HOW CAN A PARRHESIASTIC SUBJECT BE RECOGNIZED? A PHENOMENOLOGICAL APPROACH TO FOUCAULT'S LAST ENCOUNTER WITH THE SPEECH ACT THEORY.

Abstract: The aim of this paper is to contribute to the discussion about the relationship between Foucault's analysis of discourse and the speech acts theory by opening a phenomenological view over both. We will focus on Foucault's last analysis of "free speech" or "parrhesy", which this author considers as "speech activity", in order to show that the very sense of the illocutionary force lies on the parrhesiastic activity. Such a force, we claim, is expressed in clasical terms as the rethorical virtuality of language, that is, as the possibility of self-constitution of the subject through language. Another aspect essentially connected with the former is the necessity of such an activity of being evidenced and recognized by its own. This is what we understand as phenomenological evidence or recognition.

1. Introduction.

Foucault's encounter with the "speech acts" theory, and particulary with Searle, is not recent.[1] However, the claim of this relationship is first found in Dreyfus and Rabinow's book about Foucault (orig. published in 1983), which opened the discussion. Foucault's general theory points out, very roughly, that discourse is *the event of truth*. Discourse is no longer the place of truth, it is not the middle place of the correspondence words-things, but the event and the production of truth, the place of the constitution of its very subject (Foucault 2001a). The point is that such a discourse's theory makes Foucault approach the attempts of thinking about language as an activity, whose basic supposition is that the person who speaks cannot be isolated from what is said.

Thus, although, favoured by Dreyfus/Rabinow, there has been an approach or at least an acknowledgement of a non-distance between the foucaltian theory of discourse and the speech act theory (particularly Searle's one), it is important to point out that, in one of Foucault's latest texts, the one that deals with parrhesy, he emphasizes that such a theory does not explain what he there calls "speech activity" (Foucault 2001c: 13).

2. A first approach to "speech activity": the performative and agentive condition of language.

In his courses of 1981-1984[2] Foucault deals with a particular kind of relationship between discourse and truth called "parrhesia". *Parrhesia* is the discourse of someone who tells the truth and who does it patently. The main characteristic of this speech is that the subject who speaks is not able to distance itself from its own telling (Foucault 2001c: 13). The parrhesiastic speech does not depend on its communicative function and it is not defined by the content nor by the object. Expressed in ontological terms, the point is not the *apophantic function* of language. The very relatioship is not that of meaning (in semantic terms) nor that of truth (in epistemological terms), since both make words become instruments or media. Speech is rather defined by the internal relationship between the subject who speaks and the speech itself, where 'internal' means that these two terms need this relationship to constitute themselves. Thus, firstly, the relationship must be considered as *intransitive or strictly subjective* (in a sense which

must be later specified). In the parrhesiastic speech the content or the object of every transitivity is the very subject of discourse. That is to say, *parrhesy is the apophansis of its commitment to truth*. And, secondly, speech must be considered as an *acting* of the subject. Foucault regards parrhesy as a kind of "activity". But it is not an acting among others. Since the point is not the relation between words and things, to a certain extent this is *the acting of the very subject, subject's telling as free-telling*. We will see this in detail in what follows. Now we will sketch some aspects both of Austin and Searle's philosophy of language which could be related to this view of language as free activity.

Austin's work (Austin 1975) begins with the rejection of 'truth', of the apophantic condition of language or, in his own words, of its "locutionary" condition, as the only performance of language. Austin impugns that language is composed only of "statements". There are different kinds of utterances (committments, bets, etc) in which what is said does not depend on objective conditions since the subject who speaks is strongly comitted to the utterance of his speech as agent. These utterances are not only "acts" which perform a sentence; they have also "force" in themselves. That means : and this is perhaps the main difficulty in understanding the sense of the i-(l)locutionay acts: : that although they are acts which have no transitive effects, "consequences", in the acting of other agents : they are not per-locuationary (Austin 1975: 109-110): , they have a *very special issue in the subject* : not in the content: *of enunciation*. Since the very distinction between illocutionary and perlocutionary acts lies in the conventional condition of the former (ibid: 121), we could say that the effect of an illocution is *the performing of convention*. So that convention is where we can find the sense of the force of the illocution.

Searle (Searle 1996, 1999a, 1999b, 1999c) emphasizes this view and considers language utterances to be "speech acts". For Searle the determination of language as an execution or realization requires something more than reference or "content". In the first place, it is essential to understand that language is made up of *rules*.This means that speech itself does take place, it only happens in a strong sense, due to rules. But language is not simply "conventional". Its conventionality does not lie on the diversity of rules, on the fact that rules are always 'these' or 'those' and never the same. Speech is conventional because conditional ruling is intrinsic to it. Rules are the 'substance' of speech activity. Then, *rules, understood in this way*, which Searle calls "constitutive", "*create* or define *new forms* of behaviour" (Searle 1999a: 33; italics mine). In the second place, this notion of speech act implies, in illocutionary terms, a reconsideration of the relationship between statements and things. First of all, it implies a restriction of the traditional notion of truth to "statements" (Searle 1996: 200) (however Searle accepts the "metaphysic" which is behind, that is, the correspondence theory of truth: see below); it also implies the acknowledgment of kinds of acts other than the assertive ones. Thus, we can consider that in some way for Searle the illocutionary "force" consists of the mode of constitution of the subject according to the relationships with the world and with language itself. Let us say that what seems interesting to us about the illocutionary act is its ruled and constitutive character, its condition of "obligation" (Searle 1999c: 100) and "imposition" (*idem*) for the one who speaks. Furthermore, what seems interesting to us is that there are permanent realities which can only be regarded as the result of actions or as the effects of a "causation", such as institutions and social reality in general (Searle 1996: 127).

3. The production of truth and constitution of subject. Justification of a phenomenological approach.

Foucault has claimed that discourse constitutes a *strategical reality*. From this strategy it is convenient to point out two aspects.

First. Statements reveal themselves as much more than truth functions: they are the instruments of *production*, materially speaking, *of truth itself*. A production which is only possible because at the same time it works as a *mechanism of exclusion*. The distinction "truth/ false" is a mechanism of this kind: it discriminates what may become the object of knowledege and what may not (DL, 1982: 217-8). Statements about an object comprise a system of knowledges crossed by a will to truth. A will which is : and this is what we want to point out here: a *will to tell*. In fact, Foucault begins his work by analizing the procedures which set domains of objects through exclusions, those of "reason/madness", "health/ illness", etc. These procedures of control are *ambiguously* over the subject of discourse, that is, over what is said, the *enunciandum*, and over what is said about, the subject of *enunciandum*. It is a special mode of production of truth in which the subject of knowledge takes out the signs and the language of things (he makes the symptoms, for instance, of the insane or the patient "speak" and, thus, they become objects, insanity or illness). We are here before an *eventual force* of discourse which belongs to its work of *propitiating truth* (Foucault 2003: 237).

Second. Such a production of truth has raised from a *concealment* (Foucault 2001b: 1501), an *elision* of the reality of discourse (DL, Foucault 1982: 227). Since Plato, and against the sophistic, discourse has been separated from the activity and the capacity of producing effects. Western philosophy begins with the simultaneus recognition and omission of the rethorical possibilities of discourse (to some extent, philosophy begins against rethoric). Truth must not reside any longer in what discourse *is* or *does* but in what it *says* (DL, Foucault 1982: 218). This elision of the performativeness of discourse is maintained by a double movement. On the one hand, *language takes distance from reality and places itself in thought* ("it would seem that Western thought has seen to it that discourse be permitted as little room as possible between thought and words", DL, Foucault 1982: 227), so that the subject of enunciation, the *enuncians*, becomes an isolated field. The Modern Age fulfills this movement in the "originating experience" of the *cogito* (DL, Foucault 1982: 228): it is the "Cartesian moment" (Foucault 2005: 27). However, the so constituted *subject is only apparently pure theoretical*. On the other hand, the subject becomes the very object of discursive practices. Now, this is not the discovey of a new object, where modern science appears as the science of "nature", which would be the *object in general*, and only afterwards would appear in human sciences, sciences of that *particular* object called "man" (Foucault 1994). Rather, it is in the own shaping of modernity (and not in its shaping as science) where the ambiguity of a subject constrained by the same frame of his discursive practices lies. It is the ambiguity of the position "as an object of knowledge and as a subject that knows", which Foucault puts in the expression "assujetisement".

Furthermore, the position of the modern subject as the place of truth (which becomes therefore inmediate truth, evidence) is the consummated figure of the elision of truth which Foucault assigns to Plato. This is so since the subject occupies the founding place *only* in the theoretical regard (the place which, from Kant to Husserl, receives the name of 'transcendental'). Subject is not considered either agent of knowledge or generator of practices. *The effectiveness of practices as mechanisms of*

subjection lies hidden behind the purity of theory (as well as freedom and agency lay hidden behind the question of legitimacy).

Against all this Foucault suggests the task "'to rethorize' the philosophy" (2001b: 1502). The goal is the liberation of man from such a knowledge-power game. Foucault's approaches both to literature, whose central question was "what is an author?", and to sexuality, whose central question was "what does it mean to govern oneself?", pursuit this goal. Foucault's work consists of recovering the factical virtuality of language and of liberating it from the strategical game of the disciplinary knowledges *in favour of the subject*. In other words, Foucault tries to restore the *lógos* to the materiality which belongs to it and which has been concealed by the prevalence of the conciousness and of the subject of knowledge. Thus, the question of the parrhesy, which appears at the end of Foucault's work, is a double one. In the first place, the question is how language can *constitute* ourselves as free subjects. In the second place, since this constitution can only take place through the very and external *performance* of the language, which is the opposite to the internal instance of thought, it is also essential for Foucault's analysis of parrhesia the question of how to *recognize* this constitutive use of language. Together with the ontological consideration, goes the phenomenological one.

4. Characterization of the parrhesiastic act. Parrhesy and rhetoric. Foucault's reappropiation of truth.

The characterization of parrhesy is done against the classical rethoric (Foucault 2005: 381 ff., 2001c: 20-22), just because the field of both, the facticity of speech, is common, but with opposed purposes. Parrhesy and rethoric are not different uses of the materiality of discourse. They both result from one and the same fact: the fact of language always returning to itself. This is the fold which takes place when we say "I speak", because it means "(I) speak" : the very happening of language, the "exteriority", as it was called by Foucault: and, at the same time, "I say I speak" : the fold of discourse on itself, the appearance of "subject" or of "subjectivity" (Foucault 2001a). The moment this ocurred "the greek truth trembled" (ibid: 546), that is, the greek experience of truth as "un-covering" or as the openness of the being. Then rethoric appears, just at the moment in which there is something as 'subject', when a separable instance of the very speech takes place, an instance from which speech becomes "object"; the moment of the emergence of subjectivity. But let us see which are the essential notes of parrhesy from this point of view.

4.1. Frankness: parrhesy as freedom.

"Parrhesy" can be found among the rethorical figures under the name of "libertas" (2005: 372-3; 2001c: 21). In fact, it is an a-typical rethorical figure. The parrhesiastés does not use the ornamentation which characterizes the rethorical speaking. Parrhesy is a natural rethorical figure or a figure with a cero rethorical degree (2001c, 21). The parrhesiastés speaks by trying to show what he has in mind "as directly as possible" (ibid: 12). But this simplicity has a compensation with respect to the content. Whenever parrhesy can be considered as a free speaking this is because, unlike rethoric, the parrhesiastes does not take account of the subject matter (2005: 383). Since the speech

of parrhesy is a truth-telling, the one who speaks is subdued by the subject matter he should talk about (and so the literal meaning of "parrhesy" as "telling all" (2005: 372) can be considered correct). The distinction between the subject who speaks and the question he speaks about cannot be really made. Foucault expresses this by saying that in parrhesy there is an identity between the subject of enunciation and the subject of the *enunciandum* (2001c:13). The topic of parrhesy is the subject itself. In evidently modern terms, parrhesy is the identity between belief, the truth contained in a subject, and truth, the correspondence with things as they are actually out of the subject. Parrhesy is not an experience of truth. It is not the experience of the adequation between words and things. *Parrhesy is,* as a special mode of speech activity, *the very happening of subject.*

Parrhesy must also be considered as a mode of exposition. The sincerity of the parrhesiastes means that he is involved in words. The parrhesiastes' words cannot be questioned because there is nothing he is speaking about; there is no mediation (even of thought), since there is a kind of exposition of the parrhesiastes in his speaking. We do not understand by 'exposition' the fact that the parrhesiastes' speaking is deprived of rethoric. As a result of the former, *it is the subject itself who is-there*, or, even more, who is-thrown-there, *the nude and unprotected subject.* As Foucault points out, *courage*, which is the proper emotion of such exposition, is essential to recognize the behavior of a parrhesiastes. Courage is the very "proof" of the sincerity of the one who tells the truth (2001c: 15). That is, if the game of "life" and "death" does not take place, neither does parrhesy.

We also claim that exposition has to do with language and with the greek experience of truth as un-covering. The parrhesiastes tells the truth as long as he supresses the mediation of language and makes his speaking his own being. The parrhesiastes does not let words get in between his self and things, nor between his self and the other selves. It is a kind of inalienable commitment, which is also what freedom consists of. The parrhesiastes gets himself in a place where there is no mediation at all, in a certain sense he gets himself in an empty place, the place of finitude. This is the place of death, or more exactly, the place which results of anticipating death[3].

Parrhesy can be considered to be absolutely opposed to inter-diction. It is also the absolutely opposed to interest. Notice that an interference between the subject and its speech takes place in rhetoric. Rhetoric is the covering of the subject itself and also of the hearer. This covering is the abandonment of language and of its comunicative function; this occurs by calling the animous and the emotions of the one who speaks and of those who are listening. Rethoric works with the special interdiction of affects. This interdiction is what is called persuasion, the loss of sovereignity over oneself. Courage is, thus, the "zero" affect, the affect that is not based on interest, the non-pathological affect. In other words, courage is the free affect, the affect of our compromise with truth ("*Le courage de la vérité*" is the title of the last course of Foucault in Collége de France) and with the frankness of language.

4.2. The duty and the concordance of anyone with himself.

Foucault deals with the materiality of discourse, which constitutes domains of objects and which subjects individuals. But this materiality, the execution or effectuation of a discourse, can not be reduced to a general regularity. Discourse and its effects occupy an irreducible exteriority. There is no "concept", nor is there any

"History", which could *explain* such an exteriority. There are only discursive events, *évenements*, whose condition of possibility is singular and positive (what Foucault called "historical a priori": cf. AK, Foucault 1982: 125). This also happens with parrhesy. While parrhesy implies the selfconstitution of the free subject, truth-telling must belong to this kind of events. Parrhesy must be considered a particular "doing", an activity whose condition of possibility is also singular. More precisely, parrhesy is the modus of being of each of us, our modus of existence. It is what the Greeks called "éthos".

The particular regularity of the event of parrhesy is duty. This must not be understood as the observation of a rule. The event is not subject to the law or the principle which "normalizes" it; it is subject, also in terms of the behaviour of each one, to a paradoxical principle of *rarity*. Foucault enunciates this in the analysis of discourse (see AK, Foucault 1983: 118 ff.) in order to point out the difference between normative discourse, *langage*, and the 'rare' discourse, *langue*, which cannot be reduced to the former. Since the role of *langue* is assigned in these writings to speech, we can claim that Foucault's distinction between two aspects of moral prescriptions is parallel to the difference *langage/langue*. Thus, on the one hand, there is the prescription which translates a code of behaviour relative to the others; prescription is then a rule "which determines which acts are permitted or forbidden". On the other hand, the prescription can also refer to the relationship with oneself; in this case it determines "the kind of relationship you ought to have with yourself" in order to constitute yourself as a moral subject (Foucault 1992: 237-8). We claim that the duty which parrhesy implies must be regarded as this second class of prescription. A rule whose only condition lies in the very subject, in what Foucault calls "ethical substance" (Foucault ibid: 238). This substance is not a previous and consistent reality (it is not *subiectum*); it is something which emerges and gets constituted at the same time in the acting of the subject (the substance is *agens*). That's why the concept of *éthos* is so important, since it expresses the belonging-together of what oneself is and what one does.

Discourse, as a truth-having discourse, can only be sustained by the *éthos* of the subject who speaks, by the possesion of certain moral qualities (Foucault 2001c: 15). In order to keep together truth and *éthos*, so that truth cannot be considered as one of the qualities of the moral subject or as a consequence of his moral character : notice that according to the former, moral behaviour could be independent of what is said: , the ethical substance which we call parrhesy must be the *coherence* between what is done and what is said: the concordance between *lógoi* and *érga* (Foucault 2001c: 100). Truth is the concordance or *adaequatio* of the subject with itself (Foucault 2005: 406), the commitment of the subject to itself.

On the contrary, the rethor is the flatterer and, as Foucault points out, the flatterer is a person doubly dependent. The adulator depends on the auditory who he wants to persuade. The rethor should speak about the subject matter which the auditory wants to listen to. Furthermore, the rethor is dependent on his passions and has no relationship of sincerity with himself (2001c: 135). He promotes in the others, so as in himself, "self-love" or *philautia*.

4.3. The importance of the status. The parrhesiastic critique.

The commitment of the parrhesiastic act is linked to a very special social situation: the situation of a "difference of status between the speaker and his audience"

(2001c: 14). Two aspects of this difference must be pointed out. First. The difference of status implies a distinction between positions in terms of superiority and inferiority , "above" and "below" (*ibid*: 17-18). This difference has nothing to do with language; it is a difference of power. However, if there is a parrhesiastic relationship, it is because language is over the status. The assembly is more powerful than any of its members and the subject has less power than the souvereign, but in a certain situation they both speak. Second. Parrhesy is criticism. This means that the direction of speech is from below to above. Moreover, what is said from below is that the difference of status is being vulnerated; that those of above, the assembly or the tyrant, do not do what they should (*ibid*: 17). The parrhesiastes denounces that the word is disappearing, hidden by facts. He denounces the moral inconsequence of governors in the use of language.

Let us consider the political meaning of parrhesy. As Foucault has pointed out, the parrhesiastes plays the role of a "touchstone" (Socrates is called so in the dialogue *Laques*). This implies that the activity of telling the truth constitutes the self of the subject who speaks, and the materiality of speech, speech as *éthos* : an observable behaviour: , reaches the others too. Parrhesy implies an aesthetic respect. Truth, since it is the coherence, a kind of harmony, between words and deeds : since it is the own life of the parrhesiastes, his moral *éthos*: , produces an effect in those who are listening. It is not only the transmission of thought without any ornament, *paradosis* (2005: 404-5). Thanks to this, or, more precisely, thanks to the simplicity of the *paradosis*, there must also be a moral transmission. First of all, this *éthos* annuls the difference of status which we mentioned above. In fact, the point is that coherence and concordance between saying and doing prevails, that is, that the subject itself prevails in its sovereignty. And this is gained thanks to danger. *By exposing himself to death, the parrhesiastes becomes an ethical spectacle* for everyone who is listening and who, therefore, is put before their own finitude. This is the place of language, the place of the commitment of the subject to his own self. The parrhesiastes shows that the lost of *éthos* and language implies the loss of everything. And this complete loss is what aesthetically is exemplified by his exposition to death. This is a situation that is absolutely critical. This is the same as the disappearance of democracy (Foucault 2001c: 80).

The greek preoccupation about the self-sovereignity is the preoccupation about the loss of our "moral substance" (Foucault 1983). When Plato puts the being in the pure order of *lógos*, outside of the performance of a real speaking, he is opening a free place for a committed speaking, which is what every ontology consists of (as a knowledge of substance). That is so because, as the last Foucault has pointed out (Foucault 2005, 2001b), the platonical *logos* is not only the logos of the soul; it is also the logos of the citizen's soul who cares about himself when he cares about his own place (caring about the authenticity of his being). It is the logos of that original speech that is the philosopher's one; or, nowadays, the speech of the intelectual. The speech that is an activity in itself, the activity of the committed intelectual.

5. How to recognize a parrhesiastic act or the problem of infelicities. *Bíos* and *éthos* as the phenomenological indications of parrhesy.

Austin claims that a speech act can be unsuccessful. *Infelicity* is the expression which corresponds to the idea of "false" in constatative statements. The essential problem of infelicities is a problem of phenomenological nature: since the illocutionary

act has no consequences, how can we recognize it? Austin pointed out at least three aspects: the procedure of the speech act and its circunstances (A), the form and completeness of its execution (B) and the thoughts or feelings of the one who speaks (:) (cf. Austin 1975, Lectures III and IV).

The three criteria refer to the conditions which are necessary for the occurrence of a typical illocutionary act. The problem is whether those conditions are also facts which can be observed and recognized by everyone: it is the problem of their exteriority. Let us omit the third condition now, which we will examine in detail when we study the intentionality, and let us consider the first two conditions which have to do with provable aspects.

Words, people and circunstances must be "suitable" for the occurrence of an illocutionary act. The problem of words, the question of how explicit the illocutionary utterance is, is the aspect which the parrhesiastic act eludes since it doe not imply any kind of figure. The problem of the illocutionary force lies on the fact that it implies some kind of convention; therefore, if the illocutionary force does not appear in the expression (and, thus, Austin tries to solve this problem by making a list of ilocutionary verbs (cf. Lecture XII), it can only be recognized in the person or in circumstances, in the non-verbal context of the ilocutionary act. But parrhesy, although it is connected with what happens, is not conventional. This means that the parrhesiastes cannnot just be any one. A truth-teller can only be the one who has shown sufficiently, through his own life, both in former acts and in the coherence of these acts, that he is someone with a fair ethos. A person who has shown particularly his independency in the judgement and in the actions of his life. He is the one who was called "autorgós" in Euripides' tragedies (Foucault 2001c: 68).

Another condition connected to the person is the fact that the parrhesiastes must occupy a lower place from the point of view of power. Since the question is evidencing the loss of the game of the truth of the polis, the conventional social situation is essential. It is essential as status, not as position (this is a relevant distinction for Austin —Austin 1975: 35), that is, as a circumstance in which the very articulation of power relationships between citizens is implied (the circumstance, we could say, of the zero point of the relationship). This circumstance is before and independent from the positions, which would be just a conventional administration of the quotas of power. Thus, as Dreyfus/Rabinow have pointed out, the difference between the speech acts' theory and the foucaultian doctrine of discourse resides in their significance and scope, since, as we see in the difference between position and status, the former theory deals with the "every day" speech acts whereas Foucault discusses the structural and material conditions of language, the speech acts which those authors call "serious" speech acts (Dreyfus/ Rabinow 1992: 47-48). Thus, although the parrhesiastes is a citizen, he has stood out in his own life precisely as someone who has not incorporated himself into the functions which are required by his status nor in a complete nor in a satisfactory way. In this sense it would be an infelicity of the parrhesiastic act if the monarch, the assembly or the master tells the truth to the subject, the citizen or the disciple (Foucault 2001c: 18).

Circumstances are a requisite for the ilocutionary act and for the parrhesiastic act too. Not every occasion is suitable for telling the truth. Since parrhesy must have a function of criticism, we must speak at the appropiate moment. This moment is the moment of crisis (Foucault 2003: 243). Crisis is the moment in which the game of power is in danger. The parrhesiastes must be a connossieur of the *kairós*, of the opportune as

well as of the critical occasion (Foucault 2005: 384). Otherwise the parrhesiastic act would be an infelicity. But the parrhesiastes must also be the connossieur of the appropiate words. The point is not that there is a formula; the point is what is to be said, what is required or necessary to be said, and nothing else. One of the essential properties of truth-telling is the concision understood as an exigence of opportunity. Therefore, the negative possibility of parrhesy is "chattering", the uniform and continual speaking. This chattering is the very infelicity of parrhesy. So there are actually two meanings of parrhesy (Foucault 2001c: 13-14). The one we have already characterized, a positive meaning, and a pejorative meaning, "chattering". We find this pejorative sense in Plato, when he deals with the bad democratic constitution where anyone can speak and say anything. Saying-anything, when the truth of the game is uncovered according to the situation, is parrhesy. *Chattering is saying-everything and saying it any time without regarding either the ocassion nor the appropiateness of words.*

6. Parrhesy as a perlocuationary activity. The political (and asthetical) consequences of the criticism of parrhesy.

The difficulties in establishing what an ilocutionary act is, are not to be found in perlocutionary acts, whose "effects" and "consecuences" are external and perfectly recognizable criteria (for what follows cf. Lecture IX). The perlocutionary act is the act whose typical form is "I made him do x". It is an act which causes a change in the natural course of events. But there are also ilocutionary acts like "surprising" that, although they have not a "perlocutionary object" in the proper sense, they imply "effects", which are obviously perlocutionary, called "sequels" (Austin 1975: 115). This is so because sequels also change, in some way, the behavior of the hearer.

The problem, thus, with perlocutionary acts is that they are also "acts", some kind of "events", and that this is their perlocutionary virtuality. As Austin recognizes, a promise is only an ilocutionary act, but it also must be considered that it can change the behaviour of the hearer. This fact has always been taken into account by rethoric: how language, just as an act and event, can affect our animous. Therefore, it is very difficult to draw a divisory line between a promise made by a politician, which is an expressly perlocutionary act, and the promise made by anyone to anyone else, which is not. It is difficult to draw this line because it is not possible to control the course of the act of speaking once it is in the world. Among the three classes of consequences of ilocutionary utterances (Austin 1975:116-117), securiting uptake, effect taking and claiming response, the latter is the one which seems more perlocutionary, because it has something to do with the behaviour of the others. Whenever we have the fact of a speech act we are before possible consequences on who is hearing, whether on his behaviour or on (or better, because it is) his disposition.

As we say, this is important for our purpose of characterizing the parrhesiastic act because rhetoric always employs sequels. In fact, the rethorical discourse, when it appears in governmental contexts (as is the case of "political" parrhesy —Foucault, 2001c: 6), is a "typical" perlocutionary act. Furthermore, rhetoric is the discipline which deals with the figures of perlocutionary acts whose purpose is basically to cause certain behaviour, a decision or an assembly vote, but, and this is the key of the difficulty, it is done with the intention of hiding this purpose. This covering takes place just behind the appearance of an ilocutionary act, which is the act in which someone expresses his

inmediate relationship with whatever he says and his disposition to act in a certain way. Rhetoric, thus, claims to give perlocutionary acts the appearance of ilocutionary ones.

But parrhesy is not rhetoric. As we have seen before, the problem which criticism implies consists of knowing whether this characteristic of the parresiastic act makes it a typical perlocutionary act or not. Parrhesy is critical as far as it uncovers what is absent or lost at that moment (the parrhesiastic act shows the crisis), for example, justice in the decision of the tyrant or of the assembly. What is so uncovered has to do with the particular "force", which every ilocutionary act has. This is *the force of a consequent éthos*.

However, the parresiastic act has also an 'effect', in the proper meaning of the word, a kind of transitivity. "Of course, parrhêsia also involves acting on others, but not so much to order, direct, or incline them to do something or other. Fundamentally it involves acting on them so that they come to build up a relationship of sovereignty to themselves" (Foucault 2005: 384). The effect of parrhesy (now we are thinking about political parrhesy) can only be found in the animous of the one who pays attention to the speech, in the observer or spectator, in which the deepness of the political meaning of parrhesy must be placed. There is a moral force which stands against factical and real circunstances. A force which resides in the one who tells the truth because he does not say anything more than the animous' truth (remember the relationship established by Plato between the structure or form of the *polis* and the form of the soul), which is precisely what is shown in the parrhesiastic activity. This is so because in Greece, and this is the fundamental experience which Foucault tries to restore, there still is not a separation between "truth" and "subject". And this places us in a aesthetical parameter. Thus, if courage can be the confirmation or guarantee of truth-telling, this is so because the effect which happens cannot be separated from the animous of the one who listens. It is like a kind of 'communitary' or 'political' ilocutionary act, because, as Foucault points out, "you have to take care of yourself because you have to rule the city" (Foucault 1992: 237). Because the effects or sequels of the ilocution can not be separated from the community's *éthos*.

Thus, we could say that in some sense parrhesy is a *pure ilocutionary* act.

7. Intentionality and exteriority of the parrhesiastic act: the problem of self-referentiality. Parrhesy and the construction of a social space.

One of the conditions of ilocutionary acts is sincerity. Since the force of an utterance lies on the compromise of the subject who speaks, sincerity, the coherence between words and deeds, becomes a *sine quibus non* condition of the speech act (Searle 1999a: 60, 62-71). This condition can only be understood if we consider another property which is essential for Searle's theory of speech acts: intentionality. An ilocutionary utterance is sincere if the one who says he does something intends to do it (*ibid*: 60). However, intentionality has to do with the speech act as such, that is, as a sole acting (and therefore neither as a physical nor as a rhetic act), when we consider it as structure of a particular exteriority; otherwise, sincerity should be referred to another kind of commitment or conformity, out of the very ilocution. According to this, let us consider intentionality : assuming partially Searle's definition of it (1999b: 1; 1999c: 99): as a "directedness" which is constitutive of speech acts.

In fact, if we seriously take into account the constitutive character of the parrhesiastic act as speech activity, what defines intentionality in Foucault's terms resides precisely in the impossibility of separating the subject from the very openness which takes place in his acting. This seems to be what Searle has called "selfreferentiality" (1999c: 105). However, since Foucault is dealing with a theory of truth rather than with the correspondence theory, selfreferentiality assumes in his work the opposite determination.

Searle points out that it is a "notion more general" than the notion of truth which is necessary in order to understand intentionality (1999c: 100). It is the same aim as we have just seen in Austin: to find a notion which is not restricted to statements, a notion which can cover desires, promises and other ilocutionary speech acts. Searle's solution is what he calls "conditions of satisfaction". A speech act is satisfactory or fulfills its intention if some conditions take place, conditions which are necessarily *referential ones*: either in terms of the object, as conditions of truth, or in terms of mental states, such as Searle understands the real background of the intentional act. This is an extension of the "correspondence theory" to mental states, *via* speech acts (for this see Searle 1996, C. 9)[4]. This is the reason why the key concept lies on the meaning of the relationship in general, on the directedness: the concept of "fit". A speech act fulfills the conditions of truth if there is the required "thing" in the world (1996: 211), where the mental state is one of the things required (the aim of Searle is the "naturalization" of intentionality —1999c: 95). Thus, in the speech act there is a central part, the "propositional content", which must be considered as the thing which fits, and a direction of the relationship, the where-to of the fit, which is the characteristic of the "type of intentional state". This means that, when Searle is dealing with something like "selfreferenciality", the only possible meaning of this word is *the modus of the fit*, since the reference to language is the only medium of every reference. Thus the speech act is the place phenomenologically relevant of truth. But then, what happens to the "constitutive" rule which Searle uses to characterize speech just as an act?

The point of Searle's analysis, which seems to be nearest to the agentive condition of language, is that of the construction of social reality. Those speech acts which constitute ourselves as social beings, that is, the speech acts which organize and dispose a structure of status and duties, are essentialy a form of administration of power (1996: 95). This structure is a construct, the result of an accumulative process, whose background is a "collective intentionality", and which adopts the figure of a "network" of intentional states (1999b: 65). Foucault has analized, using similar terms, the structure of human sciences, considering them as a power/ knowledge network which constitutes men as subjets and as individuals. But while for Searle the relationship between the structure and the impositions of the status is "symbolic" and depends on the observer (it depends on the collective agreement), that is, while for Searle that relationship is essentially a non-physical reality, the structuralist point of view, from which Foucault thinks the network of knowledges, makes power something intrinsical to the status and to the very subject who speaks. Thus, since Searle has a "referential" understanding of intentionality, and although he recognizes language as the institutional reality par excellence (1999c: 115), the latter must finally refer to the mental states, which, as we have already said, belong to the structure of fit.

According to this, the performance of the speech act does not give a real selfreferentiality but only a reference of another kind, that of the social and institutional facts. Searle defines the constitutive rules as those which "make possible" or "constitute

the very activity they regulate" (1999c: 123), but they do not constitute : and this is the key difference with what Foucault tries to think in parrhesy: the subject itself, for whom status and function are external. Following Searle's terminology, in the institutional facts intentionality is always derived and dependent on the observer (*ibid*: 122). Function is therefore only an object of "assignment".

The parrhesiastic saying is in some way pure and absolutely selfreferential. This means at least two things.

(a) There is no content of fit in the straight sense of the word. Since parrhesy is the consequent activity of truth-telling, it is the very subject who happens in the parrhesiastic saying. The coincidence between belief and truth empties the nucleus of the intentional attitude, which precisely consists of the fit of the mental states to the world (either the natural world or the institutional one); the "openness" of the parrehsiastic saying is not the openness of any "directedness" (neither of the fit nor of any one else), it is the openness of the exposition of the subject whose essence is the very activity.

(b) The network of the status which takes place in parrhesy is not an arbitrary configuration, non-dependent on the physical world, but the configuration of the communicability and of language itself. The disconnection belief-truth is the reason of the irrelevance of the propositional content. The force of the parrhesiastic ilocution is essential, since the implied power and network are not "a" possible game but "the" game itself which is always taking place. The parrhesiastes has no particular status. He puts himself in the limit of every status: this limit is the space in which he puts himself in danger of losing the word. The space of "normativity" itself, not of this or that rule (in the democratic game the rule of the majority, in the monarchical, the rule of the sovereing sanction, etc.), but the space of rules in general. That is why the question which is decided in the parrhesiastic saying, the question of truth, is esentially connected to the question of justice. When a parrhesiastés speaks to an assembly and, against the mayority, he states the truth, that is, he states the fact that votation can damage and endanger the justice of the city. The parrhesiastes is always calling to the very thing that makes it possible that everyone, whether the others or himself, can speak. This "normativity" takes the noun of "justice" in Greece, but let us notice : and this is the deepness of the correspondence and the problem of thruth: that justice is the noun which takes the Being in the beginnings of philosophy (Anaximander).

Therefore, the phenomenon of the parrhesy is the touchstone of the constitution of public space. The space of the political *ethos*, which the true "self" of the parrhesiastic selfreferentiality.

8. Conclusion.

Foucault's last encounter with the speech act theory, although it has not taken place in an extended way, can be considered fertile, specially since his study about the origins of the modern process of subjectivation. It could even be considered that Foucault goes further on in some of the intuitions of that theory: the significance of the ilocutionary force and its irreductibility to every kind of propositional content, whose presuposition is the impugnation of the classical doctrine of truth and the necessity of taking the specificity of speech as activity (a strong reconsideration of ontology). The need of thinking the subject as an effect of language and, therefore, the need of

providing discourse with its own thickness and materiality, not only as media and instuments but also as producers of that being called "man". Finally (and gathering the former two points), the last intuition is the regaining of the aesthetical and political space as an inalienable ontological one, that is, as a space non-reducible to an only realist metaphysic.

Notes

[1] Foucault makes references to Searle in *L'archéologie du savoir* (1968), «Qu' est-ce qu'un auteur?» (1969), *L'ordre du discours* (1971) and *La verité et les formes juridiques* (1974).

[2] The four last courses of Foucault at the Collège de France (1980-1984), together with the course at Berkeley (1983), are focused on the "tecnhiques of the self", where *truth* is the key concept and the *leit motiv of all this essays on subjectivity*. "Subjectivity and Truth" is the title of the course of 1980-1981, which was followed by "The Hermeneutics of the Subject" (1981-1982), "Le Gouverment de soi et des autres" (1982-1983), recently published, and "Le Gouverment de soi et des autres: le courage de la vérité" (1983-1984).

[3] Foucault's encounters with Heidegger are well known. But perhaps Foucault's analysis of *parrhesia* shows us one of the most accurate and deep connections between both thinkers: the relationship, pointed out explicitly by both, *between truth and freedom*. For Heidegger's conception of truth see Heidegger 1976.

[4] As Prado has pointed out (Prado 2006), Searle's conception of truth "is fundamentally and inescapably relational" (64). Searle is a *realist* who, even though he has considered the performativity of language, does not impugn of the correspondece theory of truth. Searle's conception of intentionality is clearly insufficient in phenomenological terms, since he turns to a non intentional basis which are mental states. With respect to Foucault, let us also point out that we disagree with two fundamental claims of Prado's interpretation: that in Foucault there is no "theory" but several "uses" of truth (Prado concludes that Foucault's theory is "pluralistic" and he distinguishes five different uses; see Prado 2006: 81 ff.), and that, in the end, Foucaulty supports a form of "realism" (161). Since Prado has not dealt with the same texts we have discussed and, above all, since his approach is basically epistemological (in a strong and therefore realistic sense) and not phenomenological, we have avoided the discussion of his arguments.

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