

## Foucault Studies

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### Monsters of Sex: Michel Foucault and the Problem of Life

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Abstract: This article argues, contra-Derrida, that Foucault does not essentialize or pre-comprehend the meaning of life or *bio-* in his writings on biopolitics. Instead, Foucault problematizes life and provokes genealogical questions about the meaning of modernity more broadly. In *The Order of Things*, the 1974-75 lecture course at the Collège de France, and *Herculine Barbin*, the monster is an important figure of the uncertain shape of modernity and its entangled problems (life, sex, madness, criminality, etc). Engaging Foucault's monsters, I show that the problematization of life is far from a "desire for a threshold," à la Derrida. It is a spur to interrogating and critiquing thresholds, a fraught question mark where we have "something to do." As Foucault puts it in "The Lives of Infamous Men," it an ambiguous frontier where beings lived and died and they appear to us "because of an encounter with power which, in striking down a life and turning it to ashes, makes it emerge, like a flash [...]."

Keywords: Foucault; Derrida; biopolitics; life; sex; monsters; problematization

#### *The Derrida-Foucault Debate, a Belated Installment*

In *The Beast and The Sovereign*, Derrida presents an excoriating critique of Agamben's theory of biopolitics and, at several points, he implies that his concerns extend to Foucault. For instance, he claims that "in spite of the protests that they would no doubt raise against this image," linear history is "the common temptation of both Foucault and Agamben (the modernity that comes after the classical age, the *epistemes* that follow on from each other and render each other obsolete, Agamben after Aristotle, etc)."<sup>1</sup> Between these parentheses, Derrida gestures to Foucault's archaeological text *The Order of Things* (1966), which explores how the discourse of modern biology "follows on from" and "renders obsolete" that of classical natural history. In genealogical texts like *The History of Sexuality* (1976), Foucault argues that the emergence of biology "goes hand in hand with the installation of new mechanisms of power," in particular the installation of biopolitical mechanisms that control

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1 Jacques Derrida, *The Beast and the Sovereign* (Chicago: The University of Chicago Press, 2009), 333.

and optimize the life of populations.<sup>2</sup> On Derrida's reading, however, classical and modern ways of knowing are not as distinct as *The Order of Things* and *The History of Sexuality* suggest, and the difference between ancient sovereign power and modern biopolitical power is not sharp enough to support Foucault's now-famous claim that the "threshold of modernity has been reached when the life of the species is wagered on its own political strategies."<sup>3</sup> Here, Derrida calls for

a greater vigilance as to our irrepressible desire for a threshold that *is* a threshold, a single and solid threshold. Perhaps there never is a threshold, any such threshold. Which is perhaps why we remain on it and risk staying on the threshold for ever.<sup>4</sup>

Derrida's critique of Foucault is more oblique than his heavy-handed, mocking deconstruction of Agamben's *zoe-bios* distinction. But with respect to the question of the *bio-*of biopolitics, it is no less significant.<sup>5</sup> In many ways, *The Beast and The Sovereign* is a belated episode in what is often called the "Derrida-Foucault debate," a series of exchanges concerning Foucault's 1961 text *History of Madness* that expose the two theorists' differing methods. In his 1963 "Cogito and the *History of Madness*," Derrida argues that the

attempt to write the history of the decision, difference, division [between madness and reason] runs the risk of construing the division as an event or a structure subsequent to the unity of an original presence, thereby confirming metaphysics in its fundamental operation.<sup>6</sup>

Put differently, Foucault's attempt to describe madness as historically constituted runs the risk of presupposing, in a metaphysical and a-historical fashion, the meaning of madness itself. According to Derrida, in *History of Madness*,

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2 Michel Foucault, "On Power," in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*. Ed. Lawrence Kritzman (New York: Routledge, 1988), 106.

3 In *The History of Sexuality*, Foucault writes that "what might be called a society's 'threshold of modernity' has been reached when the life of the species is wagered on its own political strategies." Michel Foucault, *The History of Sexuality: Volume One* (New York: Vintage Books, 1990), 143.

4 Derrida, *The Beast and The Sovereign*, 334.

5 Derrida's tone is really quite striking. At one point, he curtly comments that he has given up on understanding Foucault and Agamben's texts; he discusses them only because "they mark at least the currency of the problems and concerns" of the seminar. *Ibid.*, 317.

6 Jacques Derrida, "Cogito and the History of Madness" in *Writing and Difference* (Chicago: The University of Chicago Press, 1978), 40.

everything transpires as if Foucault knew what madness means. Everything transpires as if, in a continuous and underlying ways, an assured and rigorous pre-comprehension of the concept of madness [...] were possible and acquired.<sup>7</sup>

In *The Beast and The Sovereign*, Derrida indirectly raises a similar question or hypothesis around Foucault's history of biopolitics. Does Foucault "confirm metaphysics" by describing a historical shift from ancient sovereignty to modern biopolitics, by mapping the emergence of life as an object of knowledge and regulation? Does "everything transpire as if" Foucault pre-comprehends life, as if he knows what life means?

This article follows the risks of Foucault's archaeology in order to reject the charge that he "pre-comprehends" the meaning of life. Focusing on *The Order of Things* as an early contribution to the study of biopolitics, I argue that Foucault does not essentialize life as much as he problematizes it. The problem of life takes a binary or doubled form in the modern period. With visible surfaces and hidden depths, life is available to knowledge and regulation, yet it seems to also transcend its grasp. The problem of life is not formed by a decision or an event, nor is it "subsequent to the unity of an original presence." It has "fringes and unconsidered margins." Most notably, Foucault writes of a figure that complicates divisions between classical nature and modern life, sovereign and biopolitical powers—the monster. Although monsters appear only briefly in *The Order of Things*, Foucault's genealogy of monstrosity unfolds across the 1974-75 lecture course at the Collège de France, published in English as *Abnormal*, and in the 1978 volume *Herculine Barbin: Being the Recently Discovered Memoirs of a Nineteenth Century French Hermaphrodite*. In these texts, Foucault uses the figure of the hermaphrodite to explore the borders of monstrosity. He suggests that Classical hermaphrodites were understood as monsters because they transgressed natural law, and modern hermaphrodites are deviants whose true sex can be (produced and then) uncovered in life's "invisible realities." Contra-Derrida, however, he provides no clear origin or threshold. The borders of monstrosity are as ambiguous as the borders of modernity. Ultimately, Foucault does not endeavor to resolve these ambiguities, to comprehend (or pre-comprehend) monstrosity or modernity with an eye to escape or a dream of transcendence. While *Herculine Barbin* has been misinterpreted in this manner, most notably in Judith Butler's *Gender Trouble*, I argue that the text is a call to problematization, understood as "an initiating, rather than a concluding phase of thought."<sup>8</sup> The figure of the monster signals the stakes of this method, and of this article's broader

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7 Ibid, 41.

8 Colin Koopman, *Genealogy as Critique: Foucault and the Problems of Modernity* (Bloomington: Indiana University Press, 2013), 95.

reframing of the Derrida-Foucault debate. At the ambiguous margins of modernity, lives are lived in an “uncertain frontier region where one does not know whether one ought to speak of life or not,” and where life, like madness, does not speak for itself.<sup>9</sup> We should try to listen, to spark curiosity, and be transformed in the process. Far from objectivist naivete, Foucault’s problematization of sexuate life in *The Order of Things*, *Abnormal* and *Herculine Barbin* is a provocation to questioning.

### *Archaeology and The Problematization of Life*

Archaeology and genealogy are associated with particular periods in Foucault’s writing, but the methods are linked (and the chronology is complicated) via the work of *problematization*. According to Foucault,

problematization doesn’t mean the representation of a pre-existing object, nor the creation by discourse of an object that doesn’t exist. It is the totality of discursive or non-discursive practices that introduces something into the play of true or false and constitutes it as an object for thought.<sup>10</sup>

In *The Order of Things* and the 1974-1979 Collège de France lectures, Foucault problematizes life in archaeological and then genealogical modes, exploring the “totality of discursive and non-discursive practices” that “constitute [life] as an object for thought.” According to Foucault,

the archaeological dimension of problematization makes it possible to examine the forms [of problems] themselves. [The] genealogical dimension enables [an analysis of the] formation [of problems] out of practices and the modifications undergone by the latter.<sup>11</sup>

Foucault’s late interviews identify *The Order of Things* as an early archaeological installment of the history of problems:

the fact that [...] human behavior became, from a certain point on, a problem to be analyzed and resolved, all that is bound up [...] with mechanisms of power— which, at a

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9 Foucault, *The Order of Things: An Archaeology of the Human Sciences* (New York: Random House, 1994), 161. Quoted in Huffer, 23.

10 Michel Foucault, “The Concern for Truth,” in *Politics, Philosophy, Culture* Ed. Lawrence Kritzman (Routledge: New York, 1988), 257.

11 Michel Foucault, *The Use of Pleasure* (New York: Vintage Books, 1990), 12.

given moment, indeed, analyzed that object (society, man, etc.) and presented it as a problem to be resolved. So the birth of the human sciences goes hand in hand with the installation of new mechanisms of power.<sup>12</sup>

In the modern period, the invention of life is “bound up” with the development of disciplinary and biopolitical power. As life becomes “a problem to be analyzed and resolved,” the “basic biological features of the human species become the object of a political strategy, of a general strategy of power.”<sup>13</sup> More specifically, life is a wrinkle in knowledge (and a new object of power), characterized by its binary shape—visible and invisible, surface and depth, empirical and transcendent.

Foucault’s account of the emergence of modern biology and the displacement of the Classical taxonomic table is a well-known section of *The Order of Things*. Modern living beings, as opposed to classical natural beings, are defined and categorized according to “invisible relations” and “unknowable depths” that do not lend themselves to taxonomic representation. An early example of this mutation can be found in the writing of Jean-Baptiste Lamarck, a French naturalist who uses organic structure as a means to position beings on the taxonomic table. “A minuscule but absolutely essential displacement,” Lamarck’s work is a sign that Classical “representation is losing its power to define the mode of being common to things”; he must appeal to something “outside of representation itself” to define “the very being of that which is represented.”<sup>14</sup> In the writings of Georges Cuvier, the invisible depths of organic structure are wholly decoupled from the representational grid of *taxonomia*. For Cuvier, organic structure is defined via the function that an organ performs—e.g. respiration, digestion, reproduction, locomotion—with no reference to visible properties. For example, gills and lungs have few variables of form, magnitude and number in common—as organs, they do not visually resemble one another—but they are associated via the general function of respiration. This classification of living beings according to their similarities as functional systems was not possible in the Classical episteme, because functions cannot be represented on a stable one-dimensional table. In the modern episteme, “identities must now be ordered and conceived on the basis of functional homogeneity that is their hidden foundation.”<sup>15</sup>

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12 Michel Foucault, “On Power,” in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*. Ed. Lawrence Kritzman (New York: Routledge, 1988), 106.

13 Michel Foucault, *Security, Territory, Population Lectures at the Collège de France, 1977-78* (New York: Palgrave McMillan, 2007), 1.

14 Michel Foucault, *The Order of Things*, 240.

15 *Ibid*, 265.

Foucault also describes modern living beings as discontinuous and fundamentally historical, although readers of *The Order of Things* have given less attention to these contours. Unlike the great visible continuous expanse of Classical nature, modern life has a non-perceptible dimension.<sup>16</sup> It cannot be treated as a positive object to be placed under a microscope or represented on a taxonomic table.<sup>17</sup> To explore the relations of more and less complex functional organic systems, modern thinkers will use comparative anatomy more than direct observation. Comparisons will not yield two taxonomic tables of differences, one of hidden functions, another of visible patterns. Instead, beings are no longer connected and disconnected by the interstices of the table; “difference multiplies itself, adds up diverse forms, reverberates and is diffused throughout the organism; isolating it from all the others in various simultaneous ways.”<sup>18</sup> Foucault describes living beings as isolated, wrapped in their own existence, bound in upon themselves, and at one point, “withdrawn into the enigma of a force inaccessible in its essence.”<sup>19</sup> As discontinuities, these interiors may appear unknowable, “inaccessible,” or transcendent, but they are explained and managed by the interaction between the organism and what enables it to live. This relation of life to its conditions introduces historicity into the realm of living beings “as a fundamental mode of being.”<sup>20</sup> Although the Classical episteme allowed for the development of species over time, it did “no more than provide a means of traversing the discretely preordained table of possible variations.”<sup>21</sup> Natural beings were “*in* but not essentially *of* time.”<sup>22</sup> The discontinuity of living beings “makes it possible to conceive of a great temporal current” because conditions of existence may or may not be fulfilled. According to Foucault, the table gave precedence to “vegetable values,” but, in the modern period, it is the animal that symbolizes life’s historicity. Besieged by death on all sides, the animal better illustrates life’s “great temporal current” — the transition between organic and inorganic, the relation between its buried organs and external environs. Leaving the

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16 Ibid 268.

17 Ibid, 268. As Mary-Beth Mader clarifies, “life is nowhere to be found in the positive objects of the science of life itself; it is strictly speaking unknowable and occupies ‘the unknowable depths’ of this new nineteenth century episteme that broke with the representational episteme of the Classical Age.” See Mary-Beth Mader, “Modern Living and Vital Race: Foucault and the Science of Life” *Foucault Studies* No. 12 (2011), 100.

18 Ibid, 272.

19 Ibid, 273-274.

20 Ibid, 274.

21 Ibid, 275.

22 Gary Gutting, *Michel Foucault’s Archaeology of Scientific Reason* (Cambridge: Cambridge University Press, 1989), 192.

tabulated space of order, with its vertical steps and predetermined changes, life becomes wild.<sup>23</sup>

In an under-theorized section of *The Order of Things*, Foucault provides two other figures of life's historicity. Instead of the contrast between plants and animals, he writes of a more ambiguous duo—monsters and fossils. Surveying quasi-evolutionary strands of 18<sup>th</sup> century natural history that precede the work of Lamarck and Cuvier, Foucault suggests that the monster and the fossil form a “shady, mobile, wavering region” between the classical and modern epistemes. One of these strands of thought, represented by the work of Pierre Louis Maupertuis, maintains that living beings have a “spontaneous aptitude to change their forms,” the other approach, signaled by the work of Jean-Baptiste Robinet, argues that beings change as a result of an “obscure urge toward a terminal species.”<sup>24</sup> For both of these quasi-evolutionary thinkers, monstrosity is a kind of “background noise” that allows difference to emerge. While Maupertuis claims that that the monstrous deviation of particles brings new species into being, Robinet argues that monstrosities contribute to nature's obscure drive towards greater complexity.<sup>25</sup> With respect to the Classical taxonomic table, monsters are “a means of passing to adjacent forms, [they] prepare and bring about the combinations that follow them.”<sup>26</sup> As Foucault puts it,

the visible species that now present themselves for our analysis have been separated out from the ceaseless background of monstrosities that appear, glimmer, sink into the abyss, and occasionally survive. And this is the fundamental point: nature has a history only in so far as it is susceptible of continuity.<sup>27</sup>

Like monsters, fossils are also figures of an attempt for “natural history to conceive of the history of nature.” Where monsters point to the production of difference, fossils illustrate the production of identity. They are a “backward projection” of the taxonomic table, a recollection of the first buddings of identity. “Like a form from sediment once covered by

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23 In this way, modern understandings of “discontinuous life” condition later developments in evolutionary thought. Foucault's emphasis on Cuvier's (rather than Lamarck's) role is provocative counter-history of evolutionism, rejecting the “opposition often set up between Lamarck's ‘transformist’ intuitions, which seem to ‘prefigure’ what was to be evolutionism, and the old fixism, impregnated through and through with traditional prejudices and theological postulates.” Ibid, 274.

24 Foucault, *The Order of Things*, 153.

25 “Visible species [have been] separated out from the ceaseless background of monstrosities that appear, glimmer, sink into the abyss, and occasionally survive.” Ibid, 154.

26 Ibid, 155.

27 Ibid, 154.

oceans, the fossil is a figure for the emergence of intelligibility out of the undifferentiated murmur of unintelligibility."<sup>28</sup> In this way, the fossil is "out of sync with its own time and space [...fracturing] the now in which lives are made intelligible as biological life."<sup>29</sup> For Foucault, the monster and fossil are two not-so Classical figures of becoming that "are perceptible on the fringes of the [taxonomic] table" but not represented within it. Together, they complicate the distinction between classical nature and modern life.

As the two most ambiguous figures in Foucault's archaeology, the monster and the fossil respond to Derrida's critique of Foucault in *The Beast and the Sovereign* and "Cogito and the History of Madness." According to Derrida, if the modern episteme "follows on from and renders obsolete" that of classical order, such a rupture "runs the risk of construing the division as an event or a structure subsequent to the unity of an original presence."<sup>30</sup> By "leaving entirely aside all analysis of relations of power," *The Order of Things* seems more open to this charge than *History of Madness*. The unwieldy, genealogical dimensions of *History of Madness* challenge Derrida's reading because madness is formed via more and less ambiguous movements of power-knowledge. Foucault's discussion of the Great Confinement, which is formed across an "ensemble of complex, staggered elements," complicates the notion of "the division as an event or structure." *The Order of Things* appears more streamlined, as if its attention to "regional" discursive practices might describe a relatively unambiguous discontinuity between the classical and modern epistemes. And yet the monster and fossil stand as markers of the "fringes" and "unconsidered margins, "residing in that uncertain frontier region where one does not know whether one ought to speak of life or not."<sup>31</sup>

Importantly, the position of the monster and the fossil is not a random feature of *The Order of Things*. In the introduction, Foucault describes the purpose of the text as the transformative encounter with the out-of-sync. The text arose out of his experience reading about a fictional Chinese encyclopedia in Jorge Luis Borges' "The Analytical Language of John Wilkins." Borges' "Heavenly Emporium of Benevolent Knowledge" divides animals into the following categories:

- (a) belonging to the emperor; (b) embalmed; (c) tame; (d) sucking pigs; (e) sirens; (f) fabulous; (g) stray dogs; (h) included in this classification; (i) frenzied; (j) innumerable;

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28 Huffer, Lynne. "Foucault's Fossils: Life Itself and the Return to Nature in Feminist Philosophy." *Foucault Studies* No 20 (December 2015): 137.

29 Ibid, 138.

30 Derrida, "Cogito and the History of Madness," 40.

31 Foucault, *The Order of Things*, 161. Quoted in Huffer, 23.



(k) drawn with a very fine camelhair brush; (l) *etcetera*; (m) having just broken the flower base; (n) that from a long way off look like flies.<sup>32</sup>

Foucault recounts that reading this passage shatters

all the familiar landmarks of my thought - our thought, the thought that bears the stamp of our age and our geography- breaking up all the ordered surfaces and all the planes with which we are accustomed to tame the wild profusion of existing things and continuing long afterwards to disturb and threaten with collapse our distinction between the Same and the Other.<sup>33</sup>

The aim of *The Order of Things* is not to map the familiar landmarks of thought in a streamlined fashion, one episteme following on from the other. Instead, it is an “echo” of *History of Madness*. Whereas *History of Madness* is a history of the Other, a history of that which is interior and foreign and so excluded, *The Order of Things* is a history of the Same, of that which is dispersed and related. In both texts, Foucault aims to unsettle immobile understandings of continuity/discontinuity. The monster and the fossil are important, underappreciated figures of this project. Much like the “complex and staggered elements” of *History of Madness*, any threshold between the Classical and the modern epistemes is shot through with rifts, instability and ambiguity. While laughter and uneasiness attend Foucault’s encounter with Borges’ Chinese encyclopedia, so also does problematization. Instead of ignoring, resolving or minimizing the uncertain frontier region of monsters and fossils, Foucault invites readers to ask questions.

*Modern Monsters: Genealogy and the Problematization of Sex*

It is not surprising, then, that monsters reappear in *Abnormal* (1974-75) and *Herculine Barbin: Being the Recently Discovered Memoirs of a Nineteenth Century French Hermaphrodite* (1978). In these texts, Foucault explores monstrosity in a genealogical fashion, as a fabrication of mechanisms of power. Coinciding with the Great Confinement and pre-revolutionary natural history, the “human monster” is a product of juridical power. An unnatural figure that transgresses the laws of nature, the human monster “traps the law while breaching it,” violating natural classifications while maintaining a relationship to nature. As Foucault puts it, “the [classical] monster is, so to speak, the spontaneous, brutal

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32 Foucault, *The Order of Things*, xv

33 Ibid, xv.

but consequently natural form of the unnatural [...] it is the magnifying model, the form of every possible little irregularity exhibited by the games of nature."<sup>34</sup> The 17<sup>th</sup> century interest in mixing is an example of the monster as the natural form of the unnatural—the snake-like person born without arms, the person who has both ‘male’ and ‘female’ genitalia. In the 18<sup>th</sup> and early 19<sup>th</sup> century, the era that coincides with the emergence of the modern living being, the human monster mutates into an abnormal individual. For instance, the hermaphrodite is no longer a monstrous transgression of law as much as an everyday deviation of the social order, an intersex “abnormal individual” whose misconduct is surrounded by forms of knowledge that are also modes of correction. In the later sessions of *Abnormal*, Foucault will describe the emerging fields of psychiatry, biology, and criminology as “power-knowledges” in order to emphasize the internal relation between knowing and regulating. Through modern power-knowledges, the intersex individual acquires depths behind abnormality, “bad habits, little perversities, childish naughtiness.”

Although the human monster and abnormal individual resonate with Foucault’s archaeology of classical nature and modern life, they are not points in a linear history. In *Abnormal*, the powers that produce human and abnormal individuals are themselves difficult to distinguish in formal or linear terms. While the human monster is associated with juridical power, and the abnormal individual with disciplinary and biopolitical power, “there is not the legal age, the disciplinary age, and then the age of [health or] security.”<sup>35</sup> Instead, the “fuzzy history of correlations” between juridical, disciplinary, and biopolitical power involves “a series of complex edifices in which the techniques themselves change” as well as the dominant characteristic of the edifice.<sup>36</sup> Similarly, one could say, the problems produced and molded by these powers share a “fuzzy history.” Through the wide lens of genealogy, the problem of life is entangled with the problems of madness, sexuality, and criminality. Published by Foucault in 1978, the memoirs of the 19<sup>th</sup> century intersex figure Herculine Barbin provide insight into this entanglement. Barbin’s life is haunted by the history of the human monster and shaped by emerging biological theories of sex and sexuality. Instead of categorizing Barbin as classical or modern, the *Barbin* volume is a collection of “complex and staggered elements” around Barbin’s life. It is an invitation to genealogy and problematization.

The *Abnormal* lectures suggest that the dominance of juridical power in the Classical period produces a particular understanding of the hermaphrodite as unnatural natural beings, a monstrosity of nature. The taxonomic table admits of natural irregularities like

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34 Michel Foucault, *Abnormal* (Verso: London, 2003), 56.

35 Foucault, *Security, Territory, Population*, 8

36 Ibid, 8.

deformities, disabilities, or defects. However, when the natural disorder “upsets the *juridical order*” —embarrassing or confusing the law, calling it into question or disabling it— this amounts to a monstrous transgression of nature itself. In this period, the hermaphrodite embarrasses laws around marriage and inheritance because they are understood as an unnatural mixture of two sexes that ought to be separate. Who will the hermaphrodite be allowed to marry? Can they inherit money or property after a family member’s death? These questions confuse the law and, to the extent that the sovereign’s will is present in law, they also attack the sovereign. In *Discipline and Punish*, Foucault famously elaborates on the spectacular, visible and violent form of sovereign revenge, in particular the application of the right to kill, to “take life or let live.” Through violent public rituals, classical sovereigns attempt to recharge and renew their power after a transgression of law embarrasses or questions it. These rituals also characterize the punishment of the hermaphrodite. Foucault writes of people burned alive because it was thought that the mixture of their sexes had been caused by monstrous sexual relations with Satan. He points to the role of the visible spectacle in the 1614 case of Marie Lemarcis. “Sentenced to be hung, burned, and her ashes scattered in the wind,” Lemarcis’ partner was made to witness the execution and to be “thrashed at the town’s crossroads.”<sup>37</sup>

The Classical understanding of unnatural natural beings “begins to break up” with the 1765 case of Anna Grandjean, whose fate reflects the emergence of biopolitical power. Sentenced to the pillory for profaning the marriage sacrament, the case was dismissed as long as Grandjean took steps to correct certain behaviors and to submit to normalizing controls, e.g. wearing women’s clothes and romantically associating only with men. Grandjean’s punishment reflects the reorganization of juridical power and the sovereign right to kill. In the modern period, executions are drawn away from the public eye and the slow ritualistic torture of the spectacle is replaced by the private sober efficiency of regulatory power. Whereas violent bodily contact plays a crucial role in revengeful sovereign punishment, modern power engages bodies as intermediaries to produce and judge “something other than crimes, namely, the ‘soul’ of the criminal.”<sup>38</sup> In particular, biopolitical power focuses on the depths of the living body,

the body imbued with the mechanics of life and serving as the basis of the biological processes: propagation, births and mortality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary.<sup>39</sup>

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37 Foucault, *Abnormal*, 68.

38 Foucault, *Discipline and Punish* (New York : Vintage Books, 1995), 29.

39 Foucault, *The History of Sexuality*, 139.

With new interiors, living beings can be understood and regulated in ever more minute ways as features at the bodily surface are connected to hidden precursors to crime or illness. In this context, Grandjean is a “moral monster” not a symbol of the “transgression of everything that separates one sex from another.” Instead of recharging sovereign power, Grandjean’s punishment aims to control and direct the living body, to “neutralize” the basis of deviance and to prevent its repetition.<sup>40</sup>

Since they can be found “everywhere, all the time, in the simplest, most common and most everyday conduct, in its most familiar object,” Foucault’s later lectures in *Abnormal* suggest that moral monsters are not entirely monsters nor especially monstrous.<sup>41</sup> They are “abnormal individuals.” The human monster is an ancestor of the abnormal individual, but the moral monster is a kind of vanishing point. The later sessions of the *Abnormal* course define the abnormal individual in this way, as a “descendent” or a “mixture” of the human monster and two other figures— the incorrigible individual and the masturbator. Although the incorrigible individual remains a relatively undeveloped character, Foucault dedicates several lectures to the masturbator, emphasizing how 19<sup>th</sup> century families, physicians, and psychiatrists pathologize the “near universal practice” of masturbation and participate in the broader problematization of sexuality. In particular, the masturbator highlights a dimension of the abnormal individual’s hidden depths plumbed by the expanding field of psychiatry— childhood. Digging deeper and deeper, the growing field of psychiatry tracks the ways that childhood pleasure can abnormally erupt within or become severed from adulthood. According to Foucault,

childhood is the principle of the generalization of psychiatry [...] the child’s conduct is thoroughly scoured [because] it may contain an adult fixation within it [and] adult conduct is scrutinized for any possible trace of infantilism.<sup>42</sup>

In this way, the generalization of psychiatry involves the proliferation of perversity (and the production of abnormal individuals) because traces of “adult fixation” or infantilism can be found “everywhere, all the time, in the simplest, most common and most everyday conduct.”<sup>43</sup> If psychiatry finds monstrosity everywhere, are monsters anywhere? “How

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40 Foucault, *Abnormal*, 88.

41 Ibid, 162-163.

42 Ibid, 305.

43 Ibid, 162-163.

could the species of great exceptional monstrosity end up being divided into this host of little abnormalities, of both abnormal and familiar characters?"<sup>44</sup>

Published several years after the *Abnormal* lecture course, Foucault's *Herculine Barbin* volume illustrates the ambiguous region between the human monster and the abnormal individual, and recalls the vanishing figure of the moral monster. Like the monster and fossil section of *The Order of Things*, *Herculine Barbin* points to a non-linear reading of the history of monstrosity, and living being more generally. Barbin's memoir describes the experience of being assigned the sex female at birth and, after a series of encounters with doctors in adulthood, being reassigned the sex male. Its attentions focus on Barbin's feelings for other girls at Catholic boarding school as a young child as well as Barbin's sexual and romantic relationship with a coworker, Sara, at the age of 21. After Barbin's legal change of sex, Sara's family refuses to allow them to marry or have contact with one another. The memoir breaks off when, after moving to Paris and struggling to find work and community, Barbin commits suicide in 1868. Foucault collects Barbin's memoir in a volume organized as a dossier or archive of materials. In addition to the memoir, the book includes Foucault's introduction, related medical reports, newspaper articles, educational records, an amended birth certificate, and a novella written by Oscar Panizza inspired by Barbin's life. In his short introduction, Foucault provides a genealogical lens for the materials and highlights points of interest for further research. He remarks that, while the story is in some ways "banal" or "unremarkable," Barbin's "unhappy memory" is an interesting perspective into the intense investigations into sexual identity that took place in 1860s France.

Perhaps because of its form as a dossier, *Herculine Barbin* is often regarded as a "minor" work by many commentators.<sup>45</sup> Much of its Anglophone interpretation has been shaped by an extended discussion and misinterpretation of the volume in Judith Butler's widely read *Gender Trouble: Feminism and the Subversion of Identity*. According to Butler, Foucault's introduction to *Herculine Barbin* betrays an unresolved tension within his genealogical work as a whole. In her view, Foucault "appears to think that the [Barbin] journals provide insight into precisely that unregulated field of pleasures prior to the imposition of the law of univocal sex."<sup>46</sup> This critique focuses on his description of Barbin's

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44 Ibid, 110.

45 Ladelle McWhorter, *Bodies and Pleasures: Foucault and the Politics of Sexual Normalization* (Bloomington: Indiana University Press, 1999), 200 and 253. McWhorter notes that *Herculine Barbin* is not indexed in Alan Sheridan's "guidebook," *Michel Foucault: The Will to Know* (London: Tavistock, 1980).

46 Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990), 125.

Catholic boarding school as a monosexual environment where “grins hung about without the cat” and where Barbin experiences the “happy limbo of non-identity.” According to Butler, these descriptions constitute a “radical misreading of the way in which pleasures are always already embedded in the pervasive but inarticulate law and, indeed, generated by the very law they are said to defy.”<sup>47</sup> Unfortunately, the radical misreading is Butler’s own. As Lauren Guilmette argues, Butler is “intent on reading the Herculine text as a moment in which Foucault lays his own autobiographical context overtop of Barbin’s in a moment of confessional weakness.”<sup>48</sup> Butler asks, “Is this a displaced confession that presumes a continuity between his life and hers?”<sup>49</sup> But, Foucault’s language of a “happy limbo of non-identity” and “grins that hang about” is not confessional. He aims to capture *what Barbin evokes* in the memoir; the phrases are descriptions of *Barbin’s own childhood nostalgia and storytelling*. Consider the context of the controversial phrase “grins which hung about without the cat” in a discussion of Barbin’s account of Catholic boarding school:

One has the impression, *at least if one gives credence to Herculine’s story*, that everything took place in a world of feelings [...] where the identity of the [...] enigmatic character [...] had no importance. It was a world in which grins hung about without the cat.<sup>50</sup>

Foucault attempts to capture some of the tone that Barbin uses when recounting experiences at boarding school, the environment that is evoked in the memoir. He raises the possibility that one could give credence to Barbin’s story. It is a perspective that can be explored, and it happens to capture “a world in which grins hung about without the cat.”

In *Bodies and Pleasures: Foucault and the Politics of Sexual Normalization*, Ladelle McWhorter describes this dimension of genealogy as “counter-memory,” an invitation to remember Barbin in ways that are not wholly dominated by the modern discourse of true sex. It is a story that is variously nostalgic, naïve, melancholic, and rebellious. Foucault does not fixate on Barbin’s body as a site of radical transcendence. Instead, he “gives credence” to Barbin’s messy and ultimately unsuccessful attempts to resist, navigate, and survive “true sex.” In her recent article, “Foucault’s Sad Heterotopology of the Body,” Verena Erlenbusch argues that Foucault’s Herculine Barbin not only spurs counter-memory but

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47 Ibid, 125.

48 Lauren Guilmette, “The Violence of Curiosity: Butler’s Foucault, Foucault’s Herculine, and the Will-to-Know” *philoSOPHIA* Volume 7, Number 1 (Winter 2017): 9.

49 Butler, *Gender Trouble*, 129.

50 Foucault, *Herculine Barbin*, xiii. Emphasis added.

counter-spaces as well.<sup>51</sup> Barbin's body is an example of a heterotopia, as defined in the preface to *The Order of Things*. According to Foucault, where utopias are "untroubled regions," heterotopias are

disturbing [...] because they make it impossible to name this and that, because they shatter or tangle common names, because they destroy 'syntax' in advance, and not only the syntax with which we construct sentences but also that less apparent syntax which causes words and things to 'hold together'.<sup>52</sup>

On Erlenbusch's reading, Barbin's body is a heterotopia that troubles categories of sexual identity, allowing Foucault to reveal the epistemic limitations of medico-legal discourses.<sup>53</sup> On my reading, Barbin serves a further methodological purpose, that of inviting the reader to the project of problematization vis-à-vis the borders of modernity and the modern notion of sexuate life.

In his introduction, Foucault suggests that Barbin's story illustrates how biopolitical mechanisms produce a notion of "true sex" consistent with the modern doubling of the living being into surfaces and depths. Biological theories of sexuality and forms of administrative control

lead to the rejection of the idea of a mixture of the two sexes in a single body [...] Everyone was to have one and only one sex. Everybody was to have his or her primary, profound, determined, and determining sexual identity; as far as the elements of the other sex that might appear, they could only be accidental, superficial or illusory.<sup>54</sup>

Medical documents detail how doctors participate in the construction of true sex. When confronted with an intersex individual, the doctor had to "decipher the sex that was hidden beneath ambiguous appearances. [...] He had to strip the body of its anatomical deceptions and discover the one true sex behind organs that might have put on the forms of the other."<sup>55</sup> In this diagnostic scene, Barbin's body is a resource to experiment and intervene in biological sex, to produce and manipulate its doubled form of irregular surfaces and hidden

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51 Verena Erlenbusch, "Foucault's Sad Heterotopology of the Body" *philoSOPHIA* Volume 6, Number 2 (Summer 2016), 177.

52 Foucault, *The Order of Things*, xix.

53 Erlenbusch, 173.

54 Michel Foucault, *Herculine Barbin*, viii.

55 *Ibid*, ix.

truths.<sup>56</sup> Barbin describes feeling violated by the exam, like “a plaything of an impossible dream.”<sup>57</sup> Oscar Panizza’s novella *A Scandal at the Convent* (1895) might have had a similar violating effect, if it had not been published almost 30 years after Barbin’s death. A practicing psychiatrist, Panizza’s novella is preoccupied with Barbin’s childhood in an all-girls Catholic boarding school. The text illustrates the psychiatric impulse to objectify Barbin’s childhood, to use the developmental history of living being as a “trap” or a mode of regulation. According to Foucault, Panizza “presents [Barbin] only in the fleeting profiles which others see. This boy-girl, this never eternal masculine-feminine, is nothing more than what passes at night in the dreams, desires of everyone.”<sup>58</sup> Just as the gaze of biomedicine strips Barbin’s body to discover true sex, Panizza scans Barbin’s early development to detect signs of infantilism. What Barbin experiences as “an impossible dream,” Panizza describes as “what passes at night in the dreams [and] desires of everyone.”

While Foucault’s introduction points to biopolitical power/knowledges that shape Barbin’s story, it also problematizes the borders of modernity. On the one hand, Barbin’s life and death are shot through with the construction of the living being—its depths and its binary truths; disallowed in direct and indirect ways through intense biomedical surveillance, at a certain point, Barbin’s conditions of existence, precarious as they were, are no longer fulfilled. On the other hand, Barbin’s life and death recall Maupertuis and Robinet’s description of the monstrous region between Classical and modern epistemes. Barbin is “background noise,” a site of experimentation through which biologists, psychiatrists, and others produce and manipulate “true sex.” The duality of true sex “that now present[s itself] for our analysis ha[s] been separated out from the ceaseless background of monstrosities that appear, glimmer, sink into the abyss, and occasionally survive.”<sup>59</sup> Is Barbin one abnormal individual among others found “everywhere, all the time, in the simplest, most common and most everyday conduct, in its most familiar object”? Or does Barbin’s treatment approximate the figure of the “moral monster,” the figure who, in the *Abnormal* lectures, appears as a vanishing point or a “shady, mobile wavering region”?

Barbin’s suicide complicates these questions even further because it is an act of resistance to modern life, a refusal to be a living being by refusing to be at all. To be sure, Barbin’s suicide is not triumphant; it does not successfully unmoor modern understandings of sexuate life nor is it an effective assault on dualist sexual regimes of power. Nevertheless,

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56 Ibid, viii.

57 Ibid, 78.

58 Ibid, xvi.

59 Foucault, *The Order of Things*, 154.



it is one of Barbin's many acts of resistance, one of Barbin's many attempts to exist otherwise. As Ladelle McWhorter puts it:

*Barbin actually resists 19<sup>th</sup> century sexual normalization per se*—that is he/she actively and reflectively resists being classified according to standards of normality and deviance. He/she is not a deviant male; he/she is not really male at all, nor is he/she really female. Barbin doesn't just resist becoming normal; he/she resists normalizing discourses and categories, normalization itself. But it is not possible to see this if all one does is pay attention to the brute body or the disembodied mind, or—more precisely—if one insists on treating Barbin as a Cartesian doublet.<sup>60</sup>

In the memoir, Barbin “oscillates between male and female [identifications], sometimes refusing one or the other, sometimes fusing or refusing both of them.”<sup>61</sup> Foucault does not fix Barbin as male or female nor does he fixate on Barbin's body as a site of transcendence (or as a site of fetishizing projection à la Panizza). Instead, Foucault “gives credence” to these messy attempts to challenge and navigate “true sex.” In doing so, he insists on describing modern sexuate life as something continually made and unmade. Barbin cannot be symbolized as a simple figure of modern life or modern death without ignoring the many ways that Barbin sought to resist “true sex,” to imagine another modernity. Because Barbin resists binary sexual normalization, Barbin is out of sync with time and space, fracturing “the now in which lives are made intelligible as biological life.”<sup>62</sup>

Put differently, and in terms that respond to Derridean critiques of genealogical problematization, Foucault's treatment of Barbin figures modernity as out-of-sync with itself. Modernity is not present to itself nor does it emerge from another pre-modern present. As an “initiating rather than a concluding phase of thought,” Foucault's *Herculine Barbin* engages with modern sexuate life by emphasizing the shape of these overlapping, messy problems—modernity, sex, life—as question marks. Like *History of Madness*, *Herculine Barbin* does not romanticize the past as a “history of solutions” or demonize it as a history of wrongs. Instead the text opens up the problem of sexuate life in the sense of a *problématique*, a “fraught” or “dangerous” area where we have “something to do.”<sup>63</sup> In the pages of the dossier, Foucault collects opportunities to further explore how sexuate life is fabricated into a “shape,” “constituted as an object of thought” and “introduced into the

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60 McWhorter, *Bodies and Pleasures: Foucault and the Politics of Sexual Normalization*, 204.

61 Ibid, 205.

62 Huffer, Lynne. “Foucault's Fossils: Life Itself and the Return to Nature in Feminist Philosophy.” *Foucault Studies* 20 (December 2015): 138.

63 Todd May, *The Philosophy of Foucault* (Montreal: McGill-Queen's University Press, 2006), 103.

play of true or false.” Far from essentializing sexuate life, Foucault problematizes it by asking: how do subjects speak the truth about sexuate life? Through what forms of rationality and historical conditions? At what price?<sup>64</sup> Although Derrida did not appreciate it, a similar problematizing procedure was underway in *History of Madness*. Through what forms of rationality and historical conditions does madness enter the play of true or false? At what price?

*Infamous Lives: Problematization and the Archive*

It is well known that the early 1960s installment of “the Derrida-Foucault debate” centers on Foucault’s mention of “letting madness speak for itself” in the 1961 preface of the *History of Madness*. According to Derrida, Foucault’s comment betrays a possible objectivist naiveté at work in genealogy—an interest in the essence of madness, a desire to give “madness itself” a voice. For Derrida, this is the ambition of *History of Madness* even as the 1961 preface goes on to emphasize that “letting madness speak for itself” is a

[d]oubtedly impossible task as it would require us to reconstitute the dust of this concrete pain, and those insane words that nothing anchors in time, and above all because that pain and those words only exist, and are only apparent to themselves and to others in the act of division that already denounces and masters them [...] Any perception that aims to apprehend them in their wild state necessarily belongs to a world that has captured them already.”<sup>65</sup>

Foucault does not mention these contextualizing comments in his responses to Derrida’s critique, “Reply to Derrida” and “My Body, This Paper, This Fire.”<sup>66</sup> Instead Foucault

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64 “This is my question: At what price can subjects speak the truth about themselves? At what price can subjects speak the truth about themselves as mad person? At the price of constituting the mad person as absolutely other, paying not only the theoretical price but also an institutional and even an economic price, as determined by the organization of psychiatry. An ensemble of complex, staggered elements where you find that institutional game-playing, class relations, professional conflicts, modalities of knowledge and, finally, a whole history of the subject and reason are involved. [...] How can the truth of the sick subject ever be told? How can one speak the truth about the mad subject? This is the substance of my first two books.” See Michel Foucault, “Structuralism and Post-structuralism” in *Aesthetics, Method, and Epistemology: Essential Works of Foucault 1954-1984* (New Press: New York, 1998), 444.

65 Foucault, *History of Madness*, xxxii.

66 See Foucault, “My Body, this paper, this fire,” in *History of Madness* (New York: Routledge, 2006) and Foucault, “Reply to Derrida” in *History of Madness* (New York: Routledge, 2006).

addresses objectivist naïveté as a real danger, to which deconstruction, not genealogy, succumbs. In his view, deconstruction involves

the reduction of discursive practices to textual traces; the elision of the events produced therein and the retention only of marks for a reading; the invention of voices behind texts to avoid having to analyze the modes of implication of the subject in discourses.”<sup>67</sup>

Setting aside the important question of whether this is a fair characterization of deconstruction, Foucault’s line of defense suggests that genealogy requires a rich understanding of discursive and non-discursive practices lest it succumb to metaphysics. As a dossier that invites readers to participate in genealogy and problematization, the *Herculine Barbin* volume contributes to such an understanding; in its pages, one gets a glimpse of events and modes of implication that cannot be elided or reduced to “voices behind texts.” The “background noise” Foucault is interested in is more disorienting and ambiguous than any “voice behind the text.” Instead of the simple or simply impossible task of letting history “speak for itself,” the *Herculine Barbin* volume provokes a more challenging project of problematizing life as it tangles with power.

In “The Lives of Infamous Men,” Foucault shares some reflections on the dossier form. The essay is an introduction to a series of dossiers that Foucault planned to publish under the collective title *Parallel Lives*. In addition to *Herculine Barbin*, the series would include an anthology of prison archives, a collection of “poison pen letters” entitled *Le Désordre des familles*, and *I, Pierre Rivère, Having Slughtered My Mother, My Sister and My Brother: A Case of Parricide in the 19<sup>th</sup> Century*. Here, Foucault describes the experience of returning to the archives that had formed the basis of *History of Madness*. The texts of this archive are “anthologies of existence,” “flash existences,” or “poem-lives.”<sup>68</sup> They capture lives as “‘legends’ because, as in all legends, there is a certain ambiguity between the fictional and the real [...] Whatever its kernel of reality, the legendary is nothing else, finally, but the sum of what is said about it.”<sup>69</sup> Foucault’s ambition in bringing these texts together as dossiers is not to “be more faithful to reality than others, that would merit inclusion for their representative value.”<sup>70</sup> Instead the dossier aims to stage an encounter with texts that form part of the “dramaturgy of the real [...] One won’t see a collection of verbal portraits here, but traps, weapons, cries, gestures, attitudes, ruses, intrigues for

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67 Foucault, “My body, this paper, this fire,” 573.

68 Michel Foucault, “Lives of Infamous Men,” in James Faubion (ed.), *Power: Essential Works of Michel Foucault 1954-1984*, (New York: The New Press, 2000), 157-161.

69 Ibid, 162.

70 Ibid, 160.

which words were instruments.”<sup>71</sup> As Lynne Huffer puts it, the matter of these texts *matters*. Foucault’s practice treats these words as fossils.

Foucault’s infamous human lives appear as ashes or dried plants and flowers organized in an herbarium [...] Just as fossils appear as pictorial poems in the sedimented archive of nature, so too archival ‘poem-lives’ appear in asylum reports and police reports.<sup>72</sup>

These beings lived and died, and they appear to us “because of an encounter with power which, in striking down a life and turning it to ashes, makes it emerge, like a flash, out of the anonymous murmur of beings who pass without a trace.”<sup>73</sup> In *Mad for Foucault*, Huffer rightfully emphasizes the ethical shape of reckoning with these murmurs or “ghosts of history.” With an eye to the transformative ethos of problematization, she describes Foucault’s archive as a “site of erotic, courageous listening” where we might “become again what we never were.”<sup>74</sup> In this way, the Derrida-Foucault debate is as much an ethical debate as a methodological one.

Dossiers like *Herculine Barbin* do not attempt to mobilize “voices behind texts” or “verbal portraits.” They are invitations to the transformative methods of genealogy and problematization. As Jemima Repo emphasizes, “Foucault at no point suggests the account of any single author of the documents contained in *Barbin* can be taken as any more ‘true’ [...] Each is a historically situated voice.”<sup>75</sup> The introduction focuses on how to read the dossier and provides guidance on how to approach historically situated voices.<sup>76</sup> While Foucault’s writings on the history of problems are not all dossiers like *Herculine Barbin*, they take up the task of inviting or beginning critical work. As Colin Koopman argues, genealogy is “not judgment, but critique.”<sup>77</sup> The fossil formation of the *Herculine Barbin* dossier collects fragments of an encounter with power and innumerable arrows for further encounters. A collection of disjointed texts—a memoir, a novella, doctor’s reports—*Herculine Barbin* points neither to a life present to itself nor to an originary rupture. Instead,

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71 Ibid, 160.

72 Huffer, “Foucault’s Fossils: Life Itself and the Return to Nature in Feminist Philosophy,” 139.

73 Ibid, 139.

74 Lynne Huffer, *Mad for Foucault: Rethinking the Foundations of Queer Theory* (New York: Columbia University Press, 2010): 249 and 243.

75 Jemima Repo, “Herculine Barbin and The Omission of Biopolitics from Judith Butler’s Gender Genealogy.” *Feminist Theory* Vol 15 Issue 1 (2014): 79.

76 Ibid, 79.

77 Colin Koopman, *Genealogy as Critique: Foucault and the Problems of Modernity* (Bloomington: Indiana University Press, 2013), 95.

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the volume motivates questioning about the borders of modernity and monstrosity, about true sex and biological life. Far from a “desire for a threshold,” à la Derrida, *Herculine Barbin* is a spur to interrogating and critiquing thresholds. For Foucault, the problem of life is like the problem of madness—an uncertain frontier traversed by power, a fraught question mark where we have “something to do.”

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