as both its object and its objective? How can such a power as this kill, if its basic
function is to improve life, to prolong its duration, to improve its chances [...]? (Foucault 2003 [1975-1976], 254).

Foucault's answer to this question is simple: “it is, I think, at this point that racism intervenes” (Foucault 2003 [1975-1976], 254).

For Foucault, racism constitutes “a way of introducing a break into the domain of life” that bio-power manages (Foucault 2003 [1975-1976], 254). Insofar as racial thinking confers coherence upon the dominant group, the production of disposable populations is central to biopolitical sovereignty. As effects of power, racial categories and logics fracture bio-power’s field of operation into sub-groups or sub-species which are governed differentially. Indeed, perceived racial difference comes to determine “what must live and what must die” in a regime of biopolitics (Foucault 2003 [1975-1976], 254). Foucault specifies that the administration of “death” under biopolitics exceeds its most vivid manifestations: colonial genocide and Nazi extermination camps (Foucault 2003 [1975-1976], 255). The morbid capacities of bio-power include “every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection, and so on” (Foucault 2003 [1975-1976], 255).

According to Foucault, biopolitical racism is an extension of the logic of war. In the latter, an individual’s safety can only be insured through the death of their adversary. Yet the racialized logic of biopolitics differs in one key respect; where the life that is preserved through the enemy’s death in war is the life of an individual, the life that is preserved through the eradication of “inferior races” is the life of a species. Within the paradigm of biopolitics, Foucault specifies, “the fact that the other dies does not mean simply that I live in the sense that his [sic] death guarantees my safety; the death of the other,
the death of the bad race […] is something that will make life in general healthier: healthier and purer” (Foucault 2003 [1975-1976], 255). 10

Racial logics play a pivotal role in the exclusion of immigrant populations at the U.S.-Mexico border (Massey 2016; Valdez 2016). As an analytical tool, biopolitics can confer intelligibility upon racialized exclusion—and the administration of death which attends it—while affirming, with Foucault, that a regulatory power over life and population has permeated the modern state (Foucault 2003 [1975-1976], 240). As Inés Valdez explains, in the context of U.S. immigration policy, bio-power “[solidifies] a racialized divide between disposable subjects and a group that is worth protecting” (Valdez 2016, 645). However, Valdez notes, no “single law or sovereign act” produces this pattern of exclusion (Valdez 2016, 645). Law, disciplinary apparatuses, security and biopolitics all collude in the context of the borderlands. This collusion requires an overall framework which “connects the technical knowledge of demography, social risk, and security to the forms of disciplinary intervention that render bodies useful and docile, and the way in which sovereign law buttresses these techniques” (Valdez 2016, 641). Indeed, without the coordinating presence of governmentality—a managerial approach to government that deploys a dense array of technical and bureaucratic powers in interlocking spheres—a coherent strategy could not materialize at the U.S.-Mexico border.

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10 Because Foucault sees racial thinking and its derivatives as technologies of power, his conceptualization of biopolitical racism can equally be applied to groups that aren’t commonly understood as “races.” For example, incarcerated and unhoused populations, while not typically spoken of as “races” unto themselves, face a sort of social exclusion, organized violence and generalized contempt that represents the morbid pole of biopolitics. Viewed in this light, the policies and social practices that produce these populations, exposing them to abandonment, psychic and material deprivation and death, could be understood as genocidal, insofar as their terminal point is the social and corporeal eradication or erasure of entire groups.
Conclusion

Foucault claims that a general logic of security and a more specific biopolitical orientation enjoy privileged status in the modern governmentalized state. Without liquidating it entirely, this novel formation has superseded a model of statehood defined by the sovereign power to dispense death while regarding life with indifference (Foucault 1990 [1976], 135). Of course, it is uncontroversial to claim that, since the seventeenth century, tyranny has receded, or at least mutated, while modern government manages population, sets it in motion, and, the vagaries of the neoliberal period notwithstanding, promotes aims like public health through programs which employ statistical data collection and analysis. The analytical purchase of Foucault’s work resides in its ability to illuminate how these apparently unremarkable aspects of modern power emerged through complex and conflictual historical processes (Foucault 2001, 328). As a “history of the present,” Foucault’s

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11 In the decades since Foucault’s death, some scholars indebted to Foucault’s work have pushed back against this view, or highlighted its limitations. One notable example is Achille Mbembe, who, foregrounding the politics of sub-Saharan Africa and occupied Palestine, rather than Europe, contends that a “politics of enmity,” or “necropolitics,” animates the corporeally and environmentally destructive aspects of modern power (Mbembe 2019). Globalizing the divide between bio-power’s positive and negative poles, Mbembe argues that the consolidation of a biopolitical order in Europe was and is subtended by a visceral regime of necropolitics in the colonial and postcolonial world (Mbembe 2019).

analysis of governmentality allows contemporary economies of power to stand out in their specificity and contingency (Garland 2014). Far from an academic intervention, Foucault argues that such a genealogy should “[allow] us to establish a historical knowledge of struggles and to make use of this knowledge tactically today” (Foucault 1980, 83, emphasis added).

By way of conclusion, then, let us identify three ways Foucault’s analyses may be of use in the struggle against institutionalized orders of power and violence. At the most general level, institutionalized power relations remain durable to the extent that they appear natural, necessary, or ahistorical. Thus, scholarship which illuminates the historical contingency of an ossified political formation offers a first step towards combatting it. More specifically, Foucault’s historical analyses invite readers to consider that institutions widely accepted as humane today may look radically different from the view of the future. After all, the “panopticon” was understood as a humanist reform of the prison by Jeremy Bentham and his contemporaries (Foucault 1977 [1975], 200-208). In light of Foucault’s analyses, the discourse which is used to sanction power’s

13 Jeremy Bentham (1748-1832) was an influential English philosopher and social reformer associated with utilitarianism. Bentham developed the panopticon as an architectural model in the mid-1780s, for application in prisons and other disciplinary settings. The panopticon consists of a central tower surrounded by a ring of cells. The cells are built so as to disallow communication or visibility between them, while each one opens towards the tower, allowing complete visibility of each cell—and its inhabitant—from the central tower. In Bentham’s design, a bright light would be installed in the central tower, such that the cells’ occupants could never determine whether—or if—they were being observed at any given time. The constant, unverifiable possibility of observation would lead the inmates to comport themselves as if they were always being watched. Foucault found the panopticon so exemplary of the disciplinary paradigm that he dedicated an entire chapter of Discipline and Punish to a discussion of its design and influence (Foucault 1977 [1975], 195-230).
institutional manifestations—borders, prisons, detention camps, police—must be considered a terrain of struggle, not a neutral element which conveys the real. This opens ample space for scholarly and critical interventions.

Second, by decentering sovereign power and highlighting the diffuse array of networked forces that governmentality conjoins, Foucault dilates the field of practical engagement. For example, if the system of U.S. immigration detention and policing was simply a manifestation of sovereign power, then the struggle against this system would be overwhelming, and the channels for engagement would be apparently restricted to the sphere of electoral politics. Yet an analysis informed by Foucault’s genealogy of governmentality reveals that sovereign power is only one element in the dense regime of immigration enforcement at the U.S.-Mexico border. Its disciplinary apparatus includes physical and digital infrastructure, private security contractors and facilities, as well as a broad network of surveillance operatives and technologies; its security apparatus consists of advisors, social scientists, demographers, criminologists, economists, as well as the executors of a public discourse that sanctions the racial biopolitics deployed in the borderlands. In light of this analysis, the struggle against governmentality at the U.S.-Mexico border takes on new dimensions, and the potential points of intervention in the struggle multiply. Each of the aforementioned elements appears as a tactical site where power’s exercise can be apprehended, interrupted, and subverted.

Lastly, Foucault stresses that disciplinary power’s historical development was propelled by institutional reform (Foucault 1977 [1975], 234). Security-based governance, likewise, emerged through manifold reforms to an earlier model of sovereign power (2009 [1977-1978]). By identifying institutional reform as a technology of power, rather than power’s negation, Foucault’s work encourages a critical
stance towards not only the institutions which circumscribe life, constitute subjects and administer death, but also internal efforts to reform—that is, to preserve—these institutions. This point can inform our practical resistance. Apprehending reform as a strategy, we might ask: Does a proposed reform point toward the perpetuation and consolidation of an institutional power—by providing increased training and funding to a given institution’s agents, for example—or does it represent a genuine strategic advance towards a redistribution of forces? Put differently, is a given reform’s terminal point interior to the institution in question, or does it gesture towards a space beyond that institution?

Far from arguing for the generic applicability of Foucault’s insights to every operation of power, this article has revealed the utility of a measured application of Foucault’s concepts in certain situations. In particular, the multivalent assemblage of strategies and practices at work in the U.S. government’s policing of the borderlands makes governmentality an especially illuminating framework. This framework can continue to animate our critical understanding of the present, encouraging the challenge to that present which critical consciousness demands. Foucault demonstrates that institutional structures which appear implacable are contingent and subject to constant negotiation; moreover, Foucault’s genealogy of governmentality shows that dispensations of power are never monolithic. They are instead coordinated assemblies of strategies, institutions, knowledges, technologies. Each of these points of articulation, once revealed, may be apprehended as a site of possible resistance and subversion; that is to say, a target.
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