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Dossier

# A decolonial critical theory of artificial intelligence: intersectional egalitarianism, moral alignment, and Al governance

Uma teoria crítica decolonial da inteligência artificial: igualitarismo interseccional, alinhamento moral e governança da IA

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#### ABSTRACT

In this paper, I argue for a normative reconstruction, from a decolonial perspective of critical theory in Brazil and Latin America, of a democratic ethos that despite its weaknesses and normative deficits is capable of fostering an increasingly deliberative, participatory, and egalitarian democracy by making extensive use of new digital technologies (comprising both AI systems and digital governance). Its argumentative core boils down to the promotion of intersectional egalitarianism (socio-economic, gender, racial-ethnic, environmental) through digital inclusion, which seems only feasible to us from a perspective capable of accommodating the normative claims of a critical decolonial theory combined with a naturalistic view of sustainability, within a research program that I dubbed "mitigated social constructionism" in response to the phenomenological deficit of normative and naturalistic theories (including critical theory and neurophilosophy). If what matters is normativity, then to avoid the divide between naturalism and non-naturalist normativity one nonfoundationalist alternative is to resort to hermeneutical and procedural accounts of normativity as helpful clues to making sense of the naturalism-normativity problem, avoiding reductionist interpretations of both naturalism (Churchland) and normativism (Parfit).



**Keywords:** AI, critical theory, decoloniality, digital governance, egalitarianism, intersectionality, value alignment.

#### RESUMO

Neste artigo, defendo uma reconstrução normativa, a partir de uma perspectiva decolonial da teoria crítica no Brasil e na América Latina, de um ethos democrático que, apesar de suas fraquezas e déficits normativos, seja capaz de promover uma democracia cada vez mais deliberativa, participativa e igualitária, fazendo uso extensivo de novas tecnologias digitais (incluindo sistemas de IA e governança digital). O seu núcleo argumentativo resume-se à promoção do igualitarismo interseccional (socioeconômico, de genero, étnico-racial, ambiental) através da inclusão digital, o que só nos parece viável a partir de uma perspectiva capaz de acomodar as reivindicações normativas de uma teoria decolonial crítica combinada com uma visão naturalista da sustentabilidade, no âmbito de um programa de investigação que denominei "construcionismo social mitigado" em resposta ao défice fenomenológico das teorias normativas e naturalistas (incluindo a teoria crítica e a neurofilosofia). Se o que importa é a normatividade, então, para evitar a divisão entre o naturalismo e a normatividade não-naturalista, uma alternativa não-fundacionalista é recorrer a explicações hermenêuticas e processuais da normatividade como pistas úteis para dar sentido ao problema naturalismo-normatividade, evitando interpretações reducionistas tanto do naturalismo (Churchland) quanto do normativismo (Parfit)

**Palavras-chave:** IA, teoria crítica, decolonialidade, governança digital, igualitarismo interseccional, alinhamento de valor.

#### 1 Introduction

I must start by remarking, from the outset, that, we do not have in Brazil a democratic, rule-of-law State in its performative plenitude nowadays: there are persisting normative deficits (ethical-moral, legal-legal, political-governmental) in our current civil society, in the very emergent democracy that Brazilians have been experiencing since the last decade of the last century, with the transition to democracy after 21 years of military dictatorship (1964-1985) and following the 1988 Constitution. (Streck, 2014, p. 353) Thus, according to the last issues of the Democracy Index of The Economist (2020), Brazil remains a "flawed democracy" despite its regular elections and basic civil liberties being honored, but there are also signs of "underdeveloped political culture, low levels of participation in politics, and issues in the functioning of governance". It is therefore paramount to conceive of our democratizing process as a work in progress that can benefit from AI, new technologies, and the promises of a digital democracy. This article reflects an ongoing interdisciplinary research program in Critical Theory, Normativity, and Naturalism (supported by CNPq since 2013), having revisited several themes in Neurophilosophy (or Philosophy of Neuroscience, broadly conceived, also covering Neuroethics, Ethics of Artificial Intelligence and Neural Networks), in particular the so-called "social brain" problem. In this paper, I argue that if what matters is normativity, then to avoid the divide between naturalism and non-naturalist normativity one nonfoundationalist alternative is to normatively reconstruct, from a decolonial perspective of critical theory, a democratic ethos, which despite its weaknesses and normative deficits, is capable of fostering an increasingly deliberative, participatory and egalitarian democracy in Brazil and Latin America, by making extensive use of new digital technologies (comprising both AI systems and AI governance). Its argumentative core boils down to the promotion of intersectional egalitarianism (socio-economic, gender, racial-ethnic, environmental) through digital inclusion, which seems only feasible

to us from a perspective capable of accommodating the normative claims of a critical decolonial theory combined with a naturalistic view of sustainability, within a research program that I dubbed "mitigated social constructionism" in response to the phenomenological deficit of normative and naturalistic theories (including critical theory and neurophilosophy). Hermeneutical (Dworkin, Ricoeur, Foucault) and procedural (Rawls, Habermas) accounts of normativity could be evoked as helpful clues to making sense of the naturalism-normativity problem without succumbing to their respective reductionist versions, say, as they could be found in Patricia Churchland (2011) and Derek Parfit (2011).

Ricoeur (1950) spoke of phenomenological hermeneutics a decade before Gadamer's Truth and Method came out in German, and it was his evoking of the trivium Marx, Nietzsche, Freud that inspired Foucault to conceive of a hermeneutics of suspicion in his own genealogical account of biopolitics, sexuality, and subjectivation -not necessarily in that order. Contrary to both Kant and Husserl in their tendency to reduce the self and world to the transcendental subject that thinks of the world as its object of perception, representation, and thought (cogitatio), Ricoeur (1965) thinks the dichotomy of the subject and the object to be real, although metaphysically inconclusive. As over against the objectifying empiricism of others, he maintains that, in order "to understand the relations between the involuntary and the voluntary we must constantly reconquer the Cogito grasped in the first person (le Cogito en première personne) from the natural standpoint." (Ricoeur, 1960, p. 9). Thus Ricoeur (1960, p. 21) goes on to assert the "reciprocity of the voluntary and the involuntary," in the conciliation of nature (the "corps propre" which I am) with freedom (my appropriation of a meaningful world through incarnation), as an alternative to the paradoxical duality of the involuntary and the voluntary. The traditional opposition of phenomenology to naturalism must be overcome as Ricoeur (1969) goes beyond the psychological dualism of the subject and the object, without eliminating the duality of the involuntary and the voluntary. For in the innermost center of the human will, Ricoeur argues, remains the existential paradox of the "chosen" and the "undergone" (le paradoxe de l'existence choisie et de l'existence subie). Even if imagined in a fictional control of the imaginary, for instance, in literary, musical, and artistic creation, since everyday language (as most analytic philosophers aptly subscribe to) already contains concepts that apply to action —say, those of propositional attitudes, reasons, causes, acts, consequences, agents, and patients, together with temporal variation and change: for Ricoeur (1975), "narrative discourse configures such heterogeneous concepts into a discourse that locates actions in a time where one thing happens not just after something else but because of something else in a followable story or history." (Pellauer and Dauenhauer, 2022) Legal hermeneutics, just like the interpretation of the Torah, the Talmud, and biblical texts, came also to the fore in Dworkin's (1986) mature interpretivism, according to whom adjudication is and should be interpretive, as judges must decide hard cases through an interpretation of the political structure of their community as a whole, from the most profound constitutional rules, so-called "essentials", to the details of contractual particulars.

Another Continental counterpart to Oxford normativism was Cornelius Castoriadis (1975), in his critique of functionalist theories concerning the forms of societies and their institutions, by embracing Spinoza's view of social, political imagination and taking it down to the roots with his view of "the radical instituting imagination" (*l'imaginaire radical instituant*) by which the established social imagination is created, emerging through what he refers to as the "anonymous collective" in the social-historical, creative activity, beliefs and representations. The political imagination but it must now renew the social tissue of intersubjective, interpersonal relations, as political imagination comes together with social emotions in the very making of the body politic and social movements that keep civil society organically bound to both polity and the Constitution. In this sense, one may speak of a political imaginary allowing for the interplay of moral agents with normative orders and juridical arrangements, the ethical-normative claims of individuals and social groups in tandem with juridical, legal procedures, rights, and effects. Both Foucault's and Ricoeur's contributions to hermeneutics might recast this use of political imagination and the

imaginary in the pursuit of moral alignment and AI governance for our emerging democracies. Hermeneutics, broadly understood in wide reflective equilibrium, allows for the revision and recasting of moral judgments and beliefs, integrated with ongoing processes of socialization and subjectivation leading to the formation of will and opinion in the public sphere. Moral alignment, as will be shown here, defines the normative thrust of value alignment, as traditionally conceived in ethical, moral terms, but it has also proved to be inevitably bound to its practical, pragmatic, and political entailments.

Although I will not seek to focus on the ecological aspects of applied ethics stemming from Spinoza, Hans Jonas, and the value of life, I would like to start with a rapprochement (Waelen, 2022) between Al ethics and critical theory to proceed within a decolonial and emancipatory reformulation of the ethical-normative problem of value alignment towards the implementation of a digital democratic ethos. I am assuming that democracy and its normative-laden values are inseparable from their social milieu, which can be understood as an *ethos*, at once a human character and a human dwelling that also entails a human destiny, as famously expressed in the Heraclitian dictum (Fragment 119),  $\tilde{\eta}\theta o\varsigma \,\dot{\alpha}\nu\theta\rho\dot{\omega}\pi\psi$  $\delta\alpha\dot{\mu}\mu\omega\nu$ . (De Oliveira, 1996)

To be granted, the field of AI ethics and sustainability is an emerging research area that has gained popularity worldwide in recent years, as various organizations – private, public, and non-governmental – have been publishing guidelines proposing ethical principles to improve the regulation of autonomous intelligent systems, given the modern form of technoscience and the Judeo-Christian "original deep-seated drive to unlimited exploitation of nature". (Brennan and Norva, 2022) And yet regions like Latin America and the so-called Global South remain excluded from this debate. Several groups in Latin America are seeking to bridge this gap, by assisting developers and companies that produce applications through AI systems and providing educational structures and programs for the whole society in Brazil and the Global South overall. (De Oliveira, 2023) As we move away from the original, anthropocentric sense of "sustainable development," first articulated in the Brundtland Report (1983-87), aiming at economic and social development, we must tackle new normative challenges of urban planning in our technological societies that range from mundane tasks such as ensuring sanitization (in today's Brazil, almost half of the population, over 100 million people do not have a sewage system and 35 million still lack drinking water) to more technical tasks such as managing infrastructures. (Heikkurinen and Ruuska, 2021)

Brazilian society already uses AI technologies in various fields of the public and private sectors, including the National Telecommunications Agency (natural language models to identify standard consumer behavior), National Land Transport Agency (to predict the average daily flow of traffic on federal highways), major federal banks (natural language models and chatbots for customer service, CNN for facial recognition, fraud prevention), federal Education and IT Research agencies (to confirm the authorship of academic publications and projects, big data for research), Federal Police Department, National Institute of Social Security, and the Supreme Court (to categorize legal proceedings under general repercussion and to perform automatic scans for each appeal presented to the court, search for legal precedents), and hundreds of private banks, corporations, and technology companies. And yet, like any emerging field of research, the normative concerns and contributions from AI ethics and security areas have not penetrated the mainstream of industry and academia. Among major advanced AI research and development projects, only a minority carry out research aimed at ethics and security areas. Our network and ongoing projects (esp. the Network for Ethical and Safe AI, RAIES, and the Responsible AI Platform) have been offering AI Ethics and Security guidelines, support, and educational tools so as to make the interaction between humans and AI safe and beneficial to all. The guiding idea is to extend AI Ethics to sustainable, smart cities.

The concept of smart cities has become a topic of great interest for social scientists, engineers, and researchers seeking to integrate new technologies into their daily lives. Hence, AI and the Internet of Things (IoT) have become an important part of our lives. A smart city integrates its technological systems, equipment, and infrastructure, spread across the same platform, to cross data and information, improving

decision-making, and facilitating the integration of people among themselves and with public authorities. All of this enables the city management to be more efficient and effective, therefore successful, as their AI hub helps integrate IoT throughout public buildings, spaces, and facilities with other private and societal spaces, both interpersonal and systemic. Data has become ubiquitous with such smart devices that are connected to the internet, from public transportation and ride-hailing services using an app on smartphones (such as Uber and Bolt) to food delivery and social media platforms and apps. Such data can ultimately be used to make intelligent systems for smart cities. AI and IoT have promising effects on urban life, as they have changed our way of living and relating to each other. AI is often considered to be the fourth industrial revolution because of its unprecedented potential to change everything.

As AI progresses to improve day by day, it has also become some sort of "mixed blessing" as it has blessed humans with everything from smart healthcare to secured smart cities but has also contributed to increasing inequalities and social pathologies of reification, alienation, and cultural colonization. Everything has been changed by AI and IoT in smart cities. To come up with a broader, holistic understanding of sustainability, it is thus our contention that we need an insightful, comprehensive grasp of ethics, comprising both normative and applied ethics, together with metaethics. Many have seen the interesting relationship between sustainable practices, self-preservation, and ethics, but there seems to persist a tendency to keep separate research programs in AI ethics, sustainability, and environmental ethics. (Heikkurinen and Ruuska, 2021)

Besides its proper environmental, and economic features, I contend that we must deal with sustainability in a broader sense to comprise all the moral and ethical implications of sustainable technologies, lifestyles, and practical dealings for smart cities, including decision-making processes in our individual and collective actions, as well as sustainable approaches to AI systems. AI and sustainability must also revisit the most relevant subfields of applied ethics today, around AI Ethics, Neuroethics, and Bioethics, but also interact with new perspectives from Business Ethics, Environmental Ethics, Data Science, and Machine Learning. Although there is no consensus on the demarcation of disciplinary approaches to Applied Ethics and the Ethics of Science and Technology – notably whether it should be confined to humans and technological innovations that relate to human life - Bioethics has been the broadest, if not the most prominent, area of research in applied ethics, involving not only metaethical and normative problems, moral and political, social philosophy, but also specific issues that arise in medical ethics, law, neuroscience, economics, cybernetics, and religious studies. Metaethics is concerned with issues such as whether there are moral facts, the nature of such facts if they exist, the problem of free will, moral agency, and selfhood, and how we can know whether a moral claim is true or false, by way of contrast with normative ethics, which is primarily concerned with the question of how we should act. Neuroethics, on its turn, deals with bioethical, moral problems both in abstract, theoretical terms (such as in metaethics and normative ethics, for instance, to define what is morally good, whether free will or freedom of choice, selfhood, and consciousness could be reduced to neural correlates) and in practical, concrete terms, especially informed by the empirical sciences and recent findings in neuroscience. Like bioethics, neuroethics, and applied ethics overall, AI ethics and environmental ethics also might resort to metaethics and normative theories when dealing with the moral, epistemic justification of given procedures and possible scenarios relating to practical problems such as the value alignment problem, comprising the ones involved in sustainability (broadly conceived, including all spheres of environmental, economic, and social undertakings) and human, cognitive enhancement.

#### 2 Value alignment and critical theory

Value alignment has been correctly identified by Russell and Norvig (2022) as a normative challenge to achieve agreement between the values and objectives of humans in AI and machine learning systems.

Following the decolonial and pragmatist turn in critical theory (Allen, 2016), I propose a genealogical critique of power (Forst, 2013) that, combined with a naturalist reformulation of the political imagination inspired by Spinoza (Saar, 2013), could help us revisit Habermas's critique of Marcuse and bring it closer to a Foucauldian conception of technologies of power as transformative forms of subjectivation in neoliberal regimes of biopolitics, strategically evoked to update a decolonial normative reconstruction. The hermeneutics of the subject and the genealogy of modern techno-scientific subjectivity in Foucault can help us carry out such a proposal for normative reconstruction, starting from the different turns and conversions (linguistic, sociological, pragmatist, feminist, emotive-naturalist, genealogical, decolonial) in the process of an immanent critique of subjectivation.

I note, in passing, that I am following the tendency to make a distinction between "decolonial" (as opposed to "coloniality") and "postcolonial" (as opposed to "colonialism"), emphasizing that postcolonial claims (as part of a historical process aiming at the rise of Nation-states that have emancipated themselves from colonial governments) cannot suppress coloniality. (Castro Gómez and Grosfoguel, 2007) To show that this is not just a question of terminology, taxonomy, or semantic precision, I am accepting this distinction, although maintaining the suspicion (heir to the hermeneutics of suspicion) already found in the liberation movements of the decades from 1960 to 1980, when several Latin American countries resisted and freed themselves from military dictatorships, paving the way for democratization and the transition to democracy. (Stepan, 1989)

I argue that the most defensible and efficient way to tackle the so-called "value alignment" problem in Artificial Intelligence (AI) is to confine its normative intent to moral values about socio-epistemic justification and allow for a naturalistic approach to sociality in neuroscientific terms, so that social norms be considered as customary rules of behavior that coordinate our interactions with others, being represented in an ethological way in "appropriately defined balance of games". (Young, 2008)

Thus, moral values cannot be explained without social norms, since moral beliefs and conditional desires point to conformity with shared social norms and beliefs, as each person expects others to conform to the same standards. For us to talk about the alignment of values, we must seek to rescue the normative thrust of an axiological, ethological, phenomenological investigation, so that human moral values can be taken seriously.

After all, what are values? And what makes values moral? To address the alignment of moral values, it is necessary to specify what is at stake when drawing the dividing line between moral values and non-moral values, a distinction that ultimately leads to the problem of naturalism-normativity. As early as 2012, Nick Bostrom speculated about an "ultimate value" and a sense of value in AI, even before value alignment became an issue for AI research. AI ethics has recently emerged as a field characterized by normative questions about the seemingly infinite and unpredictable potential of a strong AI or AGI (Artificial General Intelligence), following Bostrom's (2012, p. 14) claim that the orthogonality thesis suggests that We cannot naively assume that a superintelligence will necessarily share any of the stereotypical ultimate values associated with the wisdom and intellectual development of humans - scientific curiosity, benevolent concern for others, spiritual enlightenment and contemplation, renunciation of material greed, taste for refined culture or pleasures simple in life, humility and altruism, and so on. Indeed, as Paula Boddington (2023, p. 43) rightly observed, the term "values alignment" is sometimes used almost as a synonym for "AI ethics".

Although I agree that the most common ethical principles of AI are also concerned with individual empowerment (dispositional power) or the protection of these subjects in power relations (relational power), I do not believe that either AI Ethics (Müller, 2021) or critical theory have successfully addressed issues of power and emancipation for the most vulnerable, powerless and oppressed groups in the world, hence the contention that both must take into account a pragmatist and decolonial turn in their premises and programmatic objectives.

The question of *techne* as art/knowledge and power, encompassing both productive power and the power game of social interaction, remained open after Heidegger (1962) questioned technique

and technology, as attested by the critical reflections of Marcuse, Habermas, Foucault, and Feenberg. According to Foucault (1976), contrary to essentialist readings of technology and power and in contrast to the individualizing character of disciplinary power, biopower is the "power to kill to live, which sustained combat tactics", now converted "into the power principle of State strategy; but the existence in question is not the legal one of sovereignty, but the biological one, of a population". This new modern form of power allowed, at the turn of the 17th century to the 18th century, the emergence of a normalizing society as "the historical effect of a technology of power centered on life". (Foucault, 1997) Just as biopower is exercised over the individual, biopolitics now extends to the entire population and has been delimiting new horizons for identity policies and new forms of subjectivation, notably since the second half of the last century. (Foucault, 2004) A decolonial critical theory of new technologies and Al leads us, therefore, to a genealogical critique of power and its social technologies of subjectivation, as they denounce the racialization and gendering of bodies that, like health and medicine become public, normalized and subjugated by neoliberal biopower. (Brown, 2015)

Foucault's techniques de soi and the hermeneutics of subjectivation continue to be an instructive path towards a reformulation of the critique of a technological society, following Heidegger's (1954, 1977) publication of his famous 1949 lecture on "The Question of Technology" (*Die Frage nach der Technik*), questioning the neutrality of modern technology, as Marcuse and Habermas also saw it. As Robin Celikates and Rahel Jaeggi (2017, p. 257) well observed, Habermas developed his theoretical-critical articulation between technology and reification based on reflections on Karl Marx, Max Weber, and Georg Lukács, in addition to assuming the Aristotelian distinction between praxis and techne and the Hegelian distinction between work and interaction, as suggested by several analyzes of his work *Theory and Practice* (Habermas, 2013).

We can thus revisit the *dialogue des sourds* between Habermas and Foucault, rehabilitating their common avoidance of Heidegger's reductionist critique of technoscience, especially when applied to social institutions, including communication, language, and politics. Therefore, I propose to revisit Habermas' critique of Marcuse and bring him closer to a Foucauldian conception of technologies of power as a form of power. Foucault's contention that one must embrace the Nietzschean correlation between power and intersubjective valuation to make sense of modern forms of governance is what ultimately takes us from metamorphoses of subjectivation from disciplinary jus-naturalist power to neo-liberal regimes of biopolitics, as unveiled by a decolonial normative reconstruction. Al cannot, after all, be equated with critical theory, as Waelen (2020) seems to presuppose, as if political theory were reducible to applied ethics. What Foucault called "governmentality" is precisely what accounts for the technological recasting of digital governance in neoliberal times, as subjectivity is self-interpreted in cyberspace and social media.

The Habermasian programmatic thesis of the colonization of the lifeworld (especially his *Theory of Communicative Action*) reflects several seminal studies and previous reflections on alienation, market fetishism, and reification in a sense that already anticipates its normative proposal for the rescue of a communicative system, seeking to avoid the mere instrumentalization and technification of the social world and its production relations, reducing them to something independent and indifferent to the will and normative demands of social actors. Moreover, the Habermasian prognosis is consistent with the critical perception of Alessandra Angelucci (2022) and others who denounce a crucial paradox in the very development of Al systems, that is, the smaller the participation of a stakeholder in the life cycle of the Al system, the more influence it will have on how the system works. This implies that the social impact on the justice of the system is in the hands of those who are least impacted by it, reflecting other paradoxes of modernity already pointed out by the so-called "first generation of the Frankfurt School". In the words of Habermas (2022a),

A democratic system is damaged as a whole when the infrastructure of the public sphere can no longer direct the citizens' attention to the relevant issues that need to be decided and, moreover, ensure the formation of competing public opinions – and that means qualitatively filtered opinions. If we recall the complex preconditions of the survival of inherently crisis-prone capitalist democracies, it is indeed clear that there may be deeper reasons for a loss of function of the political public sphere. But that does not exempt us from looking for obvious reasons. (Habermas, 2022b, p. 167)

Habermas's critique of Marcuse's philosophy of technology reflects his broader vision of a more democratic and just society, characterized by open communication and rational discourse. Habermas shows us that technology could play an important role in realizing this vision, but only if it were used in a way that is consistent with democratic values and respect for human dignity. Indeed, in a technological society, we can rescue the dynamic advertising of social networks, precisely to show, as Saar (2017) states, that power is not just a negative force used to oppress individuals or groups, but also a positive force necessary to social organization and collective action. Saar resorts to Spinoza's concept of conatus, which refers to the inherent drive of all things to persist in their existence, to argue that power is an expression of this fundamental drive. However, Saar also notes that power can become a source of domination and oppression when it is concentrated in the hands of a few individuals or groups. Spinoza's political philosophy provides, according to Saar, a framework for understanding how power works in society to promote more democratic forms of power. Saar's critical appropriation of Spinoza in political theory also emphasizes the importance of freedom and democracy. He argues that Spinoza's philosophy provides a basis for understanding how freedom and democracy can reinforce each other rather than be in tension with one another. Saar (2017) draws on Spinoza's concept of the common good to argue that freedom and democracy are necessary to promote the well-being of all members of society. Indeed, Spinoza's monist rejection of Cartesian dualism has significant implications for artificial intelligence, as it suggests that the mind can be understood as a complex arrangement of physical processes, being continually modulated as a "social brain", whose bonds of sociability structure and are structured interactively with their environment. In other words, Spinoza's naturalistic approach suggests that the mind can be replicated through the use of physical processes, such as those used in artificial intelligence.

Although I cannot develop this here, in order to close the phenomenological gap of critical theory, I propose to outline some aspects of a decolonial critical theory about the systemic imperatives of a theory of power and its technologies of social control, particularly a hermeneutics of subjectivation whose technified "spirituality" has modulated the conversions and new forms of individualization of the subject in our hyper-individualized modernity, as pointed out by Lipovetsky (2023): "Hypermodernity is not a post-modernity: it is a modernity squared where everything is extreme and becomes dizzying, out of bounds" (L'hypermodernité n'est pas une post-modernité : c'est une modernité au carré où tout s'extrêmise et devient vertigineux, hors limit").

#### 3 Foucault, hermeneutics and technologies of self

Now, if on the one hand, Foucault seems to agree with Husserl regarding the original intersubjectivity co-constitutive of the social world, both in its passivity (socialization, internalization, social reproduction) and in its activity (sociopolitical agency), on the other hand, his hermeneutics of subject shows that all religious experience and collective will- and opinion-formation as a phenomenon of subjectivation result from individuation processes related to intersubjective forms of socialization, although it is not reducible to sociological explanations or a certain collective behaviorism. Just as it cannot simply be reduced to a spiritual codification of moral precepts, the phenomenon of religious experience of religiosity techniques and spirituality practices could not be reduced to a passive process of socialization. There is something about sociability that remains irreducible in every concrete human experience, for example, when we ob-

serve that even the hermit or the prophet who cries out in the desert needs to return to the community or owes his isolation to an intersubjective context to be reformed, subverted or overcome.

On the other hand, to the extent that Foucault still follows Nietzsche in his critique of asceticism, his conception of spirituality is paradoxically an experience of freedom. My working hypothesis on the genealogy of modern subjectivity has been very simple, but far from being easily articulated in terms of traditional fields of research: how to relate the "techniques of the self" (*techniques de soi*), as we find them in texts of Foucault on the hermeneutics of the subject, the government of the self, the "techniques of life" (*technai tou biou*), and parrhesia (*le franc parler*), with social technologies, as we infer them from texts about technologies of power, moral technologies, and techniques of social control, both in models of disciplinary, panopticon or liberal society, as well as in the transition to biopower and biopolitics, to establish a systemic-normative approach to critical theory without reduce systems to an instrumental rationality or the lifeworld to a normative reservoir of communicative reason. Once again, one must keep in mind that writing, books, and algorithms are all human artifacts, objects of *techne* that have been shaping up our mindsets throughout centuries, following the social evolution of *Homo sapiens* in tandem with the neurobiological evolution of the neocortex.

If we want today to articulate a decolonial critical theory of artificial intelligence (AI) and new technologies, we must revisit Foucault's hermeneutics of the subject and resituate it in the hermeneutic context of Habermas's critique of Marcuse, on the one hand, and in the context of liberationist narratives (liberation as a precursor of decoloniality), on the other hand. Foucault is skeptical regarding any form of ultimate liberation (including both sexual and political liberation), but his hermeneutics favors the performative moves toward the social transformation of the body politic, as Butler (2015) and Preciado (2008) realized.

According to Habermas (1968), Marcuse (1964) linked the progressive rationalization of society (following the Marxian critique of capitalism and the Weberian interpretation of secularization) to the institutionalization of technoscientific development, insofar as technoscience permeates social institutions and radically transforms them, to the detriment of old legitimations and traditional codes of social normativity. Marcuse's social philosophy thus denounces the peculiar fusion of technology with domination and of rationality with oppression, in a one-dimensional account of instrumental rationality that brings forth alienation, reification, and colonization. As Habermas and Feenberg (1991) rightly observe, Marcuse follows Heidegger in demonizing modern technology, but rather than seeking ontological refuge in a new historical language of Being, Marcuse advocates human liberation and social utopia through social movements (especially, students, workers, and protest collectives). Feenberg also convincingly showed, following Simondon (1958), how we can avoid the extremes of demonizing and overestimating the impact and significance of new technologies for humanity by resorting to hybrid ecosystems in today's technological societies, bringing together both technological and natural ones for our modern ethical-normative claims. Habermas (2022a) recently warned us about the threats of algorithmic control of communication that flows from hegemonic and deregulated markets as well as the power concentrated in large internet corporations (big techs). The paradox today is that, even though we have more access to more and more information, we more easily fall prey to mass manipulation and bubble identity politics, making the social media and digital platforms instruments of polarization and irreconcilable divides. It was in this sense that Foucault sought to revisit Nietzsche's idea of herd morality, to understand how pastoral power enables the transition from an ancient to a modern mode of subjectivation:

> It has often been said that Christianity gave rise to a code of ethics fundamentally different from that of the ancient world. But there is generally less emphasis on the fact that Christianity proposed and extended new relations of power to the entire ancient world. Christianity is the only religion to organize itself into a Church (ekklesia). And as a Church, Christianity postulates in theory that certain individuals are able, due to their religious quality, to serve others, not so much as princes, magistrates, prophets, soothsayers, benefactors or educators, but as pastors. (Foucault, 2001, p. 59)

Now, according to Foucault, this is a very particular form of power, "whose ultimate objective is to ensure the salvation of individuals in the other world". Indeed, according to Foucault, pastoral power is not "simply a form of power that orders; one must also be ready to sacrifice herself/himself for the life and salvation of the flock". (Foucault, 2001, p. 260) In this sense, it is distinguished, therefore, from the power of the sovereign who demands a sacrifice on the part of its subjects to save the throne. Let us recall that for Foucault, power is no longer taken as something essential or an entity, as a substance or essence, as a center of relations of domination or as an ontic object of a "critique of power", but is rather to be conceived as a relationship, the conduct of oneself or to govern oneself and others, the human *kybernein* itself, its social and individuating conduct, the governance of one's subjectivation and the governance of others.

In this sense, we can understand pastoral power, moving away from the Hebrew metaphor of messianic royalty (T'hilim/Psalm 23) towards a continuous formation of ascetics in Christian assemblies. It is, ultimately, a form of power that is not only concerned with the entire community or *ecclesia* but with each particular individual, throughout his or her entire life. Interestingly, Foucault observed the passage from the Hebrew *kahal* (community of believers) to the Greek equivalent *ekklesia* (assembly), which would be later developed by Butler (2015) before becoming a universalistic ideal of pastoral gathering (*ecclesia*, in Roman terms).

Foucault contributed thus decisively not only to bringing sexuality and erotic practices closer together in the formation of the subject of moral and religious codifications (as Georges Bataille had suggested before) but also to better understanding the points of contact, convergence, and divergence between post-modern traditions. Socratic (especially Stoic and Epicurean) and early and medieval Christian traditions, as Ullmann's (2006) study has shown, all attest to the influence of Stoic philosophy, which exhorted individuals to control their passions, to dominate their impulses and direct their sexuality towards procreation, as opposed to homosexuality, a prejudiced mentality that arose before Christianity, which later slowly took on the role of sacralizing the marital morality in vogue.

The very term "power" (*pouvoir*) designates, according to Foucault, a domain or field of relations that "are entirely open to analysis", and what he called "governmentality", that is, how the conduct of men is conducted. , is nothing other than a proposal for an analysis grid for these power relations". Foucault manages to show that it was only thanks to this type of pastoral power and its practices and techniques of governing oneself and others that a type of individualizing subjectivation allowed for the emergence of the modern State and the type of governmentality with diplomatic, military, administrative, and police institutions that would consolidate the nation-states of modernity. Thus the social body is constructed from communities and social networks of techniques of coexistence, solidarity, communion, confession, and collective asceticism. (Foucault, 2001, p. 191).

In effect, the communitarian dimension of early Christianity was rescued as a type of proto-communism or proto-socialism by the exponents of the so-called French utopian socialism (Fourier, Saint-Simon, Proudhon) and, more recently, in the 1970s and 1980s, by the so-called "liberation theology", in an interesting radicalization of the critique of the same reductive and reifying aspects of liberalism, notably the reductions of technicization and juridification that Foucault (2001, p. 194) would highlight in several of his late works: "population, techniques, learning and education, legal regime, soil availability, climate: all of these are non-economic elements that would end up being reducible to technical-economic determinism". Normalizing, disciplinary and behavioral techniques would certainly favor the instrumental biopolitics of totalitarian regimes, particularly Nazism in Germany in the 1930s, but they would survive the collapse of Soviet communism, within new versions of liberal capitalism.

According to Foucault (2004, p. 132), "Homo oeconomicus is the one who obeys his interest, and the one whose interest is such that, spontaneously, it will converge with the interest of others". Homo oeconomicus is, from the point of view of a theory of government, one that turns out to be at once the subject and the object of *laissez-faire*. The ambiguity that marks the development of our liberal

# democracies is also present in the interfaces of techniques of self and social technologies that allow religious groups and social protest movements (grassroots movements) to identify themselves in demands for civil liberties, feminist movements, environmental groups, and homosexuals. The character of "revealing its most intimate secrets", its "opposition to the principle of sovereignty" and essentially "individualizing" power (as opposed to "legal power") enables its followers to "a production of truth", in ultimately, "the individual's truth about himself".

With the publication of unpublished texts on the hermeneutics of the subject, Foucault's work seems to enable a certain discursive coherence between power, knowledge, and subjectivation, favoring the type of mitigated social constructionism that I am defending here, without falling into the traps of simplistic and reductionist postmodern readings. Furthermore, subjectivation in Foucault is certainly correlated with the working hypothesis that motivated the first and second periods of research on the knowledge-power correlation (archaeology and genealogy, respectively), but it would be very risky and erroneous, in my opinion, to simply assume an isomorphic articulation between the three spaces, following the Deleuzian metaphor of the three vectors: all we can obtain from a rereading of all the occurrences of the terms "techniques" and "technologies" in the Foucauldian lexicon are the strategic and tactical functions of broadly conceived discursive and non-discursive practices, or more precisely, the *epistemai* and *dispositifs* of knowledge, power, and subjectivation in their non-homogeneous formations of complex systems, as variables that interact with each other.

In this way, we can analyze the configurations of these *dispositifs* – for example, in a localized analysis of power relations. However, through the *dispositifs* of power, we only discern lines of variation, without ever being led to an original focus. Foucault does not propose any alternative solution to the liberal and Marxist analyses he criticizes, for example, in conceptions of sovereignty and repression through the genealogy of judicial, disciplinary, and normalizing systems of power. After all, as François Ewald showed, the norm in Foucault (1994) is not universalizable or a mere standardizable valuation that opposes the abnormal, the pathological, and the deviant. The norm is the institutionalized reference for the social group that is objectified as an individual, it defines a communication without origin and without subject, it is the very measure that individualizes and makes all comparisons viable, without exteriority.

Thus, Foucault does not reduce disciplinary society to a generalized internment, but, on the contrary, shows how systems of disciplinary power are integrated into a punitive society, homogenizing the social space. Normativity is relativized to the extent that it determines and is determined by complex processes of subjectivation, since the individual is, as Ewald observed, "always already" (*toujours déjà*) normalized. However – and this is what interests me most here – Foucault does not articulate any theory of normativity, just as there is no theory of power, which does not prevent us from thinking, from a Foucauldian perspective, what a critical social genealogy of such technologies of power, in particular modern subjectivity and the challenges we encounter, for example, in a hybrid society like Brazil, where pre-modern and modern forms of subjectivation intertwine and feed back into each other in the formations and manifestations of social technologies and techniques of yourself.

#### 4 The phenomenological deficit of critical theory

Now, although Habermas was very unfortunate in his criticism of a systemic conception of power in Foucault, insofar as the latter did not seek to elaborate a theory of power, his criticism of relativism, presentism, and cryptonormativism in the French philosopher's genealogical accounts reveals questions of truth, value, and norm, respectively, which take us back to a historical a priori guided by the complex games of contingencies arising from human agency and their struggles for recognition. In a nutshell, Habermas condemns Foucault's "functionalist sociology of knowledge" for its implicit "transcendental-historicist concept of power." (Habermas, 1990, 269) After all, technique, both in Habermas and

Foucault, was above all conceived in terms of a historical praxis, capable of responding to Heidegger's challenge of rethinking *techne* without reducing it to instrumental means according to a technoscientific model or immediate ends according to a teleological model. Both Foucault and Habermas depart from transcendental accounts of rationality and metaphysics but with very different projects of modernity. Foucault interestingly comes close to Habermas (whom he cites in a 1981 text), regarding the tripartite division of techniques that help us to produce, transform, and manipulate things, allowing us to use systems of signs and to determine the conduct of individuals, imposing certain purposes or objectives on them (respectively, production, signification, domination). (Foucault 2001, p. 124)

The "techniques of the self" (techniques de soi) would be a fourth type, namely, those that allow individuals to carry out, themselves, a certain number of operations on their body, their soul, their thoughts, their conduct, to modify themselves, transform themselves and reach a state of happiness, perfection, purity or almost supernatural power. I note en passant that Habermas had only partially worked on this issue in *Knowledge and Interest*, but mainly in the essay, from the same year, on *Technique and Science as Ideology*, dedicated to Herbert Marcuse (1964), who, as a good epigone of Heidegger, had developed, in several writings, a manifesto against the one-dimensional technological society and the massive consumerist industry.

Roughly speaking, we can say that Heidegger, Marcuse, and Habermas maintained, as did Jacques Ellul, a somewhat pejorative reading of modern technology, often being mistakenly considered technophobes in their analysis of technology, especially when combined with science (as technoscience, according to Bachelard's consecrated formula) and in opposition to the true *techne* of the work of art and artistic achievements of culture. Foucault not only questions the romanticism and nostalgic primordiality of such comparative approaches but provokes us towards a new and unusual thought, that of the essential techne of human historicity, linguistics, and ethics itself.

A guiding idea in my hypothesis is that, in a certain sense, Foucault would not only have radicalized Heidegger's (1962) hermeneutic thought but would also have subverted it and realized what was most profound and fundamental for an ontological-existential analysis, namely, for a moral praxis, prior to all *theoria* and *poiesis*. We remember here that technique, in a Heideggerian sense, even before theorizing what is at hand, given to the theoretical and scientific gaze, *Vorhandenheit*, and poetizing or making what becomes available to handle and manipulate through technique, *Zuhandenheit*, is what allows us, in our way, to be thrown into the world, to exist, to inhabit, to speak and to understand. Technique would not only be an instrumental domination of nature, but our becoming-other, becoming something different from what we are in nature and in our construction of a nature specific to our way of being. In this sense, everything is technique, insofar as the way of being human, as a being-in-the-world, always passes through technique. In other words, worlds are given to us and are revealed, represented, and constructed (*weltbildend*) by the meaning of our living, speaking, writing, remembering, exchanging, working, classifying, thinking, singing, dancing, having sex, making art, science, and religion – every-thing is technique.

Following later readings of Heidegger and Foucault, we can above all understand *techne* in its irreducibility of self-preservation and the survival of human memory, our spirituality, our historicity, and our intersubjectivity. As Delruelle (2003, p. 251) observed, if "Heidegger criticizes the technical relationship to the world, Foucault rehabilitates the technical relationship to oneself", anticipated by Nietzsche's critique of herd morality. Indeed, as already indicated, Foucault admitted that his greatest debt in philosophy was to Nietzsche and Heidegger: if his reading of Heidegger determined his entire philosophical evolution, it was Nietzsche who preponderated (*c'est Nietzsche qui l'a emporté*), confessed Foucault in his last interview. Paul Veyne comes to suspect that, in fact, Foucault only read, besides *Being and Time*, Heidegger's *On the Essence of Truth (Vom Wesen der Wahrheit*) and his *Vorlesungen* on Nietzsche – which curiously "had the paradoxical effect of making him Nietzschean and not Heideggerian". This has been confirmed by Foucault's (2023) recently published 1965 course on *Le discours philosophique*. In order to avoid any misunderstandings, we can assert without ceremony that the sun of Nietzschean research is the center of the great constellation of Foucauldian research that we continue today in social philosophy, without falling back on philosophies of history or philosophical anthropologies. The great challenge, as Veyne (2008, p. 10) suggested, remains to show that this is not a subtle form of historicism and that, if there is decisionism and aestheticism in Foucault's social research program, these can be understood in a way that distinguishes empiricism from positivism and normativity from normativism without recourse to transcendental arguments. Once again, this is very similar to Habermas's approach to critical theory.

In any case, according to the schematization proposed by Frédéric Gros, in his "Situation du cours" of *Herméneutique du sujet*, "if Heidegger exposes the way in which the control of *tékhne* provides the world with its form of objectivity", Foucault (2001) shows that self-care, and particularly the Stoic practices of self-exam, is an opportunity for knowledge and self-transformation, the locus for the emergence of subjectivity. Although we can take as a background the related courses of 1982 (*L'herméneutique du sujet*) and 1983-1984 (*Le gouvernement de soi et des autres*) at the Collège de France, I won't focus here on the conception of *parrhesia* and its problematization and will confine myself to Foucault's task of knowing ourselves in our true self through spiritual exercises. It suffices to recall, *en passant*, that Foucault made use of Pierre Hadot's seminal studies on the "*exercices spirituels*", whom he cites in the second and third volumes of his History of Sexuality.

In addition to the practices of confession, *les aveux, le dire-vrai, le franc-parler*, all these dispositifs take us to Greek ethics, *ethos*, in the Hegelian sense of *Sittlichkeit*, which comprises what Foucault calls "spirituality" as well as their everyday life and their tacit techniques of *modus vivendi*, of their "lived world", *Lebenswelt*. What interests me here, therefore, are the techniques of the self as a co-constituent counterpart of technologies of power, moral, political, and governmentality technologies – in a word, social technologies.

Certainly, Foucault does not establish any relationship of determination or co-dependence (causal or otherwise) between techniques of the self and technologies of power, but, like the Humean skeptic, he only notes a constant conjunction between these two terms, in configurations of historical situations as complex as they are contingent, notably around what is called "governmentality", the techniques of governing oneself and governing others. In effect, the relationship with oneself in meditation and remembrance exercises that configure an irreducible space of spirituality in self-care betrays all the discursive formations that, from Descartes to Hegel, try to account for the conditions of knowledge, in a type of transcendental approach. which Foucault manages to deconstruct through his archaeological and genealogical writings, even before dedicating himself to hermeneutics of the subject.

Foucault's methodological skepticism is what prevents us from postulating a theory of techniques or technologies of power, just as a "theory of power" would be wrongly attributed to a systemic approach (as Habermas did in his criticism of Foucault's concept of power). The great challenge, therefore, of researching in this field of social technologies is precisely how to deal with so much material produced throughout the three great periods of Foucauldian research. Following Clare O'Farrell (2005), I believe that we can distinguish such periods into the following waves or phases: the first, in the 1970s and 1980s, of reception outside France, the second in the 1990s, dominated by the publication of *Dits et écrits* in 1994, and the third with the publications of unpublished works relating to courses at the Collège de France, which is ongoing in the 21st century. Foucault's social philosophy, even before the publication of the *Dits et écrits* in 1994, conceives of a historical priori capable of anchoring freedom in an empirical, detranscendentalized, historicized, and socialized conception of a complex network of contingencies that determine subjectivation.

I have sought to revisit what would be a social-critical genealogy of modern subjectivity in the light of new publications and ongoing discussions not only in Foucauldian circles but also among those who are seriously interested in Foucault in critical theory and social philosophy (I think, above all, of Nancy

Fraser, Judith Butler, Wendy Brown, Axel Honneth, Amy Allen, Rainer Forst, and Martin Saar). According to Foucault (2001, p. 9), "political rationality developed and imposed itself on the thread of the history of Western societies. It was initially rooted in the idea of pastoral power, then in that of reason of state. Individualization and totalization are its inevitable effects". Thus, one must pay attention not only to the easily established relationships between related conceptions such as "biopolitique, gouvernementalité, gouvernement", when studying, for example, the possible relationships between discipline and biopower, between the devices of sexuality and normalization in the formation of racism biological (as we found them in the 1976 course, "Il faut défendre la société"), but one must also reexamine the mechanisms specific to the techniques of the self and technologies of power that enable the orthogonal crossing between the norm of discipline and the norm of regulation. After all, for Foucault, the two sets of mechanisms – the disciplinary and the regulatory – are not at the same level, and for this reason, they can be articulated "perpendicularly". I believe that there would be, in this sense, a certain naivety in Heideggerian readings of Foucault that tend to ontologize biopolitics without paying attention to the specificities of intersubjective relations and their daily practices - for example, when we think that Brazil was the last society to abolish slavery and that public punishments and punitive practices of torture and public humiliation were part of our socialization and everyday life for more than four centuries. This, moreover, should not surprise us, as there is no strictly social dimension in the analysis of "Mitsein" and "Mitdasein" in Heidegger. After all, according to Foucault (1994, p. 672), the "I" (self, Selbst, moi, soi) – unlike Heidegger's "Dasein" – is socially, linguistically, and historically constituted in a concrete, detranscendentalized way and submerged in its contingencies.

#### 5 Towards a decolonial, intersectional egalitarianism

Although some might assign to John Locke and Jean-Jacques Rousseau, respectively, the origins of liberal and republican conceptions of egalitarianism as treating people as equals before the law or promoting equality of social status in contractual terms, it is well known that only in the 20th century did neo-Marxist and Rawlsian versions of egalitarianism come to the fore in the political landscape. (Consani, Moura and de Oliveira, 2021) As one of the most unequal societies on the planet, Brazil simply cannot meet the normative challenges of a democratic ethos without fully embracing egalitarianism. For instance, even though it has always appeared as one of the 10 largest economies in the world in recent decades, Brazil has always remained one of the 10 most unequal countries on the planet, whose gender, race/ethnicity, and income inequalities make sustainable development unfeasible and continue to generate social exclusion, poverty, injustice, and the systematic violation of human rights. Currently, a quarter of the Brazilian population (over 52 million inhabitants) lives in poverty or extreme poverty, with black and brown people accounting for over 72% of these people in poverty or extreme poverty and, among those in conditions of extreme poverty, black or brown women make up the largest segment with 27 million people. (IBGE, 2023) Between 2019 and 2020, the Gini coefficient in Brazil rose from 88.2 to 89, according to a scale in which the higher the score, the greater the inequality and income concentration. (Crédit Suisse, 2021) Therefore, after more than half a century, the liberationist narratives of the 1960s and 1970s are still those that best reflect our violent scenario of exclusion and social inequalities, as well as structural sexism and racism.

As Walter Mignolo has noted, his conception and praxis of decoloniality are not intended to provide global answers or outline universalist projects for liberation, much less propose new abstract universals, but are limited to the relationality of how different local histories and embodied conceptions and practices of decoloniality can enter into conversation and build understandings that cross geopolitical locations and colonial differences, contesting the totalizing demands and political epistemic violence of modernity, following Aníbal Quijano's critique of coloniality as a system correlated to modernity. (Mignolo and Walsh,

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15/182018, p. 9) In this same sense, it is also worth mentioning here Achille Mbembe's thesis (2013, p. 28) that the

history of capitalism is inevitably linked to the emergence of modernity, colonization, racism, and the oppressive exploitation of human life, notably through the slave system. It is, therefore, a matter of defending a critical decolonial theory of liberation, doing justice to Amy Allen's (2016) criticism of a Eurocentric idea of historical progress and the normative and reconstructive conceptions of recognition and justification of Axel Honneth (1996) and Rainer Forst (2016). In my opinion, both Honneth and Forst can have their respective theories reformulated to avoid the Western idea of progress and a Eurocentric normativism as has been attributed to Frankfurtian critical theory. Furthermore, the same suspicion raised by Allen could be extended to most narratives of Hegelian-Marxist inspiration, including different formulations of liberation philosophy and theology. After all, we know that it was the theological reception of the Hegelian idea of liberation (Befreiung) in authors such as Hans Küng, Wolfhart Pannenberg, Johann-Baptiste Metz, and Jürgen Moltmann that enabled the liberationist connection with the reconstructionist reception of authors such as Jürgen Habermas and Axel Honneth in their respective theoretical-critical appropriations of Hegelian Sittlichkeit. Ultimately, these authors thus contribute to solving the so-called phenomenological deficit of critical theory, also bringing them closer to the hermeneutics of the subject (Foucault) and political performativity (Butler), integrating intersubjective social constructs such as gender, sexuality, ethnicity, and race with a Marxist critique of capitalism. Butler's (2012, p. 113) performative shift from Foucault's hermeneutics toward an aesthetics of existence recovers the constitutive institution of a technology of power: "Thus a certain performative production of the subject within established public conventions is required of the confessing subject and constitutes the aim of confession itself."

Hence, liberationist narratives, as well as other discourses that compete for visibility, legitimacy, and recognition in the public sphere, promote the normative justification of liberation philosophy, just as current narrative theology and public theology have come to recognize liberation theology as one of its most notable representatives. (Marcuse, 1969, p. 52) Just as Marcuse considered women's liberation movements of the 1960s "the most important and potentially most radical" of that time, today we can follow Noam Chomsky and other supporters of liberationist movements when they claim that black movements, such as Black Lives Matter in the USA and Afro-Brazilian collectives in our days, are the most pre-eminent in their decolonizing demands of intersectional egalitarianism. (Marcuse, 2005, p. 165) Doing justice to those who occupy de jure and de facto the speech locus (lugar de fala) and perform the speaking role of black women, Kimberle Crenshaw reminds us that intersectionality is not "an effort to create the world in an inverted image of what it is now". Instead, the normative force of intersectionality consists in making space, from below -- as in down-to-earth liberationist hermeneutics -- for more corrective practices capable of creating a more egalitarian system:

> It is somewhat ironic that those concerned with alleviating the ills of racism and sexism should adopt such a top-down approach to discrimination. If their efforts instead began with addressing the needs and problems of those who are most disadvantaged and with restructuring and remaking the world where necessary, then others who are singularly disadvantaged would also benefit... By so doing, we may develop language which is critical of the dominant view and which provides some basis for unifying activity. The goal of this activity should be to facilitate the inclusion of marginalized groups for whom it can be said: "When they enter, we all enter." (Crenshaw, 1989, p. 167)

The decolonial praxis sought after here squares with the very programmatic use of "intersectionality as a critical theory in the making" that Patricia Hill Collins (2017) advocates in her three-dimensional intersectional approach to examine the social world: at once, as a metaphor, as a heuristic, and as a paradigm. Such was indeed the original intent of Angela Davis's (1981) radical claims of the 1960s. A type of interdisciplinary research in these terms would consist, for example, of revisiting the institutions and religious practices of indigenous and Afro-Brazilian groups about historical religions such as Judaism,

Christianity, Islam, and Buddhism, focusing on the discursive formations of subjectivity and cultural identity. As I am not interested in exegetical takes on Foucault's work, but in exploring the problematizations about the technology of power and techniques of the self, I postulate that this task comprises several levels of methodological difficulty within Foucault's investigation, for example, when contrasting the technologies of power to a liberal-juridical approach (as has traditionally been done in modern political philosophy, from Locke and Rousseau to Rawls and Habermas) and moving from a genealogy of power to a hermeneutics of subjectivation that comprises both self and milieu, the I, its intersubjective *ethos* and its endless networks of ecosystems. The environmental concern may be also integrated into such a view of intersectional egalitarianism, as ecofeminists rightly anticipated, recast in wide reflective equilibrium (Rawls, 1996; Doorn and Taebi, 2018). As ecofeminist Val Plumwood (2002, p. 201) put it so well:

We need a concept of the other as interconnected with self, but as also a separate being in their own right, accepting the uncontrollable, tenacious otherness of the world as a condition of freedom and identity for both self and other. Feminist theory can help us here because it has developed logical and philosophical frameworks based on maintaining the tension between Same and Different rather than generally eliminating difference in favor of sameness or vice-versa.

#### **References:**

- ALLEN, A. 2016. The End of Progress: Decolonizing the Normative Foundations of Critical Theory. New York: Columbia University Press.
- ANGELUCCI, A.; LI, Z.; STOIMENOVA, N.; CANALI, S. 2022. The paradox of the artificial intelligence system development process: The use case of corporate wellness programs using smart wearables. *Springer Nature: AI & Society.* https://doi.org/10.1007/s00146-022-01562-4
- BODDINGTON, P. 2023. AI Ethics. A Textbook. Artificial Intelligence: Foundations, Theory and Algorithms. London: Springer.
- BOSTROM, N. 2012. The Superintelligent Will: Motivation and Instrumental Rationality in Advanced Artificial Agents. *Minds and Machines*, **22**(2).
- BRENNAN, A.; NORVA, Y. S. L. 2022. Environmental Ethics. *The Stanford Encyclopedia of Philosophy*, E. N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/sum2022/entries/ethics-environmental/>.
- BROWN, W. 2015. Undoing the demos: neoliberalism's stealth revolution. New York: Zone Books.
- BUTLER, J. 2002. What is critique? An Essay on Foucault's Virtue. In: D. Ingram, ed., *The Political: Readings in Continental Philosophy*. London: Basil Blackwell.
- BUTLER, J. 2009. Giving an Account of Oneself. Fordham University Press.
- BUTLER, J. 2015. Notes toward a Performative Theory of Assembly. Cambridge, Mass: Harvard University Press.
- CASTRO GÓMEZ, S.; GROSFOGUEL, R. 2007. Prólogo: Giro decolonial, teoría crítica y pensamiento heterárquico. In: *El giro decolonial: reflexiones para una diversidad epistémica más allá del capitalismo global*. Bogotá: Siglo del Hombre Editores.
- CHURCHLAND, P. 2011. Braintrust: What neuroscience tells us about morality. Princeton, NJ: Princeton University Press.
- CONSANI, C. F.; MOURA, J. S.; OLIVEIRA, N. (Orgs). 2021. *Justiça e Libertação: A Tribute to John Rawls*. Porto Alegre: Editora Fundação Fênix.
- CRÉDIT SUISSE RESEARCH INSTITUTE, Global Wealth Report 2021. <https://www.credit-suisse.com/ about-us/en/reports-research/global-wealth-report.html>
- CRENSHAW, K. 1989. Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of

Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, **1989**(1): p. 150-168.

DAVIS, A. Y. 1981. Women, Race, and Class. New York: Vintage Books.

- DE OLIVEIRA, N. 1996. The Worldhood of the World in Heidegger's Reading of Heraclitus. *Manuscrito*, **XIX**(2): p. 200-223. <a href="https://periodicos.sbu.unicamp.br/ojs/index.php/manuscrito/article/view/8669093/28413">https://periodicos.sbu.unicamp.br/ojs/index.php/manuscrito/article/view/8669093/28413</a>
- DE OLIVEIRA, N.; CORRÊA, N. K.; GALVÃO, C.; SANTOS, J. W.; DEL PINO, C. PINTO, E. P.; BARBO-SA, C.; MASSMANN, D.; MAMBRINI, R.; GALVÃO, L.; TEREM, E. 2023. Worldwide AI Ethics: A review of 200 guidelines and recommendations for AI governance. *Patterns*, **4**(10): <DOI: 10.1016/j. patter.2023.100857>
- DELRUELLE, E. 2003. Les techniques de soi chez Michel Foucault. In: P. Chabot; G. Hottois (eds.), Les philosophes et la technique. Paris: Vrin, p. 243-252.
- DOORN, N.; BEHNAM, T. 2018. Rawls's Wide Reflective Equilibrium as a Method for Engaged Interdisciplinary Collaboration: Potentials and Limitations for the Context of Technological Risks. *Science, Technology, & Human Values.* **43**(3): p. 487-517. <DOI: 10.1177/0162243917723153)>

DWORKIN, R. 1986. Law's Empire. Cambridge, MA: Harvard University Press.

The Economist Intelligence Unit. 2021. *Democracy Index 2021*. Available at: <a href="https://www.eiu.com/n/campaigns/democracy-index-2020/">https://www.eiu.com/n/campaigns/democracy-index-2020/</a>>

FEENBERG, A. 1991. Critical theory of technology. Oxford University Press.

FORST, R. 2013. Justification and Critique: Towards a Critical Theory of Politics. New York: Wiley.

FOUCAULT, M. 1976. Histoire de la sexualité, vol. 1: La volonté de savoir, Paris, Gallimard.

FOUCAULT, M. 1994. Le souci de la vérité: Le retour de la morale. In: *Dits et Écrits 1954-1988*, édition établie sous la direction de D. Defert; F. Ewald, avec la collaboration de J. Lagrange. Vol. IV. Paris: Gallimard.

FOUCAULT, M. 1997. Il faut défendre la société. Cours au Collège de France (1975-1976). Paris: Gallimard.

FOUCAULT, M. 2001. L'Herméneutique du sujet. Cours au Collège de France (1981-1982). Paris: Gallimard.

FOUCAULT, M. 2004. Naissance de la biopolitique. Cours au Collège de France (1978-1979). Paris: Gallimard.

FOUCAULT, M. 2023. Le discours philosophique. Paris: Gallimard.

HABERMAS, J. 1987. Technology and Science as 'Ideology'. In: *Toward a Rational Society*. Oxford: Polity Press. [*Technik und Wissenschaft als 'Ideologie'*, Frankfurt: Suhrkamp, 1968]

HABERMAS, J. 1990. The Philosophical Discourse of Modernity. Trans. Frederick G. Lawrence. Boston: MIT Press.

HABERMAS, J. 2022a. Ein neuer Strukturwandel der Öffentlichkeit und die deliberative Politik. Frankfurt: Suhrkamp.

HABERMAS, J. 2022b. Reflections and Hypotheses on a Further Structural Transformation of the Political Public Sphere. *Theory, Culture & Society.* **39**(4): p. 145-171. <DOI: 10.1177/02632764221112341>

HABERMAS, J. 2015. The lure of technocracy. New York: Polity Press. [Im Sog der Technokratie]

HEIDEGGER, M. 1954. Vorträge und Aufsätze. Pfullingen: Neske.

HEIDEGGER, M. 1962. Die Technik und die Kehre. Pfullingen: Neske.

HEIDEGGER, M. 1977. The Question Concerning Technology and Other Essays. Translated by W. Lovitt. New York: Harper.

HEIKKURINEN, P.; RUUSKA, T. (Eds.). 2021. Sustainability beyond Technology: Philosophy, Critique, and Implications for Human Organization. Oxford University Press.

HILL COLLINS, P. 2019. Intersectionality as critical social theory. Durham: Duke University Press.

HONNETH, A. 1996. The Struggle for Recognition: The Moral Grammar of Social Conflicts. (Studies in Contemporary German Social Thought). Trans. J. Anderson. Boston: MIT Press.

IBGE (Instituto Brasileiro de Geografia e Estatística), "Condições de vida, desigualdade e pobreza". <https://www.ibge.gov.br/estatisticas/multidominio/condicoes-de-vida-desigualdade-e-pobreza. html> Accessed on Nov. 15, 2023.

LIPOVETSKY, G. 2023. Le Nouvel Age du kitsch. Essai sur la civilisation du trop. Paris: Gallimard.

MARCUSE, H. 2005. The New Left and the 1960s: Collected Papers of Herbert Marcuse. Volume 3. Edited by Douglas Kellner. London and New York: Routledge.

MARCUSE, H. 1969. An Essay on Liberation. Boston: Beacon Press.

MARCUSE, H. 1964. One-Dimensional Man. London: Routledge & Kegan Paul.

MIGNOLO, W. D. 2003. Historias locales/disenos globales: colonialidad, conocimientos subalternos y pensamiento fronterizo. Madrid: Akal.

MÜLLER, V. C. 2021. Ethics of Artificial Intelligence and Robotics, *The Stanford Encyclopedia of Philosophy*, E. N. Zalta (ed.), URL = <a href="https://plato.stanford.edu/archives/sum2021/entries/ethics-ai/">https://plato.stanford.edu/archives/sum2021/entries/ethics-ai/</a>.

O'FARRELL, C. 2005. Michel Foucault. London: Sage.

PARFIT, D. 2002. Equality or Priority. In: *The Ideal of Equality*, ed. M. Clayton; A. Williams. Basingstoke: Palgrave McMillan.

PARFIT, D. 2011. On What Matters, 3 vols. Oxford University Press.

PELLAUER, D.; DAUENHAUER, B. 2022. Paul Ricoeur, *The Stanford Encyclopedia of Philosophy*, E. N. Zalta; U. Nodelman (eds.), URL = <https://plato.stanford.edu/archives/win2022/entries/ricoeur/>.

PLUMWOOD, V. 2002. Environmental Culture: The Ecological Crisis of Reason. London: Routledge.

PRECIADO, P. B. 2008. Testo yonqui. Madrid: Espasa Calpe.

RAWLS, J. 1971. A Theory of Justice. Cambridge, Mass.: Harvard University Press.

RAWLS, J. 1996. Political Liberalism. Revised paperback edition. New York: Columbia University Press.

RICOEUR, P. 1950. Le volontaire et l'involontaire. Paris.

RICOEUR, P. 1960. La symbolique du mal, Paris: Aubier.

RICOEUR, P. 1965. De l'interprétation: Essai sur Freud. Paris: Seuil.

RICOEUR, P. 1969. Le Conflit des interprétations. Essais d'herméneutique. Paris: Seuil.

RICOEUR, P. 1975. La métaphore vive. Paris: Seuil.

RUSSELL, S. J.; NORVIG, P. 2022. Artificial Intelligence: A Modern Approach. 4th Edition. London: Pearson.

SAAR, M. 2013. Die Immanenz der Macht: Politische Theorie nach Spinoza. Berlin: Suhrkamp.

SIMONDON, G. 1958. Du mode d'existence des objets techniques. Paris: Éditions Aubier-Montaigne.

STRECK, L. L. 2014. Hermenêutica jurídica e(m) crise: uma exploração hermenêutica da construção do Direito. 11. ed. Porto Alegre: Livraria do Advogado Editora.

ULLMANN, R. 2006. Amor e Sexo na Grécia Antiga. Porto Alegre: Edipucrs, 2006.

VEYNE, P. 2008. Foucault. Sa pensée, sa personne. Paris: Albin Michel.

WAELEN, R. 2022. Why AI Ethics is a Critical Theory. Philosophy & Technology. 35(9): p. 1-16.

YOUNG, H. P. 2008. Social Norms. In: *New Palgrave Dictionary of Economics*, edited by Steven N. Durlauf and Lawrence E. Blume. Palgrave MacMillan.

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