

From Biopolitics to Algorithmic Governance: The Changing Nature of Power in Foucault's Power/Knowledge Framework

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Abstract

Michel Foucault's theorisation of power/knowledge fundamentally altered the vocabulary through which political theory understands authority, subjectivity, and governance. Rejecting the classical juridical model of power as a possession exercised downward by a sovereign, Foucault described power as a relational, productive, and capillary force operating through discourse, institutions, and the body. This paper situates Foucault's framework within the wider ideological landscape of Western political thought — between liberal individualism, Marxist economism, Gramscian hegemony, and the critical theory of the Frankfurt School — before tracing its trajectory from disciplinary and biopolitical formulations to its contemporary manifestation in algorithmic governance. It argues that while the disciplinary societies Foucault described regulated bodies through enclosure, surveillance, and normalisation, and biopolitical power extended this regulation to entire populations through statistics, public health, and demography, the emergence of big data, artificial intelligence, and predictive analytics has produced a further mutation of power that this paper terms 'algorithmic governmentality.' Grounding the argument in documented cases — including the Cambridge Analytica data scandal, China's social credit system, India's Aadhaar programme, predictive policing in the United States, the Snowden revelations, and the European Union's regulatory responses under the GDPR and the AI Act — the paper identifies both the continuities between biopolitical and algorithmic power and the qualitative ruptures that distinguish them, particularly the shift from disciplining visible bodies to modulating probabilistic futures. The paper concludes that Foucault's framework, ideologically situated and empirically extended, remains indispensable for understanding contemporary digital power, even as it requires supplementation to account for the post-human, infra-individual character of algorithmic control.

Keywords: Michel Foucault; Power/Knowledge; Biopolitics; Governmentality; Ideology; Algorithmic Governance; Surveillance Capitalism; Digital Power.

Introduction

The concept of power occupies a foundational place in political theory, and for much of the discipline's history it was understood in essentially juridical and sovereign terms: power as something possessed by a ruler, a state, or a class, and exercised downward upon subjects through law, coercion, or the threat of violence. This 'juridico-discursive' model, as Michel Foucault termed it, dominated Western political thought from Hobbes's Leviathan to classical Marxist theories of the state, in which power was always traceable to a centre — the sovereign, the ruling class, the apparatus of the state — from which it radiated outward onto a passive social body.

Foucault's intervention in the 1970s displaced this model decisively. In *Discipline and Punish* (1977) and *The History of Sexuality, Volume One* (1978), and in his lecture courses at the Collège de France, Foucault proposed that power is not a possession but a relation; not a substance located at the top of a hierarchy but a capillary force circulating through the entire social body, produced and reproduced at every point of contact between institutions, discourses, and individuals. Power, for Foucault, is inseparable from knowledge: it does not simply repress truth but produces it, generating the very categories — the criminal, the mad, the sexually deviant, the economically rational subject — through which societies come to know and govern themselves. This is the sense of his famous formulation of power/knowledge (*pouvoir/savoir*): the two are mutually constitutive, such that every exercise of power presupposes a field of knowledge, and every field of knowledge constitutes new possibilities for the exercise of power.

This paper makes two connected arguments. First, that Foucault's own position must be read as a distinct ideological intervention within — and against — the established traditions of liberal, Marxist, and critical theory, rather than as a value-neutral method floating above political ideology; situating Foucault ideologically strengthens rather than dilutes the analytical force of the power/knowledge framework.

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Second, that this framework, developed originally to explain disciplinary institutions such as the prison, the school, the clinic, and the barracks, and later extended to the biopolitical governance of entire populations through public health, demography, statistics, and insurance, provides a still-indispensable lens for understanding a further transformation of power in the early twenty-first century: the rise of algorithmic governance, in which vast quantities of digital data, processed by artificial intelligence and machine-learning systems, produce new forms of surveillance, prediction, and behavioural modulation that operate largely outside the visibility and normative logic of disciplinary and even biopolitical power

The paper proceeds as follows. It first reviews the relevant literature, then sets out the paper's research objectives, research questions, hypotheses, and methodology. It then outlines Foucault's power/knowledge framework in its own terms, before situating Foucault ideologically against liberalism, Marxism, Gramscian hegemony, and the Frankfurt School. The discussion then traces the movement from disciplinary power to biopolitics and, via governmentality, to neoliberal modes of self-conduct, grounding each stage in concrete historical instances. It then examines the rise of algorithmic governance and offers a systematic comparison of biopolitical and algorithmic power, grounds the argument in five documented empirical cases, examines regulatory counter-conduct, offers a critical assessment of the framework's limitations, and concludes.

Literature Review

Foucault's own corpus provides the theoretical bedrock for this paper. *Discipline and Punish* (1977 [1975]) traces the emergence of disciplinary power through an analysis of the prison, arguing that modern institutions produce 'docile bodies' through techniques of hierarchical observation, normalising judgment, and examination, epitomised by Jeremy Bentham's architectural design of the Panopticon (1995 [1791]). *The History of Sexuality, Volume One* (1978 [1976]) extends this analysis to the emergence of biopower, a form of power that takes life itself as its object. Foucault's lecture courses, particularly 'Society Must Be Defended' (2003 [1997]), *Security, Territory, Population* (2007 [2004]), and *The Birth of Biopolitics* (2008 [2004]), further develop biopolitics and governmentality, the latter understood as the 'conduct of conduct.'

Foucault's relationship to earlier and contemporaneous ideological traditions has itself generated substantial debate. Gramsci's (1971 [1929–1935]) theory of hegemony, Marcuse's (1964) critique of one-dimensional society, Horkheimer and Adorno's (2002 [1944]) analysis of the culture industry, and Habermas's (1984 [1981]) theory of communicative action all address, from within different ideological starting points, how domination in advanced industrial societies is secured through consent, culture, and administered rationality rather than through visible coercion alone. This paper engages this debate directly in the discussion of Foucault's ideological location below, arguing that reading Foucault alongside these thinkers strengthens the ideological foundations of the present analysis.

Within governmentality studies proper, scholars such as Rose (1999), Miller and Rose (2008), and Dean (2010) have elaborated how neoliberal rationalities extend biopolitical governance into the conduct of self-managing, entrepreneurial subjects. Gilles Deleuze's 'Postscript on the Societies of Control' (1992 [1990]) anticipated, well before the advent of big data, that disciplinary societies of enclosure were giving way to open societies of control, in which continuous, modulating surveillance replaces the discrete, bounded surveillance of disciplinary institutions.

A more recent body of scholarship applies and extends Foucauldian concepts to digital and data-driven governance. Zuboff (2019) documents how technology corporations extract 'behavioural surplus' from users' data to manufacture 'prediction products.' Rouvroy and Berns (2013) argue that data-driven governance operates through statistical correlation rather than through norms. Cheney-Lippold (2017) shows how algorithmic categorisation constructs fluid, machine-readable 'algorithmic identities.' Han (2017) argues that neoliberal digital power operates through seduction and the compulsion to self-disclosure rather than prohibition. Bauman and Lyon (2013) and Lyon (2018) trace the shift from fixed, panoptic surveillance to fluid, dispersed, and often voluntary forms of data disclosure, while Amoore (2020) and Couldry and Mejias (2019) examine, respectively, the ethical and political-economic dimensions of algorithmic power. Empirically, Greenwald (2014) documents the scale of state digital surveillance revealed by Edward Snowden, Confessore (2018) and Cadwalladr and Graham-Harrison (2018) document the

Cambridge Analytica data scandal, Saunders, Hunt, and Hollywood (2016) provide a rigorous evaluation of predictive policing in Chicago, and Khera (2017) documents the welfare exclusion effects of India's Aadhaar programme.

While this literature richly documents individual moments in the genealogy of power that Foucault opened up, comparatively few studies explicitly trace the continuous arc from disciplinary power through biopolitics to algorithmic governance as a single, ideologically situated, and empirically grounded analytic. This paper addresses that gap.

Research Objectives

1. To explicate Foucault's power/knowledge framework and situate it ideologically in relation to liberalism, Marxism (including Gramscian hegemony), and the critical theory of the Frankfurt School.
2. To trace the conceptual evolution of Foucauldian power from disciplinary power and biopolitics, through neoliberal governmentality, to contemporary algorithmic governance, grounding each stage in concrete historical and empirical cases.
3. To systematically compare biopolitical and algorithmic power along common analytical dimensions, and to assess the Foucauldian framework's explanatory adequacy and the concrete possibilities for regulatory counter-conduct in the algorithmic age.

Research Questions

RQ1: In what ways does algorithmic governance extend, and in what ways does it rupture, the logic of biopolitical power that Foucault identified in modern statecraft?

RQ2: Does the Foucauldian vocabulary of resistance and counter-conduct remain adequate to political action under conditions of algorithmic, a-normative governance, and what concrete institutional forms has such resistance taken?

Hypotheses

H1: Algorithmic governance is not a wholesale rupture from but a mutation of Foucauldian biopolitical power — it preserves the productive, knowledge-generating character of power Foucault described, while shifting its temporality from the normalisation of visible bodies to the pre-emptive modulation of probabilistic futures.

H2: Because algorithmic governmentality operates largely without a stable, contestable norm, Foucauldian counter-conduct in the algorithmic age is increasingly displaced from diffuse social resistance onto formal regulatory and constitutional instruments (such as the GDPR, the EU AI Act, and the Puttaswamy judgment), producing geopolitically uneven possibilities for resistance between jurisdictions that can legislate such norms and those principally subject to algorithmic governance designed elsewhere.

Significance of the Study

The study carries significance at three levels. Theoretically, it contributes to Foucauldian scholarship by offering a single, ideologically situated genealogy running from disciplinary power through biopolitics to algorithmic governance, where existing literature typically treats these moments separately. Pedagogically, it offers students and researchers of Western and comparative political thought a structured framework — spanning liberalism, Marxism, Gramscian hegemony, and the Frankfurt School — for situating Foucault's contested place within the wider ideological landscape, a placement often glossed over in introductory treatments. Practically and for Indian political science in particular, the study connects abstract theory to live policy debates — the Aadhaar programme, the Puttaswamy judgment, and India's own Digital Personal Data Protection Act and Rules — thereby offering a conceptual vocabulary through which Indian students,

researchers, and policymakers can assess the country's evolving data-governance architecture against a wider comparative and theoretical backdrop.

Research Methodology

This paper adopts a qualitative, interpretive, and genealogical method consistent with the Foucauldian tradition it examines. It undertakes a close textual and conceptual analysis of Foucault's primary writings and lecture courses, read alongside key ideological interlocutors (liberal, Marxist, Gramscian, and Frankfurt School texts) and contemporary theoretical and empirical literature on surveillance, data governance, and digital capitalism. The method is comparative-conceptual: each major moment in the genealogy of power — disciplinary, biopolitical, and algorithmic — is analysed along a consistent set of dimensions (object of power, mechanism, temporality, visibility, relation to the norm, and site of resistance). Five empirical cases — the Cambridge Analytica scandal, China's social credit system, India's Aadhaar programme, predictive policing in the United States, and the Snowden revelations — together with two regulatory instruments (the GDPR and the EU AI Act), are drawn from documented secondary scholarship, official reports, and reputable reportage, and are used to ground the conceptual argument empirically rather than to serve as an original fieldwork contribution.

Theoretical Framework: Foucault's Power/Knowledge Nexus

Power as Relational, Productive, and Capillary

Foucault's central methodological break with prior political theory lies in his refusal of the 'juridico-discursive' conception of power — power understood negatively, as prohibition, law, and repression, radiating from a single sovereign centre. Against this, Foucault insists that power must be analysed 'from below,' as a dense web of relations of force that traverses every social institution and every body. Power, in this view, is not primarily repressive but productive: the prison does not merely punish a pre-existing criminal; it produces 'delinquency' as a knowable category and a manageable population. The clinic does not merely treat a pre-existing illness; it produces the very distinction between the normal and the pathological through which bodies come to be understood.

Crucially, power for Foucault is capillary rather than pyramidal: it operates at the most minute levels of social life — the classroom, the factory floor, the medical examination, the confessional — before it is ever consolidated into the visible institutions of the state.

Discourse, Truth, and Regimes of Knowledge

The second pillar of Foucault's framework is the inseparability of power from knowledge. Every society, Foucault argues, produces its own 'regime of truth' — the types of discourse it accepts and makes function as true, and the mechanisms that distinguish true from false statements. The human sciences — psychiatry, criminology, demography, economics — do not simply describe pre-existing human subjects; they constitute new objects of knowledge that simultaneously become new objects of governance. It is this double movement — power constituting knowledge, knowledge enabling new forms of power — that Foucault compresses into the single term power/knowledge, and it is this same double movement, this paper argues, that recurs in mutated form in the algorithmic governance of the digital age.

Foucault's Ideological Location: Liberalism, Marxism, and Critical Theory

Against Liberal Individualism

Classical liberal political theory, from Locke's social contract to twentieth-century rights-based liberalism, presupposes a pre-social, rational, autonomous individual who enters political community to protect prior natural rights, and understands power primarily as an external constraint upon this individual's antecedent freedom that stands in need of justification and consent. Foucault's genealogical method directly undercuts this premise. The 'free,' 'rational,' rights-bearing subject is not liberalism's neutral starting point but one of

its most sophisticated historical productions: the subject is not prior to power but constituted through it, by way of the very disciplinary and confessional technologies liberal institutions rely upon — the school, the prison, the psychiatric clinic, the census. Where liberalism asks how power exercised over an already-free subject can be legitimated, Foucault asks how the presumptively free liberal subject is itself an effect of power. This does not make Foucault straightforwardly anti-liberal — his 1978–79 lectures on liberal and neoliberal governmentality treat the liberal 'art of governing,' which maximises plural freedoms as the very medium through which power operates, with considerable analytical interest — but it does mean his vocabulary refuses liberalism's foundational ontology of the pre-political individual.

Beyond Marxist Economism: Foucault and Gramsci

Foucault positions himself equally against orthodox, economistic Marxism, in which power is reducible to class domination organised around ownership of the means of production, with the state functioning as an instrument of the ruling class and ideology as a superstructural reflection of the economic base. Foucault's insistence that power is productive, dispersed, and irreducible to a single class subject or a single institutional site constitutes an explicit departure from this model; he preferred to analyse specific 'power relations' rather than 'the State' as such, and refused any single economic 'last instance.'

Yet Foucault's project converges suggestively with the Sardinian Marxist Antonio Gramsci, whose theory of hegemony (1971 [1929–1935]) similarly displaced crude economism by insisting that ruling-class domination is secured less through coercion than through the winning of active consent — the moral and intellectual leadership exercised across civil society's institutions (schools, churches, the press, trade unions) that manufactures a 'common sense' in which subordinate groups come to experience the existing order as natural. Both Gramsci's hegemony and Foucault's power/knowledge reject the idea that domination operates chiefly through visible coercion, locating it instead in the everyday production of consent; both insist that ideology, for Gramsci, or discourse, for Foucault, is materially embedded in institutions and practices rather than a set of ideas floating above an economic base. Where they diverge is that Gramsci retains class and the state as ultimate reference points — hegemony is, in the last analysis, always in the service of class rule — whereas Foucault refuses any ultimate reference point, insisting that power relations be analysed in their own specific historical texture. This paper suggests that reading Foucault alongside Gramsci strengthens the analysis of algorithmic governance offered below: the 'common sense' manufactured by contemporary data platforms — the naturalised assumption that convenience justifies constant self-disclosure, and that data extraction is simply the unavoidable price of digital participation — can be understood as a specifically Gramscian hegemonic achievement realised through specifically Foucauldian technologies of the self.

Convergences and Divergences with the Frankfurt School

The Frankfurt School's critical theory provides a third ideological coordinate. Horkheimer and Adorno's *Dialectic of Enlightenment* (2002 [1944]) and Marcuse's *One-Dimensional Man* (1964) had already, well before Foucault, diagnosed how the instrumental rationality of advanced industrial and consumer society produces subjects who mistake administered conformity for freedom. Marcuse's account of a 'one-dimensional' society that absorbs and neutralises critique by satisfying manufactured needs anticipates Foucault's account of power as productive rather than merely repressive, while Adorno and Horkheimer's analysis of the 'culture industry,' which manufactures standardised desire under the appearance of free consumer choice, prefigures later analyses of how digital platforms manufacture engagement under the appearance of free user choice. Habermas (1984 [1981]), writing from within the same tradition but critical of Foucault, argued that the 'colonisation of the lifeworld' by systemic, instrumental logics of money and administrative power erodes the communicative rationality through which citizens could otherwise deliberate and contest such logics — a diagnosis strikingly applicable to algorithmic platforms that increasingly mediate public discourse through engagement-optimising algorithms rather than open deliberation. Foucault differs from the Frankfurt School principally in refusing its residual attachment to a standard of undistorted communication against which administered society could be critically measured; for Foucault there is no power-free zone of pure rationality to which critique could appeal, only the strategic reversibility of power relations themselves. Situating Foucault alongside Gramsci, Marcuse, Horkheimer-

Adorno, and Habermas demonstrates that the critique of algorithmic governance developed in this paper draws on a broad and ideologically variegated tradition spanning structural Marxism, cultural critique, and post-structuralism — and it is this composite ideological foundation, rather than Foucault read in isolation, that best equips political theory to diagnose the 'common sense' of the algorithmic age.

From Discipline to Biopolitics

Disciplinary Power and the Body

Discipline and Punish opens with two contrasting historical scenes separated by less than a century: the 1757 public execution of the regicide Robert-François Damiens in Paris, in which the condemned man's body was publicly tortured and dismembered before a crowd, and, roughly eighty years later, the minutely regimented daily timetable of a Paris house of young offenders, governed not by spectacular violence but by the clock, the rule, and constant supervision. Between these two scenes, Foucault argues, an entire mutation of power took place: from a sovereign power that displayed itself through the spectacular destruction of the body, to a disciplinary power that worked silently and continuously to render the body docile and productive.

Disciplinary power operates through three principal techniques: hierarchical observation, in which subjects are rendered constantly visible to a supervisory gaze; normalising judgment, in which conduct is evaluated against a statistically and morally defined norm; and the examination, which combines observation and normalisation to produce a documented, individualised case file on each subject. Jeremy Bentham's Panopticon (1995 [1791]) — an architectural design in which a central watchtower renders every cell visible while the watcher himself remains unseen — serves Foucault as the diagrammatic essence of disciplinary power: its genius lies not in constant actual surveillance but in the internalisation of the possibility of being watched. The French agricultural penal colony of Mettray, established in 1840 for juvenile offenders, functions in Foucault's account as the emblematic disciplinary institution, fusing monastic, military, workshop, and educational techniques of the timetable and hierarchy under a single roof.

Biopolitics: Governing Population and Life

From the late eighteenth century onward, Foucault argues, a second and complementary form of power emerges alongside the disciplining of individual bodies: biopower, which takes as its object the population as a biological and statistical entity. Where disciplinary power asks how to render this body docile and productive, biopolitical power asks how to optimise the health, fertility, longevity, and productivity of an entire population, through instruments such as public health campaigns, vital statistics, census-taking, insurance, and demographic planning. Concrete nineteenth-century instances that Foucault and subsequent scholars invoke include Edwin Chadwick's 1842 Report on the Sanitary Condition of the Labouring Population, which fed directly into England's Public Health Act of 1848 and the creation of a General Board of Health; the growth of actuarial life-insurance tables calculating mortality risk across entire populations; and large-scale smallpox vaccination campaigns across nineteenth-century Europe, which required, for the first time, the systematic biological administration of an entire national population rather than merely the correction of individual bodies. Foucault famously reformulates the classical sovereign right to 'take life or let live' as the biopolitical power to 'make live and let die': the modern state's legitimacy increasingly rests on its capacity to foster and administer the biological life of its population, even as this same logic can, in its most extreme historical instances, license the exclusion of populations deemed to threaten the biological health of the whole.

Governmentality and the Neoliberal Bridge

Between biopolitics and algorithmic governance lies a crucial conceptual bridge that Foucault himself began to construct in his late lecture courses: governmentality, or the 'conduct of conduct' — not the direct command of bodies but the structuring of the field of possible actions available to free subjects, such that they come to govern themselves in ways aligned with the objectives of political authority. In *The Birth of Biopolitics*, Foucault engages directly and at length with the Chicago School economists Gary Becker and

Milton Friedman, analysing how their theory of 'human capital' reconceives the individual as an entrepreneur of the self who continuously invests in, manages, and optimises their own skills, health, and conduct as if managing an enterprise.

This neoliberal, self-optimising subject is significant for the present argument because it is precisely this subject — voluntarily quantifying, tracking, and disclosing data about their own bodies, habits, preferences, and movements through fitness trackers, social media, and smartphone applications — who supplies the raw material for algorithmic governance. The neoliberal governmentality that Foucault diagnosed in the 1970s prepared the subjective terrain — a self habituated to self-monitoring and self-disclosure — on which twenty-first-century data capitalism would later build; this is also, as argued above in the discussion of Gramscian hegemony, precisely the terrain on which a Gramscian 'common sense' of voluntary self-exposure has been hegemonically secured.

The Rise of Algorithmic Governance

Data as the New Site of Power/Knowledge

If disciplinary power constituted the delinquent and biopolitical power constituted the population, algorithmic power constitutes a new object of knowledge: the data profile, or what Deleuze (1992), anticipating this development, called the 'dividual' — the individual decomposed into a set of discrete, tradeable data points (clicks, locations, purchases, biometric signals) that can be recombined, correlated, and acted upon independently of any unified subject. Algorithmic knowledge is generated automatically and continuously as a by-product of ordinary digital activity, then aggregated by machine-learning systems capable of detecting correlations invisible to human observation.

Surveillance Capitalism and the Manufacture of Prediction

Zuboff (2019) provides the most influential contemporary account of how this data-based power/knowledge is organised economically, arguing that dominant technology corporations have pioneered surveillance capitalism, in which human experience is unilaterally claimed as free raw material and processed into 'prediction products' sold in new markets for future behaviour. The Cambridge Analytica affair offers a concrete illustration: in 2018 it emerged that personal data harvested from a personality-quiz application built by the researcher Aleksandr Kogan had been improperly shared with the political consultancy Cambridge Analytica, which had worked for the 2016 Trump presidential campaign; Facebook itself later confirmed that the data of up to 87 million users — the overwhelming majority in the United States — may have been affected (Confessore, 2018; Cadwalladr & Graham-Harrison, 2018). The episode demonstrates, in miniature, Zuboff's argument that ordinary behavioural traces, aggregated at scale, can be converted into a resource for micro-targeted political persuasion — a capacity no disciplinary or classical biopolitical institution possessed.

Algorithmic Governmentality: Governance Without Norms

Rouvroy and Berns (2013) push this analysis further, arguing that algorithmic governance represents a distinct rupture from disciplinary and biopolitical power because it is fundamentally a-normative. Disciplinary and biopolitical power, however coercive, still operated through reference to an explicit norm against which deviation could be measured, contested, or resisted. Algorithmic governmentality, by contrast, operates through statistical correlation among masses of data points, without ever constructing a stable, generalisable norm; each subject is instead compared only to their own continuously updated data-double, or to dynamically shifting clusters of similar profiles. This is what Cheney-Lippold (2017) terms the 'algorithmic identity': a fluid, machine-generated categorisation of the subject — as statistically 'creditworthy' or 'high-risk,' for instance — that can shift moment to moment as new data accrues, and that the subject may never see or be able to contest.

Continuities and Ruptures: Comparing Biopolitical and Algorithmic Power

The genealogy traced above suggests that algorithmic governance is best understood neither as a simple continuation of biopolitics nor as its wholesale replacement, but as a mutation that preserves certain structural features of the Foucauldian model while introducing genuine ruptures. Table 1 summarises this comparison across six analytical dimensions.

Table 1. Comparing Disciplinary/Biopolitical and Algorithmic Power

Dimension	Disciplinary / Biopolitical Power	Algorithmic Power
Object of power	The individual body; the population as an aggregate of bodies	The 'dividual' — fragmented data traces, profiles, and behavioural signals
Mechanism	Enclosure, hierarchical observation, normalising judgment, examination	Continuous data capture, correlation, prediction, and pre-emptive nudging
Temporality	Sequential and cumulative; discipline unfolds over biographical time	Real-time and anticipatory; power acts on probable futures before they occur
Visibility	Architecturally visible (the Panopticon); subjects know they may be watched	Largely invisible and opaque; subjects rarely perceive the infrastructure of capture
Relation to the norm	Normative: conduct is judged against a statistical or moral norm	A-normative: governance by correlation, without reference to a stable norm
Site of resistance	Counter-conduct against visible institutions and identifiable norms	Diffuse and difficult; increasingly relocated to statutory/regulatory intervention (e.g., GDPR, AI Act)

The continuities are significant: both forms of power are productive rather than merely repressive; both are inseparable from an accompanying regime of knowledge; and both operate capillary-wise, through the ordinary texture of everyday institutional life. The ruptures, however, are equally significant. Where biopolitical power addressed a relatively stable, enumerable population within a normative horizon open, in principle, to public contestation, algorithmic power addresses fragmented data-doubles that no longer correspond neatly to embodied individuals or bounded populations, operating through correlations that are frequently proprietary, opaque, and adaptive. The shift, in short, is from a normalising power that disciplines visible bodies against a known standard, to a modulating power that pre-emptively shapes probable futures on the basis of correlations the subject can neither see nor, typically, contest.

Illustrative Cases

Five documented cases ground the conceptual argument developed above. First, the Cambridge Analytica affair, discussed above in relation to surveillance capitalism, illustrates surveillance-capitalist behavioural extraction operating at the scale of a national election. Second, China's social credit system, first announced by the State Council in 2014 and implemented through a patchwork of local and national databases, aggregates financial, legal, and behavioural data into composite trustworthiness ratings; the National Public Credit Information Center's own 2018 annual report recorded that individuals with low scores were blocked from purchasing flight tickets some 17.5 million times and high-speed rail tickets some 5.5 million times in that year alone (Kuo, 2019), offering perhaps the most explicit contemporary institutionalisation of algorithmic governmentality as public policy.

Third, the Snowden revelations of 2013 exposed the scale at which the United States National Security Agency, through programmes such as PRISM, collected telecommunications metadata on a mass, population-wide basis (Greenwald, 2014), demonstrating that the algorithmic extension of biopolitical power is not confined to commercial platforms but operates equally within the sovereign security apparatus that Foucault's own account of biopolitics originally analysed. Fourth, predictive policing systems such as the Chicago Police Department's Strategic Subject List, which assigned algorithmically generated risk scores to individuals believed likely to be involved in gun violence, were evaluated by the RAND Corporation and found to have had no statistically significant effect on reducing shootings while increasing the likelihood that listed individuals would be subject to police contact and arrest (Saunders, Hunt, & Hollywood, 2016) — a striking illustration of a-normative, correlation-based governance producing consequential material effects without any corresponding judicial finding of wrongdoing.

Fifth, India's Aadhaar programme, the world's largest biometric identity system, had enrolled more than 1.4 billion residents by 2025 and underpinned over 2,200 government schemes, including Direct Benefit Transfer and the Pradhan Mantri Jan Dhan Yojana, with cumulative biometric authentication transactions crossing 150 billion by early 2025 (UIDAI). Alongside its stated efficiency gains in welfare delivery, researchers including Khera (2017) have documented how biometric authentication failures — arising from poor rural connectivity, worn fingerprints among elderly manual labourers, or server downtime — have in some cases resulted in the wrongful denial of entitled foodgrain under the public distribution system, with several such exclusion cases in states including Jharkhand drawing sustained academic and journalistic scrutiny between 2017 and 2018. The Aadhaar case thus illustrates, with particular force for Indian political science, how a programme conceived in classically biopolitical terms — the efficient administration of population welfare — is increasingly delivered through a biometric-algorithmic infrastructure whose failures fall disproportionately on the very population it claims to serve.

Regulatory and Political Counter-Conduct in the Algorithmic Age

If, as Rouvroy and Berns (2013) argue, algorithmic governmentality tends to dispense with a stable, contestable norm, then an important empirical question — central to RQ2 and to Hypothesis H2 — is whether political and legal counter-conduct remains possible, and in what institutional form. Two recent regulatory developments suggest that it does, even if unevenly. The European Union's General Data Protection Regulation, which took effect on 25 May 2018, granted individuals enforceable rights to erasure, data portability, and — under Article 22 — a right not to be subject to purely automated decisions producing significant legal effects without meaningful human involvement, reintroducing an explicit legal norm into a domain that algorithmic processing had threatened to render a-normative.

More recently, the EU's Artificial Intelligence Act (Regulation (EU) 2024/1689) entered into force on 1 August 2024, and its prohibitions on 'unacceptable risk' AI practices became directly applicable from 2 February 2025. Among the practices the Act explicitly prohibits are the social scoring of natural persons by public authorities on the basis of social behaviour or predicted personal characteristics, and certain forms of purely profile-based predictive policing — practices that correspond closely to the Chinese social credit and Chicago predictive-policing cases examined above. The AI Act thus represents a direct political refusal of exactly the a-normative mode of governance Rouvroy and Berns describe, reintroducing an explicit prohibitory norm ('this practice is unlawful') into a domain that had threatened to escape normative judgment altogether — a contemporary, statutory instance of what Foucault would call counter-conduct, even though its author is a supranational regulator rather than a dispersed social movement.

India offers a further, judicially articulated instance of such counter-conduct. In *Justice K. S. Puttaswamy (Retd.) v. Union of India* (2017), a nine-judge bench of the Supreme Court of India unanimously recognised the right to privacy as intrinsic to the right to life and personal liberty under Article 21 of the Constitution — a judgment delivered in significant part in response to constitutional challenges to the Aadhaar programme, and one that has since anchored subsequent debate over the legal limits of biometric and algorithmic governance in India. This constitutional foundation has since been carried into statute: Parliament enacted the Digital Personal Data Protection Act, 2023 on 11 August 2023, and the Ministry of Electronics and Information Technology notified the accompanying Digital Personal Data Protection

Rules, 2025, together with the constitution of the Data Protection Board of India, on 13–14 November 2025, giving India, for the first time, a comprehensive statutory consent-based framework governing the processing of personal data, with phased compliance obligations for data fiduciaries over an eighteen-month period. Taken together, the GDPR, the EU AI Act, the Puttaswamy judgment, and India's own DPDP Act and Rules suggest that Foucauldian counter-conduct in the algorithmic age increasingly takes the form of constitutional and statutory norm-creation, even as its reach, and the maturity of accompanying enforcement machinery, remains geographically and institutionally uneven — India's own framework, notably, still lacks an AI-specific regulatory instrument comparable to the EU AI Act's risk-tiered prohibitions.

Critical Reflections and Limitations of the Foucauldian Framework

While the Foucauldian framework, ideologically situated and empirically extended as above, retains considerable explanatory power, its limitations for the algorithmic age should be acknowledged. Foucault's own analysis offers comparatively little on the political economy of power — a limitation Zuboff's (2019) synthesis of Foucauldian and Marxian categories seeks to remedy by grounding surveillance capitalism in the accumulation imperatives of specific corporate actors. Han (2017) goes further, arguing that neoliberal digital power increasingly operates through positive mechanisms — likes, rewards, gamified self-tracking — that induce voluntary self-exposure rather than the imposed discipline central to Foucault's own account, a shift he regards as exceeding rather than merely extending the Foucauldian model.

A further limitation concerns the uneven institutional reach of the regulatory counter-conduct documented above. The GDPR and the AI Act bind entities operating within, or targeting, the European Union; they leave largely untouched platforms and state agencies operating outside that jurisdiction, and enforcement capacity varies considerably even among signatory states. India's own DPDP Act and Rules now supply a comprehensive statutory framework for personal data processing, narrowing but not closing this gap: what India still lacks, as of this writing, is AI-specific legislation of the kind embodied in the EU AI Act, so that risk-tiered prohibitions on practices such as social scoring or purely profile-based predictive policing have no direct Indian statutory analogue, and constitutional litigation of the kind culminating in Puttaswamy continues to carry a disproportionate share of the burden of normative counter-conduct in this narrower domain. This unevenness suggests that Foucauldian resistance in the algorithmic age is not merely a conceptual difficulty, as Rouvroy and Berns imply, but also a distinctly geopolitical one, reproducing familiar core-periphery asymmetries between the jurisdictions capable of legislating algorithmic norms and those principally subject to algorithmic governance designed elsewhere.

Conclusion

This paper has traced the genealogy of Foucault's power/knowledge framework from its original disciplinary and biopolitical formulations, through the neoliberal governmentality that bridges the twentieth and twenty-first centuries, to its contemporary mutation in algorithmic governance. It has argued, first, that Foucault's own position is best understood as a distinct ideological intervention against liberal individualism and Marxist economism, and in productive tension with Gramscian hegemony and the Frankfurt School's critical theory — a composite ideological foundation that strengthens rather than dilutes the analysis of algorithmic power. It has argued, second, that algorithmic power preserves the productive, capillary, knowledge-generating character of power Foucault identified, while introducing genuine ruptures in temporality, visibility, and its relation to the norm — ruptures made concrete in this paper through five documented cases spanning commercial data extraction, state social scoring, mass surveillance, predictive policing, and biometric welfare administration.

Both hypotheses advanced at the outset find support in this analysis. Hypothesis H1 — that algorithmic governance mutates rather than ruptures biopolitical power — is borne out by the comparative analysis: the object of power has fragmented from population to 'dividual,' and its temporality has shifted from normalisation to pre-emption, yet its productive, knowledge-generating logic remains recognisably Foucauldian throughout. Hypothesis H2 — that counter-conduct is being displaced onto formal regulatory and constitutional instruments — is likewise supported by the empirical record: the GDPR, the EU AI Act,

the Puttaswamy judgment, and India's own DPDP Act and Rules all represent the reintroduction of an explicit, contestable norm into domains that unregulated algorithmic processing had rendered a-normative, even as the geographic and institutional unevenness of this regulatory response confirms the geopolitically stratified character of contemporary resistance anticipated in H2.

The paper's central conclusion is that Foucault's power/knowledge framework remains indispensable for understanding contemporary digital power, precisely because it was never a static theory of any one historical formation but a method for analysing how power and knowledge co-produce one another in any given conjuncture. At the same time, the paper has shown that this framework requires deliberate extension — through explicit ideological positioning vis-à-vis Marxism and critical theory, through engagement with political economy and the theory of the 'dividual,' and through close attention to concrete regulatory counter-conduct such as the GDPR, the EU AI Act, the Puttaswamy judgment, and India's DPDP Act and Rules — if it is to furnish not only a diagnosis of algorithmic power but also a realistic account of the uneven, geopolitically stratified possibilities for its contestation. Future research might usefully extend this comparative framework to specific national and regional contexts, examining how biopolitical and algorithmic modes of power interact within particular legal, institutional, and cultural settings, and in particular how India's DPDP Rules are enforced in practice during their phased eighteen-month compliance period.

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