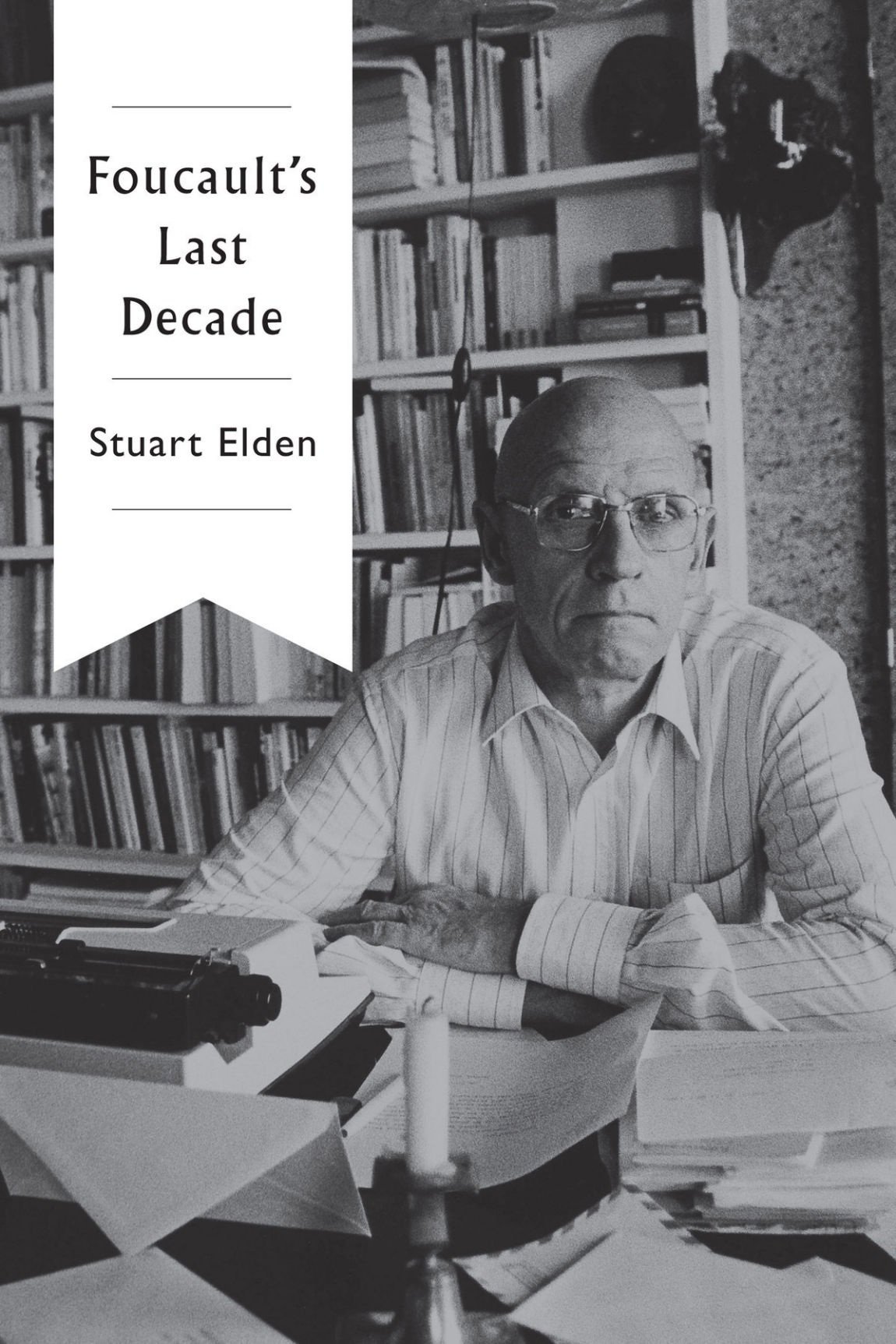

Foucault's Last Decade

Stuart Elden



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the State: Foucault's «*Il faut défendre la société*» and the Politics of Calculation', *boundary 2*, 29 (1), Spring 2002: 125–51. Both are reprinted with permission of Duke University Press. Some of the overall argument was first presented as 'The Problem of Confession: The Productive Failure of Foucault's "History of Sexuality"', *Journal for Cultural Research*, 9 (1), 2009: 23–41. Parts are reprinted by permission of Taylor and Francis.

As ever my greatest debt is to Susan for her love and support.

Abbreviations

To ease reference, key texts are referred to by abbreviations. For texts where one book is translated in a single book, such as the lecture courses, the French page number is given first, followed by the English after a slash. So PP 105/103 would refer to the lecture course *Le pouvoir psychiatrique*, p. 105 in the French text, and p. 103 in the English translation *Psychiatric Power*. I have frequently modified existing translations.

In the text, English titles are used for books available in translation; French for untranslated works or unpublished manuscripts, though an English translation of the title is provided the first time they are used.

- A *Les Anormaux: Cours au Collège de France (1974–5)*, eds. Valerio Marchetti and Antonella Salomoni, Paris: Seuil/Gallimard, 1999; trans. Graham Burchell as *Abnormal: Lectures at the Collège de France 1974–5*, London: Verso, 2003.
- ABHS ‘About the Beginning of the Hermeneutic of the Self: Two Lectures at Dartmouth’, ed. Mark Blasius, *Political Theory*, 21 (2), 1993: 198–227.
- BB *Naissance de la biopolitique: Cours au Collège de France (1978–9)*, ed. Michel Senellart, Paris: Seuil/Gallimard, 2004; trans. Graham Burchell as *The Birth of Biopolitics: Lectures at the Collège de France 1978–9*, London: Palgrave, 2008.

- C Daniel Defert, 'Chronologie', in *Dits et écrits 1954–88*, eds. Daniel Defert and François Ewald, Paris: Gallimard, 4 vols., 1994, vol. I, pp. 13–64; trans. Timothy O'Leary in Christopher Falzon, Timothy O'Leary and Jana Sawicki (eds.) *A Companion to Foucault*, Oxford: Blackwell, 2013, pp. 11–83.
- CMPP 'Considérations sur le marxisme, la phénoménologie et le pouvoir: Entretien avec Colin Gordon et Paul Patton', *Cités*, 52, 2012: 101–26; trans. as Michel Foucault, Colin Gordon, and Paul Patton, 'Considerations on Marxism, Phenomenology and Power. Interview with Michel Foucault; Recorded on April 3rd, 1978', *Foucault Studies*, 14, September 2012: 98–114.
- CT *Le courage de la vérité: Le gouvernement de soi et des autres II: Cours au Collège de France*, ed. Frédéric Gros, Paris: Gallimard/Seuil; trans. Graham Burchell as *The Courage of Truth (The Government of the Self and Others II): Lectures at the Collège de France 1983–4*, London: Palgrave, 2011.
- DE *Dits et écrits 1954–88*, eds. Daniel Defert and François Ewald, Paris: Gallimard, 4 vols., 1994 – with reference to volume number, and also includes text number for ease of reference to the two editions of this text and to bibliographies of English translations.¹ Thus 'DE#81 II, 99–104' means text 81, in vol. II, pp. 99–104.
- DF Arlette Farge and Michel Foucault, *Le désordre des familles: Lettres de cachet des Archives de la Bastille au XVIII^e siècle*, Paris: Julliard/Gallimard, 1982.
- DP *Surveiller et punir – Naissance de la prison*, Paris: Gallimard, 1975; trans. Alan Sheridan as *Discipline and Punish: The Birth of the Prison*, London: Penguin, 1976.
- E Roger-Pol Droit, *Michel Foucault, Entretiens*, Odile Jacob, Paris, 2004.
- EW *Essential Works*, eds. Paul Rabinow and James Faubion, trans. Robert Hurley and others, London: Allen Lane, 3 vols., 1997–2000.
- FL *Foucault Live: Interviews 1961–84*, ed. Sylvère Lotringer, New York: Semiotext[e], 1996.
- GSO *Le gouvernement de soi et des autres: Cours au Collège de France 1982–3*, ed. Frédéric Gros, Paris: Gallimard/Seuil; trans. Graham Burchell as *The Government of the Self and Others: Lectures at the Collège de France 1982–3*, London: Palgrave, 2010.

- GL *Du gouvernement des vivants: Cours au Collège de France 1979–80*, ed. Michel Senellart, Paris: Gallimard/Seuil, 2012; trans. Graham Burchell as *On the Government of the Living: Lectures at the Collège de France 1979–80*, London: Palgrave, 2014.
- HB *Herculine Barbin dite Alexina B*, Paris: Gallimard, 1978; trans. Richard McDougall as *Herculine Barbin: Being the Recently Discovered Memoirs of a Nineteenth Century Hermaphrodite*, New York: Pantheon, 1980.
- HS I *Histoire de la sexualité I: La Volonté de savoir*, Paris: Gallimard, 1976; trans. Robert Hurley as *The History of Sexuality I: The Will to Knowledge*, London: Penguin, 1978.
- HS II *Histoire de la sexualité II: L'Usage des plaisirs*, Paris: Gallimard, 1984; *The History of Sexuality Volume II: The Use of Pleasure*, trans. Robert Hurley, London: Penguin, 1985.
- HS III *Histoire de la sexualité III: Le Souci de soi*, Paris: Gallimard, 1984; *The History of Sexuality Volume III: The Care of the Self*, trans. Robert Hurley, London: Penguin, 1986.
- HSu *L'Herméneutique du sujet: Cours au Collège de France (1981–2)*, ed. Frédéric Gros, Paris: Gallimard/Seuil, 2001; trans. Graham Burchell as *The Hermeneutics of the Subject: Lectures at the Collège de France*, London: Palgrave, 2005.
- MG Michel Foucault, Blandine Barret-Kriegel, Anne Thalamy, François Béguin and Bruno Fortier, *Les machines à guérir (aux origines de l'hôpital moderne)*, Bruxelles: Pierre Mardaga, revised edn 1979 (original edn, Paris: Institut de l'environnement, 1976).
- OHS *L'origine de l'herméneutique de soi: Conférences prononcées à Dartmouth College, 1980*, eds. Henri-Paul Fruchaud and Daniele Lorenzini, Paris: Vrin, 2013.
- P/K *Power/Knowledge: Selected Interviews and Other Writings 1972–7*, ed. Colin Gordon, Brighton: Harvester, 1980.
- PP *Le pouvoir psychiatrique: Cours au Collège de France (1973–4)*, ed. Jacques Lagrange, Paris: Seuil/Gallimard, 2003; trans. Graham Burchell as *Psychiatric Power: Lectures at the Collège de France 1973–4*, London: Palgrave, 2006.
- PPC *Politics, Philosophy, Culture: Interviews and Other Writings 1977–84*, ed. Lawrence D. Kritzman, London: Routledge, 1990.
- QC *Qu'est-ce que la critique? Suivi de la culture de soi*, eds. Henri-Paul Fruchaud and Daniele Lorenzini, Paris: Vrin, 2015.

- RC *Religion and Culture*, ed. Jeremy R. Carrette, London: Routledge, 1999.
- SMBD «*Il faut défendre la société*»: *Cours au Collège de France (1975–6)*, eds. Mauro Bertani and Alessandro Fontana, Paris: Seuil/Gallimard, 1997; trans. David Macey as ‘*Society Must Be Defended*’, London: Allen Lane, 2003.
- SP *La société punitive: Cours au Collège de France (1972–3)*, ed. Bernard E. Harcourt, Paris: Gallimard/Seuil, 2013.
- SKP *Space, Knowledge and Power: Foucault and Geography*, eds. Jeremy W. Crampton and Stuart Elden, Aldershot: Ashgate, 2007.
- STP *Sécurité, Territoire, Population: Cours au Collège de France (1977–8)*, ed. Michel Senellart, Paris: Seuil/Gallimard, 2004; trans. Graham Burchell as *Security, Territory, Population: Lectures at the Collège de France 1977–8*, London: Palgrave, 2008.
- SV *Subjectivité et vérité: Cours au Collège de France, 1980–1*, ed. Frédéric Gros, Paris: Gallimard/Seuil.
- WDTT *Mal faire, dire vrai: Le fonction de l’aveu en justice*, eds. Fabienne Brion and Bernard E. Harcourt, Louvain-la-Neuve, Presses Universitaires de Louvain, 2012; trans. Stephen W. Sawyer as *Wrong-Doing, Truth-Telling: The Function of Avowal in Justice*, Chicago: University of Chicago Press, 2014.

Archival material

- BANC Manuscripts and tapes, Bancroft library, University of California, Berkeley.²
- BNF Archives et Manuscrits, Bibliothèque Nationale de France, Paris
- IMEC Fonds Michel Foucault, l’Institut Mémoires de l’édition contemporaine, l’abbaye d’Ardenne, Caen (formerly in Paris), <http://www.imec-archives.com/>

Catalogue numbers follow the archive abbreviation.

Other Texts

Classical texts are referred to by the usual conventions. I have generally used the bi-lingual editions in the Loeb library.

For the early Church Fathers, I have used J. P. Migne (ed.), *Patrologia Graeca*, Imprimerie Catholique, 161 vols., 1857–66; J. P. Migne (ed.), *Patrologica Latina*, Paris: Imprimerie Catholique, 217 vols., 1841–55 and *A Select Library of Nicene and Post-Nicene Fathers of the Christian Church*, eds. Philip Schaff and Henry Wace (series II), T&T Clark: Edinburgh, 14 vols., 1886–1900.

Note

Foucault and his editors are inconsistent in transliteration of Greek terms. I have tried to be consistent, and amended translations accordingly. The key changes are *tekhnē* instead of *techne*, *khrēsis* not *chrēsis*, *kharis* not *charis*, *parrēsia* not *parrhēsia*.

Introduction

On 26 August 1974, Michel Foucault completed work on *Discipline and Punish*, and on that very same day began writing the first volume of the *History of Sexuality*.¹ A little under ten years later, on 25 June 1984, shortly after the second and third volumes were published, he was dead.

This decade, the focus of this book, is one of the most fascinating in Foucault's career. It begins with the initiation of the sexuality project, and ends with its enforced and premature closure. Yet, in 1974, as he was writing the first lines of the first volume, he had something very different in mind from the way things were left in 1984. The introductory volume, uniquely among his studies, makes a number of assurances concerning what was to come. But Foucault wrote little of what was promised and published nothing. Instead he took his work in very different directions, studied and wrote about texts he had never even mentioned before, in periods that had not been his preferred focus in the past.

This book offers a detailed intellectual history of this final project on the history of sexuality. It is the story of an abandoned project – the original, thematic version of the sexuality work, presented in the first volume of the series in 1976 – and the story of an unfinished one – the more properly historical version which was left incomplete at the moment of his death in 1984. It is a history of that series, or those series. It therefore draws on all of Foucault's published work, including his lecture courses at the Collège de France, and unpublished material archived in France and California. It works in a textual and contextual way, offering close readings of Foucault's works and situating them in relation to his political activism and

collaborative projects at the Collège de France and elsewhere. The arguments of those works are carefully reconstructed, filling in details and making links between published works, lecture material and unpublished projects.

Such a project is made possible, but also vastly more complicated, by the range of material we now have. Foucault published seven books in this decade: five authored and two edited. The edited books were *Politiques de l'habitat (1800–1850)* and the *Herculine Barbin* memoir; as well as the books already mentioned there was a co-authored study *Le désordre des familles* with Arlette Farge. For a while it seemed as if this would be all. In the letter written eighteen months before his death, which in the absence of a formal document has been legally interpreted as his will, Foucault made his views on this subject clear: 'No posthumous publications' (C 64/84).² Most importantly the fourth volume of the *History of Sexuality* series, *Les Aveux de la chair* [*Confessions of the Flesh*], which Foucault was revising at the time of his death, remains unpublished. Yet texts under the name of Michel Foucault have continued to appear. Ten years after his death a four-volume collection, *Dits et écrits*, was published, edited by his partner Daniel Defert and long-term colleague François Ewald.³ This was produced with a strict interpretation of Foucault's wishes: only texts which appeared during his lifetime, or which were authorized by him and due to publishing delays appeared after his death, were included. Not a posthumous publication, but a posthumous collection.⁴ While there were some important omissions from these volumes even within their own criteria,⁵ one of the key contributions was to translate works originally published in a range of languages into, or back into, French. As well as some late texts delivered in English – a range of lectures and numerous interviews – there were texts that had been published in Portuguese, Spanish, German, Dutch, Japanese and English, for which no French edition previously existed. Equally, while there had long been collections of Foucault's shorter work in English and some other languages, this was the first collection of its kind in French. Its chronological ordering was revealing: it complicated and challenged dominant interpretations of Foucault's work along simple thematic lines, and fundamentally disrupted readings that focused on the discontinuities between major works. If the books he published in his lifetime were the peaks, these short works revealed the patient labour in the valleys.⁶

In addition, beginning in 1997, the lecture courses he delivered annually at the Collège de France have been published. It is a peculiar institution, and these are peculiar lecture courses. Rather than have students, professors there are said to have listeners; and rather than

teach, they are expected to present their ongoing research. As such, they give an invaluable sense of how Foucault's work was developing, and again help to fill in much detail of planned, abandoned, or uncompleted projects. Initially, in order to circumvent the legal restrictions, Foucault's executors did not use the still extant lecture notes, but rather the audio recordings made at the time, which for some years have been accessible in various archives. Other than allowing these volumes' very existence, the advantage of such an approach meant that the texts were those Foucault actually delivered, along with extemporizations, developments and elucidations. This fidelity to the spoken word means that the notes are those of the editors, as is the punctuation and the division into paragraphs. Because the oral form can read rather awkwardly at times the editors exercised some discretion in sentence formulation. More seriously, due to recording deficiencies, there are passages that substitute ellipses for inaudible delivery. But, despite these problems, we now have the courses in a much more accessible form than the Paris tapes.

However, as the series progressed, the editors were allowed to interpret the restriction on posthumous publications in a much more liberal way. Foucault's manuscripts for the courses, and in some instances other preparatory material, were cited in editorial notes or scholarly apparatus. With some of the early courses tapes were not available, and so volumes were produced based on the manuscript alone, or a transcript made at the time, edited by Foucault himself. The second of these courses, *Théories et institutions pénales* [Penal Theories and Institutions], from 1971–2, for which only Foucault's preparatory lecture notes survive, was the last to be published.⁷ The difference between the written and spoken style is important. Foucault's lecturing style is summed up, in a passage reproduced at the beginning of each lecture course, by a 1975 description by the journalist Gérard Petitjean, in a piece which also looks at the teaching of Lacan, Barthes, Derrida, Lyotard and others.⁸ But Petitjean is somewhat misled: 'No oratorical effects. It is limpid and extremely effective. Not the least concession to improvisation.'⁹ Looking at the notes used for the two courses where there are no extant tape recordings – the 1970–1 and 1971–2 courses – and comparing these to those which are transcripts shows that Foucault's lectures were often much less worked out in advance than his fluid delivery may have implied. Indeed, as Foucault himself said some years later in 1982:

I understand that there are some people recording the lectures. Very well, you are obviously within your rights. The lectures here are public. It's just that maybe you have the impression that all my lectures are

written. But they are less so than they seem to be, and I do not have any transcripts or even recordings. Now it happens that I need them. So, if by chance there is anyone who has (or knows someone who has) either recordings... or obviously transcripts, would you be kind enough to tell me, it could help me. It is especially for the last four or five years. (HSu 378/395–6)

The lecture courses provide a valuable insight into the development of Foucault's research project from 1970 until his death, in much the same way that Martin Heidegger's lecture courses in his *Gesamtausgabe* have done.¹⁰ However, Foucault's editor at Gallimard, Pierre Nora, reports a conversation where Foucault himself was rather disparaging about the material in his lectures: 'There is a lot of rubbish, but also lots of work and ways to take it that might be useful to the kids.'¹¹ Indeed, Foucault did throw a lot of this material away, never working up many of the analyses and cases for publication. Nonetheless, there is much that indicates the directions his major publications would take, and would likely have taken, had he lived to complete outlined and planned projects. Around June each year, except when prevented by illness in 1983 and 1984, Foucault wrote summaries of the courses, which were published in the *Annuaire de Collège de France*. In these summaries he often emphasized aspects of the course that he retrospectively saw as important even if he underplayed them at the time, or neglected ones that had seemed previously seemed crucial: the summary of 'Society Must Be Defended', for example, barely mentions race. Until the publication of the full courses, these summaries, pirate versions, tape recordings and eyewitness testimonies were all we knew of Foucault's lectures. Now we have a huge amount of newly available material. Other shorter materials have appeared in a variety of forms with a promise of more to come, much authorized and some not. The 'no posthumous publications' injunction was once followed faithfully; then interpreted generously; and is now almost completely disregarded. Some more material is available in archives in Paris, Caen and Berkeley; other material is not yet publicly accessible.

The newly available material allows us to make connections and discern continuities, when before there seemed to be breaks and divisions. It therefore provides a fundamental challenge to the periodizations of Foucault's work that have dominated much Anglophone literature. It allows us to see how Foucault followed paths for much longer than it may have appeared, only to track back to the departure point and set off in another direction. His long-standing interest in confession, both in relation to mechanisms of power and its role in the production of truth and subjectivity, appears as a major thread

of continuity. We gain some insight into his working practices and modes of analysis, even if much remains unclear and key texts remain in the archive. Importantly we can also see something of his collaborative mode of inquiry, where his Collège de France seminar began to conduct work of many hands, something he intended to develop at Berkeley. And we have, preserved in audio and video recordings, now largely transcribed, an extensive though incomplete record of his practices as a teacher and lecturer.

While there have been fascinating developments, embellishments, appropriations and applications of many of the ideas discussed in this book since Foucault's death, including biopolitics, governmentality, sexuality and the care of the self, those are topics for different projects. Instead, here, the aim is to reconstruct as best as possible what Foucault himself was trying to do. This is a book about Foucault, not about Foucauldians; a contribution to, and not a book about, Foucault studies.¹² Accordingly, the focus is continually on what Foucault wrote, said, and did. It is not a biography, and the purely personal aspects of his life are not discussed. I have consulted some of his acquaintances, but with regard to his writing and teaching alone. The wider life is discussed only in relation to how it impacts on his work. The book seeks to outline how the originally conceived thematic plan for the *History of Sexuality* was abandoned; how it led Foucault through work on governmentality and technologies of the self; how he came to write the more chronological historical study he was working on at his death; and to open up some of the possibilities he himself left unexplored or under-developed. It discusses the key concerns of his work throughout this period and what he argues in well-known and unjustly neglected works. In providing this outline of his work in this decade, it seeks to show how, to a greater or lesser extent, all of concerns were connected in some way to this wider project. What may have appeared as separate links in important ways, seeming detours were often preparatory work. In its broadest sense, this is a book about a book, a history of the *History of Sexuality*. The inquiry is thus an exercise in the history of thought.¹³

This book is partnered by a separate study that traces the emergence of *Surveiller et punir*, which we know in English as *Discipline and Punish*, out of Foucault's initial lecture courses at the Collège de France: *Foucault: The Birth of Power*.¹⁴ There, I examine *Lectures on the Will to Know* from 1970–1; *Théories et institutions pénales* from 1971–2, and *La société punitive* from 1972–3.¹⁵ These courses develop key themes – Measure, Inquiry, Examination – in quite

different historical periods: Ancient Greece, the Middle Ages to the seventeenth century, and the eighteenth and nineteenth centuries. This period, famously, sees an emergent focus on the question of power, working alongside Foucault's previous concentration on knowledge; and a supplement to, rather than a replacement of, his archaeological analyses with a genealogical approach. All of those courses, especially the third, with their conceptual innovations and historical detail, pave the way for the writing of *Discipline and Punish* between 1970 and 1974. Other material, particularly his 1973 lectures in Rio on 'Truth and Juridical Forms', which make use of Collège de France material, contribute to this account.

Foucault did not solely work on this project. In his 1973–4 course, *Psychiatric Power*, he makes use of the conceptual innovations around power to recast the analyses of his 1961 book *History of Madness*. Foucault returns to earlier themes and re-examines them, recasts their focus and elaborates on some of their blind spots. In other work, especially some important lectures given in Rio in 1974, he returns to themes examined in his 1963 book *The Birth of the Clinic* and looks at issues around hospital design, public health and disease management. *The Birth of Power* also examines his political activism, especially in the Groupe d'information sur les prisons, and parallel projects on health and asylums. Those political projects closely mirror his more academic interests. These projects – one on discipline, one on madness and one on illness – are all read through the dual lenses of power and knowledge, interpreted through the three concepts. As Foucault says in 1973, 'in their historical formulation, *measure*, *inquiry*, and *examination* were all means of exercising power and, at the same time, rules for establishing knowledge [*savoir*]' (DE#115, II, 390; EW I, 18).

In this productive relation between academic inquiry and political engagement, Foucault describes himself as an artificer, *un artificier* – a demolitions expert, a pyrotechnician, a sapper, a combat engineer (E 92). He claims that he wants his books to function as tools, 'like a kind of scalpel, Molotov cocktails, or undermining tunnels [*galeries de mine*] and to be burned up after use like fireworks [*feux d'artifice*]' (DE#152 II, 725). Books are to serve a purpose: 'a siege, a war, destruction'. His aim is not destroying things, but to get round a problem, past a blockage, over or through a wall. An artificer is, he says, 'primarily a geologist', someone who examines 'the layers of terrain, the folds, the faults'; they conduct a reconnaissance, keep watch, send back reports. What is needed, what can be done, what can be achieved? 'The method, ultimately, is nothing other than this

strategy' (E 92). Such a description applies to his work, not just on madness, medicine and discipline, but also on sexuality.

The chapters in this book therefore follow from that study of the earlier period, though they are written to work as independent studies. The opening two chapters of this book outline the themes in his lectures of the mid 1970s, showing both their substantive focus and how these relate to the different subjects of sex as a knowledge and discipline. The third chapter looks how these are crystallized in the programme of work proposed in the first volume of the *History of Sexuality*. The arguments of that text are discussed in detail, but I also draw on the extant materials beyond the book itself to indicate where Foucault anticipated going with these ideas. The closing part of this chapter discusses how Foucault's project got into difficulties around the notion of confession, and led him to rethink its orientation. It therefore shows how the question of rule and regulation generally, and politics and ethics particularly, became concerns over the last few years of his life. Chapter 4 discusses the work on governmentality and a number of collaborative projects with which Foucault was engaged. Chapter 5 returns to the theme of confession, again a major focus of Foucault's writing and speaking in the late 1970s and early 1980s. Chapter 6 traces how Foucault deepens his historical inquiry with an analysis of pagan antiquity; Chapter 7 how this work led to the published second and third volume. The final chapter discusses his last lecture courses and the collaborative book with Arlette Farge. The book does not have a conclusion, not just because Foucault's work ends so abruptly with unfinished and unpublished projects, but because the archival traces remain incomplete and further posthumous publications are envisioned. Instead, it provides a brief summary of the research he conducted during this final decade, showing the continuity and transformation of his interests.

1

Pervert, Hysteric, Child

When he took up his chair at the Collège de France, Foucault did not just give lecture courses. He devoted much of his formal teaching time to constituting a research seminar. Foucault wanted to restrict the seminar to a small group of committed contributors, but the Collège authorities did not allow it and insisted on an open format. While this restricted the research he was able to conduct, it was nonetheless a productive working environment. The first year they found a case in the *Annales d'hygiène publique et de médecine légale*, the story of Pierre Rivière.¹ Further research uncovered a remarkable first-person memoir and witness accounts alongside medical and legal reports. Foucault and his colleagues published the documents and a number of commentaries in a small book in 1973.² Jean-Pierre Peter, who had links to the *Annales* school, was a crucial figure who did much of the archival work, including finding the original of Rivière's memoir in Caen.

Rivière was not the only case that Foucault and his colleagues discussed. In *The Abnormals* course in early 1975 Foucault refers to Peter's work in presenting him with material to analyse (A 94/102). In 1971 and 1972 Peter had published two articles in *Nouvelle revue de psychoanalyse* that were developed from work originally conducted in Foucault's seminar.³ In the first of his two articles, 'Le Corps du délit', Peter briefly mentions the anonymous woman of Sélestat who killed and ate her daughter at the time of a famine in Alsace in 1817,⁴ the shepherd Léger who killed and ate a young girl,⁵ and Henriette Cornier.⁶ These are all cases Foucault discusses in *The Abnormals*.⁷ 'Le Corps du délit' is the French equivalent of *corpus*

delicti, the evidence concerning the fact and circumstances of a crime, but also the object upon which the crime was committed (i.e. a dead body). The piece appeared in an issue of the journal devoted to *Lieux du corps*, and Peter is interested in the corporeal nature of crimes, but the body of the criminal and the way medicine acts upon it, as much as the body of the victim. There are some phrases that anticipate claims Foucault would make later in the 1970s, especially in the 1974 Rio lectures on medicine and *The Abnormals*, but there are also passages that are explicitly supported by reference to Foucault's *Birth of the Clinic*, such as the discussion of medicine and space.⁸

The second piece comprises two archival documents presented by Peter. The issue is on the theme *Destins du cannibalisme*. There is a brief note from Peter introducing the two texts and then a reproduction of texts of 'Affaire de Sélestat' [The Sélestat Affair] and 'Procès de Léger' [The Trial of Léger].⁹ The first case is a text that C. C. H. Marc had translated in the 1830s.¹⁰ Foucault later describes the Sélestat case as 'the first recorded monster' (A 94/102). The second comes from Étienne-Jean Georget's *Examen médical des procès criminels...*¹¹ For no good reason, Peter's reproduction of the text breaks off two paragraphs before the end of Georget's text. It provides the legal charge, some interview material and some discussion of the case. As Foucault describes it, Léger 'killed a young girl, raped her, cut out her sexual organs and ate them, and tore out her heart and sucked it' (A 94/102).

The Sélestat, Léger and Cornier cases give some sense of how Foucault worked. The kind of meticulous, patient, documentary work on which his lecture courses, and later his books, depended was enabled by the collaborative work he undertook in his seminars. There are a number of such examples in the *Psychiatric Power* and *The Abnormals* courses. Foucault's examples can be grouped into several categories, including the monstrous and the perverse; women as hysteric and prostitutes; and the continual worry about children. In the first volume of the *History of Sexuality* Foucault would name these as three of the privileged subjects of sexuality, but the presentation of these examples in the lecture courses does not yet have that clear a focus. Foucault describes his work on these as 'dossiers' (i.e. in PP 239/239) – a cataloguing of a series of cases, with supporting evidence and archival work. In much of his analysis of men, women and children Foucault makes use of a similar tactic to the Rivière volume: he presents the documentary evidence of a case, drawing on medical, psychiatric and legal reports, and then draws out wider issues and principles. Indeed he makes explicit reference to the

analyses of the Rivière documentary work as a complementary analysis (A 19–20/20–1).

The Monstrous and the Perverse

The preliminary discussion in *The Abnormals* course is centred on the role of such psychiatric expertise in the criminal trials (A 3–11/1–11), especially the relation of ‘the grotesque’ to the psychologico-ethical (or psychologico-moral) doublet of ‘offence’ [*délit*]. By ‘grotesque’ Foucault does not mean ‘simply a category of insults... nor an insulting epithet... but a precise category of historical-political analysis’ (A 12/11). This notion of the grotesque is linked to what Foucault called the ‘ubuesque’, a category deriving from Alfred Jarry’s book *Ubu roi*.¹² Ubuesque is intended to designate someone who by their grotesque, absurd or cruel character resembles the character of this book. Foucault mobilizes the notion of the grotesque to look at sovereignty, drawing from examples in the history of the Roman Empire such as Nero. He also briefly touches on the links between the grotesque and administrative or bureaucratic power, not simply that found in the works of Balzac, Dostoevsky, Courteline or Kafka, but also modern bureaucratic grotesques in Nazism and Fascism (A 12–13/12–13). At this point Foucault breaks off and says that he has neither the force, the courage nor the time to give his course over to these topics (A 14/14). Nonetheless, these categories allow the analysis of the political monster, and Foucault draws parallels between acts of monstrosity such as vampirism, cannibalism and necrophilia and the literature on these figures. At times he will return to these themes, particularly in the analysis of Marie-Antoinette and Louis XVI (A 87–93/94–100). But more generally, the notion of the grotesque will serve as a guide in the texts that are read in the course (A 14–15/14–15).

Foucault turns in detail to the relationship between madness and crime, in relation to Article 64 of the 1810 Penal Code, which declared that there was no crime or offence if the accused had been in state of dementia at the time of the action, or under a force they could not resist. Once again psychiatric and medical expertise become central to the administration of the law. The double function of psychiatric expertise is to link offence and criminality on the one hand, and to link the author of the offence to the personage of the delinquent on the other. A third role is in the creation of the doctor-judge because of the legal powers the psychiatrist or the doctor came to have. On the other hand, the judge became a doctor of sorts, because the judgment was not simply over a legal subject of an offence defined

as such by the law, but over the individual with the character traits so defined. The judge is able to prescribe a series of measures of reform and rehabilitation for the individual. The nasty profession of punishing thus becomes the fine profession of curing (A 22/23).

This creation of the personage of the delinquent leads to an examination of the concept of the 'dangerous individual', another subject on which Foucault had intended to write a book (see Chapter 5). Just as in *Discipline and Punish* and the 1974 Rio lectures on medicine, Foucault then compares the treatment of lepers and plague victims. The exclusion of the lepers is replaced with the confinement, observation, and the formation of a knowledge in the case of the plague. It is a shift from a negative reaction to a positive reaction. It is, for Foucault, the invention of the positive technologies of power, the notion of discipline: it is the birth of administrative and political strategies.¹³ Foucault notes how these strategies might be thought of as an art of governing, of children, the mad, the poor, and so on. Though brief, this is one of the first times he had identified his object of study in these terms.¹⁴ By 'government' Foucault wants three things to be understood: a juridico-political theory of power; the state apparatus and its subsidiary elements in diverse institutions; and disciplinary organizations (A 45/48–9). While it is clear that all three are important, it is the last of these that Foucault concentrates on here: what he calls the frame or apparatus [*dispositif*] of 'normalization', which he outlines in terms taken from Georges Canguilhem's *The Normal and the Pathological* (A 29–48/31–52). (*Dispositif* will become an important technical term in Foucault's work, and is fully discussed in Chapter 3.) This slow formation of a knowledge and power of normalization is a crucial part of the way in which society is defended, which links this period of Foucault's work with earlier and later researches (see A 311/328–9). In the course manuscript, Foucault closes the first lecture with the suggestion that he would like to undertake 'the archaeology of the emergence of the power of normalization'. The spoken text simply says he would like to study it (A 24/26).

The realm on which the *dispositif* of 'normalization' is brought to bear is that of anomaly or abnormality [*anomalie*]. In the second lecture he notes that normalization was 'attempted in the domain of sexuality' and that this will be the focus of his analysis (A 48/52; see 155–6/167–8). However some of the early discussion clearly relates to the analysis of *Discipline and Punish*, with the comparison of the scaffold and the prison, and the brief discussion of the *lettres de cachet* (letters bearing the King's seal) relates to his long-term project on these documents; a project he would later complete with the 1982