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The Dream of the Governable City

On Plague, Policey and Raison d'état

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In the course of the 17th century, as the plague was raging throughout Europe, policey[1] began to play a significant role. At this time it became a completely new instrument of governing and was to gradually ensure the new secular sovereignty of kings and princes. These based their legitimation on being able to establish a 'good order' – a 'good order' for the wellbeing of those governed and for the wellbeing, the salvation and welfare of the state. In modern Europe this meant new modes of ruling, which faced the difficult task of governing large numbers of people. In the 17th and 18th century there were various attempts to implement and assess this, so there were also different roles for policey accordingly: from the so-called "good policey" to repressive policey to policey as an instrument of normalization. In the following I would like to focus on an approach that culminated at the end of the 17th century: in this approach policey is conceived as a repressive instrument of government dreaming the dream of the completely governable city. Not least of all, this dream posited policey as the complementary

opposite of the plague, the welfare of the state as the converse of infection. The rigorous plague ordinances, which were to counter this infection, described the logic of partitioning individualization and totalization, which turned policey at the end of the 17th century into a repressive instrument of government.

Raison d'état

By the end of the 15th century, with the expansion of large territorial and colonial empires in Europe, the problem of governing presented itself in new ways. The Reformation and the Counter-Reformation, with their differing assertions of how to achieve personal salvation, exacerbated this, shattering outmoded legitimacies. The medieval concept of unity marked by religion, the dream of a coherent empire came to an end, and the political treatises of modernity began to argue over the best manner of rational government. The idea of the raison d'état arose.

One of the central transformations in the direction of rational government related to the function of salvation: not only as an individual goal, but specifically as the highest goal of the state. In the context of the Christian salvific history, the ruler was to establish conditions that would allow people to leave their earthly, and thus state existence to reach eternal beatitude close to divinity. Salvation was hence found outside the state in a divine other world. The situation was quite different in the context of the interests of the state: here the goal of governing was concentrated exclusively on the state itself. The object of governing were then the things, the composition, the 'nature' of the state, in other words the territory with its geography, its traffic routes, trade, the cities, and all of the human beings that lived on this territory. What was completely new here was that governing was no longer 'a

matter of fact', as divine providence, so to speak. Instead of understanding governing as natural in the sense of a theological, cosmological continuum, in the context of the raison d'état it now meant an art for the first time. "The 'art of governing' indicates the artificiality of a technique of conducting."[2] This art was thus a technology, as Foucault says: governmentality. With the raison d'état, the figure of the prince, his passions and interests, were no longer the measure of the control of the state. In comparison, the new art of governing consisted of developing its principles for the wellbeing of the state from the composition and constitution of the state itself. Whereas Machiavelli's prince was still a ruler figure, governing from above to below (to put it briefly), in the context of the raison d'état, the sovereign had to conversely start from the territory and his subjects. Their well-being corresponded with his own and the well-being of the state. If they were happy, then 'good order' and the felicity of all were possible. If they were sick and died, however, then the state was also weakened and was ultimately not viable. Consequently, the state was, in a metaphorical sense, only well and healthy, meaning sovereign, if the many were not sick or dying. Well-being, happiness and prosperity could thus only be found within a state. The consequence of this, in terms of what established the felicity of the people as rational, presupposed that they exercise obedience towards the state 'institutions'. In short, the medieval government of souls was transformed in the 16th and 17th century into a government of human beings.

Welfare State and 'Good Policey'

If one wanted to govern the state, one must be familiar with it and as knowledgeable as possible about the human beings living in the state. The French word 'raison d'état' clarifies what the intention was in the beginning: the analysis of a state of being, a 'stato' or

‘état’, a manner of being constituted. In the term itself, the state of being and the state as a constituted state converge. The ‘ratio’, at the same time, stands for a knowledge about this state of being, not in order to preserve it, but to increase the powers of the state. [3] Beyond notions of transcendence, it was thus a matter of the “immanence of power relations”.[4] A central question here was: To what extent and in which way were the strengths of a state to be increased without endangering internal order? And it was exactly for this that the policey was increasingly responsible beginning in the 17th century. As stated previously, this was the point in time, when happiness, well-being and welfare were no longer the goal, but rather the *precondition* for the survival and the strength of the state. It was only when all was well for the people that the state could be strong and the sovereign could reign stably – hence the idea of a welfare state, which only came into full force, however, in the course of the 18th century.

At the beginning of the 17th century the German word ‘policey’ was not understood as a concrete authority, but rather as a “state of good order in the polity”: “‘Police existed’, where the citizen or subject behaved in an orderly, modest, decorous, honorable manner, where living together in the polity was ordered.”[5] As stated in a law from Nassau-Catzenellenbogen in Hessen, for instance, the welfare of a state is based, among other things, on ‘good policey’.[6] Until into the 17th century, laws relating to policey were moral rules of behavior set by the authorities, usually the municipality, and primarily regulations of duty to ensure the *existence* of ‘good policey’.[7] For the German states fragmented after the Thirty Years War, however, there is no unified definition of what was understood as ‘policey’ in the period of the early welfare state.

In the course of the decline of the estate orders, city and landowning authorities took over the disposition of law instead. There were developments in Germany here similar to those in absolutist France. Most of all, this meant that landowners or magistrates could determine "policey matters of order" themselves, independent from the emperor or king. This older policey already differed from a governing judicial body or military by focusing on precaution and prevention.[8] The estate society was gradually reduced to an opposition of prince and subjects, which led to private legal matters increasingly being subject to regulations of a 'good order', in other words to policey regulations. To put it differently: regulations were the central political instrument for ensuring a 'good order'. State legislation on order soon regimented every area of life, from blasphemy to the prohibition against thinning wine or the prohibition against wearing luxury clothing.[9]

What is important up to this point is that despite all the differences in the details of the subject matter, the increasingly all-encompassing policey involved neither an institution nor a mechanism within the state. Instead, as Foucault noted, with the decline of the estate order policey became "a governing technique inherent to the state".[10]

Both Germany and Italy had difficulties not to be compared with France in the formation of a modern state, and for this reason they also had the most negotiations about the raison d'état and policey.[11] Following Foucault, however, I will nevertheless refer in the following primarily to French policey thinkers, who can in turn certainly exemplify a European discourse.

As early as 1611, Loys DeMayerne-Turquet[12] proposed that the police should take care of "all the living conditions of the people",

which did not mean that their area of responsibility should form a fourth pillar of the state along with finances, army and justice. On the contrary: according to Turquet, policey should specifically include finances, army and justice. At the same time, it should consider people and things "in terms of their relationships". Its task was consequently to ensure "intercourse" ("Verkehr") among the people: their communal life, property relations, trade and the work they do. Policey should also be responsible for epidemics and accidents, which conversely meant for health. Policey thus oversaw the "living, active, productive people". In an all-encompassing, total way, it was to establish the administration of every single human being.[13] Here it is already clear that in the context of the raison d'état, policey became an instrument of totalization. However, this totalization, this all-encompassing regimentation specifically did not effect a homogenization of all the inhabitants of a city. On the contrary: the other side of this totalization was individualization. For in order to carry out a comprehensive control of a city or a country, the many must be regimented as individuals. The countless policey regulations were not addressed to a group, not to the inhabitants of a city as a whole: they were directed to the administration of each individual. Policey was thus a technique of regimentation that, by becoming total, simultaneously individualized.

With this policey governing technology, the power and strength of the state was hence to be ensured. To this end, a strong connection emerged between secular rationalizations and political "power techniques aimed at individuals and constantly steering them"[14]. Viewing this comprehensive responsibility of the policey as being solely repressive would be inappropriate, however. For policey was intended to cover the whole of life, so that people could survive and live better. It was to safeguard the "comforts" and "amenities"

of life, the 'good life' and the felicity of the communality. In the second half of the 17th century, in fact all the areas of societal life gradually became a matter of interest for the policey, which Turquet had still formulated as utopian responsibilities.

The Establishment of the lieutenance générale de police in Paris

When Louis XIV had been king for just five years, although he was not yet ten years old, revolts began in 1648, especially in Paris, against the absolutist rule that had started under Louis's father (Louis XIII) and continued under the co-regency of his mother, Anna of Austria, ultimately under Cardinal Mazarin. The *frondes* were primarily revolts of the French high nobility and the high judges of the *parlement*, the highest court of Paris, who protested together against the ongoing curtailment of their authorities. Since around 1300 the *parlement* had been a traditional location of French jurisprudence and additionally had the crucial administrative competence: namely the right to make rules that had the effect of non-legally regulated laws in the area of responsibility of the *parlement*. In this way, district judges were also able to decree policey regulations, which were in fact the central political instrument for securing a 'good order'.

During the *frondes* the urban elite then fought within the framework of their powers against the attempts by the crown to take over the political control of Paris, which in turn caused the regents and their entire court to flee several times from Paris for longer periods of time and live in less luxurious circumstances in Saint Germaine. Due to the outstanding role of the *parlement*, the *frondes* must also be seen as revolts of the administration of Paris against a centralist curtailment of their rights. The revolts, in which the population of Paris also took part, ultimately lasted

thirteen years and only ended in 1661, specifically when Louis, at the age of 23, took over sole rule, and thus all hopes of being able to make use of the still existent vacuum of power were destroyed.

Five years later the sovereign reacted to the revolts in a way that many called a *coup d'état*: in 1666 his Minister Colbert named a *conseil de police* for Paris and then in the following year, in 1667, the office of the *lieutenant de police* (after 1674 then the *lieutenant général de police*) was created. The first to assume the office was Gabriel Nicolas de la Reynie, who continued to hold it for all of thirty years. This lieutenant general position in Paris signified the establishment of an independent policey directly responsible to the crown. The major coup was that this policey was completely separated from the judiciary and thus also from the revolting judges of the *parlement*. This resulted in possibilities for intervention by the policey that were detached from legal decisions. The Paris elite and thus the traditional public officials of administration were deposed in favor of a new centralized control of the city and themselves subjected to sanctions.[15] With this coup the policey became the direct instrument of the sovereign, an instrument that could exist not only outside the jurisdiction of the judiciary, but potentially also outside that of the traditional legal system. It was not by chance that this coup was called a *coup d'état*. [16]

At the end of his explanations about the emergence of the policey, at the end of the first year of his two lectures on the *History of Governmentality* in 1978, Foucault also speaks of the policey as "direct governmentality of the sovereign as sovereign", which makes the policey a "permanent coup d'état"[17]. The essential reason for this is that the laws of the policey did not correspond to those of the judiciary. For the regulations of the policey were prohibitions and commands, which could be decreed in the name

of the king without the judiciary. In other words, they were a "transgression of the common law for the sake of the public good" – as Gabriel Naudé formulated it in his theory of the coup d'état. [18]

This position of the policey simultaneously defined the understanding of the raison d'état at that time: sovereignty guided by reason should not be subject to traditional law, but should itself steer the law as needed. For this reason the coup d'état was not a break with the raison d'état, but instead one of its modes of action. That meant that this coup d'état was immanent to the raison d'état, a legistated policy for establishing 'good order' on behalf of a public good. The raison d'état was a manner of governing that did not have to subject itself to traditional laws. If it could no longer make use of the laws, then the raison d'état could (violently) defy them in "the name of the *salvation of the state*"[19] – or, as we will see, at least dream of the plague.

In the first decades of the Paris lieutenant general, however, there was no talk yet of comprehensive control. This goal first arose around the turn of the century, parallel to the founding of a *lieutenance de police* in all the larger cities of France (1699).[20] At that time, more and more apprehensions were expressed that Paris could become a collecting basin of beggars, vagabonds, criminals and others, against which the state should exercise greater social control. The discourse on measures for assuring general security then legitimized the increasing control and surveillance attempts by the Paris policey.[21] Nevertheless, the desired control of the individual city quarters did not succeed; the old corporatist control system of the elite was completely weakened at the same time.[22] This resulted in new vacuums of power, which called forth not only the writings on policey procedures by Nikolas Delamare a few years later. Delamare was the commissioner in Châtelet (for the Ile

de cité), the Paris communality, and he not only worked closely together with Nicolas de la Reynie, the Lieutenant General of the police, they were also close friends. Delamare's *Traité de la police*, a three-volume practical book (beginning 1705, Volume III 1719), was written for the city policey in the provinces of France, which began for the first time to be comprehensively centered on the sovereign in the sense of a 'policey state'.[23] This was intended, not least of all, to ensure that public order was maintained with the same rules in every city. The new paradigm of this understanding of policey was prevention and surveillance. The problems and delays in the 'enforcement of the norm', as it is called in history studies, produced dreams – several years before the *Traité de la police* was published – of comprehensive control and surveillance, of a completely governable city. Foucault finds traces of dreams like this written in contemporary plague ordinances.

The Dream of the Pestilent City

Foucault's book *Discipline and Punish* was published in 1975, three years before his lecture cited earlier. At the beginning of his famous chapter on panoptism, but virtually unnoticed by the reception since then, he writes about one of the greatest threats not only to the lives of human beings, but obviously especially to the city and thus to the state: the plague.

The political manner of dealing with the plague shows in an extreme way how totalization and individualization interlocked, in other words how the government of the many was to be established through the isolation and fragmentation of space.

However, Foucault does not only speak about the plague itself, about this highly infectious epidemic, which after the first major

outbreak in Italy in the mid-14th century later only occurred endemically in Europe thereafter, locally and temporally contained. It usually came over cities like a sudden attack, wiping out a major portion of the population within the briefest period of time. From the beginning, the plague was experienced as a state of chaos and ungovernability. This was certainly due to the fact that until into the 20th century medical knowledge about the plague was insufficient, and consequently few therapeutic possibilities for fighting it were available. Apart from the coincidental fact that many cities went up in flames due to the permanent wars of the 17th century, thus killing the rats whose fleas carried the plague, there were no means to counter this illness.[24] During the periods when the plague raged in the 17th century in Europe, substantial portions of the population were wiped out: in 1665/66 a fifth of the population died during the Great Plague of London, in 1679 over 140,000 people died in Vienna in eleven months. At the next portent of the plague, in 1713 Vienna was enveloped by a medical or plague cordon that simultaneously represented Austria's military border, which could only be crossed with a "health pass". This was primarily intended to be a plague barricade against the Turks, who were suspected of intentionally carrying the plague into Europe.[25]

Seven years after this successful plague defense, the last major plague epidemic broke out in Europe. Despite many years of successful quarantine and control measures, it could not be prevented that the plague was brought to Marseilles in 1720 by a merchant ship from Syria. Over half the population of the city, at least 50,000 people, succumbed to the plague within two years, because despite the existing legal possibilities, the authorities failed to take appropriate precautions in time. Once the first cases of the plague became known, which even the physicians often kept secret,

the municipality acted contrary to the royal health counsel. Wealthy people fled from the city, as did the police officers, the hospital administrators, the apothecaries and midwives, and also the judges and notaries. It was not possible to set up a military health cordon before the plague had already spread throughout the entire Provence.[26] – This is just a small impression of how little the dream of efficiency and control was actually realized in a situation of threat like this. This outbreak of the plague in Marseilles in the early 1720s, however, was also the last major outbreak of this kind in the western part of Europe. In the east, on the other hand, the plague raged again in 1770 in Moscow and then again in 1841 in the Balkans. Historians attribute the end of epidemic occurrences of the plague in the west to the preventive and acute "measures of self-protection"[27] of plague cordons and quarantine measures. The bureaucratic governmental technologies began to prevail.

Foucault considers the example of an early French plague ordinance from the end of the 17th century, in which the measures were stated that were supposed to be taken "when there are signs of the plague in a city"[28]. In other words, this is a plague ordinance precisely at the time when a *lieutenant de police* was established in every larger French city and when not only the absolutist police began to dream of comprehensive control. Ordinances were, as previously mentioned, one of the means of the policey instruments and thus direct possibilities of intervention for the king for governing in the sense of a permanent coup d'état.[29]

In fact, the plague ordinance that Foucault describes does not dictate solely preventative measures, but most of all strategies and techniques of control in dealing with the plague that has already broken out. Specifically, this means that what was to be controlled and regulated was the infection, the touch, the contact of bodies.

The means to this end was the quarantine of the entire city. To prevent infection in the cordoned city, space had to be first of all and repeatedly subdivided. The city was closed off to the outside and divided up inside into quarters. All stray animals were killed. No one was allowed to leave their house, their apartment, without permission – under the threat of death. One intendant was responsible for overseeing each respective quarter, a syndic was responsible for each individual street. If he left his street, he was also faced with execution. Food rations had to be distributed without touching between those giving and those receiving. If leaving the house was absolutely necessary, it had to be done at certain fixed times, so that there would be no encounters with others. Every action and every change of the body had to be constantly monitored and was subject to continuous personal and external control. Once each day all the residents had to come to a window, those from the rear buildings to an assigned window opening to the street, to show themselves and publicly provide information about their condition: "whereby the inhabitants must speak the truth under penalty of death".[30] For it was only at an advanced, usually bedridden stage that the physical traces of plague boils could be seen. Those who did not appear at the window were either sick or already dead. Controlling all of this naturally required complete registers and lists of residents, which had to be prepared at the beginning of the "enclosure" according to itemized categories such as name, age and sex. In addition, the cleaning of each house was prescribed according to an exactly detailed schedule, the same for the handling of smelling substances to smoke out the contaminated air from the rooms and houses.

According to Foucault, this scenario of fighting the plague corresponds to a comprehensive "model of discipline". "The relationship of each individual to his illness and to his death runs

through the instances of power"[31], which means that each person is separated and doubly threatened in the coerced relationship to his/her body and life: by the plague and by the state power. A plague ordinance of this kind was consequently a completely repressive model of discipline that governed in a solely negative way through prohibitions and threats of death. Public welfare was not established through a ‚good life' for individuals, but instead the many were individualized in a total control for the survival of the good and thus sovereign order. Since the illness could not be healed in individual bodies, at an outbreak of the plague the 'large body' was obviously to be healed through the metaphorical 'medicine' of surveillance and discipline. Hence the plague was not by itself the greatest possible threat, but was in the idea of a comprehensive policey authority also specifically the condition that promised the greatest possible healing with the right governemental medicamentation. And that which was imaginarily healed here was not the individual, the invalid, but rather the state. For in absolutism, the state is only metaphorically 'healthy', when it can establish 'good order' for its own well-being. And since the goal and purpose of the coup d'état was the salvation of the state, the immunization of sovereignty, the counterpart of a policey of the coup d'état was the plague. It represented the best possible reverse, which was, however, usually only dreamed of and imagined as the ideal disorder and chaos for testing comprehensive discipline and surveillance. In an extreme case like the plague, total surveillance and individualization thus became an immunization strategy of power.

Plague and quarantine were, according to Foucault, not the rule, but rather an "exceptional situation"[32], in some measure a model of exercise. In any case they were a "trial [Org. *épreuve*] for the ideal exercise of disciplinary power", the "utopia of the completely

governable city" and thus of society.[33] Exactly this dream, however, did not come true in the 18th century, not only because the elite were the first to flee the city to escape the plague, but also because a comprehensive surveillance by the state with the policey as governing technology could not be enforced against the resistance of the developing idea of a bourgeois subject.

The End of the Welfare Policey

Johann Heinrich Gottlieb von Justi, one of the most influential German police scientists, summarized the dilemma of policey at the time in the mid-18th century: it had to increase the power and strength of the state and simultaneously establish the happiness and 'good life' of the individual. The "central paradox" of the raison d'état policey consisted specifically in the task of "developing the constitutive elements of the life of individuals so that their development also fosters the strength of the state".[34] This comprehensive concept of policey, which comprised both welfare care and protection from dangers under 'good order', thus equating policey with internal administration, underwent "a defining constriction in the course of the 18th century"[35]. At this point welfare came into the foreground, albeit without relinquishing an unlimited claim to administration. All areas of life were regarded as 'policeable'[36]. Von Justi also propounded this idea as professor for policey science in Göttingen. The enlightened, eudaemonic utilitarian policey ultimately took over exactly the area previously covered by the Christian concept of charity.

Von Justi also investigated the "culture of countries"[37], which corresponded to a further meaning of the concept of "policing" that this assumed in the welfare state of the 18th century: namely in the sense of *polite* – courteous, insightful, considerate. However,

this no longer related to a situation such as it was still in the 16th and early 17th century, but instead to the activity of the policey state apparatus. The designations “well policed community” or the “policed (or polite) man”, etc. go beyond the meaning of a ‘good order’ and convey in the 18th century “as much as ‘delicacy’, ‘courtesy’ and ‘beauty’”. Modes of subjectivization were also mentioned in this context, as an “evidence”, source from 1770 spoke of “internal policing of men and states”. ‘Policing’ in these meanings was to be understood in the sense of superiority, separate from that and those which were not policed, do not police themselves. Consequently, it was a matter of a “finer culture and civilization, rising up out of the raw and barbaric”.[38] It would be interesting to more closely investigate this process of transformation in the understanding of policey in the 18th century in conjunction with the imaginary images of being civilized up into the 20th century.

At the end of the 18th century, however, policing as a comprehensive and, unlike jurisprudence, unlimited administrative activity increasingly came into conflict with the notion of a free bourgeois subject, whose private sphere the state’s governing was not to enter into. Voices were increasingly raised, which argued for redefining the purpose of the state and massively limiting policey. The state administrative activity was gradually constrained by excluding eudaemonic competence. The ‘felicity’ of each individual was no longer to be incumbent upon ‘good policey’. Contrary to this, the limited field of the policey was now to focus only on security, specifically understood also as the “security of the freedom of the citizens”[39]. Protection from danger was once again on the agenda of the policey, but now without welfare.[40] The relationship was thus inverted: individual striving for happiness took the primary position, while the state, including the policey,

was to ensure the protection, aid and security of this striving and not to limit or prevent it entirely. Divested of its task of securing felicity, policey was again responsible for preventive protection against danger. It was to take until well into the 19th century, however, for this kind of "material police concept" to prevail. Hence the theory of policey as a scientific discipline also came to an end in Germany.[41]

In conclusion, one more remark that can unfortunately only remain a suggestion: in his reading of von Justi's writings, Foucault emphasizes his outstanding role in the history of policey also because he was, in Foucault's view, the only one who focused on the population and not on the individual. In this way, von Justi marks a transition from the raison d'état to that which Foucault calls 'biopolitics'. This primarily involves regulative interventions in the behavior of individuals in order to be able to govern them through self-conduct, not repressively, but productively: in other words, always also that which Foucault calls 'modern governmentality'. This governability also includes the 'medicinische Policey', on which Johann Peter Frank published the first systematic work at the end of the 18th century in Vienna. Like Delamare's writing, it was intended as instructions and not as a utopia. This "first great program of a public health system"[42] comprised an idea of medical order that functioned in a way completely different from in the centuries before. It was oriented to statistics, probabilities and calculations of risks. The 'medicinische Policey' did not operate by means of disciplinary norms, but rather by means of calculating the normal. With a view to normalization, this health policey was ultimately capable of dealing with a different epidemic in a way that was completely different from the way the plague was dealt with: smallpox. The preventative inoculations against it that were carried out in the

same year that the plague raged for the last time in Marseilles. The primary aim of health policey actions was no longer to prevent smallpox and ensure the well-being of the state through a comprehensive system of control and surveillance. Inoculating people with the very same poison that caused the illness , first using the human pox virus, but then the less dangerous cowpox virus, was an attempt to save people from dying of smallpox, although at the risk that some people might not become immune through the inoculation and would therefore or nevertheless die. But that is another story.[43]

Thanks to Stefan Nowotny, Gerald Raunig and Elmar M. Lorey

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[1] I use the old contemporary German word ‚policey' in the English translation as well, in order to make a distinction from the current understanding of police.

[2] Thomas LEMKE: *Eine Kritik der politischen Vernunft. Foucaults Analyse der modernen Gouvernementalität*. Hamburg: Argument 1997, 158.

[3] Michel FOUCAULT: *Geschichte der Gouvernementalität I. Sicherheit, Territorium, Bevölkerung. Vorlesung am Collège de France 1977-1978*. Ed. Michel Sennelart. Frankfurt/M. 2004, 369-372; Michel FOUCAULT: *Omnes et singulatim*. Zu einer Kritik der politischen Vernunft. In: Joseph Vogl (Ed.): *Gemeinschaften. Positionen zu einer Philosophie des Politischen*. Frankfurt/M.: Suhrkamp 1994, 65-93, 82. -- In the German translations of Italian writing on the *raison d'état* , "Di Stato" was translated at that time as "Policey", an indication of the close meaning of state and

policey. Cf. Hans MAIER: *Die ältere deutsche Staats- und Verwaltungslehre*. München: dtv 1986, 100.

The collection of concrete data that could be counted and measured, which gradually became systematized over the centuries, actually developed into a state science in the late 18th century, namely statistics. Cf. Jürgen LINK: *Versuch über den Normalismus. Wie Normalität produziert wird*. 2nd revised edition, Opladen/ Wiesbaden: Westdeutscher Verlag 1999.

[4] Lemke. *Kritik der politischen Vernunft*, 163. That means a balance of power in relation to other states. Each state must be just strong enough that the stability of an international balance is not shaken.

[5] Franz Ludwig KNEMEYER: Polizei. In: Otto Brunner, Werner Conze, Reinhart Koselleck (Ed.): *Geschichtliche Grundbegriffe. Historisches Lexikon zur philosophisch-sozialen Sprache in Deutschland*. Vol. 4. Stuttgart: Klett-Cotta 1978, 875-898, 877.

[6] Knemeyer, Polizei, 879.

[7] Knemeyer, Polizei, 879. This was the case in some places even into the 18th century. In 1745 Justus Christoph Dithmar, one of the first German policey scholars, still wrote that policey signified "in the good order and constitution of the persons and things of a state" . (quoted from: Knemeyer. Polizei, 879, Fn.26)

[8] Wolfgang REINHARD: *Geschichte der Staatsgewalt. Eine vergleichende Verfassungsgeschichte Europas von den Anfängen bis zur Gegenwart*. München: Beck 1999, 364. See also Knemeyer. Polizei, 881. Maier. *Staats- und Verwaltungslehre,* 83ff.

[9] Maier. *Staats- und Verwaltungslehre,* 85f.

[10] Foucault. Omnes et singulatim, 85.

[11] Foucault. Omnes et singulatim, 81.

[12] Loys de Mayerne TURQUET: *La Monarchie aristodémocratique, ou Le gouvernement composé et meslé des trois formes de légitimes républiques*. Paris: Berjob 1611.

[13] Foucault. Omnes et singulatim, 86.

[14] Foucault. Omnes et singulatim, 67.

[15] Cf. on this history of policey Gerhard SÄLTER: Urbanisierung, Migration und Kriminalität als Begründungskontext für die Entstehung von Polizei. Zur Entstehung einer eigenständigen Polizei im Paris des Ancien Régime (=PoliceyWorkingPapers. Working Papers des Arbeitskreises Policey/Polizei in der Vormoderne 5), 2002, v.a. 12ff. [Online unter: http://univie.ac.at/policey-ak/pwp/pwp_05.pdf]. See also Reinhard. *Geschichte der Staatsgewalt*, 365 and Michel FOUCAULT: *Überwachen und Strafen. Die Geburt des Gefängnisses*. Frankfurt/M: Suhrkamp 1977, 275. What is not taken into consideration here, however, is that the police cannot be understood solely as an apparatus of repression belonging to the sovereign. In French absolutism it was instead able to increasingly take recourse to the denunciatory "Lettres de cachet" from the population. Cf. Arlette FARGE; Michel FOUCAULT: *Familiäre Konflikte: Die „Lettres de cachet"*. Frankfurt/M.: Suhrkamp 1989. On the separation between police and judiciary in German states, see Knemeyer. Polizei, 881ff.

[16] Sälter. Urbanisierung, 15.

[17] Foucault refers to the theory of the coup d' etat at the beginning of the 17th century: Gabriel NAUDÉ: *Science des Princes, ou Considérations politiques sur les coups d'état.* Erstauflage 1639, Neuauflage bei Le Promeneur, Paris 2004 und Jean SIRMOND: *Le Coup d'Éstat de Louis XIII. Au Roy*. Paris 1631 u.a. Vgl. Foucault. *Geschichte der Gouvernementalität I*, 405, Fn.19.

[18] Quoted from: Foucault. *Geschichte der Gouvernementalität I*, 405 Fn. 20.

[19] Foucault. *Geschichte der Gouvernementalität I*, 377-381, Herv. I.L.

[20] Sälter. Urbanisierung, 14 f.

[21] Cf. Sälter. Urbanisierung, 19 ff.

[22] This became evident especially in the attempts to control prostitution (Sälter. Urbanisierung, 20).

[23] It is interesting that although there were many theoretical treatises on an efficient police in the German-speaking states, it was first attempted in Paris to implement this.

[24] Stefan WINKLE*: Geißeln der Menschheit. Kulturgeschichte der Seuchen*. 3. verb. u. erw. Aufl. Düsseldorf: Artemis & Winkler 2005, 498.

[25] Winkle. *Geißeln der Menschheit,* 491 f.

[26] Franz MAUELSHAGEN: Pestepidemien im Europa der frühen Neuzeit (1500-1800). In: Mischa Meier (Hrsg.): *Pest. Geschichte eines Menschheitstraumas.* Stuttgart: Klett-Cotta 2005, 237-265; and Winkle. *Geißeln der Menschheit,* 496 ff.

[27] Mauelshagen. Pestepidemien, 262.

[28] Foucault. *Überwachen und Strafen*, 251.

[29] Foucault. *Geschichte der Gouvernementalität I*, 489.

[30] Foucault quotes the plague ordinance here without precise references.. *Überwachen und Strafen,* 252.

[31] Foucault. *Überwachen und Strafen,* 253.

[32] Foucault. *Überwachen und Strafen,* 263. In the original: „un mal extraordinaire“ (*Surveiller et punir. Naissance de la prison*. Paris: Gallimard 1975, 206). This is not a “state of emergency” in Carl Schmitt’s sense.

[33] Foucault. *Überwachen und Strafen,* 255.

[34] Foucault. Omnes et singulatim, 90.

[35] Knemeyer. Polizei, 886.

[36] Sabine TOPPE: *Polizey und Geschlecht. Der obrigkeitsstaatliche Mutterschaftsdiskurs in der Aufklärung*. Weinheim: Deutscher Studien Verlag 1999, 48.

[37] Quoted from: Michel FOUCAULT.: Die politische Technologie der Individuen. In: Michel Foucault et al: *Technologien des Selbst*. Frankfurt/M.: Fischer 1993, 168-187, 183.

[38] Maier. *Staats- und Verwaltungslehre,* 102.

[39] Toppe. *Polizey und Geschlecht,* 56.

[40] Key word „Polizei“. In: *Staatslexikon. Recht, Wirtschaft, Gesellschaft in 5 Bänden.* Published by the Görres Society. 4. Vol. 7.,

completely revised edition, Freiburg, Basel, Vienna: Herder 1988, 502.

[41] Toppe. *Polizey und Geschlecht,* 59; see also Knemeyer. Polizei; Maier *Staats- und Verwaltungslehre.*

[42] Foucault, “Technologie der Individuen", 170. On ‘medicinischen Policey’ also Foucault, *Geschichte der Gouvernementalität I*, 91ff.; Michel FOUCAULT: “Gesundheitspolitik im 18. Jahrhundert” in: ibid.: *Schriften in vier Bänden. Dits et Écrits. Band III 1976-1979*. Frankfurt/M.: Suhrkamp 2004, 908-929

[43] Cf.: Isabell Lorey: Weißsein und Immunisierung. Zur Unterscheidung zwischen Norm und Normalisierung. Online: http://translate.eipcp.net/strands/03/lorey-strands01de