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Confessional Subjects and Conducts of Non-Truth

Foucault, Fanon, and the Making of the Subject

Daniele Lorenzini and Martina Tazzioli

Introduction

The aim of this article is to put Michel Foucault and Frantz Fanon into dialogue in order to explore the relationships between the constitution of subjects and the production of truth in modern Western societies as well as in colonial spaces. Such a ‘dialogue at a distance’, which only Matthieu Renault has tried to reconstruct so far (Renault, 2015), never really happened, and the relationship between Foucault and Fanon can be described as a missed encounter¹.

In this article we argue, firstly, that especially in his works of the late 1970s and early 1980s Foucault elaborated a series of historical and philosophical analyses which turn out to be extremely valuable if we want to question the political and ethical consequences of the injunction for the subject to tell the truth about himself or herself as it developed since the fourth-fifth century A.D. However, as it has often been noticed, Foucault almost exclusively focused his attention on Western societies. This is why we suggest, secondly, taking into account Fanon’s work in order to explore the main features of this articulation between subjectivity and truth in the colonial context. As we show, indeed, the injunction for the subject to tell the truth about himself or herself is differently shaped in the space of the colony described by Fanon and in the modern Western societies addressed by Foucault, and it is crucial to highlight such a difference if we want to put to work Foucault’s conceptual tools also in non-Western contexts—or, more broadly, in our postcolonial present and in the complex dynamics which takes place in ‘border spaces’, whose political significance is so patent nowadays. In particular, we have in mind the ‘contested politics of mobility’ (Squire, 2015) which affects asylum seekers across the world and the ‘political technologies’—to use a Foucaultian terminology—deployed for governing the conducts and movements of would-be refugees. Indeed, migrants claiming asylum are subjected to a series of racializing procedures that label, partition and classify individuals, dividing them between ‘bogus refugees’ and ‘persons in real need of protection’. Moreover, the question of (the production of) truth is at the core of the mechanisms of subjection and subjectivation which are at stake in the processing of asylum claims. Asylum seekers are usually seen as *suspect subjects* who have to demonstrate that they really are in need of protection; yet, at the same time, they are considered as subjects incapable of telling the truth (Fassin, 2013; Tazzioli, 2015).

Notwithstanding the differences that exist in Foucault and Fanon's ways of describing the relationships between the constitution of subjectivity and the production of discourses of truth in Western societies and in the colonial space, we argue, thirdly, that a common ground between these two authors is to be found in their willingness to attribute a critical political value to the processes of 'subjectivation', which constitute—in both Foucault and Fanon's perspectives—the very core of the practices of freedom that subjugated subjects can enact in order to resist and contest the mechanisms of power trying to impose on them a certain identity as well as a definite conduct. This is why Foucault and Fanon's works are still crucial in order to understand and question several contemporary political practices.

Foucault and the Genealogy of the (Western) Subject as a Confessing Animal

In the inaugural conference of his 1981 Louvain's series of lectures *Wrong-Doing, Truth-Telling*, Foucault refers to the famous scene in which the French psychiatrist François Leuret forces—through repeated freezing showers—one of his patients to confess his own mental illness, and thus cures him (Foucault, 2014a: 11-12). Even if 'to make someone suffering from mental illness recognize that he is mad is a very ancient procedure', based on the idea of the incompatibility between madness and recognition of madness (Foucault, 2015: 19-20), Foucault rightly notes that something strange is happening here, since in the mid-eighteenth century the treatment of madness already tried to organize 'along the same lines as medical practice', that is, to obey the dominant model of pathological anatomy: the new *truth-therapy*, in order to discover the truth of the illness, required the doctor to observe the symptoms of the body rather than to listen to the discourse of the patient. Therefore, according to Foucault, what it is possible to detect behind this scene is the transposition, within psychiatric therapy, of a very old religious and judicial procedure, namely this 'long history of avowal', these 'long-held beliefs in the powers and the effects of "truth-telling" in general and, in particular, of "truth-telling about oneself"' (Foucault, 2014a: 13-14).

Foucault's analyses of the practice of confession are mostly *historical*²: from this point of view, his objective—from his 1974-1975 series of lectures at the Collège de France, where he retraces the history of the confession of sexuality from early Christianity to the eighteenth century (Foucault, 2003: 170-94), to the last lecture of *The Courage of Truth*, where he takes into account the evolution of the ancient notion of *parrēsia* in early Christianity (Foucault, 2011: 316-38)—is to outline a genealogy of confession in order to study the complex set of relations between subjectivity, discourse, truth, and coercion in Western societies and to question the postulate according to which, for one's own salvation (or in order to be healed), one needs at some point to tell the truth about oneself to someone else. As Foucault puts it in the first volume of his *History of Sexuality*, confession in Western societies has long been and still is 'one of the main rituals we rely on for the production of truth', and from its original religious and judicial framework it has spread its effects far and wide—in medicine, education, family and love relations, and in general in almost every circumstance of our everyday life. This is why Foucault claims that 'Western man has become a confessing animal' (Foucault, 1978: 58-9).

However, we should be careful here and avoid the idea that confession is just a technique *imposed* on individuals *from the outside* and whose effects are limited to the production of a certain discourse of truth about a *fixed* and *pre-existing* subject. Confession is of course, according to Foucault, a technique of power and, potentially, of domination, but, on the one hand, ‘in the strictest sense, an avowal is necessarily free’, since confession is a ‘engagement’: ‘In an avowal, he who speaks obligates himself to being what he says he is. He obligates himself to being the one who did such and such a thing, who feels such and such a sentiment; and he obligates himself because it is true’ (Foucault, 2014a: 16). This means that, on the other hand, confession is inscribed ‘at the heart of the procedure of individualization by power’ (Foucault, 1978: 58-9) precisely because, through it, the individual is *constituted* as a subject who bonds himself or herself to the truth he or she verbalizes. Therefore, if one gets rid of the injunction to confess and of the mechanisms of power linked to it, one does not finally *free* one’s own true ‘self’ or ‘nature’, since there is no such a thing according to Foucault; but what one could do, is to make space for a possible creation of an *other* self, of a *different* form of subjectivity—we will come back to this later.

Foucault’s genealogy of confession in Western societies is thus essentially tied to his long-term project of a genealogy of the modern (Western) subject (Foucault, 2015: 21), that is, of the ways in which the latter has been constituted through a series of injunctions among which the most fundamental is the injunction to produce a true discourse about himself or herself:

[H]ow is it that, in our type of society, power cannot be exercised without truth having to manifest itself, and manifest itself in the form of subjectivity [...]? [...] Why, in what form, in a society like ours, is there such a deep bond between the exercise of power and the obligation for individuals to become themselves essential actors in the procedures of manifestation of the truth [...] needed by power? What is the relationship between the fact of being subject in a relation of power and a subject through which, for which, and regarding which the truth is manifested? (Foucault, 2014b: 75, 80-1)

After posing these questions, in his 1979-1980 series of lectures at the Collège de France Foucault elaborates on the notion of ‘regime of truth’, that he introduced for the first time a few years before in *Discipline and Punish* (Foucault, 1977: 23). Through this notion he wishes to stress the necessary co-implication, in Western societies, of the exercise of power in the form of the government of individuals, on the one hand, and the ‘truth acts’ that these individuals are required to perform, on the other. It is precisely this co-implication—the fact that power requires individuals to say not only ‘here I am, me who obeys’, but also ‘this is what I am, me who obeys’—that defines our regime of truth, that is, a regime of truth essentially ‘indexed to subjectivity’ (Foucault, 2014b: 82). Besides, through the notion of regime of truth, defined as ‘that which determines the obligations of individuals with regard to procedures of manifestation of truth’ (93), Foucault aims to stress even more clearly that the production by an individual of a certain true discourse about himself or herself—confession being of course the most relevant example of such a discourse—is at the same time a way for the individual to constitute himself or herself as a specific subject (a subject tied to the truth he or she verbalizes). In other words, the *acceptance* by an individual of a given regime of truth always implies a specific process of constitution of subjectivity (Lorenzini, 2013); in the case of confession, such a process takes place ‘within a power

relation', and confession enables the exercise of that power relation over the one who confesses (Foucault, 2014a: 17).

It is worth noticing, however, that this process can take different forms. It takes the form of a 'subjection' (*assujettissement*) when the individual is required to tell the truth about himself or herself in order for a certain mechanism of power to govern him or her (as in the example of Leuret). But it can also take the form of an 'objectivation' (*objectivation*), when the truth of the individual is *extracted* from him or her through a clinical examination, without the necessity for the individual to speak, or better thanks to a 'clinical codification of the inducement to speak' that combines techniques as interrogation, questionnaire, and hypnosis in order to reinscribe the procedure of confession 'in a field of scientifically acceptable observations' (Foucault, 1978: 65). Confession has here a completely different meaning, since the discourse produced by the individual no longer has to tell the truth about himself or herself: instead, it forms a series of confused raw data that his or her interlocutor, i.e. the doctor, has to interpret in order to extract the truth about his or her illness (66-7). Foucault, in the first volume of his *History of Sexuality*, evokes only in passing this difference, which constitutes at the same time a relevant evolution in the practices of confession—a way for confession 'to function within the norms of scientific regularity' (65)—not so much because he underestimates its importance or wishes to deny the fact that the 'confessional subjects' of today have very little in common with those of the past (Taylor, 2009), but rather because he wants to stress that both subjection *and* objectivation imply effects of power and domination (Lorenzini, 2012: 399-400).

There is, however, a third form that can be taken by the processes of constitution of subjectivity. Foucault begins exploring it in his 1977-1978 series of lectures at the Collège de France—where he introduces the notion of 'counter-conduct' (Foucault, 2009: 201)—and puts it at the heart of his works of the 1980s, where, in order to refer to more autonomous ways of constituting oneself as a subject through a certain set of practices or techniques of the self, he speaks of 'subjectivation' (*subjectivation*) (Davidson, 2006). As in the case of counter-conduct, whose objective is to contest a given governmental mechanism of power trying to impose a specific form of conduct and to conduct oneself differently (*autrement*) (Davidson, 2011), subjectivation involves two moments: a first, *reactive* moment, which can be called a moment of 'de-subjection' (*désassujettissement*) or 'de-objectivation' (*désobjectivation*), and which consists in resisting and trying to get rid of the mechanisms of power that govern the individual within a certain regime of truth; and a second, *creative* moment, which is strictly speaking the moment of subjectivation, that is, of the (relatively) autonomous invention of a different form of subjectivity, entailing at the same time a series of 'practices of freedom' and the inauguration of new ways of life (Foucault 1997: 282-83). It is, for Foucault, a matter of opening up 'the possibility of no longer being, doing, or thinking what we are, do, or think', thus 'seeking to give new impetus, as far and wide as possible, to the undetermined work of freedom' (Foucault, 1984a: 46)—a work which is 'undetermined' precisely because, according to Foucault, freedom is not a metaphysical concept, but rather an always embodied, specific, and strategic *practice*.

But how is this relationship between the constitution of subjectivity and the production of truth articulated in the space of the colony? Our argument is that Fanon's account of the peculiar mechanisms of subjection, objectivation, and subjectivation at play in the colony can be fruitfully put into dialogue with Foucault's analyses in order to grasp the heterogeneous ways in which subjects are constituted in our 'colonial present' (Gregory, 2004)³.

Fanon and the Interpellation-Gaze of the Colonizer

In order to speak about the production of truth and the relationships between discourses of truth and processes of constitution of subjectivity in the colonial space, we should start from a negation: the colonized subject is a subject *incapable of truth*. This is the main lesson that can be drawn from Fanon's writings on two French colonies, Martinique and Algeria. The colonized is a subject who is eminently said, labelled, and interpellated (Macherey, 2014)—'the Negro is comparison' (Fanon, 2008: 163). At the same time, the colonized is the one who constantly tries to escape any definition, any fixation imposed by the categories and the languages of the colonizer. Therefore, to analyse the regime of truth that is at stake in the mechanisms of power/knowledge within the colonial space, we have to *reverse* the injunction for the subject to tell the truth about himself or herself that Foucault talks about and start from the *impossibility of truth* which characterizes the conduct of the colonized. This fundamental detachment from the truth—or, more precisely, from the discourse of truth produced by the individual—is in fact played on both sides, that is, by the colonial regime of knowledge as well as by the colonized himself or herself. On the one hand, the Algerian who is accused of a crime refuses to authenticate the social contract through a confession (Fanon, 2011b: 126); on the other, within the colonial space, the conditions for the colonized to produce a confessional discourse of truth are missing, due to the lack of mutual recognition between subjects that only makes an act of confession acceptable by the community. Therefore, the radical asymmetry in power relations within the colony results in a constitutive mismatch at the level of the effects of discourses: the colonized subject answers to the doctor's questions with a non-answer, that is, by refusing to assume and confirm the diagnosis and the discourse of the doctor, and simultaneously through a series of acts aiming at dodging and subtracting from the diagnostic gaze; in turn, his or her 'conducts of confession' are disqualified from the beginning as 'inconsistent', 'untruthful', and 'incoherent' (Fanon, 2011b).

On which points, then, is it possible to centre a productive confrontation between Foucault and Fanon about the relationships between discourses of truth and the making of subjects—taking into account the twofold meaning of 'subject' as *being subject to* and *being subject of*? We suggest two angles from which to scrutinize the regime of truth that, according to Fanon, is at stake in the colonial space, and to read Foucault against it. Indeed, it is around these two points that the differences between Foucault and Fanon concerning the function of discourses of truth in the mechanisms of power/knowledge are most evident but also most fruitful. The first one centres on the series *gaze-interpellation-recognition* that emerges quite blatantly in *Black Skin, White Masks*; the second one concerns the *pathologization of conducts* that we

will talk about referring to Fanon's writings on the treatment of mental illness in the colony such as *Conducts of Confession in North Africa* and *The 'North-African Syndrome'*.

It could be argued that the interpellation-gaze through which the subject is at the same time said *and* observed constitutes the distinctive feature of power relations in the colonial context; on the contrary, it is absent in the (Western) scenes of power described by Foucault. As Sandro Mezzadra puts it, in the colonial space 'the sovereignty of the gaze is reversed in the primacy of being gazed upon' (Mezzadra, 2013: 190). In fact, from the very beginning and in any occurrence, the colonized subject is 'fixed' and 'attached' to a certain image of himself or herself by the language and the gaze of the colonizer, who exercises a white gaze upon him or her through an act of interpellation: 'Look, a Negro!' (Fanon, 2008: 82). Thus, the condition of being verbally addressed and fixed to the Negro-essence goes together with the fact of being constantly gazed upon by the colonizer as a Negro. Or, to put it differently, the verbal interpellation relies on a *holding up-gaze*. The expression 'Look, a Negro!' encapsulates the entanglement of the act of interpellation with the exercise of a holding-up gaze that leaves no room for the subject to escape from his or her epidermal contrast with white people: 'the corporeal schema crumbled, its place taken by a racial epidermal schema. In the train it was no longer a question of being aware of my body in the third person but in a triple person' (4). The colonized subject gets stuck with his or her own physical appearance, which the colonizer highlights and reiterates through an act of 'mis-interpellation' (Hage, 2010): 'I am overdetermined from without. I am the slave not of the "idea" that others have of me but of my own appearance. [...] And already I am being dissected under white eyes, the only real eyes. I am *fixed*' (Fanon, 2008: 87)⁴.

The colonized subject is at the same time said and gazed upon; more precisely, he or she is said and interpellated through a gaze that fixes him or her to his or her own appearance. 'I am *fixed*': the language of interpellation is built on a taxonomy of fixation. The main effect of the interpellation and the gaze, or better, of the interpellation-gaze through which the colonized is addressed and constituted as a 'black man', is to fix the subject to a place and to a certain identity: his or her geographical fixation is coupled with his or her objectivation and naturalization as a black man. Indeed, the act of interpellation expresses the colonizer's injunction, 'You'd better keep your place' (21), and is strictly connected with the main goal of the economic exploitation enacted on the colonized in order to 'restor[e] man to his proper place' (67): 'the first thing which the native learns is to stay in his place, and not to go beyond certain limits' (Fanon, 2004: 52). This fixation is internalized by the colonized subject, who objectivizes himself or herself by exercising *the same gaze of the colonizer*: 'I was responsible at the same time for my body, for my race, for my ancestors. I subjected myself to an objective examination, I discovered my blackness, my ethnic characteristics' (Fanon, 2008: 85).

However, it is precisely starting from this condition of subject eminently said and gazed upon—not in a descriptive way but through performative acts of interpellation—that the colonized strives *to twist the language* of the colonizer and *to escape his or her fixing gaze*. For Fanon, as for Foucault, the production of discourses is essential to the processes through which subjects are constituted, although what is at stake here is less the question of truth than

that of recognition and the attempt to subvert the asymmetry of power relations that make the colonized a subject with an unattainable ontology, which is a derivative of the ‘real humanity’ (7). The challenge of speaking without submitting to or being trapped in the epistemology of the colonizer is crucial in order to undermine the feeling of unreality which characterizes the life of the colonized: incoherence, insincerity, and indiscipline are the main attitudes that, according to the colonial gaze, define his or her conduct (Fanon, 2011b). This means that the struggles of the colonized, as illustrated by Fanon, are not essentially struggles for visibility, i.e. for becoming visible in that same space which sustains the colonial domination. They rather aim at opening new spaces of freedom and subjectivation that disrupt the epistemic codes of the colonial regime of truth. Nevertheless, according to Fanon, the first disengagement from the objectifying interpellation-gaze of the colonizer can only be a *reactive* one, which tries to release the colonized from the essentializing discourse: ‘the first impulse of the black man is to say no to those who attempt to build a definition of him. It is understandable that the first action of the black man is a reaction’ (Fanon, 2008: 23). Thus, at the beginning, resistance consists in refusing to be defined and fixed by the colonizer. But later on, the reactive moment and the (partial) ‘liberation’ turn out to be not enough for enacting practices of freedom and producing new ways of life. As Howard Caygill puts it, ‘effective resistance [...] should be much more than fervent resentment’ (Caygill, 2013: 163). Indeed, for Fanon as for Foucault, freedom is something that men and women need to struggle for and not a quality that can be granted by someone else or that can rely upon the colonizer’s values themselves:

The Negro knows nothing of the cost of freedom, for he has not fought for it. From time to time he has fought for Liberty and Justice, but these were always white liberty and white justice; that is, values secreted by his masters. [...] Man’s behaviour is not only reactional. And there is always resentment in a reaction. [...] To educate man to be actional, preserving in all his relations his respect for the basic values that constitute a human world, is the prime task of him who, having taken thought, prepares to act. (Fanon, 2008: 172-73)

Yet, it is important to observe that, differently from Foucault, Fanon’s considerations on practices of freedom cannot be detached from the context of decolonial struggles, that is, from the engagement of a whole people (the Algerian people) in the process of national liberation (Fanon, 2007). In order to enact practices of freedom, the ‘precondition of the independence’ is considered by Fanon as a ‘claim-limit’ (Fanon, 2015a: 462) and can never be dismissed⁵. Indeed, in a colonized space, ‘the war for national liberation turns out to be mixed up with the democratic revolution’ (Fanon, 2015b: 477). Therefore, the engagement in processes of de-subjection and de-objectivation cannot be detached from the collective struggle of the colonized people in order to acquire independence from the occupant. This does not mean that, in the space of the colony, people has accepted the rule of the colonizer: if the first thing that the native learns is to stay in his or her place, in fact, it is not because he or she has endorsed the values and the discipline of the colonizer—he or she is ‘overpowered but not tamed’ (Fanon, 2007: 53). After all, independence itself ‘does not depend on the will of the governments, [...] it is not something that is given, but a living reality that one builds’ (Fanon, 2015a: 465). In this regard, Foucault’s definition of *freedom* as a *practice* is quite

helpful, we suggest, to highlight how, according to Fanon, liberation itself can never be the result of a ‘concession’ to the governed:

Liberty is a *practice*. [...] The liberty of men is never assured by the institutions and laws that are intended to guarantee them. This is why almost all of these laws and institutions are quite capable of being turned around. Not because they are ambiguous, but simply because ‘liberty’ is what must be exercised. (Foucault, 1984b: 245)

As we have already explained, gaze and language are mutually dependent in the colonial space. Therefore, the colonized subject also needs to release himself or herself from the colonizer’s gaze: in order to productively twist the effects of the interpellation of the colonizer, the colonized has to refuse and to escape objectivation by learning not to look at himself or herself through the white gaze. If ‘to speak is to exist absolutely for the other’ (Fanon, 2008: 8), the possibility for the colonized subject to drift away from the mechanisms of objectivation enacted by the colonizer depends on the simultaneous (dis)engagement against the white gaze *and* the language of the master.

Confession without Truth and Pathologized Conducts

The colonized is not only the object of an interpellation-gaze which, by looking at him or her, misrecognizes him or her: he or she is not only *said* but also *asked to speak*. Fanon’s writings on ethnopsychiatry draw attention to the regime of truth which is at stake in the treatment of (mental) illness within the colonial space and to the peculiar relation that the colonized establishes both with the doctor-colonizer and with the colonial truth. If, in Foucault’s genealogy, the (Western) subject has to bond himself or herself to the truth he or she is required to produce about himself or herself, in the colonial context the injunction to tell the truth is disregarded from the very beginning, both by the colonizer and by the colonized.

The impossibility of a manifestation of truth in the colonized’s discourse is first of all posited by the colonizer, who conceives of the conduct of the subjects in the colonial space as fundamentally mendacious and deceitful: the colonized never tells the truth. This is why, according to Fanon, in the colonial context the conditions for the practice of confession are excluded from the very outset. Indeed, at least in principle, the demonstration of the act should bring the accused to confess his or her crime, since the refusal to admit it ‘could be lived as a fundamental alienation of his [or her] own being’ (Fanon, 2011b: 123). Nevertheless, it is precisely this correspondence between the act and its author that *fails* in the colonial space: the ‘link’ between the subject and his or her own acts, and his or her consequent admission of guilt, are undermined by the substantial exteriority of the subject *vis-à-vis* the regime of truth through which the colonizer wants to codify and diagnose his or her act and undisciplined conduct. What is missing here, Fanon argues, is ‘a preliminary and reciprocal recognition of the group by the individual and of the individual by the group’ (124). The *deficit of reality* which characterizes the existence of the colonized seen from the eyes of the colonizer—which leads Fanon to speak of an ‘impossible ontology’ in the colonial space (Fanon, 2008)—constitutes individuals whose practice of confession is

meaningless since they are not conceived as fully subjects (Maldonado-Torres, 2007: 253-57).

In contrast with the social and geographical context considered by Foucault, Fanon shows that, in the colony, the asymmetry between the doctor and the patient or between the judge and the accused does not only depend on power relations linked to the condition of being an accused or a mad person. Rather, the fact that the colonized is a subject who exists and can be defined only in contrast with the white man (Fanon, 2008) establishes an *ontological* asymmetry that is certainly a politically constructed one, but that at the same time has tangible and evident effects of racialization: the colonized is by nature a suspect subject, whose conduct is necessarily deceitful and, as a consequence, incapable of telling the truth. A generalized attitude of mistrust is thus produced on the part of the colonizer towards the illness of the colonized. In other words, the *impossibility of telling the truth* is directly translated into an *untruthful conduct*, that is, a behaviour which is constitutively deceptive: the pain of the colonized is judged inconsistent and unreal (Fanon, 2011a: 95). This entails a twofold disqualification: the colonized subject has an undisciplined and ‘false’ conduct and, therefore, he or she cannot produce any kind of truth regarding himself or herself, given the incoherence between his or her acts and his or her ability of dissembling and thus of detaching himself or herself from his or her own conduct. Hence, in the colonial context, the *pathologization of conducts* affects everybody: the ill colonized is incapable of truth and his or her behaviour is misleading for the doctor to the extent that it is the colonized subject *as such* who is fundamentally undisciplined and untruthful. Deceit in conduct and deceit in discourse go together.

But even if the ill colonized is not asked to elaborate a discourse of truth about himself or herself, since he or she is supposed to be incapable to produce it, he or she is nevertheless required to speak in order for his or her illness to be ‘classified’ and to become a *governable conduct*. In the colonial space, the confession is not only ineffective due to the constitutive asymmetries that put the colonizer and the colonized in a situation of mutual non-recognition; it is also deeply altered in its own structure, to the point of losing its function of ‘digging out’ the inner truth of the subject. Thus, in Fanon’s analyses, there emerges a *confession without truth*, that is, a confession which ‘does not postulate any hidden thought to unfold but, rather, posits an already-there reality’ (Tazzioli, 2015: 26)—the reality of diagnostic categories that the subject is not required to embrace but that serve the purpose of defining him or her and pathologizing his or her conduct.

In our postcolonial present, the government of refugees and asylum seekers constitutes a case in point in order to grasp the complexity of the mutual production of subjectivity and truth. Indeed, the injunction for the subject to tell the truth is (still) combined today with a deep disregard towards the asylum seekers’ speech as well as with a series of pre-existing categories and profiles which migrants must demonstrate to fit in. It goes beyond the scope of this article to provide a detailed account of the criteria deployed by state actors and UNHCR for processing asylum claims, as well as of migrants’ discursive strategies for obtaining the refugee status. What is important to highlight here is the ‘struggle over truth’ underpinning the government of refugees, that is, the struggle engaged by migrants and state actors around

the decision whether one should be judged as a ‘person in real need of protection’. Such a struggle is paradoxically characterised by a radical disqualification of the migrants’ speech and by a quite marginal place reserved to confession as a way to assess who deserves asylum. In fact, the injunction for the subject to tell his or her personal story in front of the territorial commission in charge of processing asylum claims, and the attention he or she has to pay in order not to produce a story with internal contradictions, are not the only or decisive elements leading to the final decision—that is, whether one will be granted the international protection or not. In the ongoing Mediterranean refugee crisis, the role played by racializing partitions (mainly based on migrants’ countries of origin) is particularly glaring, together with the trend consisting in speeding up asylum procedures to the point that the migrants’ speech becomes increasingly irrelevant. What occurred over the last two years in Greece and Italy is a massive preventive ‘illegalization’ of people in seek of asylum grounded on nationality. For instance, in Lampedusa, during several months in 2015, non-Syrian and non-Eritrean migrants had been denied of the very possibility to lay their asylum claims and had been given a decree of expulsion that automatically transformed them in irregular migrants (Garelli and Tazzioli, 2016). Similarly, in Lesbos, migrants coming from North African countries had been labelled ‘economic migrants’ on the spot, irrespective of their singular stories⁶.

From Practices of Refusal to Political Subjectivation

The detachment of the subject from any possible discourse and conduct of truth is not only posited by the colonizer but can also be strategically played by the colonized (Renault, 2015: 212-14). It is precisely this strategic endorsement of the impossible truth performed this time by the colonizer that, we argue, not only troubles the diagnostic task but opens in addition new spaces of subjectivation for the colonized, going beyond a mere overturning of the scene (e.g. the colonized who escapes the hold of the diagnostic knowledge). In order to show how this happens, it is necessary to briefly outline the forms of refusal that the colonized engages in. First of all, ‘the accused does not even try to prove his own innocence. He declares himself innocent’ (Fanon, 2011b: 125). As a consequence, the judge and the doctor have no ground for setting the verdict or the diagnosis, since there is no chain of discourses and arguments that they can oppose or prove not to be well-founded: ‘there is no appropriation of the act by the accused; the act remains without its actor; [...] the Muslim refuses to authenticate the social contract through the confession of his act’ (126). Therefore, being labelled and interpellated as the actor of an *untruthful conduct* and, at the same time, as a subject *incapable of telling the truth* allows the colonized not to be defined and governed by the diagnostic categories of the colonizer.

The North African seems hostile and refuses to adapt to these temporal categories. [...] He is his pain and he refuses to understand any language, [...] a pain that more and more becomes his pain. Now he is moody in talking about it. He places it in space; [...] the pain of the North African, which has no wounded explanation, is judged by us inconsistent and unreal. (Fanon, 2011a: 93-5)

Hence, the pathologization of conducts is paradoxically grounded on a denial of the illness of the colonized: the suffering expressed by the colonized in his or her discourse and through a

series of symptoms does not find any correspondence at the organic level. The pathologization concerns his or her deceitful conduct. Therefore, the refusal to accept the truth of the colonizer ('you are a liar') is part of a struggle to exist politically and socially: the colonized subjects 'have to negotiate, around a truth which is political and moral before being juridical, the very possibility of their existence' (Beneduce, 2011: 58). Indeed, as Fanon explains in *The Wretched of the Earth*, the main stake in the colonial space is the problem of the truth: the colonized refuses to behave and to conduct himself or herself in a way that is 'readable' and intelligible to the colonizer—and in this sense his or her conduct is deliberately untruthful. But what does 'truth' mean in this context? It seems that, for Fanon, 'truth' indicates here the correspondence and the transparency between, on the one hand, the conduct of the subject in the public space and when he or she is under the gaze of the colonizer, and on the other his or her position in regard to the colonial situation, his or her way of being 'overpowered but not tamed, [...] treated as an inferior but [...] not convinced of his inferiority' (Fanon, 2004: 53). It is precisely this correspondence that the colonized refuses by dissimulating his or her conduct. This leads Fanon to argue that 'in this colonial context there is no truthful behaviour [*conduite*]'; hence, we see that it is at the level of conduct—how to conduct oneself under the eyes of the colonizer—that the colonized resists and at the same time (partially) undermines the possibility for the colonizer to define and 'diagnose' his or her behaviour. In opposition to the settler, who posits and imposes objectivity (the objectivity of colonial domination) as the indisputable truth of the colonial context, the native is aware that 'objectivity is always directed against him' (77) and thus plays the game of truthfulness and untruthfulness at the level of his or her own conduct, troubling the normative frame that structures the field of action of the subjects (Macherey, 2014).

This is why the colonized's refusal to be cured and labelled corresponds to a more fundamental refusal opposed to his or her subjection to the colonial power: 'the refusal of the accused Muslim [...] means that his subjection [...] cannot be confused at all with the acceptance of such a power' (Fanon, 2011b: 126). However, Fanon cautions against the risk of building the process of decolonization entirely on a reactive politics of *retentissement* (Fanon, 2008). The colonized does not desire to be like the settler: he or she rather wants to replace him or her⁷. Therefore, if, on the one hand, the acts of de-objectivation and de-subjection—refusing to endorse the recognition to those categories imposed by the interpellation-gaze of the colonizer, refusing to tell him or her the truth about oneself and playing instead the game of untruthful conduct—are crucial gestures in the colonial context and constitute the first and unavoidable step of an effective process of decolonization, on the other hand the most difficult challenge, according to Fanon, consists in avoiding the replication of such gestures when crafting a decolonized knowledge and producing a new society, 'a new man' (Fanon, 2004). For this reason, as Judith Butler aptly points out, violence should be 'a means in service of invention' (Butler, 2014: 19).

The chronological sequence of these forms of disengagement *vis-à-vis* the colonial regime—from practices of refusal to political subjectivation—is repeatedly stressed by Fanon as a pattern that colonized subjects should engage in insofar as their goal should not simply be to

chase out the colonizers but to build a new society which is not dependent on the European model. Indeed, Fanon's critique of the theory of the Negritude⁸ stems out from his critical consideration of a decolonial struggle that centres exclusively—and in particular after the first stage of fighting the domination of the colonizers and their physical presence on the territory—on an oppositional politics, that is, on the 'liberation' of the black man. At the beginning, the native engages in a head-on opposition against the colonizer producing a sort of symmetrical *counter-violence*: 'the violence of the colonial regime and the counter-violence of the native balance each other and respond to each other in an extraordinary reciprocal homogeneity' (Fanon, 2004: 88). Nevertheless, as highlighted above, this symmetry at the level of the forms of action conceals a salient displacement that the native immediately introduces: he or she does not want to be like the settler, he or she never identifies with him or her, but rather wants to replace him or her—and never recognizes the supposed truth of the colonial system, never endorses it.

Thus, according to Fanon (as well as to Foucault), freedom is never *achieved* because it cannot be but constantly *practiced* and *enacted*. And for Fanon, as for Foucault⁹, the point is that liberation—which, in the colonial context, is synonymous of decolonization—remains partial and can be easily reabsorbed into the colonial system of power/knowledge if it is not enacted through the *invention* of social values that are not the same of the colonizer's and if it does not deal with the *experimentation* of new forms of subjectivation. Such a (relatively) autonomous production of subjectivities, the less subordinated as possible to the models naturalized during the time of colonization, goes together with the need of reaching a real economic independence at the level of the means of production. But, in the struggle, the colonized realizes that Western values are in fact useless as they are abstract categories which cannot be positively mobilized in processes of real transformation (Fanon, 2004)¹⁰.

A slightly different way of reframing these observations consists in focusing on the temporal dimension of subjectivation that Fanon stresses. The emergence of a new man is the outcome of the engagement of the subject in the struggle: 'The native discovers reality and transforms it into the pattern of his customs, into the practice of violence, and into his plan for freedom' (56). There is no pre-established model of subjectivation, since subjectivation here is rather the result of the processes through which the colonized frees himself or herself. To put it in Foucaultian terms, subjectivation—a term which, however, Fanon never uses—is the outcome of a work that the colonized does starting from *within* the specificity of the conditions of colonization that shaped him or her as a colonized subject; and it is precisely through this engagement that he or she opens up and 'invents' new modes of life (315). In fact, *transformation*—in the form of a political experimentation that starts from the historical and political conditions in which subjects are situated—is the term that better encapsulates the action of the colonized, not only at the level of individual subjectivation, but also in terms of collective constitution of a political identity as a people. In other words, according to Fanon, the processes of de-subjection and de-objectivation of the colonized involve from the beginning a movement of radical transformation of oneself—since colonialism, even before being a territorial domination, entails that it is 'the settler who has brought the native into existence and who perpetuates his existence' (36). Such a transformation concerns both the

individual and the emergence of a national consciousness: the two revolutions, in Fanon's view, cannot be detached.

This is why liberation from colonial domination does not mean liberation of the black man: indeed, the latter exists in the colonial space only in opposition to the settler, i.e. the white man. Rather, an effective decolonization could only be obtained to the extent that the native succeed in disengaging from the identity model through which colonial domination has labelled and governed them. Certainly, the humanism that sustains Fanon's analyses radically diverges from Foucault's refusal to think of subjectivation in terms of a 'new man' (Alessandrini, 2009). However, it is important to stress that for Fanon, as for Foucault, it is by no means a question of actualizing and liberating something like the *nature* or the *essence* of man: on the contrary, the 'new man' that Fanon talks about stems from a specific historical configuration of power relations in which subjects engage refusing to be how the colonial power has defined, shaped, and governed them. To disengage oneself, together with others, with respect to the way in which, under colonial domination, people is said to be, is the first move for starting not to be, do, or think anymore what one is, do, or think.

Conclusion

In this article we have shown that the relationships between the constitution of subjects and the production of truth are differently articulated by Foucault and Fanon in their analyses, respectively, of the Western societies and the space of the colony. However, we have also highlighted that, on the one hand, it is possible and useful to apply some Foucaultian concepts to Fanon's observations and, on the other, that a common ground between these two authors exists: we suggested locating it in their willingness to take into account the crucial political value of the processes of subjectivation, considered as 'practices of freedom'. The 'temporality' of resistance to power's mechanisms of subjection and objectivation is indeed the same in Foucault and Fanon, who both consider that the acts of de-subjection and de-objectivation only constitute a first (although necessary) step of an effective practice of resistance, which should always be implemented with a second step consisting in the positive creation of *new* forms of subjectivity—that is, with a process of 'subjectivation'. Therefore, according to Fanon as well as to Foucault, resistance does not consist in the liberation of the pre-existing true 'nature' or 'essence' of man, and freedom is something that should be constantly practiced and enacted, since every form of 'liberation' risks remaining partial and being reabsorbed in the meshes of power if it is not supplemented through the invention of new relationships of oneself to oneself and to the others.

Nevertheless, we have highlighted that Foucault and Fanon's political starting points are different: if Foucault refers to the case of colonization as a mere example of a more general discourse, for Fanon the space of the colony constitutes the very framework in which he analyses the processes of constitution of subjects and, as a consequence, decolonization is for him a crucial political problem, and the first necessary step of every possible (future) practice of subjectivation. We have also pointed out that the injunction for the subject to speak about

himself or herself is differently articulated in the space of the colony described by Fanon and in the modern Western societies addressed by Foucault. The subject that Fanon talks about is a subject incapable of truth and always—at least potentially—deceptive, much as asylum seekers, who are invariably suspected to be liars, are considered today (Beneduce, 2008; Fassin, 2013). On the contrary, in Foucault's analyses, the relationships between the constitution of subjectivity and the production of true discourses are usually characterized by the assumption that the subject can and will (normally) produce and tell the truth about himself or herself. Yet, as both Foucault and Fanon show, the injunction for the subject to tell the truth about himself or herself is an open *battlefield*, in which practices of disavowal as well as refusals to accept the truth of the coloniser and to bind to the truth produced by the legal-medical discourse, or by the subject about himself or herself, force the diagnostic power to reassess its strategies of capture.

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¹ It cannot pass unnoticed, in fact, that Foucault and Fanon were contemporary and that both of them went to Tunisia within a few years of one another (Fanon in 1957-1961, Foucault in 1966-1968); however, they never interacted despite their common experience of working in psychiatric hospitals. Foucault never commented on Fanon's ethno-psychiatric approach, and Fanon's philosophical exchange with the French milieu was mainly with Jean-Paul Sartre and Maurice Merleau-Ponty. Nevertheless, even if Foucault—differently from Fanon—never dealt with the legacies of French colonialism in North Africa, we suggest that both of them were personally engaged in the struggles they wrote about (the field of the prison for Foucault, the Algerian national liberation project for Fanon), just as their reflections on psychiatry were the direct outcome of their personal involvement in psychiatric institutions (Taylor, 2010).

² The only exception is the inaugural conference of *Wrong-Doing, Truth-Telling*, where Foucault offers ‘a brief analysis of what may be understood by avowal (an analysis of the “speech act”)’ (Foucault 2014a: 14-21).

³ On this point see also Miguel Mellino’s considerations on *The Wretched of the Earth* as a book that should be read as a radical interpellation to postcolonial Europe about its colonial legacies (Mellino, 2013).

⁴ The bodily evidence of the colonized is highlighted and fostered through the act of interpellation and becomes an unbearable naturalized matter for the colonized who is not able to get rid of it: ‘The evidence was there, unalterable. My blackness was there, dark and unarguable. And it tormented me, pursued me, disturbed me, angered me’ (Fanon, 2008: 88).

⁵ This argument is repeatedly stressed by Fanon, not only in his most famous texts, such as *The Wretched of the Earth*, but also in the collective writings published in the Algerian journal *El Moudjhaïd* during the 1950s.

⁶ This growing disregard towards the migrants’ speech can be linked to the broader trend highlighted by the critical forensic literature, and in particular by Eyal Weizman, pointing to the end of the ‘era of testimony’ and to the crucial role now played by material traces left on the crime scene as well as in contexts of human rights violation for reconstructing and demonstrating the truth (Weizman, 2014). Yet, it is important to observe that this literature does not contend that testimony disappears; it rather brings attention to the new circumstances in which testimony plays its role, highlighting the increasing centrality of non-human proofs.

⁷ ‘The native never ceases to dream of putting himself in the place of the settler—not of becoming the settler but of substituting himself for the settler’ (Fanon, 2004: 52).

⁸ Fanon’s critique is centred on the risk of essentialization of a certain idea of ‘man’ which sustains the politics of the Negritude, and on its ahistorical dimension: ‘Negritude therefore finds its first limitation in the phenomena which take account of the formation of the historical character of men’ (Fanon, 2004: 215).

⁹ ‘I have always been somewhat suspicious of the notion of liberation [...]. I am not trying to say that liberation as such, or this or that form of liberation, does not exist: when a colonized people attempts to liberate itself from its colonizers, this is indeed a practice of liberation in the strict sense. But we know very well, and moreover in this specific case, that this practice of liberation is not in itself sufficient to define the practices of freedom that will still be needed if this people, this society, and these individuals are to be able to define admissible and acceptable forms of existence or political society’ (Foucault, 1997: 282-83).

¹⁰ ‘All those speeches seem like collections of dead words; those values which seemed to uplift the soul are revealed as worthless, simply because they have nothing to do with the concrete conflict in which the people is engaged’ (Fanon, 2004: 47).