

OUT OF THEIR DEPTHS:
“MORAL KINDS” AND THE INTERPRETATION OF EVIDENCE IN
FOUCAULT’S MODERN EPISTEME

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ABSTRACT

Michel Foucault’s *The Order of Things* is uniquely relevant to historians because it is about the contradictions of writing history in the present day, and because it makes claims absent from other books often seen as similar, such as Thomas Kuhn’s *The Structure of Scientific Revolutions*. For *Order*, the present-day modern episteme is characterized by unconscious elements that connect Man through time. These unconscious elements are only vaguely discernible to himself and are deformed in the process of representation, that is, by putting experience into words. At the same time, history-writing presumes to pull these unconscious elements out of the depths of human experience, time, and space. These assumptions create contradictions for historians in the present day and warrant particular interpretations of evidence that override alternative plausible interpretations. The inescapable contradictions of writing history in the modern episteme are most apparent in histories of what philosopher Ian Hacking calls “moral kinds,” as shown by an extended analysis of a recent history article on medical experimentation on prisoners. The overarching aim of this essay is to identify stronger, weaker, and usefully plausible interpretations of historical evidence—and, inspired by Foucault, to extend the imaginative possibilities for writing history.

Keywords: Hacking, Kuhn, paradigm, override, human experiment, *The Structure of Scientific Revolutions*, historical method

I. INTRODUCTION

Philosopher Ian Hacking described the intellectual moment of the mid-1960s as a collective realization that truth had a history.² This insight implied that history

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2. Hacking is characterizing a fairly restricted group: the academic elite in Europe and North America. Ian Hacking, “‘Language, Truth and Reason’ 30 years Later,” *Studies in History and Philosophy of Science* 43, no. 4 (2012), 605. Hacking makes this observation when reflecting on the prompts for his own influential efforts to bring history to bear on philosophy, and specifically on his

(with its claim to the past) and philosophy (with its claim to truth) needed each other. Coming of age intellectually in the 1960s, Hacking watched as scholars worked out the new terms of this relationship. Historians' greater appreciation of philosophy and philosophers' openness to history merged in a set of books published in the 1960s, all of which made a roughly similar point: Not only truth-claims, but the very criteria used to make truth-claims, had changed over time in all fields of knowledge.

Michel Foucault's *Les Mots et les choses* was a distinctive and distinctively piquant addition to this buffet of ideas. The book is a critique of historical method, and as such, it remains immediately relevant for working historians.³

The Order of Things is a collection of little empirical claims and micro-observations, which may or may not be strictly accurate,⁴ that assemble into a stunning insight about the process of writing history. In the decades around the turn of the nineteenth century, readers are told, the Western world shifted. It is not clear why; but that is no matter for *Order*. It suffices to say that around this time, circa the death of God, when Westerners made truth-claims about the human condition, they started to do so in an unprecedented way. Before this time, a variety of ways of representing the world had blended together in "the classical episteme," but in the nineteenth century these ways of representing distilled out from one another and constituted "the modern episteme." Modern ways of representing the world consolidated into three distinct spheres: pure mathematical, empirical, and metaphysical-philosophical ways of knowing.

The defining assumption of the modern episteme was that objects of knowledge were connected to one another through time—what *Order* calls "historicity." This time-ordering was different from simple chronology. Whereas chronology of the classical episteme broke up time and set it out in a series oriented around differences, the time-order of the modern episteme linked objects continuously in a stream of time, as if part of a seamless past, present, and future. "Order is, at one and the same time, that which is given in things as their inner law, the hidden network that determines the way they confront one another, and also that which has no existence

work on "styles of scientific reasoning," or as he later preferred, "styles of thinking and doing," which he referred to with the handle "the styles project." He writes: "Already by 1970 I was falling under the spell of Michel Foucault's early archaeologies, which make one rethink not only the past, but truth itself" (599). Hacking was also influenced by Thomas Kuhn and writes about his debt to Kuhn in the Introduction of the fiftieth anniversary reissue of Kuhn's classic: Thomas S. Kuhn, *The Structure of Scientific Revolutions: 50th Anniversary Edition*, 4th ed. (Chicago and London: University of Chicago Press, 2012). To situate Kuhn's *Structure of Scientific Revolutions* within this intellectual milieu, see chapter 3 of John H. Zammito, *A Nice Derangement of Epistemes: Post-Positivism in the Study of Science from Quine to Latour* (Chicago: University of Chicago Press, 2004); Joel Isaac, *Working Knowledge: Making the Human Sciences from Parsons to Kuhn* (Cambridge, MA: Harvard University Press, 2012).

3. Michel Foucault, *Les Mots et les choses: Une archéologie des sciences humaines* (Paris: Editions Gallimard, 1966); Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (New York: Vintage, 1994). To be sure, *Les Mots* is not exclusively a methods book, a point that many scholars have made and is made especially elegantly in Béatrice Han-Pile, "Early Foucault and Transcendental History," in *The Philosophy of History: Talks Given at the Institute of Historical Research, London, 2000-2006*, ed. Alexander Lyon Macfie (Houndmills, UK: Palgrave Macmillan, 2006), 118-137.

4. For an evaluation of the book's historical accuracy, see George Huppert, "Divinatio et Eruditio: Thoughts on Foucault," *History and Theory* 13, no. 3 (1974), 191-207.

except in the grid created by a glance, an examination, a language;" *Order* says, "and it is only in the blank spaces of this grid that order manifests itself in depth as though already there, waiting in silence for the moment of its expression."⁵

For example, in the new empirical domain of the nineteenth century, the fields of biology, economics, and philology emerged out of—without entirely mapping onto—the previous study of life, labor, and language. And within these fields, historicity was an assumption that everyone held when they asserted or recognized a claim as empirically true. In biology, economics, and philology, organisms recapitulated ancestors, language grew roots in prior civilizations, and production spun on the hand of a clock endlessly turning. Yet, *Order* observes, this connection first had to be assumed before it could be discovered. Historicity was a paradox: it was the fundamental precondition for knowledge-making in the modern episteme, and it was also the product of that knowledge-making.

For *Order*, the human sciences merit special attention, distinct from the empirical sciences, because they occupy a weird space. Although the empirical sciences had separated from pure mathematical and transcendental-philosophical forms of knowledge, those three domains (empirical, pure, transcendental) retained a point of overlap, like a Venn diagram—or more accurately, an "epistemological trihedron," *Order*'s three-dimensional image that allows readers to conjure a volume of space.⁶ It was in this zone of overlap that the new human sciences nested, building a roost of contradiction.

The human sciences were the domains of knowledge that made truth-claims about a new object of study, called Man, who had a few distinct features. First, like all objects of empirical knowledge in the modern episteme, Man was defined by historicity—a seamless connection from past, present, and future—that linked him over time as an individual and as part of a group. Second, and again like all objects of study in the modern episteme, historicity was taken to be a function of mechanisms internal to Man and accessed only indirectly. In the human sciences the unconscious became key. For *Order*, it is no coincidence that the human sciences, which assumed humans had depths that were hidden from themselves, came into being simultaneously with the theories of Marx and Freud, whose models of human nature revolved around the idea of an unconscious space inside Man.⁷ The psychoanalytic ambiance of the nineteenth century was only one piece of the modern episteme. Recourse to any number of unconscious factors was used to explain how some things—moods, perceptions, states, experiences—that Man either did not or could not put into words, could nonetheless account for human existence when accessed by a formal knowledge-maker.

5. Foucault, *The Order of Things*, xx; see also 217-220.

6. The image of a three-dimensional space is more apt in light of the book's recurring metaphor of depth of field (as in a painting or in human vision), which is key to *Order*'s conception of the modern episteme (Foucault, *The Order of Things*, 347). But for the sake of verbal economy I refer to the area of intersection in a Venn diagram instead of "epistemological trihedron."

7. To use *Order*'s felicitous phrase, Marxism was "like a fish in water" in late nineteenth-century thought (Foucault, *The Order of Things*, 262). Thus, for *Order*, Marx's concept of false consciousness, which was the mental veil that hid people's own best interests from themselves, had great affinity with Freud's unconscious, which was the puppet master working behind the scenes in all of us and pulling our strings.

But this key to Man's historicity—namely, unconscious elements—also created a problem of representation. If Man can think a thought or speak his experience, he can represent it, and, as a result, the unconscious element necessarily morphs in the process of being represented, which is to say, being put into language. The puzzling project of the human sciences became to investigate “that hiatus between what one wishes to say and the articulation in which that aim is invested, whose subject may not be conscious, but which would have no assignable mode of being if that subject did not have representations.”⁸ In short, for human scientists, including historians, the hidden mechanisms that connected Man through time were rarely accessible, only obliquely perceptible, and inherently debased when put into language.

This contradiction of the human sciences motivates *Order*. On the one hand, the hidden depths, the unconscious elements, of this modern-age human are supposed to be only vaguely discernible to himself, in either thought or speech, and deformed in the process of representation. On the other hand, Man's unconscious element was claimed to be pulled out of his depths—the depths of time and space—by the human sciences. Over the course of *Order*, Foucault builds these two premises, holds them each in a hand and marvels that such a contradiction can be sustained.

This essay is an attempt to understand the nature of this contradiction, to document what it looks like in present-day history-writing, and to point at places where this inescapable contradiction is most intense. It is all part of a workaday effort to understand what distinguishes stronger, weaker, and usefully plausible interpretations of historical evidence. This requires teasing out the distinguishing features of *Order* relative to its rivals, most notably Kuhn's *Structure of Scientific Revolutions*, which I do in the next section. The second half of the paper is a close reading of examples that show where, when, and how historians use the unconscious as an implicit warrant for their interpretations of evidence—and the curious claims this warrant allows. Throughout this piece, I will read *Order* over the shoulder of philosopher Ian Hacking, who has been a lifelong student of Foucault's work and who intersects with his oeuvre in many places. My overarching aim, inspired by Foucault, is to extend the imaginative possibilities for writing history.

II. STRUCTURE, ORDER, AND THE HISTORIAN

Hacking had at least two texts in mind when he heralded the 1960s as the moment when truth got history. In 1962, Kuhn published *The Structure of Scientific Revolutions* and four years later, Foucault published *Les Mots et les choses*. For English-speaking audiences, *Structure* popularized the concepts of “revolutions in science” and “paradigm shifts,” which described how knowledge-making communities could switch over time from a way of thinking that once characterized everyday “normal science” to a fundamentally incompatible way of thinking in which experts were nonetheless capable of making valid truth-claims.⁹ For its part, *Order* brought into parlance the concept of the episteme and spread the view that

8. Foucault, *The Order of Things*, 352.

9. Kuhn pulled the concept of revolutions from Koyré, whose work had reached only a small specialist readership.

there had been fundamental ruptures in how the West organized knowledge over time. It catapulted Foucault's name and his backlist of books over the borders of France—though some, including historian Allan Megill, suspect *Order* was bought considerably more often than it was read, finding it “hard to believe that many of its purchasers actually finished reading it.”¹⁰

Whether absorbed through careful reading or merely caught on the breeze of heavy hand-waving, *Order*'s concept of the episteme and *Structure*'s concept of the paradigm similarly posit that knowledge-makers follow implicit, historically specific rules and conventions for documenting empirical worlds. Both concepts imply that this process presupposes its own objects of study: to document the world, one has to first have a sense of what it might legitimately contain and how it might work. And both books suggest that these ways of knowing are endemic to long moments in time, on the order of centuries, such that a change in knowledge-makers' conceptual arrangements would require an overhaul of all of the tools, words, practices, human relationships, and repertoires of imagination that characterize a period, namely the rupture from the classical to the modern episteme, or a revolution from normal science to a new-normal.¹¹ Both variants of antirealism, the books are cautions against the condescension of posterity.¹² Truths, they say, are temporary.

On the surface, the books seem to be making the same basic point—an appearance that has augured well for *Structure*. It is an open secret that *Structure* is easy reading and conceptually accessible. *Order* is not. Again, here is Megill: *Order* “is incredibly difficult. One needs a high degree of intellectual refinement to get much out of its ‘analytic of finitude’ or its account of ‘the form of the human sciences.’”¹³ If operating on the principle that readers could pick one book and get to the same punchline, scholars could be forgiven for choosing *Structure*.¹⁴

10. Allan Megill, “The Reception of Foucault by Historians,” *Journal of the History of Ideas* 48, no. 1 (1987), 122.

11. Other scholars have written about “ways of knowing” among formal knowledge-makers, for example, John V. Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001).

12. Peter Gordon observes that Kuhn is a softer and more repentant antirealist. For an intellectual history of *Structure*, *Order*, and the ongoing debates about the nature of the real in relation to human mediation, see Peter E. Gordon, “Agonies of the Real: Anti-realism from Kuhn to Foucault,” *Modern Intellectual History* 9, no. 1 (2012), 127-147. Hacking, if idiosyncratic in his antirealism, remains fairly hardcore: Ian Hacking, *Representing and Intervening: Introductory Topics in the Philosophy of Natural Science* (Cambridge, UK, and New York: Cambridge University Press, 1983). Hacking crystalized for historians in my field (history of science) the position that the material world offers no obvious organizing principles and that what people take as natural arrangements are, rather, the result of human mediation of the world. For a pithy overview and new interventions on this point, see Paul A. Roth, “The Pasts,” *History and Theory* 51, no. 3 (2012), 313-339; Paul A. Roth, “Ways of Pastmaking,” *History of the Human Sciences* 15, no. 4 (October 1, 2002), 125-143.

13. Megill, “The Reception of Foucault by Historians,” 122. Megill's piece on the reception of Foucault's writing is directed toward understanding what the reception of scholarship that is both difficult and yet widely recognized can tell us about history as a discipline. Even Foucault's biographer agrees that the book is tough: “Still, even with a simplified synopsis—and by now there are several good ones to choose from—the book sooner or later leaves a reader feeling baffled.” James Miller, *The Passion of Michel Foucault*, reprint ed. (New York: Anchor, 1994), 153.

14. Historical sociologist Andrew Abbott has documented the patterns in how historians have increasingly cited *Structure* in the fifty years since its first publication. Abbott's broader point is that scholars have increasingly used *Structure* as an obligatory citation, rather than as a source of

Even to diligent readers, these texts have seemed suspiciously similar—twins separated at the translator’s office.¹⁵ And since *Structure* preceded *Order*, the anxiety of influence chased Foucault, prompting a line of questioning that made him cranky. In reply to one critic, Foucault said that he read *Structure* only after he had written *Order* and explained, “I therefore did not cite Kuhn, but the historian of science who molded and inspired his thought: Georges Canguilhem.”¹⁶ Political theorist Giorgio Agamben observes that this is a bizarre heritage to attribute to Kuhn and suggests that this invented lineage may well have been payback for Kuhn’s neglect of the man who was, indeed, Foucault’s mentor.¹⁷ Even on more intellectual grounds, says Agamben, Foucault’s impatience was justified. Despite Agamben’s protest, however, the sense of similarity endures. In short, there would seem to be little lost if one accepts that *Structure* and *Order* are examples of simultaneous discovery, two independent announcements of the same basic insight gestated in a common intellectual field.¹⁸ But this would be a mistake.

Structure and *Order* are fundamentally different projects for three reasons. The first builds on Agamben’s point. Not only do the theorists’ use of the term “paradigm” differ, but *Structure*’s paradigm and *Order*’s episteme differ dramatically as well. The two terms are so commonly conflated that it has caused the more insistent methodologists to throw up their hands. Philosopher Arnold Davidson, for one, laments the habit. “I think the general impression is widespread, both within and outside of the discipline of the history and philosophy of science, that nothing of great consequence turns on which of these terms one employs. After all, a quick reading of the relevant literature reveals that, for instance, the ideas of paradigm, incommensurability and episteme are often used more or less interchangeably.”¹⁹ Anthropologist Paul Rabinow agrees: “there are of course

precise claims for historical investigation: Andrew Abbott, “*Structure as Cited, Structure as Read*,” in *Kuhn’s Structure of Scientific Revolutions at Fifty: Reflections on a Science Classic*, ed. Robert John Richards and Lorraine Daston (Chicago: University of Chicago Press, 2016).

15. Foucault’s biographer James Miller believes that the perspectives of Kuhn and Foucault were similar “for very good reason: Kuhn knew and admired the French historians of science” (Miller, *The Passion of Michel Foucault*, 61).

16. Quoted in Giorgio Agamben, “What Is a Paradigm?,” in *The Signature of All Things: On Method*, transl. Luca D’Isanto and Kevin Attell (New York and Cambridge, MA: Zone Books, 2009), 12.

17. Agamben’s particular concern is to show that Foucault’s and Kuhn’s uses of “paradigm” point to different concepts and to fundamentally different methodological imperatives. Foucault used “paradigm” to indicate a pervasive and flexible analogy, whereas Kuhn’s “paradigm” was more akin to a rule-set. This excellent essay advocates for the use of Foucault’s version of “paradigm” and shows the value of studying history through analogical reasoning. I thank Aimi Hamraie for pointing me to this essay: Agamben, “What Is a Paradigm?,” in *The Signature of All Things*, 9-32.

18. I use the phrase “simultaneous discovery” intentionally. Kuhn was obsessed with the concept. See T. S. Kuhn, “Energy Conservation as an Example of Simultaneous Discovery,” in *Critical Problems in the History of Science*, ed. Marshall Clagett (Madison: University of Wisconsin Press, 1959), 321-356.

19. Davidson continued: “Furthermore, one would be hard pressed to determine the exact content of any of these notions, since they have been appropriated and stretched in ways that have resulted in their having very little determinate usage whatsoever.” Davidson ultimately elects to use Hacking’s concept of “style of reasoning” for his own work, and, lesson learned, he usefully clarifies how this concept translates into his historical method. Arnold Ira Davidson, *The Emergence of Sexuality: Historical Epistemology and the Formation of Concepts* (Cambridge, MA: Harvard University Press, 2001), 125-126.

striking parallels between the content of Foucault's and Kuhn's work," but, he continues, "whatever the impact of Kuhn's work in the long run, its scope and subject matter are more limited and inherently different from those of Foucault."²⁰

Structure's paradigm refers to a system of knowledge within an expert community. By contrast, *Order's* episteme refers to a set of working assumptions about the world that resonates far beyond specialist circles: in popular imagination, in networks of government, and in other expert fields. In *Structure*, expert knowledge is bounded by expert communities. Readers intuit that expert knowledge diffuses beyond those networks, but *Structure* takes little interest in how or with what implications. The book is silent on the relationship between what scholars once called, now unfashionably, the inside-versus-outside of science, as well as on the power dynamics assumed (and ignored) in such models of knowledge-diffusion. *Structure's* interest instead is in how knowledge claims within an expert community are perpetuated over time in the face of evidence to the contrary and how expert cosmologies later regarded as obtusely wrongheaded can nonetheless be sustained among experts. They were so smart, *Structure* exclaims, and yet so wrong. By contrast, *Order* takes for granted that even experts are immersed in contemporary worlds, so the imagined boundary between experts and everyone else is a fantastical false dichotomy.²¹ Even experts must hold basic assumptions to operate in a given world, and these assumptions are generative of formal knowledge. Experts may speak a specialist patois, but their terms of debate are embedded in a common grammar that builds in, for example, notions of gender (through pronouns) and of time (through tenses), in the everyday operations of language. The concept of episteme marks how knowledge and political power lean on each other—and indeed must depend on each other because knowledge-making and governance are each always a bit vulnerable.²²

20. Rabinow elaborates that the similarities are "in their emphasis on how scientific reflection and research are organized, operate and change." Paul Rabinow, "Introduction" to Michel Foucault, *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon, 1984), 26.

21. By resisting this dichotomy, Foucault is closer to Ludwik Fleck, whom Kuhn appropriated as his inspiration despite neglecting Fleck's insight on this point. I thank Pat Anthony for reminding me of this affinity. Ludwik Fleck, *Genesis and Development of a Scientific Fact*, ed. Thaddeus J. Trenn and Robert K. Merton, transl. Frederick Bradley (Chicago: University of Chicago Press, 1981); Laura Stark, "The House That Kuhn Built: Teaching Fleck's Genesis and Development through Structure," *Historical Studies in the Natural Sciences* 42, no. 5 (2012), 570-575.

22. There is, nonetheless, a place in scholarship for both Kuhn's paradigm and Foucault's episteme, if readers understand the concepts as complements rather than reiterations. Literary scholar Edward Said, though a thoroughgoing Foucauldian, charitably makes use of Kuhn and attributes to him the concept of the "academic-research consensus or paradigm" (Edward W. Said, *Orientalism* [New York: Vintage, 1979], 275). This academic-research consensus explains scholars' "discursive consistency," which then has "adaptability for use in the public world" (276), that is to say, the world that saturates expert networks and is the world beyond Kuhn's theory. As Said pieces the concepts together, this academic-research consensus is distinct from—though related to—popular discourse. It is worth noting that this pair (the academic-research consensus and the popular discourse) loosely map onto Said's concepts of the latent and the manifest, concepts that Freud used in his own theory of the unconscious. This suggests that Said both believed there was an unconscious element—or "almost unconscious" element—that was inserted in minds through language, and also recognized that the unconscious—as an innate, historically inert human essence—was itself a product of the modern episteme (the episteme in which Said locates his study). For Said, manifest orientalism produced the little accumulations of new knowledge about "the Orient," but did not change the deep (latent) assumptions about this category (275).

Second, whereas *Structure* observes that there are paradigms and that they shift, *Order* both explains the concept of episteme and describes two examples in detail, namely the classical episteme and the modern episteme. *Structure* rests on its impressive, but safe, perch; *Order* strides out on a limb to announce that the defining feature of the modern episteme is historicity. *Structure* can be read as an instruction manual for historians about how to get inside the minds of knowledge-makers in the past.²³ *Order*, instead, critiques the very premise that modern-day history-writers can usefully climb inside the mind of Man. It is an account of the assumptions built into modern renderings of Man and implies there should be deep contradictions embedded in modern scholarship.

The final difference is perhaps easiest to miss. *Structure* is about knowledge-makers in the past; *Order* is about present-day knowledge-makers whose topic is the past. It seems obvious that *Structure* is about the physical sciences, and therefore addressed to historians of astronomy, chemistry, and other quote-unquote real things.²⁴ Likewise, it seems apparent that *Order* is ultimately about the human sciences, and so appears, at first glance, to be appropriate primarily for historians of human sciences.²⁵ Indeed, Hacking described *Structure* with tongue in cheek as a study of the mature sciences and *Order* as a theory of the “immature” sciences.²⁶ But as Hacking well knew, *Structure* takes history-writers for granted, whereas *Order* focuses on the discipline of history as the human science par excellence. As a result, *Order* functions as a mirror to its readers. It allows history-writers to consider how we make the objects we presume exist before we speak of them.

23. In the 1950s, Kuhn underwent psychoanalysis, and historian John Forrester persuasively shows how Kuhn’s experience of analysis influenced—and gave specific meaning to—his conviction that the proper task of the historian is, as Kuhn put it, to “climb into other people’s heads.” John Forrester, “On Kuhn’s Case: Psychoanalysis and the Paradigm,” *Critical Inquiry* 33, no. 4 (2007), 782-818. Paul Roth argues that some of the most necessary historiographical work that *Structure* invites has yet to be done among philosophers of science: Paul A. Roth, “The Silence of the Norms: The Missing Historiography of *The Structure of Scientific Revolutions*,” *Studies in History and Philosophy of Science* 44, no. 4 (2013), 545-552. See also J. C. Pinto de Oliveira, “Kuhn and the Genesis of the ‘New Historiography of Science,’” *Studies in History and Philosophy of Science Part A, Reconsidering the Dynamics of Reason: A Symposium in Honour of Michael Friedman*, 43, no. 1 (March 2012), 115-121.

24. Kuhn himself intended his theory for the physical sciences, though his reason for making this distinction was based on convention. Like many others at the time, Kuhn took for granted that the hard sciences were simply different from the soft (social) sciences; the pure sciences were different from the applied. See Hacking’s Introduction in Kuhn, *The Structure of Scientific Revolutions: 50th Anniversary Edition*. See also the essays in Richards and Daston, eds., *Kuhn’s Structure of Scientific Revolutions at Fifty*.

25. For an intelligent reckoning with *Order* within this division of labor, see Mark Bevir, “A Humanist Critique of the Archaeology of the Human Sciences,” *History of the Human Sciences* 15, no. 1 (2002), 119. To be sure, *Order* dwells extensively on what came to be designated as the natural sciences because Foucault was interested, broadly, in the sciences of life.

26. Ian Hacking, “Michel Foucault’s Immature Science,” *Noûs* 13, no. 1 (March 1, 1979), 39-51. In a separate line of study from his “styles project,” Hacking developed what he calls dynamic nominalism, or the “looping effect of human kinds.” For this later project, Hacking drew not on *Order* (as he did for his “styles of reasoning” work) but instead on Foucault’s later work on discipline. Hacking himself was true to each text, but his project on dynamic nominalism nonetheless helped solidify an overall reading of Foucault as relevant for historians who work on the human sciences and encouraged the intuitive appeal of a divided audience for *Structure* and *Order* in the field of history.

Structure has its uses, but the book is only a partial replacement for the broader and profoundly different work that *Order* does as a history of the human sciences. *Order* shows historians how we have learned to think—our current way of ordering knowledge. *Order* is for all historians because it is about us.

III. THE OVERRIDE: HOW THE MODERN EPISTEME SHAPES HISTORICAL INTERPRETATION

As part of the modern episteme, the practice of history is grounded on a commitment to unconscious elements that are inaccessible to historical actors but accessible to the historian. This commitment to unconscious elements warrants specific maneuvers in historical interpretation: historians can use this essential feature of Man to deauthorize historical actors' representations of their experience without discrediting them as reliable sources. Pushed to the extreme, the historian can contradict actors' accounts of their own experiences with the claim of expert tools, which are presumed to give historians access to nonconscious elements beyond actors' human capacity to represent themselves—access, in other words, to a truer truth.²⁷ At stake is the question of which statements can, in the modern episteme, be assimilated into historians' representations of the past.

Consider a 2009 history article by Nathaniel Comfort on the use of US federal prisoners in medical experiments that were done in the 1930s. It is an exemplary piece because it is fully persuasive in its own terms and recognizable as a strong work of social history. It is also an example of how scholars' enthusiasm for using concepts from the rest of Foucault's oeuvre can subvert the opportunity that *Order* itself offers to question our historical method. My point is not to argue that Comfort interprets his evidence incorrectly, but rather to suggest that this move is emblematic of the historian as a human scientist in the modern episteme.

Early in the article, Comfort explains that “at the heart of human experimentation lie questions of will and submission. Outside the laboratory,” in field experiments on prisoners, for example, “terms such as ‘discipline’ and ‘control’ take on more ominous overtones. In his history of the prison, Michel Foucault explored the concept and practice of discipline along the spectrum of punishment.” The 2009 article summarizes the concept of the panopticon from *Discipline and Punish* and the process of internalization: “Discipline would become self-imposed; state power would be transferred into the very minds of the prisoners; control would be complete.”²⁸

Whereas Comfort looks to *Discipline and Punish* to understand the creation of prisoners as experimental subjects, I look to *Order* to understand the historian's

27. The notion that nonconscious factors are historically relevant for understanding the past is especially apparent in variants of deep history, trauma studies, psychohistory, and history of emotions. For example, see Dominick Lacapra, “Trauma, History, Memory, Identity: What Remains?” *History and Theory* 55, no. 3 (2016), 375-400; for a reassessment of how psychoanalysis can aid history-writing, see Joan W. Scott, “The Incommensurability of Psychoanalysis and History,” *History and Theory* 51, no. 1 (2012), 63-83.

28. Nathaniel Comfort, “The Prisoner as Model Organism: Malaria Research at Stateville Penitentiary,” *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences* 40, no. 3 (2009), 191.

interpretation of evidence—and eventual representation of the prisoner’s experience. In the 2009 article, Comfort fashions an account of the experiences of a specific prisoner by, I argue, discovering the unconscious experiences of the trans-historical figure of the prisoner-subject. With the warrant of the unconscious, the historian can replace the ordinary person located in a given time and space with the timeless figure of a type. To do so, he conjures out of one prisoner’s experience the quintessential experiences of the prisoner type. It is an assertive interpretive move, but possible with the rhetorical habits of history-writing in the modern episteme and its warrant of unconscious elements.²⁹

The 2009 article is based on a close reading of a rare prisoner account that came from an autobiography of a former inmate, Nathan Leopold, published in 1958, the same year he was released from the infamous Stateville federal prison, where he had been sent in 1924 to serve a life sentence plus a ninety-nine-year term for kidnapping and murder. In the 2009 article, Comfort quotes Leopold’s autobiography: “‘The doc[tor]s explained in great detail to each and every volunteer before he was used just what it was planned to do. We were told that there was danger, that we might be sick, that we might die.’”³⁰

In the United States there was, if anything, widespread popular support for research on prisoners in the 1940s and 1950s, despite the rejection of prisoner research in Europe.³¹ The field of modern bioethics consolidated a decade after the prisoner’s autobiography was published, and in 1974 the US Congress passed federal regulations for the treatment of “human subjects” in medical experiments. The new regulations included special protections for four categories of “vulnerable populations,” one of which was prisoners because they had come to be seen in the United States as living in inherently coercive institutions.³² Thus around 1970, an American vernacular crystalized, still intact in the present day, that instructed people about how they should feel and talk about experimentation on prisoners. Since the emergence of modern American bioethics, the liberal American sensibility that prisoners should only in rare circumstances be subjects of human experiments has become entrenched to the extent that the discourse has

29. It is worth noting that the historian is concerned with the prisoner’s agency and will in the imagined past, but not the prisoner’s agency and will in the historian’s present, which is to say the agency that the historian is affording the prisoner through his interpretive decisions.

30. Comfort, “The Prisoner as Model Organism,” 199. The article explains that there were incentives, but that prisoners were also sincerely patriotic and altruistic in the context of World War II and vaccine research being done for soldiers in the Pacific theater.

31. For example, see Henry K. Beecher, “Experimentation in Man,” *JAMA: The Journal of the American Medical Association* 169, no. 5 (1959), 461-478; Laura Stark, *Behind Closed Doors: IRBs and the Making of Ethical Research* (Chicago: University of Chicago Press, 2012). The logic was that involvement in experiments was a way of paying society back for wrongdoing and witnessing one’s changed character. Researchers also tended to have space-specific ethical restraints, sensitivities, and informal rules. Often they were not codified as universal, formal policies, but rather enacted in local practices and procedures. Sydney A. Halpern, *Lesser Harms: The Morality of Risk in Medical Research* (Chicago: University of Chicago Press, 2004). On the popular support for the specific experiments in which Leopold enrolled, see Jonathan D. Moreno, *Undue Risk: Secret State Experiments on Humans* (New York: Routledge, 2001), 32-34.

32. Stark, *Behind Closed Doors*. The consolidation of special protections for prisoner-human subjects was remarkably late compared to European countries responding to Holocaust experiments. American medical leaders actively resisted protections for prisoners, which were explicitly couched as the lessons of the Holocaust, because prisons were the main site of US postwar drug research.

proved politically insurmountable.³³ In recent years, the federal government has tried unsuccessfully to loosen the restrictions on prisoner research: some groups argued that the protections had themselves become discriminatory since they created a void of medical knowledge about the people who tended to be incarcerated (black men) and a dearth of information about site-specific interventions that could reduce illnesses exacerbated by prison settings. Yet modern bioethics had become a sensitizing frame for thinking, writing, and speaking about prisoner-subjects. Prior to the 1970s, however, there were no federal regulations, no font of catch phrases (“vulnerable populations”), no whiff of the conventional revulsion to prisoner experiments that historians, like most Americans, learned to feel after 1970.

In the 2009 article, Comfort quotes the prisoner’s autobiography where he describes the experiments: “No man was coerced or even persuaded . . . Every man who went on the project at Stateville did so because he wanted to, almost because he insisted on it.”³⁴ Yet, Comfort overrides the prisoner’s own representation of his experience. He goes on to argue that, despite the prisoner’s own account to the contrary, the prisoner was, in fact, coerced.³⁵

Why believe what people say? There is good reason not to. Willful lying, as well as satire and other indirect modes of expression, affirm the need for a skeptical eye. Plus, the passage of time can give historians privileged insight. Historians, for example, can know the outcome of historical events and know of events that took place simultaneously, insights that can for historical actors be impossible to know.³⁶ What’s more, historical evidence is created with a purpose and an audience in mind. Add to that the fact that any attempt to capture experience in language solidifies an inherently ambivalent and unstable process of relating within the physical and psychical space of experience. The list of reasons goes on.

In the 2009 article, Comfort is incredulous about the prisoner’s claim but for reasons other than these. The historian discovers unconscious elements that both contradict the prisoner’s self-representation and, for Comfort, explain it. The article implicitly posits that there is an unconscious layer, akin to Marx’s concept of false consciousness, that the historian can pull out of the depths (of time, of space, of experience) and represent with less distortion than the actor can himself. “Coercion was generated through incentives, many of which were distributed by other prisoners, in the spirit of wartime volunteerism, status within the prison culture, and

33. Allen M. Hornblum, *Sentenced to Science: One Black Man’s Story of Imprisonment in America* (University Park: Pennsylvania State University Press, 2007); Osagie Obasogie, “Prisoners as Human Subjects: A Closer Look at the Institute of Medicine’s Recommendations to Loosen Current Restrictions on Using Prisoners in Scientific Research,” in *National Academy of Science, Ethical Considerations for Research Involving Prisoners* (Washington, DC: National Academies Press, 2007); Michael W. Ross, *Health and Health Promotion in Prisons*, Routledge Studies in Public Health (Abingdon, UK, and New York: Routledge, 2013); Leonard S. Rubenstein *et al.*, “HIV, Prisoners, and Human Rights,” *The Lancet* 388, no. 10050 (2016) 1202-14.

34. Comfort, “The Prisoner as Model Organism,” 199.

35. Comfort also sees this as an indication that “the prisoners likely had at least a qualitative understanding of the risks—and certainly this would have increased over the years as gossip circulated through the prison” (*ibid.*).

36. Martin Jay, “Intention and Irony: The Missed Encounter between Hayden White and Quentin Skinner,” *History and Theory* 52, no. 1 (February 1, 2013), 32-48.

in other ways.”³⁷ Comfort acknowledges a wrinkle in his claim: “More prisoners wanted to participate than could; at least some, like Nathan Leopold, lobbied heavily to participate in more experiments than they were asked to and requested to participate in the most dangerous and painful experiments, even though those experiments brought no greater material rewards than the less dangerous ones.” Yet the prisoner’s experience was hidden from himself because “by definition they are in a coercive environment,” Comfort writes. “Foucault could hardly have asked for more.”³⁸

But perhaps *Order*, unlike *Discipline and Punish*, is not asking for more but is anticipating something different: the death of Man and of an order in which categories of human types with a presumed essential timeless experience cease to make sense. Note that Comfort shifts tenses: it is not that prisoners “were,” but that prisoners “are” in a coercive environment. It suggests the will to ground historical truth-claims in the notion of transhistorical human essences— notions that have history and, when used as the underpinnings of historical truth-claims, show how truth itself can have a history. In the 2009 article, Comfort’s shift in tenses reveals the assumption of an essential prisoner, who can be located in different moments of time and in different spaces. Literary critic Edward Said, in one of the most thoroughgoing applications of *Order*, observes that the process of stabilizing a human type, such as the essential features of an Oriental or a prisoner, involves the historian making “summation statements.” These are statements that allow a piece to stand in for a whole on the assumption that there is a whole that hangs together in some essential way. One feature of summation statements is that “it is never clear where in concrete time and space [a phenomenon] is taking place.”³⁹

My point is not that the 2009 article misinterpreted some bedrock reality—a position that would maintain the idea that there is some essential deposit of real experience to be interpreted, like a Rosetta stone, that would allow historians definitive access to the past. Instead the point, inspired by *Order*, is that historical interpretation in the modern episteme is unending; it is the task of sounding

37. Comfort, “The Prisoner as Model Organism,” 201. He continues, “both researchers and research subjects seem truly to have believed that the prisoners freely consented.”

38. *Ibid.*, 202.

39. Said, *Orientalism*. 280. More specifically, for Said a “summation statement” is a statement that “in formulating a relatively uncomplicated idea, say, about Arabic grammar or Indian religion, the Orientalist would be understood (and would understand himself) as also making a statement about the Orient as a whole, thereby summing it up” (255). To be sure, the type does not totally defy recognition because it was indeed “fashioned out of experiences” to produce a representation, which is to say a convergence on some essential aspects (and therefore a new object) (203). Importantly, Said is not overly worried about the fact that history-writers represent actors; it is a project that he too undertakes in full awareness that representation is inevitably partial and ultimately impossible. Said is instead concerned with what history-writers accomplish with the methods conventionally deployed, the justifications implied, and the alternatives ignored. Said is interested in how knowledge of a space known as the Orient had authority only if it came from experts—that is, European scholars—not from the “ordinary” people these Orientalists studied. The expert knew the Oriental better than he could know himself. “Since these categories are primarily schematic and efficient ones,” Said writes, “and since it is more or less assumed that no Oriental can know himself the way an Orientalist can, any vision of the Orient ultimately comes to rely for its coherence and force on the person, institution, or discourse whose property it is” (239).

depths with no bottom. *Order* is an invitation to historians to approach the asymptote of historical knowledge that is drawn by language itself.

IV. IAN HACKING'S "MORAL KINDS": A HYPOTHESIS

This interpretive move of “the override” tends to turn up in specific places, locatable not by the geographical coordinates of an archive, but by the moral compass of a scholarly community when a history is being written. *Order* demurs on the specific question of how contemporary political circumstances shape historians’ interpretations of the past—even though the book was part of Foucault’s broader effort to chart, in the words of Michael Roth, how scholars have been “creators of myths about the past that justified their own present.”⁴⁰ *Order* shows that the modern episteme is characterized by the assumption that unconscious elements connect Man through time, exist outside of Man’s language, and can nonetheless be represented by human scientists, such as historians. For my purposes, Hacking’s use of the term “moral kinds,” though fleeting, is suggestive. It offers a tool to think through the consequences of the claims of *Order* for the working historian and suggests that recourse to the unconscious elements in history-writing is patterned and predictable.

Hacking introduced his concept of “moral kinds” with a riff to an audience in 1988 about his experiences researching the modern concept of child abuse: “I told a young man I was going to interview a lawyer who defends child abusers. He replied, ‘How could someone do *that*? Murderers have to be defended in court, but child abusers?’”⁴¹ For Hacking, this encounter demonstrated the moral magic of *some* language in a given political moment. Abusing children, like torturing, raping, lynching, or eating people, was, for Hacking’s interlocutor, intuitively and viscerally wrong. Hacking thinks most people in the modern West would have the same feeling—and not just in the sense of a shared intellectual position, but in the sense of an immediate full-body response, with guts reacting and knees jerking.⁴²

“Moral kinds” refer to what Hacking calls meta-ethical issues or “absolute wrongs.”⁴³ They are activities and practices that people find so emotionally

40. Michael S Roth. “Foucault’s ‘History of the Present,’” *History and Theory* 20, no. 1 (1981), 37. In the quotation, Roth is specifically referring to Foucault’s characterization in *Birth of the Clinic* of orthodox historians of medicine.

41. Hacking’s explicit formulation of moral kinds first appeared in print in 1990: Ian Hacking, “Two Kinds of ‘New Historicism’ for Philosophers,” *New Literary History* 21, no. 2 (1990), 343. Page references in this paper refer to the later version: Ian Hacking, *Historical Ontology* (Cambridge, MA: Harvard University Press, 2004). Marking the importance of speech-act theory, Hacking cites J. L. Austin to explain moral kinds (67).

42. Occasionally, popular writers provide evidence for his claim. “I’ve put off writing about prisoner-patients because I imagined the overwhelming response from readers would be anger at the idea of convicted criminals receiving free healthcare that many Americans cannot get or afford, even under the Affordable Care Act,” wrote one nurse: Theresa Brown, “When Prisoners Are Patients,” *New York Times*, January 4, 2015, Week in Review. Hacking, of course, thinks people’s immediate sensory responses to meta-ethical issues can change with the application of time, intellection, and a compelling counter-argument (like his own).

43. Hacking, *Historical Ontology*, 69. Hacking pushes on these meta-ethical intuitions that are at once descriptive and evaluative and, most important, so deeply felt they are embodied. They prompt

resonant that it is unnecessary to substantiate their moral status with evidence. People may debate whether child abuse, cannibalism, torture, rape, or murder happened in a given instance, but there is little room for debate in the modern (secular) West that these actions are wrong. In his own work, Hacking has used “moral kinds” to understand what he calls human kinds (or in his later work, “interactive kinds”). Hacking has wanted to know how activities with meta-ethical implications make possible particular kinds of humans who arrive saturated in judgment: a person called an abuser, torturer, or rapist. His interest in moral kinds has been to understand how those standards of judgment come to be. For Hacking, to be a moral issue a behavior has to be *made* a candidate for right or wrongness, just as a scientific issue is one that has been made a candidate for truth or falsehood.

This process of *becoming* a morally laden action happens through the application of language to political sensibilities. For Hacking, new behaviors themselves rarely emerge historically. Instead, Hacking shows that the descriptions people assign to behaviors can emerge, change, or fade away, as can the moral sensibilities tacked to a given action-description.⁴⁴ As a philosopher of language, he believes people use language to consolidate sets of behaviors out of the flow of life (for example, repeatedly whacking a kid) and into distinguishable actions (for example, child abuse) that people can experience as “absolute wrongs.”⁴⁵ As a historian of concepts, Hacking also recognizes that the moral attributes that people associate with behaviors change over time, even if the words (or action-descriptions) stay the same.

Moral kinds come to bear in present-day worlds viscerally—including in historians’ minds and bodies.⁴⁶ Yet moral worlds change, and by definition, can change within the lifetimes of historical actors. In morally malleable times and places, the repertoires available to people for describing experiences will expand, contract, or bend.⁴⁷ When dealing with actions that, in the historian’s present day, are deeply morally freighted, like experimentation on prisoners, history-writers

the kind of outburst his interlocutor gave. They elicit emotions like revulsion or disgust that yield bodily reactions: vomiting, gasps, blushing, or the physical paralysis that can accompany moral refusal.

44. Hacking’s perspective builds on G. E. M. Anscombe’s provocation of “action under a description.” G. E. M. Anscombe, *Intention* (Ithaca, NY: Cornell University Press, 1957).

45. Hacking submits that the example of child abuse shows how an absolute wrong “gets constructed before our very eyes” and suggests that debates about ethical and historical relativity are possible only when “substance such as this is breathed into them.” There is a structure to how moral kinds are made, and Hacking suggests that we “take a look.” Ian Hacking, *Historical Ontology* (Cambridge, MA: Harvard University Press, 2004), 69.

46. Summarizing Hacking, John Zammito describes the 1960s project of historicizing truth (with specific reference to Kuhn’s version) as involving the historicization of the knowledge-maker—typically the knowledge-maker in the past, but it would stand to reason that this description would suit the present-day history-writer, too: “This sense of historical alienation, of ‘dissociation’ in Hacking’s terms, is a historicization not so much of the object of inquiry as of the inquirer her/himself: the realization that we are always situated in a given set of categories through which we order the world, and that these are neither universal nor timeless.” Zammito, *A Nice Derangement of Epistemes*, 64.

47. I am drawing centrally on Paul Roth’s brilliant exegesis and elaboration of Hacking regarding the ontology of “the past”: Roth, “Ways of Pastmaking.” Building on Roth’s insights, see Nancy D. Campbell and Laura Stark, “Making up ‘Vulnerable’ People: Human Subjects and the Subjective Experience of Medical Experiment,” *Social History of Medicine* 28, no. 4 (2015), 825-848. See also the connections drawn between mind sciences and vernacular memory in Alison Winter, *Memory: Fragments of a Modern History* (Chicago: University of Chicago Press, 2012).

pull sensitivities from the depths of their historical actors that bear an uncanny resemblance to their own: The prisoner was coerced.⁴⁸

As a result, moral kinds do rhetorical work for historians. Hacking opens up the possibility that historians' versions of the past are always constrained by their own presently available ways of feeling with (and about) actions. When paired with *Order*, Hacking's concept of moral kinds encourages readers to ask how the spirit of political liberalism might, at times, paradoxically impose a form of intellectual conservatism.⁴⁹ Scholars can foreclose or invite thought and discussion about the available range of ways to describe and experience the past. It depends on how history-writers treat past actions that could be described, in the present, with morally flammable words.

Feminist legal scholar Janet Halley gives an example of how to write beyond the conservatism of purportedly liberal intellectual positions. Halley has spent the past several years seeking to understand and to critique what she calls the "discursive closure" around conventional feminist issues, like rape. In one study, Halley gives a breathtaking interpretation of the 1959 memoir, "A Woman in Berlin," which is conventionally read as a story of a German woman's repeated rape by Soviet soldiers, to dare to ask whether rape during wartime should have its place of relative high priority in international law.⁵⁰ She asks the politically uncomfortable question of whether rape really is, as it is widely cast, "a fate worse than death." Halley never suggests that rape should not be criminalized, but rather questions the recent elevation of rape relative to other war crimes in international law. For example, she points out that the criminalization of rape in wartime both stems from and prescribes a sense that any sex between "enemies" must be rape, regardless of the ambiguity of the act. Halley uses the extreme case of rape in wartime to raise questions about violence, pleasure, and the perverse endorsement of war accomplished by this argument in the name of feminism. Related,

48. For a model critique, see Brian Connolly's review of Lynn Sacco's work on the history of incest: Brian Connolly, "Unspeakable: Father-Daughter Incest in American History. (Book Review)," *Journal of American History* 98, no. 3 (2011), 848-849. Some have accepted the invitation to historicize moral sensibilities. Sociologist Michael Lynch has outlined a method for tracing the history of ethics concepts, which he calls "ethigraphy," and, as an example, anthropologist Emily Wilson has shown how the same images from 1930s experimentation on live fetuses were published in upbeat, "understated" popular news stories at the time, and yet have come to inflame twenty-first-century popular media in light of debates over elective abortion. Michael Lynch, "Postscript Ontography: Investigating the Production of Things, Deflating Ontology," *Social Studies of Science*, 43 no. 3 (2013), 444-462; Emily K. Wilson, "Ex Utero: Live Human Fetal Research and the Films of Davenport Hooker," *Bulletin of the History of Medicine* 88, no. 1 (2014), 132-160. More broadly, my own thinking has been stirred by Monique Scheer's approach to the history of emotions based on Bourdieu's concept of "habitus." Monique Scheer, "Are Emotions a Kind of Practice (And Is That What Makes Them a History)? A Bourdieuan Approach to Understanding Emotion," *History and Theory* 51, no. 2 (2012), 193.

49. Several scholars have articulated how mainstream liberal political agendas have paradoxically sapped power from the groups they intend to protect by re-inscribed conventional notions of power and victimhood. Lila Abu-Lughod, "Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others," *American Anthropologist*, New Series, 104, no. 3 (2002), 783-790.

50. Janet Halley, "Rape in Berlin: Reconsidering the Criminalisation of Rape in the International Law of Armed Conflict," *Melbourne Journal of International Law* 9, no. 1 (2008), 78-124. Halley argues against the position of what she calls "carceral feminists," a useful term in light of my own reading of medical experiments with prisoners.

but in opposition, to the position taken by Comfort of the prisoner experiments in the previous section, Halley thinks it is politically and therefore intellectually important to leave open the possibility that people could consent—even to apparent bodily violations, like sex with the enemy or medical experiments—within contexts characterized by violence, loss of rights, and physical control. She makes a compelling point.

Most important for my purposes, however, Halley describes the dearth of language available to describe her “misgivings” about conventional scholarly characterizations of rape. She found there were no words and, in speaking with audiences, little intellectual space for alternative descriptions of the wartime action conventionally described as rape. By marking the discursive closure around rape, Halley points to the phenomenon that Hacking seeks to characterize with his concept of “moral kinds.” Channeling historians’ intuitions about how to describe the unconscious elements of past worlds, moral kinds narrow interpretations of the past and shape the stories available to be told.

As historically embedded knowledge-makers, historians use moral kinds to create the past and to bring into language the experiences that are taken to be beyond language. Hacking’s concept of moral kinds elaborates the claims of *Order* by showing that the unconscious elements that history-writers pull from the depths of their actors tend to bend, when dealing with meta-ethical issues, toward the sensibilities of the historian.⁵¹

V. CONCLUSION

My interest has been in the conditions that, *Order* argues, make it possible for historians, as human scientists, to make truth claims in the modern episteme. It is the contradictory task of the historian, *Order*’s human scientist par excellence, to assert in language the hidden truths of Man that are beyond language. This requires an epistemological commitment that is as broad as it is deep. For *Order*, the modern episteme and its commitment to connection through time propels the assumption that there is an unconscious layer, whose contents are by definition hidden from actors themselves but nonetheless guide their action and are discernible to the historian. It is the paradoxical task of the modern historian to make the unconscious conscious by representing it in language—a move that deforms it while claiming its truthfulness. The theory of history over the past two centuries can be read as an effort to manage this impossible, necessary endeavor of writing the past in the age of Man. At issue for *Order* is the question of when, where, and how language is imposed on the past—with what warrant and whose alleged language.

51. Hacking deserves credit for defining Foucault’s version of scientific knowledge as a set of statements that are candidates for truth or falsehood. In his writing on styles of scientific reasoning, Hacking consolidates and elaborates Foucault’s modern definition of scientific knowledge, which is best put, in my view, in the essay “History of Systems of Thought,” in Michel Foucault, *Language, Counter-Memory, Practice: Selected Essays and Interviews* (Ithaca, NY: Cornell University Press, 1980).

Order, then, is a tool—which after fifty years has yet to rust—for figuring out what historians are doing when they are doing history. It encourages historians to question modern historical method: to ask what we are doing when we are coming up with answers to historical questions in the first place, what we take to be this figure called Man, this place called the past, these ways of interpreting historical evidence. *Order* remains relevant precisely because historians, as human scientists, continue to labor in the modern episteme that the book both describes and critiques. To expunge history-writing of the assumption of unconscious elements would be to expunge the modern episteme of historicity, which is to say, to reorder knowledge altogether. Perhaps, like Marx's revolution, a new order is indeed just around time's corner.⁵² In the meantime, *Order* merits (re)reading, not as a description of where we were but as a meditation on where we are, and on how modern historical knowledge could be, if not ordered differently, at least made with greater alertness to the habits of mind and practice that now order our ways of knowing.

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52. According to *Order*, orders change when people start to see *that there is* an order: "this culture then finds itself faced with the stark fact that there exists, below the level of its spontaneous orders, things that are in themselves capable of being ordered, that belong to a certain unspoken order; the fact, in short, that order *exists*." It would stand to reason that the modern episteme would be reordered because Foucault was observing it and showing readers how to see it, too. "It is on the basis of this newly perceived order that the codes of language, perception, and practice are criticized and rendered partially invalid" (Foucault, *The Order of Things*, xxi).