




2015

Surviving History of Sexuality: A Feminist-Foucauldian Approach to Sexual Violence and Survival

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LOYOLA UNIVERSITY CHICAGO

SURVIVING *HISTORY OF SEXUALITY*:
A FEMINIST-FOUCAULDIAN APPROACH
TO SEXUAL VIOLENCE AND SURVIVAL

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN PHILOSOPHY

BY

MERRITT REHN-DEBRAAL

CHICAGO, IL

DECEMBER 2015

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ACKNOWLEDGMENTS

For his breadth of knowledge, insights, and careful readings I am grateful to my dissertation director, Andrew Cutrofello. Many thanks also to my other readers: Jacqueline Scott, who has undoubtedly helped me to become a better writer and philosopher; and Hanne Jacobs, whose enthusiasm renews my excitement in my own research. I am additionally appreciative of Hugh Miller and Jennifer Parks for raising questions at my proposal defense that helped to make my final project stronger. Shannon Winnubst encouraged this project in its very earliest stages, and I am thankful for her generosity and patience as an early reader of my work.

Loyola and the Arthur J. Schmitt Foundation provided financial support and health insurance during parts of my dissertation work for which I am also grateful. Thank you additionally to Jessica Horowitz and Dina Berger for hosting the dissertation boot camp. And thank you to David DeBoer for facilitating the dissertation support group and to those who participated in the group. The above resources were indispensable to completing this project.

Writing and immersing oneself in literature on sexual violence is an emotionally demanding task, and I am so very thankful to the survivors who have written down their stories and made them available to others. I am also thankful to all of my survivor friends, for their strength, encouragement, and understanding, and to Muriel Patay and Vanessa Cañedo for helping me through some of the more difficult moments of this project.

I am further indebted to the following friends and family members for emotional support, encouragement, meals, childcare, and innumerable other generousities over the years: Kristina Grob, Kelly Pinter, Rebecca Robinson-West, Erin Montgomery, Randy Garrett, and Mary and Robert Rehn. I am especially thankful to my mom, Roxanne DeBaal Garrett, who has been a consistent source of support and inspiration. And thank you to Mila for all the laughs in the final months of the dissertation and for making sure I never slept too late.

Finally, this project would not be what it is without the enduring support, encouragement, humor, and blood/sweat/tears of my partner, Nicholas Rehn-DeBaal. That this project exists is as much a testament to his emotional strength and patience as to anyone else's. Many, many thanks.

For Nick and Mila and for my mom, Roxanne

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CHAPTER ONE
AN INTRODUCTION¹

Overview

Michel Foucault's treatments of the Jouy-Adam case in *History of Sexuality* and in *Abnormal* have been the subject of much criticism. For the uninitiated, Charles-Joseph Jouy was a farmhand accused of (what would now be widely considered) child sexual assault in a rural area of France in 1867. In *History of Sexuality* Foucault uses this case as an example of shifting institutional responses and emerging figurations of sexuality and deviance that will shape modern thinking about sex. In so doing, Foucault brings into sharp focus the normalizing forces at work in constructing the pervert or pedophile, but he does so at the cost of obscuring the victim, Sophie Adam, in bokeh. Adam and other victims/survivors² of sexual violence occupy a gap in Foucault's genealogy of modern sexuality. My project aims to give shape to this gap, to bring Adam into the foreground, and to ask the questions: If Foucault had taken Sophie Adam as a subject in the *History of Sexuality*, what would this undertaking have looked like? What does Foucault's work on sexuality do for Sophie Adam or for sexual violence survivors more broadly? In

¹ Portions of my dissertation have been previously published in Rehn-DeBraal, "Translating Foucault."

² A note on terminology: For the purposes of this project, I will use the terms "victim" and "survivor" more or less interchangeably. My general preference is for the term "survivor," however I will also use the term "victim" when appropriate, in part to honor the right of victims/survivors to self-identity and also as a reminder that not everyone survives. Neither term is perfect, as will become clear throughout my project. For discussion of the drawbacks of the victim/survivor binary see, for example, Orgad, "Survivor in Contemporary Culture," 142–144, 151–155; Spry, "Absence of Word and Body"; Taylor, "Resisting the Subject," 94.

answering these questions, my dissertation offers 1) a feminist-Foucauldian account of survival that articulates specific ways survivors are limited or rendered incoherent by normative discourses of sexuality and 2) a gesture toward positive projects that open up alternative modes of survival and more inclusive conceptions of sexual violence, selfhood, and survival. In this chapter, I situate my project within the relevant feminist, Foucauldian, and queer theory literature and then provide an overview of the structure and arguments of my dissertation.

Situating my Project: Foucault, Feminism, and Queer Theory

Feminist-Foucauldian Work on Sexual Violence

For many feminists working on sexual violence, Foucault is not one of the most obvious allies, to say the least. His controversial statements on the legal status of rape and adult-child sexual relationships³ and his seemingly casual treatment of the aforementioned Jouy-Adam case have made him an unlikely candidate for this position. In his work on sexuality in particular, Foucault's insistence that we critique the mechanisms of the perpetrator's institutionalization—rather than the perpetrator himself—is understandably troubling to those who are chiefly concerned with accountability for sexual violence and the effects of this violence on victims and survivors. Consequently, feminist responses to Foucault in this area have been largely critical.

I agree that Foucault's treatment of sexual violence is problematic. But I also suggest that Foucault's critique of normative constructions of sex and sexuality is relevant to survivors in ways that Foucault himself did not notice. Extending his critiques

³See Foucault, "Sexual Morality and the Law"; Foucault, "Confinement, Psychiatry, Prison."

to their implications for survivors can thus help us to identify and transform modern assumptions that limit the possibilities for survival.

My project thus builds on and contributes to emerging feminist work that aims to bring Foucault into discussions of sexual violence and survival in constructive ways. Positive uses of Foucault in the area of sexual violence have been sparse, but there have been a few notable exceptions. Laura Gray and Linda Alcoff's essay, "Survivor Discourse: Transgression or Recuperation?" takes positive contributions from Foucault's writing on discourse to produce a Foucauldian reading of sexual violence survivor narratives.⁴ Johanna Oksala's book *Foucault, Politics, and Violence* includes a section on sexual violence in which she uses Foucault's work on power to create a nuanced approach to thinking through the relationship between gender and violence.⁵ The influence of Foucault's genealogical method is seen in Ruth Leys' manuscript, *Trauma: A Genealogy*, and in Shani Orgad's essay, "The Survivor in Contemporary Culture and Public Discourse: A Genealogy."⁶ Drawing more directly on Foucault's writings on sexuality (along with many of his other works), sociologist Vikki Bell offers a Foucauldian critique of radical feminist discourse on incest in her book *Interrogating Incest: Feminism, Foucault, and the Law*.⁷

⁴ It should be noted though that Alcoff is largely critical of Foucault's treatment of sexual violence and child sexual abuse. See Alcoff, "Dangerous Pleasures"; Alcoff, "Phenomenology, Post-Structuralism."

⁵ Oksala, *Foucault, Politics, and Violence*, 66–79.

⁶ On Foucault's genealogical method see, in particular, Foucault, "Nietzsche, Genealogy, History."

⁷ In her essay, "Two Modes of Power," Vikki Bell also analyzes feminist scholarship on sexual violence in terms of Foucault's conception of sovereign power and biopower.

Most closely related to my own project is the work of philosophers Chloë Taylor and Dianna Taylor. In her essay, “Foucault, Feminism, and Sex Crimes,” C. Taylor echoes feminist criticisms of Foucault’s treatment of Sophie Adam while also demonstrating positive uses of his discussion of the Jouy-Adam case for feminist work on sexual violence. Looking at *History of Sexuality* and *Discipline and Punish* together, C. Taylor develops an account of how modern conceptions of sexual identity and our penal system work together to construct sex criminals and produce recidivism. In particular, C. Taylor notes that in focusing on “victims and potential offenders” and on stricter sentences for perpetrators, feminists have largely neglected questions about how to deal with sex offenders outside the prison system.⁸ Connecting her analysis to Angela Davis’ critique of the prison and law enforcement as a primary response to sexual violence, C. Taylor advocates an approach that addresses both the damaging effects of sexual violence as well as the role of institutional responses to perpetrators in perpetuating and reproducing violence. Though C. Taylor does briefly mention some of the effects of modern constructions of sexuality on survivors, the focus of her essay is the treatment of perpetrators.

On the other hand, Dianna Taylor deals more extensively with survivors in her essay, “Resisting the Subject: A Feminist-Foucauldian Approach to Countering Sexual

⁸ Taylor, “Foucault, Feminism, and Sex Crimes,” 5. As I point out in chapter four, while it is true “feminists” have generally been hesitant to tackle the problems inherent in relying on law enforcement systems frequently shown to operate under violent and racist paradigms, it would be more accurate to say that *white* feminists have tended to neglect this issue. See for instance, Chen, Ching-In, Jai Dulani, *The Revolution Starts at Home*; INCITE!, *Color of Violence*; Hoffmann, “Prisons, Borders, Safety.” By identifying relevant links between her feminist-Foucauldian approach and the work of Angela Davis, C. Taylor’s essay potentially opens up powerful and fertile connections between Foucault’s work on sexuality and the prison system and the ongoing work of feminists of color in the areas of sexual violence, community responses, and prison systems.

Violence.” However, her focus is the usefulness of Foucault’s critique of modern subjectivity rather than the role of sex in this critique more specifically. She points out that sexual violence has typically been countered by projects that aim to assert survivors as autonomous subjects. Drawing on Foucault’s later lectures on subjectivity and *parrhesia*, D. Taylor argues that while projects asserting survivors’ subjecthood perform a potentially important function, their liberatory potential is somewhat illusory to the extent that they leave intact and reinforce a particular mode of being and self-relation. D. Taylor thus maintains that in inviting us to imagine alternative modes of self-relation, Foucault’s critique of modern subjectivity offers potential for imagining alternative strategies for survival and for countering sexual violence.

As we will see in chapter three, Foucault’s critique of sexuality is intertwined with his broader critique of modern subjectivity. The focus of my project will be on the former, that is, on the role of “sex” and “sexuality” in figuring modern subjects and the implications of these figurations for survivors. Both critiques (of subjectivity and sexuality) raise at least two important, interrelated questions about how we conceptualize survivor identity and possible modes of survival: 1) What does it mean for the survivor that we attribute to human beings a particular kind of subjecthood? 2) What does it mean for the survivor that we view subjects as having a particular kind of sexual identity? With respect to the first question, we could ask, for example, what it means for survivors that we view human beings as having a core self, the essence of which must be searched, discovered, and understood. With respect to the second question, we could ask what it means for survivors that “sex” is posited as a key defining characteristic of one’s core self.

While D. Taylor brings in discussion of both questions, her primary concentration is on the first question. In contrast, my project focuses on the second question though it does include discussion of Foucault's critique of subjectivity as important to understanding his critique of sexuality and as useful for imagining alternative modes of survival or alternative ways of relating to the survivor self. Thus, while D. Taylor focuses on Foucault's critique of subjectivity more broadly, my approach deals more explicitly with the connection of this critique to sex and sexuality. On the other hand, C. Taylor engages more directly Foucault's critique of sexuality, and we share some of the same insights about the impact of sexual identity on survivors. However, her focus on perpetrators rather than on survivors moves her in a different direction. My dissertation thus draws on the work of C. Taylor and D. Taylor but extends their projects by further developing a critique of modern conceptions of survival in more detail and by incorporating discussion of Foucault's critique of the concept of "sex" itself as well as his work on madness. In so doing, I develop additional nuances for feminist-Foucauldian approaches to sexual violence and survival. I also argue that Foucault's account can help us to point to not just the ways that survivors are restricted or marginalized within modern discourses of sexuality but also the ways that particular survivors are marginalized within dominant discourses of sexual violence and survival.

Foucault, Queer Theory, and Survival

By developing the connections between contemporary treatments of survival and Foucault's critical work on sexuality, I also aim to more clearly situate survivors within Foucault's positive philosophy and other positive projects that draw on Foucault. *History of Sexuality* is generally cited as laying important groundwork for queer theory, where

writers have taken up some of the themes that will come up in this project (namely, sexuality, identity, and normativity). Yet, Foucault's legacy of seeming disregard for survivors in *History of Sexuality* places queer survivors who might otherwise draw on this text and its applications in a position of friction with queer theory's Foucauldian roots.

Unsurprisingly, given the pervasiveness of sexual violence, queer writers are nonetheless addressing experiences of sexual violence and creating positive revisions of survival in their works, whether autobiographically, fictionally, or theoretically. Dorothy Allison, for instance, writes candidly about lesbianism, incest, child sexual abuse, and survival throughout her fiction and essays. In her book, *Between the Body and the Flesh*, Lynda Hart develops the complexities of identity, truth, and knowledge around survival in the context of queer communities and queer writing. Ann Cvetkovich's book on lesbian and queer trauma, *An Archive of Feelings: Trauma, Sexuality, and Lesbian Public Cultures*, includes a chapter on sexual violence and incest. In *Public Sex*, Pat Califia discusses childhood experiences of emotional incest and bondage, discipline, dominance, submission, sadism, masochism (BDSM) communities as offering spaces for himself and others to work through "old wounds."⁹ A forthcoming anthology titled *Queering Sexual Violence*, edited by Jennifer Patterson, is also slated to be published this year.¹⁰

Many of these projects, though they engage Foucault only tangentially, where at all, speak to concerns that are raised throughout my dissertation. In offering a "Foucauldian" re-reading of the Jouy-Adam case that undermines Foucault's dismissal of

⁹ Califia, *Public Sex*, 55, 158–167.

¹⁰ See <http://queeringsexualviol.wix.com/qsvanthology>.

Sophie Adam and survivors more generally, my project demonstrates that queer projects of survival can in fact be compatible with and traceable through Foucault. By bringing these works together with Foucauldian analysis I hope to help highlight the intersections between Foucault, feminist philosophy, and queer theory and to add *History of Sexuality* as a more prominent resource for interdisciplinary projects on survival.

In addition, Lynne Huffer has recently argued that where queer theory's use of Foucault has focused on *History of Sexuality*, his earlier work in *History of Madness* has been overlooked as a crucial document in Foucault's thinking about sexuality.¹¹ In my dissertation I also look to *History of Madness* as a resource for positively rethinking and refiguring survival in the present, thus contributing to further projects that bring together *History of Madness* and contemporary work on queer theory and sexuality. And following queer theory's emphasis on intersectional and interdisciplinary approaches to sexuality I also recommend connections between queer projects on survival and critical race theory work on identity as well.

Sexual Violence and Philosophy

As I will demonstrate, the issues that I take up in my dissertation with respect to identity, knowledge, and sexuality are connected to fundamental questions about what it means to be human; these questions thus have a wide philosophical reach. The difficulties and incoherencies that my project addresses in these areas are not entirely unique to survivors. Rather, these questions are part of broader postmodern critiques of identity and knowledge more generally. Given that my project aims to bring together work from several disciplines and sub-disciplines—feminist philosophy, Foucault and Foucauldian

¹¹ Huffer, *Mad for Foucault*.

scholarship, critical race theory, and queer theory—my dissertation should provide multiple entry points for readers of different interests and backgrounds. And given the pervasiveness of sexual violence, and especially increasing recognition of the history of sexual harassment and violence in philosophy departments,¹² it is all the more urgent that philosophers take up projects dealing with sexual violence and survival.

Methodology

My project has three interrelated components. First, because feminist-Foucauldian approaches to sexual violence are under-theorized, part of my project entails the development of an integrative lens through which to analyze normative conceptions of sexuality, identity, and knowledge in relation to sexual violence and survival. This component is accomplished through close reading and explication of Foucault's major works on sexuality in conjunction with secondary criticism in order to establish key guiding insights of Foucault's approach. These insights are then analyzed and evaluated in light of feminist concerns about sexual violence.¹³

¹² See, for instance, Haslanger, "Women in Philosophy? Do the Math"; Kukla, "Chatting with Kate Norlock"; Reilly-Cooper, "Some Thoughts on 'Groping'"; Saul, "Philosophy Has a Sexual Harassment Problem." Haslanger, "Women in Philosophy? Do the Math"; and the frequently updated blog *What is it Like to be a Woman in Philosophy?*, <http://beingawomaninphilosophy.wordpress.com>.

¹³ The primary texts of Foucault's on which I have chosen to focus are *History of Sexuality, Vol. 1, History of Madness*, and one section of *Abnormal* (which helps to clarify Foucault's perspective on the Jouy-Adam case in *History of Sexuality*). I also refer to relevant interviews where appropriate to help clarify points and fill in gaps.

Readers may notice *Use of Pleasure* and *Care of the Self* (the second and third volumes of *History of Sexuality*) missing from this list. In their continuation of the critique of the desiring subject and exploration of alternative modes of self-relation that Foucault begins in the first volume of *History of Sexuality*, these texts have potential value for positive projects on survival once we have demonstrated the relevance of Foucault's critique of sexuality for survivors. However, though I refer briefly to the second volume as it pertains to Foucault's overall approach to sexuality, I do not really engage the last two volumes in my dissertation.

There are two main reasons for limiting the scope of my project in this way. First, Foucault's extensive discussion of classical Greek and Roman sexual practices between men and boys as a source of insight in

Second, I draw out the theoretical implications of the first component by applying a feminist-Foucauldian approach to contemporary examples of survival and to Foucault's own texts.¹⁴ In particular, I offer a re-reading of the Jouy-Adam case that explores the ways in which normative assumptions about sex and sexuality impact not just the pedophile (whom Foucault does address) but also the young girl (whom Foucault does not address). I then look at other philosophical and narrative accounts of sexual violence and survival to analyze the underlying conceptions (sometimes explicit, sometimes implicit) of sexuality, sexual acts, knowledge, and identity in view of the insights gleaned from Foucault. I also use Foucault's distinction between "tragic" and "critical" views of madness and mental illness in *History of Madness* to help rethink how we approach contemporary survivor narratives.

The third component involves moving beyond the critique established through the first two components to articulate alternative conceptions of survival and create a positive feminist-Foucauldian approach to sexual violence and survival. To help with this, I

these two texts is likely to be profoundly alienating to many contemporary survivors (among others). I am not convinced that these examples are necessary to getting across Foucault's positive philosophy or to advancing the conversation such that the benefits of sustained engagement with these texts would outweigh its alienating effects. Second, where the relevance of *History of Madness* to Foucault's positive philosophy has been largely overlooked (Lynne Huffer develops this point in *Mad for Foucault*), omitting the last two volumes allows me to focus instead on the connections between *History of Sexuality* and *History of Madness*, an area of Foucauldian scholarship that is less developed.

¹⁴ Of course, there are some ironies in performing a feminist- "Foucauldian" analysis of Foucault's own treatment of the Jouy-Adam case, raising questions about what it means for an approach to be "Foucauldian." I am also writing from a post-Foucault present and am thus applying Foucault's critique of a particular kind of subjectivity to a present subjectivity that, given Foucault's influence over the past few decades, has been to some degree shaped by Foucault. (Thank you to Hanne Jacobs for raising this point.)

Yet, as I argue Foucault's insights have not made their way very far into discourses on survival because of his controversial treatment of sexual violence in his texts and interviews. It should nonetheless be noted that in calling my approach—at least partly—"Foucauldian" I do not endorse all of his positions, as I am sure will become clear. In saying that some of Foucault's own analysis is inconsistent with other parts of his philosophy, for instance, I am interpreting and privileging some aspects of his works over others and endorsing perhaps one of many possible "Foucaults."

explain some key points of Foucault's positive philosophy as it connects to sexuality (and the offshoots of his positive suggestions as they pan out in queer theory) to consider what analogous movements would look like for survivors. In so doing, I analyze feminist and queer accounts of survival that address concerns raised through my rereading of Foucault and demonstrate how they are connected to Foucault. Finally, I synthesize these insights and offer my own suggestions for approaching sexual violence, survival, and survivor identity given the points developed throughout my dissertation.

Chapter Overview

In chapter two, "Foucault's Lacuna: Sophie Adam," I begin by outlining what we know about the Jouy-Adam case from Foucault's discussion of it in *History of Sexuality* and in *Abnormal*. I look at some of the salient criticisms and defenses of his treatments of the case and further the discussion by returning to the untranslated primary source from which Foucault drew his information about the case, *Rapport Médico-Légal sur l'État Mental de Charles-Joseph Jouy* [*Medical-Legal Report on the Mental State of Charles-Joseph Jouy*]. Analyzing the original source and comparing it to Foucault's presentation of the case, I find that some of his more inflammatory comments in *Abnormal* can be explained by contextualizing them with regard to the original document and by adjusting parts of Arnold I. Davidson's *Abnormal* translation accordingly. On the other hand, the primary source document also brings to light new information about the case that makes Foucault's inattention to Sophie Adam more troubling in other respects.

As I will argue, the gap in *History of Sexuality* with respect to Adam is nevertheless illustrative of the place of survivors in certain contemporary narratives of sexual violence. As queer theorists Lee Edelman and Pat Califia point out, potential

victims (particularly children) are often used as justification for policing the sexuality of adults in ways that do not actually serve children or victims/survivors well. For instance, “family values” or the possibility that a child might witness “gay” relationships is used to argue against public displays of affection or full political rights for same sex couples. If Foucault could show that Adam is not actually well served by the institutional forces at work on Jouy (and that she is perhaps even harmed by them) then he could potentially help dismantle this false anchor.

I think that Foucault does try to accomplish this by minimizing the seriousness of the sex acts that took place between Adam and Jouy and by implying that Adam was not harmed by them. However, this is the wrong move in my view. To show that the ways in which Jouy is policed is not actually about protecting Adam or other children, Foucault need not imply that the institutional response is disproportionate to the crime or that there was little or no reason to police the sex acts referenced. Rather, I think Foucault’s account would be better served by demonstrating that the particular methods of policing Jouy are potentially harmful to Adam. By not attending to Adam and to the possibility that she was harmed by her interactions with Jouy, Foucault replicates the child-as-gap narrative rather than disrupting it.

Ultimately, I find that Foucault’s inattention to survivors in *History of Sexuality* represents a missed opportunity for him to further develop his critique of modern sexuality and to link his projects with feminists working on sexual violence and survival. In chapter three, “Sexuality and Survival in *History of Sexuality*” I offer a feminist-“Foucauldian” rereading of the Jouy-Adam case and contemporary narratives of survival in light of what *History of Sexuality* tells us about discourse, power, and modern

conceptions of sex and sexuality. Extending Foucault's critique to survivors will demonstrate that survivors have a significant interest in Foucault's projects and that feminist approaches to survival that do not engage Foucault are likely to miss the impact of modern conceptions of sexuality on survivors and the stake that survivors have in challenging them.

In particular, my feminist revision of Foucault's project will show that normative, sex-centric conceptions of identity magnify the (already significant) damages incurred in experiences of sexual violence. Additionally, these conceptions complicate the identification of instances of sexual violence by keeping the identities of accusers and accused in the balance. These effects are exacerbated in cases where survivors' memories are uncertain, as is often enough the case given the nature of trauma. Modern treatments of "sex" as a coherent and essential category construction also hinder identification of sexual violence when experiences do not clearly fit with modern ideas of what constitutes "sex." In general, modern conceptions of sex and sexuality often do not fit neatly with survivors' described experiences, and they thereby marginalize many survivors and limit their possibilities for survival. Challenging these conceptions thus has the potential to be empowering for survivors.

In my fourth chapter, "Queering Identity for Survivors and Other Positive Projects," I consider the question of how to challenge normative conceptions of sex and sexuality given what Foucault has told us about the disciplinary functions and entrapments of discourse. One of the hints that Foucault leaves us in *History of Sexuality* is that "the counterattack against the deployment of sexuality ought not to be sex-desire

but bodies and pleasures.”¹⁵ In chapter four I look at interpretations of the phrase “bodies and pleasures” within queer theory and Foucauldian scholarship and consider its implications for positive projects on survival. In particular, I demonstrate the unarticulated connections between queer interpretations of “bodies and pleasures” and queer positive projects on survival analyzed and articulated by Ann Cvetkovich to demonstrate how they are connected through Foucault.

In addition, I look at Dianna Taylor’s positive feminist-Foucauldian rethinking of survival in her essay, “Resisting the Subject.” Though D. Taylor does not explicitly engage *History of Sexuality* or queer theory in her published essay on the topic, her project also speaks to concerns developed through my rereading of *History of Sexuality* and concerns raised by Cvetkovich. Bringing these works into conversation with each other, I aim to open up additional spaces for interdisciplinary projects on survival. For my own part, I suggest that feminist-Foucauldian and queer projects on survival will benefit from looking to critical race work on racial identity. In particular, I turn to Lani Guinier and Gerald Torres’s metaphor of the miner’s canary and their conception of political race for insights on how we can rethink survival in light of Foucault’s critique of modern sexuality.

Part of Guinier and Torres’s approach involves identifying common interests between groups in order to articulate broader goals. In chapter five, “Madness, Knowledge and Survival,” I look at some of the obstacles to “linking fates” with survivors. Taking Linda Alcoff and Laura Gray’s provocative suggestion that when looked at through the lens of Foucault’s work on discourse, survivor speech is best

¹⁵ Foucault, *History of Sexuality*, Vol. 1, 157.

represented as “the discourse of the mad,”¹⁶ I look to Foucault’s earlier work in *History of Madness* to help theorize some of these obstacles. In so doing, I argue that Foucault’s analysis of tragic madness in the Renaissance demonstrates that survivor discourse points to a kind of unsayable knowledge that challenges dominant assumptions about modern sexuality and subjectivity. Recognizing this knowledge compels communal responses to sexual violence and the challenges posed by survivor discourse.

¹⁶ Alcoff and Gray, “Survivor Discourse,” 269.

CHAPTER TWO

FOUCAULT'S LACUNA: SOPHIE ADAM

In this chapter I examine Foucault's treatment of the 1867 case of Charles-Joseph Jouy and consider what it tells us about the place of sexual violence victims/survivors in *History of Sexuality*. Much has already been said about what is troubling in Foucault's presentation of Jouy's case in this text and in his lecture on it in *Abnormal*. In both pieces Foucault has been accused of trivializing an incident (or incidents, as we learn in *Abnormal*) of child sexual abuse. Where some have defended or otherwise tried to account for Foucault's treatments of the case, the main points of contention have concerned whether Foucault's language is actually trivializing, whether these were indeed incidents of sexual violence, and whether the girl in the case, Sophie Adam, experienced the incidents as traumatic.

To my knowledge no one has returned to the original French report cited by Foucault to gauge whether his discussion of the case is at least consistent with the recorded evidence.¹ As I will show, when we do review the primary source Foucault is possibly redeemed on some points. Yet, it also becomes clear that he has manipulated and omitted some important details. These omissions skew the evidence toward Foucault's reading of Sophie Adam as unaffected by the incidents. In point of fact, Adam reports

¹ While Shelley Tremain references the report in her essay "Educating Jouy," she refers only to those sections cited by Foucault in *Abnormal*. She also claims that "neither Foucault's text nor the reports of the medical and psychiatric experts actually stated whether Adam was seven years of age or fourteen years of age" (Tremain, "Educating Jouy," 815). Yet, as I point out later in this chapter, the report does state that Adam was eleven years old when the incidents took place.

physical pain and confusion about what happened, though it is not entirely clear what she thought or felt about the events otherwise. In addition, the report does not explicitly refer to any of the incidents between Jouy and Adam as “rape,” perhaps accounting for Foucault’s description of one of the incidents as “almost rape, perhaps [*moitié viol, peut-être*].”² However, inclusion of the evidence Foucault omits and attention to the historical context of the terminology used in the report suggest, in my view, that Jouy did rape Adam according to contemporary understandings of the term. It would seem then that faced with an audience that is more apt to sympathize with Adam than with Jouy, Foucault has attempted to tip the scales in Jouy’s favor, perhaps in order to more freely criticize the medical and legal apparatus “treating” the pedophile. Unfortunately, this strategy has instead made readers less sympathetic to Foucault.³

In this chapter I offer a feminist-Foucauldian rereading of the Jouy-Adam case to point to what I think Foucault himself misses in his analysis due to his focus on Jouy. I begin by laying out the relevant details of Foucault’s presentation of the case in *History of Sexuality* and *Abnormal*, and I look at the main objections to these presentations as well some of the more recent defenses or explanations of Foucault’s approach. Next, I analyze the original case report in comparison with Foucault’s discussion of it, noting relevant consistencies and differences and ultimately suggesting an alternative reading from the one that Foucault offers. Finally, I argue that although Foucault does not explicitly theorize the place of victims/survivors in modern thinking about sexuality and

² Foucault, *Abnormal*, 292 [276].

³ And as I suggest in the next chapter, this alienating move is ultimately unnecessary (toward the purpose of criticizing the treatment of pedophiles, at least) given that victims/survivors are also negatively affected by these apparatuses.

perversion, his relative silence about Adam in *History of Sexuality* is nonetheless elucidative, if inadvertently so. In Foucault's narrative victims and survivors occupy essentially a gap in the text. As I will argue, this gap can help us to elucidate the role of survivors in some of the discourses that Foucault traces, where victims/survivors (or potential victims/survivors) function to theoretically anchor systems of surveillance and normalization that are in fact often far removed from the interests of actual victims or survivors.

The Jouy-Adam Case: Foucault's Telling and Feminist Responses

Let us turn then to the moment in the first volume of *History of Sexuality* in which Foucault recounts the tale of the "simple-minded [*simple d'esprit*]" farmhand named Charles-Joseph Jouy.⁴ Foucault tells us that at the edge of a field Jouy "obtained a few caresses [*obtenu quelques caresses*] from a little girl" and that he was subsequently reported.⁵ Foucault uses this story to draw our attention to a shift in how events like this one are framed. This is a moment in which modern understandings of child sexual abuse get defined as such, but more significantly for Foucault, it is a moment that illustrates a shift in how we think about sexuality broadly speaking.⁶ Foucault's primary concern is not that Jouy is held accountable for his actions but that he is not just held accountable. That is, Jouy is not simply found guilty and punished for his crime; instead, he becomes an object of scientific scrutiny and examination. He is passed among authorities: the

⁴ Foucault, *History of Sexuality, Vol. 1*, 31 [43].

⁵ Ibid.

⁶ The Jouy-Adam case is of course not the definitive moment in which this shift took place, but is rather for Foucault an event (or series of events) representative of an ongoing shift in how we think about sexuality around the time of the case. I talk more about the role of dates in *History of Sexuality* in Chapter Three.

mayor, judges, doctors, researchers, and “experts.” His every inner thought, even his skeletal structure and anatomy are measured, analyzed, and studied. Careful observers entangle him in discourses that attach new weight and significance to his sexual transgression.

Foucault’s treatment of this case warrants careful consideration not only because of the critical attention it has received from feminists but also because of its role in Foucault’s critique of modern sexuality. In the next chapter, I develop Foucault’s critique of the Jouy case (and the role of this case in his critique of modern sexuality) in more detail. For now, I will first address (and ultimately echo and expand) some criticisms of Foucault’s treatment of the case and then consider what these criticisms can tell us about the place of victims/survivors in the genealogy of sexuality that Foucault traces.

Part of what many readers have found troubling about Foucault’s account in *History of Sexuality* is that Sophie Adam is largely absent from it. In fact, she is not actually named in *History of Sexuality*, and she seems to be significant primarily insofar as her implied testimony marks the point by which Jouy is identified as deviant. Foucault does not relay here the conversation that leads Adam’s parents to report the farmhand; he only relays that Jouy is reported, turned over to the mayor, to the courts, and so on. Foucault’s narrative, at least in *History of Sexuality*, continues unfolding without her. As noted, Foucault’s inattention to Adam has been the subject of much criticism. Kate Soper, for instance, is critical of Foucault’s focus on Jouy,⁷ and she claims that Foucault’s general style of “clinical detachment” conceals “a somewhat less than objective male-

⁷ Soper, “Productive Contradictions,” 42–47.

centeredness of outlook,” or “covert androcentricity.”⁸ Along similar lines Laura Hengehold argues that Foucault’s preoccupation with Jouy rather than with Adam “implies that ‘men’ are the primary targets of the deployment of sexuality, and that men are the persons who need to be protected from its inquisition.”⁹ She maintains that although Foucault does identify “hysterization of women’s bodies” and “pedagogization of children’s sex” as two of four major trends that emerge around sex/sexuality in the eighteenth century,¹⁰ his failure to attend to Adam leaves his account lacking recognition of the relationship between these trends and sexual violence against women and children.¹¹

Foucault’s case is further damaged by his apparent reluctance to condemn sex acts between children and adults by his remarking on the “pettiness [*caractère minuscule*]” of the legal, clinical, theoretical investigation into “these inconsequential bucolic pleasures [*infimes dèlectations buissonnières*].”¹² Linda Alcoff takes issue with Foucault’s minimization of the event and his description of the acts as “barely furtive pleasures [*ses plaisirs à peine furtifs*] between simple-minded adults and alert [*éveillés*] children.”¹³ She

⁸ Ibid., 29.

⁹ Hengehold, “An Immodest Proposal,” 91. Similarly, remarking on Foucault’s treatment of Adam in *Abnormal*, Jana Sawicki writes, “Foucault doesn’t feel compelled to address Sophie’s fate at all. Jouy is the victim in his story. And this failure to address her fate... undermines the critical effect of his own discourse on abnormality” (Sawicki, “Review of Michel Foucault, *Abnormal*,” para. 11).

¹⁰ Foucault, *History of Sexuality, Vol. 1*, 103–104, emphasis removed.

¹¹ Hengehold, “An Immodest Proposal,” 91–92.

¹² Foucault, *History of Sexuality, Vol. 1*, 31 [44]. As I discuss shortly, Robert Hurley’s translation of these phrases has not helped Foucault’s case among Anglophone readers either. See Kelly, *Foucault’s History of Sexuality*, 36–37.

¹³ Foucault, *History of Sexuality, Vol. 1*, 32 [44].

writes, “If such relations were reciprocally desired and pleasurable for both parties, why did there need to be an exchange of a ‘few pennies’ to ensure the girl’s participation? Whose point of view is silently assumed when one determines that the prostituting of little girls is a petty and trivial event? For whom are such ‘bucolic’ pleasures inconsequential?”¹⁴

In Alcoff’s view, Foucault makes unwarranted assumptions about the significance (or insignificance) of what happened to Adam without providing any evidence. She charges him with “manifest[ing] unfortunately typical male and adult patterns of epistemic arrogance.”¹⁵ Rereading Foucault’s description of the story in a feminist context, Soper offers a parenthetical reinterpretation of the event’s significance, asking

Has Foucault offered us the true moral of this tale? Could it not be that what is significant about *his* discourse upon it is the extent to which it may be exonerating, displacing and repressing the ‘event’ that it is really about: this ‘alert’ (terrified?) little girl, who runs to her parents to report her ‘inconsequential bucolic pleasures’ (her distress at being slavered over in a ditch by a full-grown, mentally disturbed male?), thus summoning forth a ‘collective intolerance’ (alarm and sympathy?) over an episode remarkable only for its ‘pettiness’ (for the fact that something of this kind was for once accorded the attention it deserved?)¹⁶

Soper thus similarly takes issue with Foucault’s seeming assumption that Adam was unharmed by her interactions with Jouy, and she reframes the events in terms reflecting contemporary perspectives offered by survivors themselves.

¹⁴ Alcoff, “Dangerous Pleasures,” 108.

¹⁵ Ibid. See also Alcoff, “Phenomenology, Post-Structuralism,” 51–54. Johanna Oksala also agrees with Alcoff that Foucault “manifests male arrogance and sexism,” citing his inattention to Adam “coupled with the suspicion that she was in some sense willing or complicit in the act” (Oksala, “Sexual Experience,” 215).

¹⁶ Soper, “Productive Contradictions,” 42–43.

Others have maintained that when read closely, Foucault's language is not as dismissive as it may initially appear. Mark G.E. Kelly suggests that Robert Hurley's translation of "*caractère minuscule*" as "pettiness" is partly responsible for the negative reactions to this passage, though the latter carries a different connotation than Foucault may have intended. Kelly points out that the term "petty" could be taken to mean that the medical and judicial procedures for dealing with Jouy "were pointless and should not have taken place."¹⁷ Yet, a more literal translation to "miniscule character" could communicate that Foucault "is merely noting how painstakingly the medical and juridical establishment dealt with such a commonplace act."¹⁸ Additionally, "inconsequential bucolic pleasures" might better be translated as "tiny delights in the bushes"¹⁹ in Kelly's view, suggesting that Foucault is not asserting that the pleasures are necessarily without consequence for Adam but that he is again setting up the response as disproportionate to the event.²⁰

Where contemporary understanding of sex acts between adults and children is that they are abusive and that they typically have devastating effects on children, these adjusted translations may not do much to convince readers that Foucault is not still minimizing child sexual abuse and its effects. On the other hand, some have argued that Foucault is not speaking from a contemporary perspective here. The fairytale-esque style of his description of the case in *History of Sexuality* could potentially be taken as

¹⁷ Kelly, *Foucault's History of Sexuality*, 36.

¹⁸ *Ibid.*, 36–37.

¹⁹ *Ibid.*, 37.

²⁰ *Ibid.*

evidence of nostalgia for an earlier time where children masturbating adults in the countryside could be described as “barely furtive [*à peine furtifs*] pleasures.”²¹ However, Spencer Jackson claims that Foucault’s shift in tone in this section indicates a stylistic break in the text and that Foucault himself is not necessarily the narrator of this scene. Rather, we could view Foucault here as taking on the language of a different time and place in order to bring us into a moment where our current understandings of sexuality and sexual violence are not yet fully formed.²²

There are, in my view, some problems in the way that Foucault goes about transporting us into this moment. If the Jouy-Adam case is indeed representative of an instance (or a time) in which sex acts between an adult and child were not devastating or traumatic for the child, as it seems Foucault wants to suggest, then this example could be taken to imply that such acts need not be experienced as devastating or traumatic. In a contemporary context in which victims/survivors have frequently had their experiences minimized or disbelieved, raising this possibility without any qualifications is troubling, especially given that the time from which Foucault (or his narrator) speaks is one in which women and children had fewer rights, and their complaints, interests, and perspectives were taken much less seriously in general. Foucault’s refusal to then move back out of this voice in his discussion of the case to clarify what its implications actually are for “similar” cases in the present (where victims/survivors *do* report harm from adult-

²¹ Foucault, *History of Sexuality*, Vol. 1, 32 [44].

²² Jackson, “The Subject of Time,” 40–43. For discussion of the fairytale elements in Foucault’s *History of Sexuality* portrayal of the Jouy-Adam case see also Ball, “More or Less Raped,” 55–56.

child sexual relationships) thus makes readers understandably reluctant to take this move with him.

In contemporary contexts, of course, the assumption is that any sexual relationship between adults and children is necessarily coercive. Foucault wished to challenge this assumption, as evidenced by his remarks in a 1978 interview discussing a petition to decriminalize “non-coercive” sexual relationships between adults and children.²³ Absent a more nuanced analysis of Adam’s agency and experience (or the experiences of survivors more broadly) Foucault’s challenge has the potential to do a lot of damage. Simply repealing age of consent laws in a climate in which identity is deeply enmeshed with sexuality, in which children do not have full legal status—and in which children generally do experience sexual contact with adults as traumatic—is irresponsible at best. While Foucault’s project does raise the possibility that adult-child sex acts are historically constituted and need not be viewed as inherently traumatic or violent, we should not thereby assume that they could or should be experienced otherwise in the present or that they should not be criminalized. As Chloë Taylor puts it,

It is difficult to know how traumatizing rape would have been for a peasant girl of this era. Yet even if rape by an adult *was* less traumatizing to Adam than it would be for Foucault’s readers today, this is not only because sex has become caught up with identity but is indicative of the fact that many girls and women now have greater expectations of controlling their bodies and sexual encounters than they have had historically....The possible lack of trauma on the part of rape victims in earlier eras...does not demonstrate that women over react to rape today, but is testimony to the historical abuse of women: so habituated were they

²³Foucault, “Sexual Morality and the Law.” For feminist commentary on this interview see, for example, Alcoff, “Dangerous Pleasures”; Taylor, “Foucault, Feminism, and Sex Crimes,” 14–16.

to the idea that their sexual destiny was not their own, that even the extreme expression of this fact may not have been traumatic.²⁴

At the same time, to respond to Foucault's treatment of the Jouy-Adam case by asserting Adam as necessarily harmed or victimized by the incidents raises another set of issues. C. Taylor also points out that in their responses to Foucault's treatment of the case some feminists have made unwarranted assumptions in the other direction, assuming that the events were necessarily traumatic for Adam based on their own experiences or the experiences of other women a century or more and an ocean away.²⁵

In fact, we know very little about Adam or what the apparent ordinariness of these events meant for her, how she moved among these many narratives, or what sense she may have made of this curious incident around which so much apparently hinged. In Foucault's lecture on the case in *Abnormal* (published well after *History of Sexuality, Vol. I* but delivered prior to it)²⁶ we learn additional bits and pieces about Adam, including her name. We find out that she is known for masturbating boys on the side of the road, an act that is apparently not uncommon among "badly brought up children" in the town of Lupcourt in 1867.²⁷ It is further reported that Adam's father "complains a great deal about his daughter who is most undisciplined despite all the beatings she has been given" and that "the population of Loupcourt [sic]...keenly desire that the little

²⁴ Ibid., 19.

²⁵ Ibid., 14–16.

²⁶ On the critical implications of the timeline of these publications see Ball, "More or Less Raped," 53.

²⁷ Foucault, *Abnormal*, 295.

Adam girl be confined in a house of correction until she comes of age.”²⁸ In addition, Foucault reveals here that the incident between Jouy and Adam was not limited to her masturbating him at the edge of a field, as suggested by the brief *History of Sexuality* account, but that at another time and place (a ditch outside a fair) “something happened: almost rape, perhaps [*moitié viol, peut-être*].”²⁹ In his description here, as in *History of Sexuality*, Foucault seems to take for granted that Adam does not experience the incident as traumatic, in this case because Jouy “very decently [*très honnêtement*]” gives Adam some money that she immediately takes “to the fair to buy some roasted almonds.”³⁰ Foucault also observes that Adam and a friend “laugh [*racontent en riant*]” and “boast [*s’en vantent*]” to a stranger about masturbating Jouy and that Adam “says nothing to her parents simply to avoid being given a couple of wallops [*une paire de taloches*].”³¹ He even goes so far as to suggest that perhaps “it was Sophie Adam who dragged [*entraîné*] Charles Jouy...into the ditch.”³²

Dianna Taylor notes that Foucault’s treatment of the case here carries “an attitude of classic victim-blaming” in which Foucault employs common rape apologist tactics such as calling attention to Adam’s sexual history, suggesting that it was she who seduced Jouy, and presenting her visit to the fair as evidence that she was undisturbed by

²⁸ Ibid., 319, n9. It is unclear why, but Foucault refers to the town alternately as “Lapcourt” in *History of Sexuality* and “Loupcourt” in *Abnormal*. Neither is consistent with the original report, which identifies the town as “Lupcourt.” Bonnet and Bulard, *Rapport Médico-Légal*, 2.

²⁹ Foucault, *Abnormal*, 292 [276].

³⁰ Ibid.

³¹ Ibid., 294–295 [278].

³² Ibid., 292 [276]. “Dragged” is of course not the only possible translation for the term “*entraîné*.” Later in this chapter I will argue that based on Foucault’s original source material, a more apt translation would be “led.”

the incident.³³ Jana Sawicki likewise describes Foucault's discussion as "smack[ing] of masculinist incredulity about the seriousness and reality of rape," and she expresses concern over the fact that Foucault omits the second incident (the rape) in his *History of Sexuality* discussion of the case.³⁴ Chloë Taylor refers to Foucault's treatment of Adam in *Abnormal* as "the most objectionable instance of Foucault's trivialization of rape."³⁵

Indeed, Foucault's reluctance to call the incident rape without equivocation is unsettling, and given Foucault's objective of destabilizing our assumptions about sex, probably intentionally so. But it is also confusing. The intention of this phrasing and the source of ambiguity for Foucault are not entirely clear. Does Foucault doubt that a sexual act was performed against Adam's will? Is it unclear whether a sexual act happened? Does he contest the concept of sexual force itself?³⁶ Foucault's parenthetical suggestion that perhaps Adam dragged Jouy implies that it is possible we are underestimating Adam's agency in the situation. It could also be that Foucault's phrasing points to ambiguity in the primary source. In the next sections, I look to the original report in order to help determine what it is that Foucault means when he says that Jouy "almost, partly, or more or less raped [*moitié, en partie, peu ou prou violée*]" Sophie Adam.³⁷

³³ D. Taylor, "What Has Being a Subject Done for You Lately? Feminism, Foucault, and Sexual Violence," 1–2.

³⁴ Sawicki, "Review of Michel Foucault, *Abnormal*," para. 10.

³⁵ C. Taylor, "Foucault, Feminism, and Sex Crimes," 18.

³⁶ Interviews with Foucault suggest that he does take seriously the problem of sexual force. In a conversation about sexual choice, for example, Foucault states, "There are sexual acts like rape which should not be permitted whether they involve a man and a woman or two men" (Foucault, "Sexual Choice, Sexual Act," 143).

³⁷ Foucault, *Abnormal*, 292 [275].

Almost Rape, Perhaps?

The primary source is a fourteen page medical-legal report on Jouy's psychiatric state authored by doctors Henry Bonnet and Jules Bulard and published in 1868 (within a year of the reported crime). As mentioned, the original report does not actually refer to any of the incidents as "rape." Foucault's tentative application of this term in the *Abnormal* account should therefore be viewed as an attempt to recategorize the event according to a more contemporary understanding of this term. Bonnet and Bulard tell us simply that Jouy is charged with "*attentants aux moeurs*."³⁸ This term is translated as "offences against decency" by French historian Georges Vigarello, who describes it as a somewhat ambiguous umbrella term that emerged in the French Penal Code of 1810.³⁹ Offenses against decency were typically sexual in nature and included "affront, indecent assault and rape...adultery, incitement to immorality and bigamy."⁴⁰ Thus, the term "offense against decency" does not tell us whether Jouy was officially charged with rape.

This omission could be explained by the fact that the doctors' focus in the report is on Jouy's culpability rather than his crime. Their task is to assess Jouy's intellectual and moral capacities and to make a judgment as to whether he should be considered morally responsible for his actions. Ultimately they conclude that Jouy is a "semi-imbecile [*semi-imbécile*]" who lacks control over his base instincts, and they recommend that he be exonerated and housed at their asylum.⁴¹

³⁸ Bonnet and Bulard, *Rapport Médico-Légal*, 1. I am grateful to Stacy Bautista for consultation on some of my translations of this source.

³⁹ Vigarello, *A History of Rape*, 125.

⁴⁰ *Ibid.*, 126.

⁴¹ Bonnet and Bulard, *Rapport Médico-Légal*, 13–14.

It is also likely that Jouy was not officially charged with rape. Though Bonnet and Bulard's focus is not on classifying Jouy's specific crime, the report does contain details that can help us to sort out what might have happened. As I will explain shortly, it is likely that Jouy's offense would have been categorized as indecent assault rather than as rape, though signs point to the likelihood that what happened would be considered rape according to current standards. Internal tensions regarding the nature of Jouy's crime thus help to explain Foucault's use of the phrase "almost rape," which captures some of these tensions. I will argue, however, that unqualified use of this phrase to describe what happened is possible in contemporary contexts only if we ignore Sophie Adam's reported version of the events, as Foucault seems to do.

For their part, Bonnet and Bulard describe the incident between Jouy and Adam as follows: "He [Jouy] convinced the young Sophie Adam to follow him on the road to Nancy and, with her consent, performed a sexual act that does not seem to have been successfully completed [*Il décida la jeune Sophie Adam à le suivre sur la route de Nancy et, avec son consentement, exerça un rapprochement sexuel qui ne semble pas avoir abouti*]."⁴² Two details in particular stand out in this description: namely, that the incident was viewed as consensual and that in some sense or another it was not "completed." To better understand what these judgments mean we should contextualize them in terms of how sexual assault, rape, and consent were understood in 1867 France.

Indecent Assault vs. Rape in 19th Century France

In the decades preceding the Jouy-Adam case, French definitions of sexual violence were beginning to shift in a few significant ways. In particular, the Penal Code

⁴² Ibid., 2.

of 1810 introduced the term “indecent assault (*attentat à la pudeur*),” which widened the range of sexual crimes to include “violence of a sensual nature distinct from rape” by criminalizing “acts ‘carried out with violence on a person with the intention of offending their modesty.’”⁴³ Though application of this provision in court was not immediate, it did pave the way for new discussions, questions, and rulings about what constituted a sexual crime. Courts began to hear cases from men and women who had been subjected to unwanted kissing, touching, or stripping of their clothing.⁴⁴

Who Dragged Whom? Violence and Consent

When evaluating these cases, much attention was paid to the question of whether or not the act(s) were “carried out with violence,” as mentioned in the code. In the early part of the 19th century, violence was primarily interpreted as direct physical force, making rulings difficult in cases where there was no clear evidence of physical force or harm. For instance, in 1826, a nun reported that a man had “entered her room [at the convent] and kissed her ‘on the lips,’ on the pretext of ‘being an angel.’”⁴⁵ In determining how to rule on the case, questions centered on whether “the victim [had] been seized hold of and manhandled” or whether she had “only been insulted.”⁴⁶ In the end, the court lacked the language or precedent to classify the actions of the accused as violent, and he was eventually acquitted.

⁴³ Vigarello, *A History of Rape*, 116.

⁴⁴ *Ibid.*, 116–119.

⁴⁵ *Ibid.*, 118.

⁴⁶ *Ibid.*

In the years between 1820 and 1860, France began to see attempts to account for subtler forms of coercion and to create a more nuanced understanding of violence or force. In particular, concerns arose around assaults against children in which defendants were found innocent due to the absence of clear physical force. Following one such verdict in 1827, a local law journal published statements saying “it is certain that the majority of assaults committed on young children are not accompanied by any violence” and lamenting the failure to “recognize also a sort of violence exerted on [children’s] minds...and on the purity of their childhood.”⁴⁷ Courts began to echo these sentiments, and the influence of this growing recognition of non-physical force or coercion between adults and children can be seen in the 1832 revision of the Code of 1810. According to this new revision, physical violence was not required for conviction in cases involving children under the age of eleven: “Any indecent assault, consummated or attempted without violence on the person of a child of either sex aged less than 11 years, will be punished by imprisonment.”⁴⁸ In 1863, just four years before the Jouy-Adam case, the age was raised to thirteen.⁴⁹ Around this time, courts were also beginning to acknowledge the role of imbalances in authority, intelligence, and social position in creating non-physical pressures or relationships of coercion between adults as well.⁵⁰

⁴⁷ Quoted in *Ibid.*, 131.

⁴⁸ Quoted in *Ibid.*, 132.

⁴⁹ *Ibid.*, 133.

⁵⁰ *Ibid.*, 137–138.

According to the original report, Adam was eleven years old at the time of the incident.⁵¹ Thus, she would presumably have been considered below the age of consent. Bonnet and Bulard's judgment that Adam consented would thus seem to be at odds with the law of the time. This discrepancy could reflect the slow transition between law and practice. It could also be indicative of the low estimation of Jouy's intelligence, which apparently raised doubts about Jouy's actual advantage in his relationship to Adam. Foucault's seeming ambivalence about whether or not to call what happened "rape" could thus be influenced by the report's characterization of Adam as a rebellious young girl with a sexual history (and presumably, sexual knowledge) in contrast to its characterization of Jouy as a "childish [*puéril*]"⁵² farmhand in whom "the moral sense is...insufficient to resist animal instincts when they can be exercised without violence [*le sens moral est...insuffisant pour résister aux instincts animaux lorsqu'ils peuvent s'exercer sans violence*]."⁵³ Use of the phrase "without violence" here is particularly noteworthy. Elsewhere in the report Bonnet and Bulard similarly express their judgment that Jouy would not force himself on someone: "Not being wicked, if he had met the least resistance, he would have quickly renounced the act to which bad instincts pushed him [*N'étant pas méchant, s'il avait rencontré la moindre résistance, il aurait bien vite renoncé à l'acte auquel le poussaient de mauvais instincts*]."⁵⁴ Jouy also maintains that

⁵¹ Bonnet and Bulard, *Rapport Médico-Légal*, 2.

⁵² *Ibid.*, 9.

⁵³ *Ibid.*, 5.

⁵⁴ *Ibid.*, 10.

Adam “did not resist [*n’a pas résisté*].”⁵⁵ She is considered, essentially, a passive participant.

Given the context in which Bonnet and Bulard are writing, the absence of a more nuanced discussion of agency, consent, and coercion is not all that surprising. These concepts were still emerging (at least around conceptions of sexual acts and sexuality), and just four years earlier Adam’s age would have placed her right at the age of consent according to the law. Foucault’s seemingly uncritical acceptance of the terms by which the doctors characterize Adam and frame her experience of the event is less defensible. To his credit, Foucault writes that Adam “*more or less* lets it happen [*se laisse plus ou moins faire*],”⁵⁶ which could indicate some level of uncertainty about the degree to which she did not resist. On the other hand, how do we move from the claim that Adam did not resist (or that she more or less lets it happen) to Foucault’s aside that it could have been Adam who dragged Jouy into the ditch that day? Notably, nowhere in the report does it say that either Jouy or Adam were dragged. However, Jouy does report that it was he who followed Adam down the road rather than the other way around. According to Bonnet and Bulard,

In his examination in front of the examining judge, Jouy confesses very frankly and naively to the facts of which he is accused. He says that on the day of the fest of Lupcourt little Adam asked him for four *sous*. He responded that he would give them to her if she would permit him to do that; she did not respond, but headed down the road to Nancy where the accused followed, and she permitted it.⁵⁷

⁵⁵ Ibid., 9.

⁵⁶ Foucault, *Abnormal*, 294 [278], emphasis added.

⁵⁷ Bonnet and Bulard, *Rapport Médico-Légal*, 4.

[Dans son interrogatoire devant M. le Juge d'instruction, Jouy avoue très-franchement et en toute naïveté les faits qui lui sont imputés. – Il dit que, le jour de la fête de Lupcourt, la petite Adam lui ayant demandé quatre sous, il répondit qu'il les lui donnerait si elle voulait se laisser faire ça; elle ne répondit pas, mais se dirigea sur la route de Nancy où l'inculpé la suivit, et elle se laissa faire.]

If we accept Jouy's account (though for whatever reason, as mentioned, Bonnet and Bulard say that Jouy convinced Adam to follow him),⁵⁸ there is at least some basis for the suggestion that Adam was an active participant, perhaps even leading the way. Yet, Foucault's use of the term "dragged" is still puzzling given that it would imply an even greater degree of agency or enthusiasm to Adam than even Jouy does in his own account. Jouy maintains that it is he who proposes the act and that Adam simply begins walking without saying a word. For this reason, I would suggest that the term "*entraîné*" which Graham Burchell translates as "dragged"⁵⁹ would be better rendered as "led." While both meanings are possible, Foucault's question of whether it was Adam who led Jouy or the other way around is a tension that does arise in the primary source; whereas there is no contextual basis to suggest that one or the other was "dragged."

It seems that part of the reason that Foucault describes the event as "almost rape" then is because the primary source suggests that she may have been an active participant and because he thus wants us to question the assumption that Adam had no agency in the situation and that the sexual act took place against her will. Based on Jouy's account and the doctors' judgment that Adam did not resist (and that this apparent lack of resistance is a relevant detail), Foucault's uncertainty about whether the event can rightly be called

⁵⁸ "He [Jouy] convinced the young Sophie Adam to follow him on the road to Nancy [*Il décida la jeune Sophie Adam à le suivre sur la route de Nancy*]" (Ibid., 2).

⁵⁹ Foucault, *Abnormal*, 292 [276].

rape is thus not anachronistic. But, again, I would argue that raising the possibility of Adam's consent in a contemporary context without qualification is reckless given the complex power dynamics involved in relationships between adults and children. Thus, if presumed consent is the reason for Foucault's use of the phrase "almost rape" then his use of this phrase without qualification is problematic in the context in which he is writing.

What Happened? Attempted Assault vs. Rape

It is also possible that Foucault's ambivalence about whether Jouy raped Adam stems from uncertainty about whether penetration occurred. What should we make of Bonnet and Bulard's statement that the act was not successfully completed? In addition to broadening the definitions of sexual assault, the Code of 1810 also explicitly established the seriousness of attempted rape or assault. Increasingly, attempted rapes were classified under the general heading of indecent assault (*attentat à la pudeur*) described above. Explaining this application of the term, Emile Garcon writes, "the word assault (*attentat*) in its original meaning was synonymous with attempt."⁶⁰

It is likely then that if Jouy's attempt had been unsuccessful, it would have been categorized as indecent assault rather than as rape or even as attempted rape. In fact, in the early part of the 19th century it was common for sexual crimes against children to be classified as indecent assault instead of rape, even when there was evidence that penetration had occurred. In part, this classification functioned to downplay the seriousness of the crime. It also seems to have resulted from a widely held myth that children could not be raped by adults owing to their small size: "The case law of the first

⁶⁰ Quoted in Vigarello, *A History of Rape*, 121.

decades of the nineteenth century simply reveals the conviction that the disproportion between the sexual organs of an adult and those of a child made the intromission of the virile member impossible: the conviction, in other words, that child rape did not exist.”⁶¹ Thus, Bonnet and Bulard’s judgment that the sex act (penetration?) was not completed in the Jouy-Adam case could be informed as much by this myth as by actual evidence.

And in fact, some of the details of the case, omitted in Foucault’s discussion, do not very well support the description of the sexual encounter between Jouy and Adam as consensual or uncompleted, in spite of the doctors’ statements. For instance, Foucault notes that Adam does not initially report the incident to her parents and that “it is only some days later that the mother, when washing the little girl’s clothes, suspects what happened.”⁶² Foucault does not mention what precisely was found in Adam’s laundry, presumably leaving us to assume that what the mother finds in the clothes is semen. But according to the original report it is not just semen that is found in Adam’s clothing but also blood. This is an important detail suggesting that penetration did occur or that some form of physical force was employed, or both.⁶³

Additionally, Adam is reported to have described the event in the ditch as follows:

Jouy proposed to Sophie Adam...that she come with him on the road to Nancy; there he lifted her skirts and tried to insert his penis in her genitals. The girl cannot say if the insertion took place; all she knows is that it hurt badly and that she felt a liquid flow between her legs.

⁶¹ Ibid., 122.

⁶² Foucault, *Abnormal*, 293.

⁶³ According to the report, “Later, in doing her laundry, the mother, seeing blood and other large, crude stains on the girl’s shirt, informed the father [*Plus tard la mère, en faisant sa lessive, voyant du sang et d’autres larges et épaisses taches à la chemise de sa fille avertit le père*]” (Bonnet and Bulard, *Rapport Médico-Légal*, 4).

[Jouy aurait proposé à Sophie Adam...de venir avec lui sur le chemin de Nancy; là il lui aurait levé ses jupes et cherché à introduire sa verge dans les parties sexuelles. La jeune fille ne peut dire si l'introduction a eu lieu; tout ce qu'elle sait c'est que cela lui a fait bien du mal et qu'elle a senti un liquide couler entre ses jambes.]⁶⁴

That Adam reports pain and confusion about what took place makes Foucault's minimization of the event all the more perplexing and worrisome. In the original legal and cultural context of the case, one can see how the doctors could report these details and yet still describe the incident as consensual and unsuccessful, particularly given the myth that child rape did not exist. It is more difficult to imagine, as a contemporary reader, how Foucault could construe such a report from an eleven year old as anything but rape.

Notably though, as mentioned, Foucault does not include Adam's age in either of his treatments of the case. Omitting Adam's age, her reported version of the story, and the presence of blood ostensibly bolsters his portrayal of the institutional response to Jouy as disproportionate to his crime. Along these lines, it is also worth noting that when Foucault says that Adam and her friend "laugh [*racontent en riant*]" and "boast...without difficulty [*s'en vantent...sans difficulté*]"⁶⁵ to an adult about masturbating Jouy, Foucault is taking quite a bit of artistic license here. The original report states simply that Adam and her friend "went on to recount the thing [*elles allèrent ensuite raconter la chose*]" to another villager "saying to him that they had made *maton* (curdled milk) with Jouy's penis [*disant qu'on avait fait du maton (lait caillé) avec la verge de Jouy*]."⁶⁶ The

⁶⁴ Ibid., 3–4.

⁶⁵ Foucault, *Abnormal*, 294 [278].

⁶⁶ Bonnet and Bulard, *Rapport Médico-Légal*, 3.

villager's response to the girls is, in the original report as in Foucault's account, that they are "little horrors [*petites rosses*]." ⁶⁷ But the tone of the conversation is not entirely clear. The villager's response could be taken as jovial, or it could be taken as dismissive and insulting. In either case, we do not know that the girls' revelation was necessarily lighthearted (let alone whether such lightheartedness of tone was consistent with their experience of the events).

Foucault does thus seem to manipulate the evidence in order to better situate himself to critique the pathologizing, psychiatrizing, and institutionalizing forces at work in policing Jouy's sexuality. Yet, it is certainly possible to acknowledge that sexual violence has serious consequences for victims and survivors while also acknowledging weaknesses in our current systems for dealing with perpetrators. Indeed, as I argue in the next chapter, the normalizing discourses of sexuality that cast Jouy as a deviant can in fact function in detrimental ways for victims and survivors as well. The aim of chapter three will thus be to pick up where Foucault leaves off by extending his critique of modern sexuality to its applications for those who have experienced sexual violence. Before moving into Foucault's critique of sexuality and my extension of Foucault's project, however, I will consider how Foucault's actual narrative about Jouy and perversion positions survivors with respect to sexual norms. In other words, what discourses about survivors are created and/or reproduced through Adam's relative silence in *History of Sexuality*?

⁶⁷ Foucault, *Abnormal*, 294 [278]; Bonnet and Bulard, *Rapport Médico-Légal*, 3.

Survivors as Lacunae

Given Foucault's general perceptiveness to the way that relationships of power shape truths and discourses—and given Adam's age, gender, her reputation as a hypersexual misfit, and the fact that money was exchanged—it is curious that Foucault does not explicitly address the power dynamics that shape Adam's role in or response to these events and the recording thereof. Though Jouy and Adam are both enmeshed in normalizing discourses, and though Adam is clearly pathologized in Bonnet and Bulard's report, Foucault simply does not seem particularly interested in studying the shape or the shaping of her pathology. In his *Abnormal* account, as noted, he reproduces uncritically the doctors' and townspeople's characterizations of Adam as a sexually precocious troublemaker. In *History of Sexuality*, where Adam is not actually named, Foucault more or less glosses over Adam altogether. Yet, Adam (and children like her) are ostensibly the ones for whom Jouy and other pedophiles are policed.

Whatever Foucault's reasons for not attending to Adam or other victims and survivors in his *History of Sexuality* account, this omission creates a lacuna in his genealogy. I would argue that this gap in Foucault's text does not run counter to the narratives of sexual deviance that he analyzes. Instead, the gap inadvertently alerts us to a particular role that the child victim (or potential child victim) plays in anchoring and justifying systems of surveillance of adult sexuality that do not necessarily serve the children they are supposed to be in place to protect.

Centering the Perpetrator

In the Jouy-Adam case, certainly Bonnet and Bulard do not give the impression of being particularly concerned about Adam's well-being or any harm done to her. As

previously noted, their focus is on analyzing Jouy's pathology, rooting out to whatever extent possible its causes, signs, and manifestations. While containment and prevention of child sexual abuse is presumably the goal of this analysis, one can see how the study of the sexual criminal is already beginning to take on a life of its own, becoming a fixation and fascination in which the child is all but forgotten altogether.

In contemporary contexts, consider, for instance, the television program *To Catch a Predator*, which ran from 2004 to 2007. On the show, host Chris Hansen confronts men who solicit underage girls and boys online when they show up to a camera-filled house to meet what turns out to be an undercover agent. Ostensibly, prevention and the well-being of potential victims is the impetus for the types of undercover stings and policing of online forums that the show portrays. However, it is worth considering the net effect of the program on survivors and the role victims (or potential victims) play in the show. The clear focus of *To Catch a Predator* is the public humiliation of the criminal. The show plays on viewers' curiosity (how will the pedophile explain himself?), desire for justice (the bad guy has been caught and shamed), interest in separating themselves from the morally/sexually perverse ("they" are easily identifiable, and "we" are not like "them"), or self-castigation/solidarity (in the case of viewers who identify with the perpetrators), and probably more than a little schadenfreude. Victims and survivors themselves are rarely represented on the program, in part because the victims in these particular cases are entirely hypothetical.

Nonetheless, some survivors may find consolation in seeing would-be perpetrators apprehended and called out in public, particularly given that many child victims do not have the opportunity to confront their abusers and in many cases their

abusers may not have faced any visible consequences for their actions at all. Steven A. Kohm informs us that some self-disclosed abuse survivors are in fact volunteers for Perverted Justice, the organization that worked with *To Catch a Predator* and that regularly baits and identifies online predators to police, employers, and families. Kohm writes, “For at least some volunteers, rooting out and publicly humiliating online predators is a personally cathartic experience and a chance to fight back against their own victimization.”⁶⁸ Survivors’ presence on the show thus takes place largely behind the scenes.

And in fact, there could be good reasons for the show not focusing on survivors or victims. As many feminists have pointed out, preventive measures aimed primarily at making women and children less vulnerable to rape risk perpetuating the myth that victims are at least partly to blame for their rapes. These measures, depending on how they are presented, can also end up putting the burden for change primarily on vulnerable populations, rather than on those who commit acts of sexual violence or who contribute to normalizing a culture of sexual violence. Focusing on offenders puts the onus for change on those responsible for violence. The study of sexual criminals may thus have a direct impact on survivors if by identifying why certain people commit sexual assaults, we are then able to prevent additional assaults.

However, the effectiveness of branding sex offenders through shows like *To Catch a Predator* and other court-enforced registry procedures is a source of disagreement. Chloë Taylor contends that when sex offenders’ names and photos are posted on websites, neighborhood flyers, and billboards, for instance, the effect is the

⁶⁸ Kohm, “Naming, Shaming and Criminal Justice,” 192.

production and reinforcement of a self-identity grounded in delinquency and otherness, which can contribute to the likelihood of the perpetrator committing additional crimes. In her view, “these disciplinary measures do not so much fashion the subject away from his crime as constitute him in terms of it, producing a subject bound to re-offend as an expression of his very being, thus leading directly to recidivism.”⁶⁹ If some of our current disciplinary approaches to perpetrators do indeed increase recidivism as C. Taylor claims, then these systems arguably perpetuate and reproduce sexual violence rather than reduce it, thereby making potential victims and survivors less (rather than more) safe.

In the case of *To Catch a Predator*, the risk of being caught and humiliated is at least not a deterrent for some of the men who show up at the houses admitting to having seen the show or to having been previously caught by police officers or even by *Perverved Justice*.⁷⁰ It is also possible, as one author Lindsey Paige Hoffman suggests, that by “broadcasting the guilty faces of hundreds of men from coast to coast, of all races, classes, and professions” the show could have the unintended effect of “normalizing a sickness.”⁷¹ That is, the program may actually send the message to the predator “that his urges are, in fact, normal—look at all the other guys who have them!—and reassure him that, really, the only thing he has to worry about is getting caught.”⁷² While Hoffman’s point is well taken, there could be something to be said for destigmatizing the “urges” she describes if it would mean that would-be predators were more likely to seek help and

⁶⁹ Taylor, “Foucault, Feminism, and Sex Crimes,” 6.

⁷⁰ Hansen, “‘To Catch a Predator’ III.”

⁷¹ Hoffman and Carnhoops, “Is To Catch a Predator Bad for Us?,” 21.

⁷² *Ibid.*

refrain from abusive acts. Yet, by intensifying the spectacle of humiliation around catching the predator (having the decoy greet the unsuspecting predator first, blindsiding him with a man in a suit who has come to ask him a barrage of embarrassing questions about what he is doing there and what he has in that bag, building to the reveal that he is on hidden camera and that this footage will be broadcast publicly, and finally telling him that he is free to leave at anytime, only to surprise him with cops with tasers outside) one wonders how inspired “potential predators” will be to out themselves by clicking on the help links posted on *To Catch a Predator*’s website.⁷³

Additionally, some have argued that the show is counterproductive to the degree that it perpetuates the myth that strangers pose the greatest threat to children when it comes to sexual violence. Studies have shown that eighty to ninety percent of acts of sexual violence against children are committed by family members, friends, and acquaintances.⁷⁴ Certainly, children are vulnerable to online predators and assaults by strangers, and efforts to address and eliminate this type of violence are essential. A danger arises, however, if viewers take away from *To Catch a Predator* the idea that the majority of offenders are strangers lurking in shadows in the darkest corners of the internet. This assumption can result in decreased receptivity to survivors’ identification of friends and family members as perpetrators.⁷⁵ It may also be a problem if viewers assume that by monitoring children’s online activity the hard work is completed and children are safe.

⁷³ Dateline NBC, “Need Help?”

⁷⁴ Kohm, “Naming, Shaming and Criminal Justice,” 197.

⁷⁵ On the issue of media and myths about stranger rape see also Alcoff and Gray, “Survivor Discourse,” 276.

Child as Placeholder

Thus, although *To Catch a Predator* presumably has as its impetus care for the well-being of victims and potential victims, it seems as though this mission is at least partly overshadowed by a fascination with the predator that has a momentum all its own. The child is conceptually indispensable to justifying the surveillance of the predator. Yet, as the surveillance moves beyond what is actually necessary to protect the child, it becomes clear that the child is merely a placeholder concealing some other motives or interest in disciplining aberrant sexuality for its own sake (a point which is especially salient when the harmed child is entirely hypothetical, as in the case of *To Catch a Predator*).

This move becomes clearer when we consider how the innocent child is frequently presented as a justification for policing innocuous sexual acts, as Lee Edelman does in *No Future*. For instance, Edelman points out that right-wing arguments against gay people's rights to marriage, raising children, and serving openly in the military are frequently couched in terms of family values and potential harm to children.⁷⁶ Yet, it is not entirely clear how equal rights for gay people will actually harm children. Edelman writes, "On every side, our enjoyment of liberty is eclipsed by the lengthening shadow of a Child whose freedom to develop undisturbed by encounters, or even the threat of potential encounters, with an 'otherness' of which its parents, its church, or the state do not approve, uncompromised by any possible access to what is painted as alien desire,

⁷⁶ Edelman, *No Future*, 21. Gayle Rubin makes a similar point in "Thinking Sex," 297, 304–306; "Blood Under the Bridge," 37–39.

terroristically holds us all in check.”⁷⁷ In these instances, the hypothetical child—always presumed to be heterosexual (or at least a future heterosexual)—who will be harmed by seeing the open existence of adults in consensual same sex relationships thus functions as a stand-in for a politics and belief system that has little to do with protecting children.

In addition, Pat Califia highlights the fact that the policing of public sex acts is often justified by concern for children who may accidentally witness something they are not supposed to. Califia notes, however, that some spaces deemed “public” should more accurately be termed “quasi-public.”⁷⁸ He argues that often “if people are going to see what is going on in these places”—locked bathrooms, cars, or closed booths in adult bookstores, for instance—“they must intrude. They must actively look for things that will offend them, either by penetrating physical barriers, by setting up covert surveillance, or by posing as potential participants.”⁷⁹ Policing of quasi-public sexual acts may thus be viewed in some cases, though perhaps not all, as part of a trend in which children are used as an excuse to regulate “deviant” sexual acts though the policing may not actually serve children at all. And in fact, queer public spaces often provide sources of community and healing for adult survivors.⁸⁰

Role of Survivors in *History of Sexuality*

Returning to *History of Sexuality*, we can see that Foucault’s relative silence with regard to Sophie Adam’s place in the history of sexuality could in part be indicative of

⁷⁷ Edelman, *No Future*, 21.

⁷⁸ Califia, *Public Sex*, 20.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, 158–167. See also, Cvetkovich, *Archive of Feelings*; Hart, *Between the Body and the Flesh*, 167–239.

the fact that the discourses through which the pedophile's sexuality is constructed and magnified render her role as primarily symbolic. That is, it is her testimony that is used to classify Jouy as a deviant and to set in motion a series of examinations and investigations into Jouy's deviance. Yet, Adam is not present to this investigation in any significant way, whether as an object of study or as someone whose well-being is appreciably served by it. If Jouy's sexuality and the sexuality of the pedophile or pervert are overdetermined (as will be explained in more detail in the next chapter), then Adam's and that of the victim/survivor are underdetermined, at least in this context.⁸¹ The survivor is—in this discourse and in discourses like it, as in Foucault's text—represented by a gap. Thus, Foucault's inattention to the construction of sexuality for Adam or for victims and survivors inadvertently reveals something crucial about the construction of survivor identity, though this does not place Foucault beyond criticism for his failure to attend to victims and survivors in his text.

What would it mean then for Foucault to extend his critique of sexuality to Sophie Adam? I suggest that drawing out Adam as a crucial character in unfolding discourses of normative sexuality can help us to better understand the impact of these discourses on survivors. In the next chapter I offer a re-reading of the Jouy-Adam case and contemporary survival through Foucault's critique of sex and sexuality.

⁸¹ As Johanna Oksala puts it, "Whereas the adult experience of pedophilia was effectively medicalized as a structural abnormality in the latter half of [the] nineteenth century, the fact that the little girl, Sophie Adams [sic], was confined to a house of correction for indecent behavior until she came of age suggests that a corresponding psychiatrization of the child's experience was not yet conceivable" (Oksala, "Sexual Experience," 215).

CHAPTER THREE

SEXUALITY AND SURVIVAL IN *HISTORY OF SEXUALITY*

In the previous chapter we saw that Sophie Adam and survivors occupy a gap in Foucault's study of sexuality. In this chapter I lay out Foucault's critique of "sex," sexuality, and the repressive hypothesis in *History of Sexuality, Vol. 1*, and I offer an amended reading of the Jouy-Adam case and contemporary survival narratives through the framework Foucault offers in this text. In particular, I develop my arguments about the impact of modern discourses of "sex" and sexuality on survivor identity and on the identification of instances of sexual violence. In explicating Foucault's framework I will draw on historical and contemporary examples to help illustrate his points and to demonstrate the ubiquity and continued relevance of the trends that he describes.

Foucault's Critique of the Repressive Hypothesis and the Concept of "Sex"

Foucault begins *History of Sexuality* by hooking the reader with a familiar story: humans are suffering from repression of their sexuality, and they need only become more open about sex in order to free themselves. According to this story (the repressive hypothesis), taboo, denial, and prohibition have limited the range of sexual acts one can acceptably desire, participate in, or talk about since the Victorian age. To lift these restrictions and live a more liberated, authentic life, one need only unlock one's subterranean desires (through self-discovery and talk therapy, perhaps), engage in more sexual acts (by joining the free love movement, for example), and talk more about sex

(rendering productions like *The L Word*, *Sex and the City*, and *The Vagina Monologues* inherently transgressive and therefore liberating).

Yet, Foucault quickly clues in the reader that the purpose of *History of Sexuality* will not be to tell this particular story. Rather, Foucault's aim will be to undermine this telling of the story and to demonstrate how the repressive hypothesis itself functions to regulate individuals and populations while convincing us that we are liberating ourselves. Where the repressive hypothesis and a focus on what is being prohibited or left unsaid come to monopolize our understanding of the history of sexuality, we miss important insights about what *is* being said and the function of other methods of power at work in shaping "sex" and who we are. A large part of Foucault's project in this text is thus to draw attention to a different sort of trend in discourses about sex that is not best captured by the logic of the repressive hypothesis and that in fact benefits from the construction of the repressive hypothesis itself.

In building his case, Foucault provides evidence that in recent centuries rather than silence there has actually been a "discursive explosion" around sex and an "institutional incitement to speak about it" led in part by the repressive hypothesis.¹ In particular there has been a proliferation of discourses dealing with "perversion," that is, with any form of sexuality that deviates from heterosexual, monogamous, procreative sex acts between married adults.² In these discourses, Foucault identifies several functions of power that are productive or creative rather than repressive. As Johanna Oksala puts it, power functions in these contexts primarily by "produc[ing] through cultural normative

¹ Foucault, *History of Sexuality*, Vol. 1, 17, 18.

² *Ibid.*, 38–41.

practices and scientific discourses, the ways in which we experience and conceive of our sexuality.”³ In developing Foucault’s explanation of the productive components of power at work here, I will first define some key elements of his framework for this discussion. I will then consider more specifically his response to the repressive hypothesis.

Contextualizing Foucault’s Critique: Biopower, Discourse, and Repression

Toward the end of *History of Sexuality, Vol. 1* Foucault describes his conception of biopower. He contrasts this modern form of power with a simpler form best exemplified by the control a sovereign exercises over his subjects. In the latter case, power is wielded by a single individual, and this power manifests itself primarily in terms of a debit or “deduction [*prélèvement*].”⁴ That is, the sovereign enforces rule and maintains power mainly by subtracting or taking away (property or life itself) through taxation, execution, or military deployment. Biopower, on the other hand, is more diffuse, and its aim is not to take away but “to administer, optimize, and multiply [life].”⁵ Biopower functions to track, manage, and regulate groups of people and individual bodies not in defense of a sovereign but for the sake of preserving and extending human life.⁶

Crucial to the development of biopower is the emergence of the “norm [*norme*]” as a disciplinary mechanism, particularly around the nineteenth century.⁷ Mary Beth

³ Oksala, “Freedom and Bodies,” 90.

⁴ Foucault, *History of Sexuality, Vol. 1*, 136 [178].

⁵ *Ibid.*, 137.

⁶ *Ibid.*, 136–145. See also Taylor, “Biopower,” 41–48; Kelly, *Foucault’s History of Sexuality*, 93–104; Lynch, “Reading The History of Sexuality, Vol. 1,” 169–170.

⁷ Foucault, *History of Sexuality, Vol. 1*, 144 [189].

Mader emphasizes the importance of recognizing Foucault's technical use of the term "norm" to indicate a "statistical sense of a norm as the mean of a normal curve."⁸ Though the statistical "norm" itself is ostensibly descriptive—plotting data and charting trends—it performs a prescriptive function, "normalizing" individuals in relation to the curve. Mader helps us to see why this is case. According to one view, statistical norms are not inherently value-laden; they do not tell us whether it is "good" or "bad" to be statistically "normal" in various contexts. As Michael Warner puts it, "It is normal to have health problems, bad breath, and outstanding debt.... It is *not* normal to be a genius, die a virgin, or be well endowed. That, again, tells us nothing about what one should want."⁹ In this view, the norm only takes on an evaluative or prescriptive function after the fact.

But Mader points out that the posing of a statistical norm actually requires an evaluative move that is concealed when the norm is characterized as purely descriptive. That is, "identifying" the normal curve involves comparing and analyzing various sets of data to determine what constitutes a "normal distribution" for some set of data, such as mortality. When mortality data is charted and the patterns differ—among, say, the population as a whole, segments of the population that have syphilis, and segments that do not—one curve or set of data is chosen as the one to which the others need to conform. Inherent in this statistical/mathematical move is a subjective/evaluative decision about which curve represents the ideal or "normal" one and what the normal distribution *should* look like. As Mader puts it, "The identification of normal and abnormal precedes

⁸ Mader, *Sleights of Reason*, 50. For example, Foucault writes that biopower "effects distributions around the norm" (Foucault, *History of Sexuality*, Vol. 1, 144).

⁹ Warner, *Trouble with Normal*, 54.

the identification of the norm.”¹⁰ Thus, the normal curve is not an inherently objective explanation of data that only takes on an evaluative or normalizing function once it is applied or interpreted. The norm itself is representative of an interpretative, evaluative move masked as a descriptive one.

Foucault tells us that in the shift from sovereign power to biopower, “the law [*loi*] operates more and more as a norm....The judicial institution is increasingly incorporated into a continuum of apparatuses (medical, administrative, and so on) whose functions are for the most part regulatory.”¹¹ In this schema, rather than discipline and order taking place primarily or solely through legal prohibitions or direct commands from a central source, humans regulate each other and themselves in accordance with norms. As a contemporary example of biopower, consider the Body Mass Index (BMI), which uses an individual’s height and weight to track whether one’s body falls into a statistically determined “healthy” range. The BMI functions as a norm that is employed by institutions and internalized by individuals in order to regulate the diet and exercise of bodies, presumably to ensure a healthy, productive population.

When thinking about the discipline and care of the body and the kind of power that is being exerted in the case of the BMI, we can see that the BMI is creative insofar as it produces and shapes certain kinds of bodies in accordance with an ideal. We can also see that power in this case comes from multiple directions—doctors, the Centers for Disease Control and Prevention, First Lady Michelle Obama (via the Let’s Move campaign), family members, and oneself. Discipline in such cases occurs through

¹⁰ Mader, *Sleights of Reason*, 52.

¹¹ Foucault, *History of Sexuality*, Vol. 1, 144 [190].

complex and shifting relationships of power. David Halperin thus describes Foucault's model of power as follows: "Power, then, is not to be understood according to the model of a unidirectional vector from oppressor to oppressed. Rather, it's a fluid, all-encompassing medium, immanent in every sort of social relation—though unevenly concentrated or distributed, to be sure, and often stabilized in its dynamics by the functioning of social institutions."¹² It is with this conception of power—as disperse, creative, and formative, rather than as unilateral and repressive—that Foucault approaches his study of sexuality.

And in fact, "sex" plays an important role in biopower, in Foucault's view. Wittily, he uses the phrases "sovereignty of sex [*souveraineté du sexe*]" and the "austere monarchy of sex [*austère monarchie du sexe*]"¹³ in this section, suggesting that "sex" has taken the place of the sovereign in this mode of power. Rather than serving a king, individuals are preoccupied with discovering the truth about sex and about their own sexuality. As we will see later in this chapter, "sex" functions as a target for the management of bodies and populations. Individuals' and families' "private" lives become a matter of "public" concern as sexual data is solicited in service of moral ideals or population control exemplified by the normal curve. Though the repressive hypothesis claims to liberate us from such controls, it keeps sex at the center of things, thus holding us to the same "master." This point will become clearer in the sections that follow.

It is also important to understand the role of discourse in Foucault's conception of power. Linda Alcoff and Laura Gray define discourse in Foucault's use as referring not

¹² Halperin, *Saint Foucault*, 17.

¹³ Foucault, *History of Sexuality*, Vol. 1, 156 [206], 159 [211].

just to “speech or a collection of speech acts” but also to the rules (explicit and implicit) that “structure what it is possible to say” in various contexts.¹⁴ In other words, the content of what one is allowed or expected to say, the terminology one can use and expect to be understood, who is permitted to speak and with what authority, and the organizing structure of any given speech will all vary depending on whether this speech takes place in a classroom, a courtroom, a living room, a newspaper, an e-mail, or a diary.

We should also note that Foucault’s approach to the relationship between discourse and reality fits into broader postmodern or poststructural approaches to knowledge. Rather than assuming that there are truths about sex that simply need to be discovered and put into language, Foucault maintains that discourse and the distribution of various kinds of discourse shape our understanding and concept of “sex” itself. He writes, “This oft-stated theme, that sex is outside of discourse and that only the removing of an obstacle, the breaking of a secret, can clear the way leading to it, is precisely what needs to be examined.”¹⁵ In examining this theme, Foucault demonstrates that our understanding and experience of “sex” are produced through the circulation of various discourses and that the distribution of a discourse depends on complex relationships of power between individuals and institutions.¹⁶

In the case of BMI, for instance, there are a variety of “texts” in circulation. There is the formulation of the BMI itself—the rules of its calculation and the division of results into categories. Then there are defenses and criticisms of the usefulness of the BMI,

¹⁴ Alcoff and Gray, “Survivor Discourse,” 265.

¹⁵ Foucault, *History of Sexuality*, Vol. 1, 134.

¹⁶ My explanation of Foucault’s use of discourse draws on Sara Mills’ helpful discussion in *Michel Foucault*, 53–66.

claims about the moral or medical meaning, causes, and effects of falling into each category, and rules and instructions for maintaining or changing categories. These “texts” are articulated in a variety of contexts—e.g., medical journals, scientific studies, government websites, blog posts and podcasts, diet plans and cookbooks, doctors’ offices and exam rooms, political debates and food stamp legislation, academic classrooms, magazines, advertising casting sessions, kitchen tables, and dressing rooms. The degree to which any of these “texts” is circulated or accepted will depend on the status of existing discourse and on individual and institutional interest, access, authority, and material resources.¹⁷ We can see just from this one example that the systems of power and discourse at work in how we shape and relate to our bodies are extremely complex.

With regard to the repressive hypothesis it is not altogether surprising then that at the opening of *History of Sexuality* Foucault does not attribute the narrative of repression to a single opponent. Rather, he opens by telling us that this is how “the story goes,”¹⁸ relying on readers’ familiarity with the narrative given its ubiquity. He does gesture briefly to Sigmund Freud and Wilhelm Reich, and it is clear that psychoanalysis figures heavily in the web of discourses that Foucault aims to critique. For Anglophone readers the repressive hypothesis will likely call to mind Freud’s theory of repression wherein certain desires or memories are held in the unconscious mind due to some obstacle that impedes an individual from consciously acknowledging them. Mark G.E. Kelly draws our attention to the French distinction between psychological repression (*refoulement*)

¹⁷ Amy Erdman Farrell provides a good introductory overview of some of the institutional interests and power dynamics involved in framing obesity as an epidemic and in challenging this framing. See, in particular, Farrell, *Fat Shame*, 1–23.

¹⁸ Foucault, *History of Sexuality*, Vol. 1, 3.

and social repression (*répression*), and he points out that it is the latter that Foucault uses in signifying the repressive hypothesis.¹⁹

Proponents of theories of social repression, such as Reich, hold that the primary forces acting to restrict sexuality are social rather than psychological. They argue that because Freud does not advocate free expression of repressed desires but rather careful management of them, his approach is too conservative and does not do enough to liberate individuals. They thus view Freud as contributing to social repression of sexuality. Given the wide influence and popularity of psychoanalysis at the time of Foucault's writing, particularly in France, most French readers would have been well acquainted with the conversations to which Foucault alludes.²⁰ Whether current readers are familiar with the origins of these conversations, the narrative of Victorian era repression and sexual liberation are arguably pervasive enough that they are sometimes still taken in by it in Foucault's opening to *History of Sexuality*.²¹

Let us turn then to Foucault's critique of the repressive hypothesis. In the next sections I look at three key pieces of this critique: 1) the identification of counter-

¹⁹ Kelly, *Foucault's History of Sexuality*, 18.

²⁰ *Ibid.*, 17–19. In addition, Foucault notes that he is not the first to have criticized theories of repression as overly simplistic and that “psychoanalysts have been saying the same thing for some time” (Foucault, *History of Sexuality, Vol. 1*, 81). Though Foucault does not mention Jacques Lacan by name here, it is likely that Lacan also influenced Foucault's thinking about the repressive hypothesis and that given his popularity in France at the time, Lacan would have been on readers' minds as well. On the role of Lacan in Foucault's treatment of the repressive hypothesis see Kelly, *Foucault's History of Sexuality*, 55–61. And on Foucault's relationship to psychoanalysis, see also Taylor, *Culture of Confession*, 155–158. In addition to Freud and Reich, Taylor points to Herbert Marcuse as another likely subject of Foucault's critique in *History of Sexuality*, especially given the popularity of his work *Eros and Civilization* with which Anglophone readers may have been more familiar.

²¹ Richard A. Lynch points to the subtlety of Foucault's language in the opening to explain the tendency for some readers to initially mistake the repressive hypothesis for the view Foucault wishes to put forth. “Reading The History of Sexuality, Vol. 1,” 164–165. That these subtleties continue to work on many readers (in undergraduate classrooms, for instance) is, I would suggest, evidence of the continued relevance of the repressive hypothesis.

examples demonstrating the production, codification, and multiplication of discourses about “sex,” 2) a critique of normative assumptions about the concept of “sex” itself, and 3) an analysis of specific methods of power illustrating how various systems (including the repressive hypothesis) function to produce and manage sexuality rather than repress or liberate it.

Talking Sex: Counter-Examples

Foucault says that one question he will pose in *History of Sexuality* is whether “sexual repression [is] truly an established historical fact.”²² In responding to this question, Foucault does not deny that there has been a history of prohibitions against sex: laws forbidding particular acts; religious tenets declaring certain behaviors, thoughts, and desires sinful; and codes of decorum limiting where, when, and how sex can be spoken about. He also allows that these strictures may have intensified in the past few centuries. Yet, it would be a mistake to thereby conclude that people have been thinking or speaking any less about sex; focusing on rules and prohibitions creates an incomplete picture. As mentioned, Foucault observes a converse trend: widespread preoccupation with sex manifested through increased institutional imperatives to talk about and study sex.

For example, Foucault cites the Catholic confessional as one space where extended discussion of sex has proliferated as parishioners are not only permitted but commanded to search themselves for and confess any signs of sexual impurity to a priest. It is true that the emphasis on providing detailed descriptions of sexual acts in the confessional did decrease following the Council of Trent in the seventeenth century, and

²² Foucault, *History of Sexuality*, Vol. 1, 10.

less explicit language was increasingly employed to refer to sexual sins less directly. Yet, Foucault notes that at the same time “the scope of the confession...continually increased.”²³ Churchgoers were encouraged to confess not just to acts but to the minutiae of their every sexual thought and desire: “a shadow in a daydream, an image too slowly dispelled, a badly exorcised complicity between the body’s mechanics and the mind’s complacency: everything had to be told.”²⁴ Religious attention to sexual sins thus did not so much repress thought or conversation about sex as it promoted keen awareness of one’s sexual thoughts and continual articulation of them in institutionally sanctioned spaces.²⁵

Additionally, Foucault calls attention to medical, psychiatric, criminal, and social treatment of sexuality (especially from the eighteenth century onward) as areas where production of discourse about sex has continued in increasingly meticulous ways. For instance, great attention has been given to studying, describing, cataloguing, and diagnosing sexual disorders. Legal definitions of sexual crimes have expanded, leading to closer surveillance of a wider scope of sexual acts. Social concerns about population control and limiting sexual acts to procreative married adults have involved extensive data collection and detailed discussion about how to regulate sexuality within the family unit.²⁶

²³ Ibid., 19.

²⁴ Ibid.

²⁵ Interestingly, shortly after taking office in 2013, Pope Francis himself (channeling Foucault?) declared that the Catholic Church has continued to put disproportionate emphasis on sex-related issues (abortion, same sex marriage, and contraception) and that “a new balance” is needed in presenting the church’s message. Spadaro, “A Big Heart Open to God.”

²⁶ Foucault, *History of Sexuality, Vol. 1*, 30–31. See also Taylor, *Culture of Confession*, 66–73.

These initiatives do not repress or eliminate “sexuality” but rather produce it as a central and permanent fixture in our cultural and ontological landscape. What is more, by maintaining that we are repressed, the repressive hypothesis ensures the continued proliferation of discourse on sex as it “sees” sex everywhere and tells us that more talk about sex is the key to our liberation. Foucault thus famously remarks on the irony of “a society...which speaks verbosely of its own silence” and he wonders “why we were so bent on ending the rule of silence regarding what was the noisiest of our preoccupations.”²⁷

It is in this context that Foucault introduces the nineteenth century case of Charles-Joseph Jouy. As mentioned in chapter two, Foucault uses this case primarily to talk about the kinds of discourse that are produced about Jouy and how he is figured through them as a criminal, sexual deviant, and object of scientific study. In particular, Foucault says, “The thing to note is that [the doctors] went so far as to measure the brainpan, study the facial bone structure, and inspect for possible signs of degenerescence the anatomy of this personage...that they made him talk; that they questioned him concerning his thoughts, inclinations, habits, sensations, and opinions.”²⁸ As with the shift in the scope of confession, it is worth noting the wide range of evidence that is thought relevant to explaining Jouy’s sexuality. Though Foucault does not mention it here, Bonnet and Bulard also gather information on Jouy’s childhood and upbringing, and they include in their analysis statements from the mayor and one of Jouy’s former

²⁷ Foucault, *History of Sexuality*, Vol. 1, 8, 158.

²⁸ *Ibid.*, 31.

employers concerning his character and mental/moral capabilities.²⁹ Use of this range of data suggests a belief that Jouy's sexual deviance permeates, or can be expected to permeate, every aspect of his being from his childhood to his physical makeup.

For contemporary readers the usefulness of phrenology for creating a meaningful criminal or psychological profile will likely be suspect.³⁰ However, extensive interviewing of Jouy and his acquaintances probably does not seem that unusual. In terms of the narrative of repression though, there is something interesting going on here. On the one hand, Jouy's actions are being restricted, and sexual acts between adults and children are being prohibited. Yet at the same time, wide-ranging discourses are being created by different types of experts (doctors, law enforcement officials, judges) producing various kinds of knowledge about Jouy (medical, moral, psychological, sexual). Rather than being silenced or having his sexual thoughts and desires entirely suppressed, Jouy is instead compelled to speak and to provide evidence—actively through his own testimony and indirectly as a character in others' testimony and through his body itself. This evidence is meant to speak to an inner life or essence that will help interested parties create detailed narratives of Jouy's sexual deviance and eventually pedophilia more broadly.³¹

²⁹ Bonnet and Bulard, *Rapport Médico-Légal*, 2–3.

³⁰ Which is not to say that contemporary science has abandoned a connection between the body and deviant behavior. Rather, studies have moved further “inward” to the genetic makeup of criminals and deviants. Thanks to Andrew Cutrofello for this point.

³¹ Shelley Tremain points out that the term “pedophile” was not yet in circulation at the time of the Jouy case; it was not introduced until twenty years later. For this reason she maintains that Foucault is not actually using Jouy to talk about the construction of the pedophile but of the imbecile. Accordingly, she argues that feminists have missed the role of disability in the case, and she resituates Foucault's discussion of Jouy in connection with disability studies. See Tremain, “Educating Jouy,” 808–816. I am not completely convinced that Jouy is included solely as an example of imbecility and not also as representing the beginnings of the construction of the pedophile. Yet, Tremain's point is well taken, and I agree that the

Of course, that Jouy was studied and written about does not necessarily mean that his case would have been spoken about freely among just any company. Foucault speculates that “during this same period the Lapcourt schoolmaster was instructing the little villagers to mind their language and not talk about all these things aloud.”³² Yet, even though the case may have been regarded as an impolite topic of conversation in some contexts, the doctors’ recording of the town’s reactions suggest that Jouy and Adam were nonetheless subjects of widespread gossip and speculation, whether in hushed tones or not.³³ What is more, institutional interest in and moral value placed upon rooting out sexual deviance gives speech about Jouy’s case and sexuality special significance. To chatter about Jouy’s crime is not to engage in mere idle gossip but to contribute to an important, meaningful, and morally justified discourse.

What is especially key for Foucault in the previous examples is not just that sex continues to be talked about in spite of prohibitions but that discourse about sex is viewed as being especially important or meaningful. Gayle Rubin refers to the high value placed on sex as exhibiting a “fallacy of misplaced scale” in which “sexual acts are burdened with an excess of significance.”³⁴ Rather than ask whether ascribing such importance to sex is necessary or desirable, the repressive hypothesis reinforces the view that sex is a primary defining characteristic of what it means to be human, such that our liberation is at stake in speaking or not speaking about sex. In fact, Foucault suggests that the apparent

disability aspects of the case should be explored further. Further analysis of the case and its role in Foucault’s thinking may also help to elucidate connections between constructions of sexual deviance and disability.

³² Foucault, *History of Sexuality*, Vol. 1, 32.

³³ Bonnet and Bulard, *Rapport Médico-Légal*, 4; Foucault, *Abnormal*, 319, n9.

³⁴ Rubin, “Thinking Sex,” 278, 279.

need to pose a political reason and moral justification for speaking about sex may actually reflect “traces of the same old prudishness” that the repressive hypothesis is meant to oppose.³⁵

We can see then that if the repressive hypothesis supposes that we can liberate ourselves by simply speaking more openly about sex, then this is a proposal doomed to fail. This proposal conceals the ways sex is already being talked about, the high value already placed on sexual discourse, and the disciplinary functions of existing speech about sex. Many who are marginalized based on their sexuality are already acutely aware that “transgressive” speech and liberation do not always go hand in hand. Ladelle McWhorter recalls that when she first read *History of Sexuality* in 1983 she was already

intimately acquainted with the grim realities consequent upon sexual confession....This was painfully obvious to me: Unless you're straight-**straight-straight**, if you're honest about your sexuality, liberation is not what follows; lockup is. The truth does not make deviants free. For any sexual deviant, confession, whatever its benefits, comes at an extremely high price. To name oneself queer in our society is to put one's job, one's family, one's freedom, and even one's life on the line.³⁶

While the climate for “coming out” as LGBTQ has improved to some degree in the last three decades, McWhorter's point is still pertinent. Confessing one's sexuality opens one up to other disciplinary mechanisms. David Halperin writes, “If to come out is to release oneself from a state of unfreedom, that is not because coming out constitutes an escape

³⁵ Foucault, *History of Sexuality, Vol. 1*, 6. Of course, Foucault himself could be accused of performing a similar move. That is, he too is talking about “sex” and thus arguably contributing to the proliferation of sexual discourse while proposing a political reason for doing so. (And here I am too!) Nonetheless, it is not clear that Foucault is claiming his speech to have necessarily escaped the trappings of the repressive hypothesis or that his critique could not still do something different even if he has not stepped outside this system that has so structured modern thinking, or if one cannot really, completely.

³⁶ McWhorter, *Bodies and Pleasures*, 12–13.

from the reach of power to a place outside of power: rather, coming out puts into play a different set of relations and alters the dynamics of personal and political struggle.”³⁷

It is crucial then to look more closely at these power relations and to ask whether the discourses that challenge sexual repression are really doing something different. Thus, Foucault poses the question “Did the critical discourse that addresses itself to repression come to act as a roadblock to a power mechanism that had operated unchallenged up to that point, or is it not in fact part of the same historical network as the thing it denounces (and doubtless misrepresents) by calling it ‘repression’?”³⁸ In other words, when we claim to be resisting repression is it possible we are really just trading one set of norms or form of discipline for another, while convincing ourselves that we have escaped them?

(Not) Taking Sex for Granted: Foucault’s Critique of “Sex” Itself

When we do look at how “sex” is being talked about we can see that the repressive hypothesis assumes that sex is a naturally existing phenomenon, that our primary relationship to this phenomenon is defined by desire, and that sexual desire is something that can (and must) be discovered and explained through discourse. As mentioned, Foucault maintains that “sex” is produced through discourse rather than simply described through it. He questions the assumption that sex itself is a biological given, and discourages us from thinking of biology as being prior to or separable from historical and cultural context.³⁹ Foucault’s position is that “sex [*sexe*]” is in fact a

³⁷ Halperin, *Saint Foucault*, 30.

³⁸ Foucault, *History of Sexuality*, Vol. 1, 10.

³⁹ *Ibid.*, 152.

“fictitious unity,” through which it is “possible to group together, in an artificial unity, anatomical elements, biological functions, conducts, sensations, and pleasures.”⁴⁰

In building his case, Foucault points out that the term *sexe* (much like the English term “sex”) has multiple meanings. It can refer, for example, to the biological categories of male and female, a woman, genitalia, or intercourse.⁴¹ Through its proximity to biological concepts and reproduction “sex” thus acquires “a guarantee of quasi-scientificity.”⁴² In other words, the givenness of sex has the backing of scientific authority. Within the logic of the repressive hypothesis, the assumption is that “sex” is a naturally existing phenomenon. If the term sex is invented, what it describes is not. Sex, the story goes, is simply a term that points to a group of naturally existing and inherently connected phenomena.

Within this logic, we might wonder how one could even go about contesting the view of sex as natural and transhistorical. For example, it seems fairly obvious that though the values placed on “sex” may change through time, the biological act of “sex” (penile-vaginal intercourse) will remain. Yet, as Foucault points out, our concept of sex goes beyond reference to a single, clearly defined act or organ or essence. It incorporates sex/gender, various parts of the body, different kinds of touch or types of penetration, and multiple conceptions of arousal, attraction, orgasm, pleasure, intention, desire, orientation, and (sometimes) love.

⁴⁰ Ibid., 154 [204].

⁴¹ Ibid., 152–154.

⁴² Ibid., 155.

Even what constitutes a sex act itself is debatable. Questions and disagreements among LGBTQ populations about how to define virginity outside of heterosexual relationships are reflected on multiple online forums.⁴³ Ambiguity about what counts as a sexual act among heterosexual couples has also come up in some mainstream movies and television shows. In the film *Mean Girls*, high schooler Regina George laments of her ex-boyfriend “I gave him everything! I was half a virgin when I met him.”⁴⁴ In an episode of *How I Met Your Mother*, controversy arises over whether Lily technically lost her virginity to her college sweetheart Marshall as previously claimed when it is discovered that her high school boyfriend may not have “[dived] all the way into the pool” but he may have “splashed around in the shallow end.”⁴⁵ Consider also the controversy over Bill Clinton’s saying that he “did not have sexual relations” with Monica Lewinsky though they had engaged in oral sex acts.⁴⁶

The artificiality of definitions of sex is further apparent if we consider the ways that the meaning of similar actions changes depending on context. For example, while having one’s prostate checked in a doctor’s office is supposed to be nonsexual, the same procedure performed in pretty much any other setting would be considered sexual by most.⁴⁷ The sexual (or nonsexual) nature of a foot rub may similarly vary depending on

⁴³ See for example, “LGBT: How Do Lesbians Lose Their Virginity?” and Friedrichs, “How Do Gay and Lesbian People Lose Their Virginity?”

⁴⁴ Waters, *Mean Girls*.

⁴⁵ Bays and Fryman, “How I Met Your Mother, Season 2, Episode 12: First Time in New York.”

⁴⁶ Clinton, “Response to the Lewinsky Allegations.”

⁴⁷ In the process of writing this chapter, I shared this example with a colleague who happens to belong to a celibate religious order. As it turns out, this order requires that celibacy be freely chosen; therefore members of the order must not be impotent. To be admitted into the order he thus had to be examined by a

location and the perspectives of the people involved (which may also differ). Sleeping in the same bed, taking off one's shirt, dancing, kissing, spanking, showering (the examples multiply invariably) can all be sexual or not depending on context.⁴⁸

What these examples help to show is that the term "sex" brings together multiple elements of human experience (for instance, gender, reproduction, physical touch, desire, relationships, rites of passage, and sleeping arrangements) and then represents them as being intrinsically connected, as naturally belonging to a singular group of inherently related experiences. But what Foucault demonstrates is that the term "sex" does not simply point to a preexisting phenomenon; discourse about sex actively shapes our understanding and experience of these phenomena. Through the concept of "sex" bodies, sensations, gestures, and relationships are imbued with particular meanings. In saying that "sex" is therefore "a fictitious unity," Foucault is not thereby saying that we do not experience these phenomena as connected, but rather that such experiences are not necessarily transhistorical or inevitable but shaped by circumstance and context.⁴⁹

A weakness in the repressive hypothesis is that it takes for granted that there exists in each of us an innate sexuality. The proposal that we can free ourselves by expressing this sexuality more openly leaves our assumptions about sex and our relationship to sex unchallenged. By raising doubts about the innateness of sexuality and

physician who confirmed both that he was male and that he could achieve an erection through stimulation of the prostate gland. "Was that sexual?" this colleague asked. What a question!

⁴⁸ Though of course, Freudian theories of repression will suggest that "sex" or sexual desire is in fact lurking in many supposedly "benign" places, perhaps including all of these examples, whether "consciously" or not.

⁴⁹ On Foucault's critique of essentialist conceptions of "sex" see also Rubin, "Thinking Sex," 276–277; Oksala, "Freedom and Bodies," 91–93; Kelly, *Foucault's History of Sexuality*, 109–113.

suggesting that “sexuality” is produced through discourse, Foucault is instead able to identify processes of power by which certain assumptions about sex are produced.

Productive Techniques of Power around Sex

Here then let us consider four main techniques of power that Foucault discusses in the context of sex: surveillance, production of pleasure, concentration of sexuality at particular sites, and incorporation of sex and selfhood.⁵⁰ These examples help to illustrate specifically how “sex” and “sexuality” are produced and maintained, which will allow us to see more clearly how and why the repressive hypothesis fails, both in terms of diagnosing the circumstances of our sexuality and in offering a solution.

Surveillance

With regard to surveillance, Foucault notes what happens when adults become particularly concerned with eliminating children’s masturbatory habits during the nineteenth century. At first glance, it would seem as though what is at work in this context is primarily a prohibition, an attempt to disallow and/or deny the existence of sexuality among children. However, Foucault points out that the apparent need to stop children from masturbating lends itself to the production of a system of surveillance, and it creates a justification for being particularly involved in children’s sexuality. In fact, it becomes the job of parents and others to catch the child masturbating or at least to elicit from the child a confession.⁵¹ As Foucault puts it, “In appearance, we are dealing with a barrier system; but in fact, all around the child, indefinite *lines of penetration* were

⁵⁰ Foucault, *History of Sexuality*, Vol. 1, 41–49.

⁵¹ *Ibid.*, 41–42.

disposed.”⁵² Thus, rather than detaching the child from sex, this system figures the child as a sexual being whose sexuality must be the object of constant observation, concern, and intervention from parents, educators, doctors, and caregivers. The irony in these systems of surveillance is that they shape children’s sexuality as something that either does not exist or is to be hidden all the while guarding against it and searching it out.

Foucault is skeptical as to whether the actual goal of surveillance is to eliminate masturbation among children, as this seems like an initiative that is “bound to fail.”⁵³ Along these lines, Ladelle McWhorter suggests that “the war on masturbation continued not because it helped prevent masturbation, but because it enabled something else, namely, the infiltration of the family by the medical profession (among others) and, generally, the extension of extralegal mechanisms of control through some of the heretofore most private corners of human existence.”⁵⁴ That is, by setting elimination of behavior as the explicit goal of surveillance, institutions gain access to the family whereby private behavior can be monitored and managed.

As a contemporary example, consider the industry of surveillance, parental controls, and parenting advice surrounding children and teens’ online and texting habits, particularly with regard to sexting, access to pornography, and vulnerability to sexual predators. Setting aside questions about the value or effectiveness of such controls, Foucault’s aim here is that we consider whether repression is the appropriate way of describing the type of power that parents exert over children and teens in these cases.

⁵²Ibid., 42.

⁵³ Ibid.

⁵⁴ *Bodies and Pleasures*, 21.

While the controls may initially appear to have a primarily deductive function (eliminating access to particular kinds of discourse, people, information, or materials), the controls also create opportunities for parents to access and regulate their children's sexual thoughts, knowledge, and experiences through monitoring of e-mail accounts, text records, and search histories. These interventions inadvertently amplify and widen the audience for and attention to children and teens' sexuality.

Another example worth considering is the advent of the Christian "purity ball," inspired by a desire to ensure sexual abstinence among young women. Participation involves a father or other "godly male role model" vowing to protect the virginity of his daughter (or other young woman aged twelve and older) and solidifying this vow by attending a fancy soiree together.⁵⁵ To simply view the prohibition of premarital sex among teenagers as repressive is to miss how the daughter's (hetero)sexuality is produced here as an object of knowledge and moral-religious concern for the father or father-figure.

Interplay of Power and Pleasure

Additionally, Foucault claims that systems of sexual surveillance create pleasure for both the observer and observed, such that there is a disincentive to eliminate them. He writes, "These attractions, these evasions, these circular incitements have traced around bodies and sexes, not boundaries not to be crossed, but *perpetual spirals of power and pleasure*."⁵⁶ For example, in the case of *To Catch a Predator* and related sting operations discussed in the previous chapter, we might wonder if the play of power between

⁵⁵ "Purity Ball Frequently Asked Questions."

⁵⁶ Foucault, *History of Sexuality, Vol. 1*, 45.

predator and undercover agent is responsible for the creation of pleasures that keep both sides invested in the process. As mentioned, some of the undercover agents for *To Catch a Predator* are themselves survivors of sexual violence who find catharsis in baiting and catching sexual predators online. Without diminishing or discounting a sense of justice as motivation, it is worth noting that these agents are essentially pretending to be minors while participating in sexually charged exchanges with potential predators. It does not seem a stretch to imagine that some of the agents are drawn to such projects by curiosity or a desire to participate in a morally sanctioned role play that would otherwise be forbidden, or that some of them may end up experiencing pleasure in these interactions themselves. A similar trend may also emerge among psychiatrists or priests, for example, whose job it is to draw out and listen attentively to the detailed sexual confessions of their patients or parishioners.⁵⁷

On the other side, Foucault suggests that the observed may experience pleasure in the play of power involved in having an audience, shocking or titillating the listener, evading discovery, and being discovered.⁵⁸ To be sure, a cursory study of romance clichés in television shows, novels, and movies will demonstrate that for many, the thrill of secrecy and potentially being caught in a forbidden or hidden affair only multiplies the pleasures for those involved. Additionally, while confession in various contexts (e.g., religious, judicial, medical, or therapeutic) may initially be externally motivated, Chloë Taylor points out that the act of confessing can come to be experienced as something

⁵⁷ Foucault mentions psychiatrists/patients in the context of power and pleasure but not priests/parishioners. I include the latter because his earlier discussion of religious confession follows a similar pattern though he does not explicitly connect the two here. *Ibid.*, 44–45, 19–20.

⁵⁸ *Ibid.*, 44–45.

pleasurable in itself as “confessants become convinced by the authoritative claims that confession [is] for their spiritual, psychological, and even their physical health.”⁵⁹

With regard to the sexual offender, many of the predators featured on *To Catch a Predator* are not deterred by the threat of being caught for a first or second or third time. If Foucault is correct, then the prospect of being caught could in fact be an incentive for some predators. One wonders, for instance, about the man who shows up to the *To Catch a Predator* sting house before police have finished arresting the previous perpetrator. Seeing police and a man in handcuffs in front of the house, this next visitor initially drives past the house and circles the block. Yet, apparently against his better judgment, he returns to the house after a quick phone call to the undercover “teen,” satisfied with the explanation that the cops are just dealing with someone next door. It is difficult to say whether it is a desire to confess, the thrill of potentially being caught, or sheer desperation that pushes the man to show up at the house in spite of recent police presence. When asked he says simply, “I’m stupid. I knew better when I drove by I just knew better” and “I was bored.”⁶⁰ Many of the men do in fact stick around to answer host Chris Hansen’s questions, some to defend or deny their actions, others to confess.⁶¹

⁵⁹ Taylor, *Culture of Confession*, 74.

⁶⁰ Hansen, “‘To Catch a Predator’ III.”

⁶¹ Though the men are under no legal obligation to stay and respond to the host’s questions, it is nonetheless difficult to say that compliance is entirely voluntary. The power differential between the host and the “guests” is palpable given that the men are immediately ambushed with cameras as they are caught doing something for which they could potentially be jailed. Some of them may really want to tell their stories, but they may also be motivated by a hope for lenience if they cooperate, fear of what awaits them once the questioning is over, a wish to defend their actions to audiences, or ignorance of their legal options in the moment. Steven Kohm reports that the men often assume the host “is a police officer or concerned parent” (Kohm, “Naming, Shaming and Criminal Justice,” 196).

The repressive hypothesis furthers the association of confession and pleasure by presenting confession as transgression, as a personal or political good. Yet, the degree to which confession actually frees the predator, patient, or “sinner” from the constraints of power is clearly suspect. Rather, by encouraging continued expression and proliferation of sexual discourse, the repressive hypothesis ensures that sexual deviance can be identified and managed by individuals and institutions.

Localized Concentrations of Sexuality

In many of the above examples we can see that certain locations and rituals, such as the Christian confessional or the doctor’s visit, become “sexually saturated” in the nineteenth century.⁶² What is significant here according to Mark G.E. Kelly “is the extraordinary attention paid to sex” and the “extension and profuse complexity” of mechanisms of control employed.⁶³ On the one hand, at a superficial level we are meant to believe that sex has been relegated entirely to brothels, madhouses, and the parents’ bedroom.⁶⁴ However, the repressive hypothesis tells us that many supposedly nonsexual sites and relationships are, in fact, highly sexually charged. Prohibitions against incest, premarital sexual acts, and masturbation among children might lead us to think of the home, for example, as being a sexually neutral, protected space. Yet, the systems of surveillance mentioned, the importance placed upon puberty, and the great deal of

⁶² Foucault, *History of Sexuality*, Vol. 1, 45.

⁶³ Kelly, *Foucault’s History of Sexuality*, 44.

⁶⁴ Foucault, *History of Sexuality*, Vol. 1, 3–4.

attention focused on designing homes to separate boys from girls and adults from children all work together to sexualize rather than desexualize the family.⁶⁵

Rather than recognizing how the extensive discourses surrounding sex and the family *produce* the home as a site of extreme sexual saturation, the repressive hypothesis maintains that we are in denial about the sexual nature of the family and that liberation lies in recognizing the family unit as inherently sexual. Psychoanalysts suggest that we have missed, for instance, that “the parents-children relationship [is] at the root of everyone’s sexuality.”⁶⁶ The repressive hypothesis thus does not disrupt but extends the networks of power that shape the family as inherently sexual and that therefore mandate access to the family in order to regulate it.

As we have seen, similar trends and networks of power surface in religious and medical contexts as well. In these cases sexuality (especially deviant sexuality) becomes a permanent fixture to be managed rather than something to be eliminated or suppressed.

Sexuality as Self-Constituting

Similarly, Foucault says that sexuality is not just fixed in spaces and practices but is also constructed as being fixed in individuals, particularly in individuals deemed sexually “deviant.” Interpretations of what Foucault means here vary. Most notably, Lynne Huffer has recently called into question the Anglo-American trend of reading Foucault’s section on the “incorporation of perversions and a new specification of individuals”⁶⁷ in terms of an opposition between acts and identities. Huffer raises

⁶⁵ Ibid., 45–46, 108–110. For further discussion see C. Taylor, “Foucault and Familial Power.”

⁶⁶ Foucault, *History of Sexuality*, Vol. 1, 113.

⁶⁷ Ibid., 42–43, emphasis removed.

compelling points about the weaknesses of the acts-identities reading both in terms of consistency with the text and in terms of its political potential. Nonetheless, I will argue for the continued relevance of the acts-identities reading given its influence in American thinking about politics, identity, and sexuality in queer theory and in studies of Foucault. Yet, while my project leans heavily on the acts-identities reading, I maintain that Huffer's reading merits attention and ultimately offers important insights and cautions. I will look first at the acts-identities interpretation and then at Huffer's critique.

Acts-Identities Reading

According to the popular Anglo-American reading, Foucault's argument in this section⁶⁸ is that in the nineteenth century a shift occurred in how we think about people who engage in "deviant" sex acts. Prior to this shift, the act of sodomy, for instance, was treated as simply an act. When the term "homosexual" was introduced, sodomy became not something that one did but something that one was, a part of one's very nature.

According to Robert Hurley's translation, Foucault writes that "the nineteenth-century homosexual became a personage, a past, a case history, and a childhood, in addition to being a type of life, a life form, and a morphology....Nothing that went into his total composition was unaffected by his sexuality. It was everywhere present in him....The sodomite had been a temporary aberration; the homosexual was now a species."⁶⁹

Following this narrative, sexuality is not inherently central to understanding who we are, but comes to occupy such a place when it is taken up through specific discourses. In these discourses, sex is not viewed as one of many things we value but as one of the most

⁶⁸ Ibid., 42–44.

⁶⁹ Ibid., 43.

important things, and our relationship to sex is viewed as a primary characteristic in classifying individuals and defining who we are. In this construction, the heterosexual person is defined by his/her desire for “normal” sex, the queer person by his/her desire for “deviant” sex, the abstinent or asexual person by the lack of desire for sex, and the sexual predator by his/her perverse or sociopathic relationship to sexual desire. And the effects of this construction are particularly intense for individuals whose sexuality is deemed “abnormal.”

We have seen the incorporation of sexuality and identity in Jouy’s case as Foucault explains it. The doctors are interested in Jouy’s biological makeup and the full range of his thoughts and desires precisely because they view sexual deviance as a character trait that permeates the whole self. Again, Foucault argues that the type of power at work here does not eliminate sexual deviance but instead “give[s] it an analytical, visible, and permanent reality.”⁷⁰ Treatment of sexual acts as indicative of an innate disposition and set of desires suggests that sexuality is fixed and unchanging. In the case of the sex offender, Chloë Taylor demonstrates that contemporary treatments tend to regard the offender as having deviant impulses that cannot be eliminated but that can only be managed and controlled. Popular narratives figure the offender as someone who may cease committing violent acts but who will nonetheless continue to be viewed as a deviant person—or more accurately, as “a monster or non-human animal.”⁷¹

⁷⁰ Ibid., 44.

⁷¹ C.Taylor, “Foucault, Feminism, and Sex Crimes,” 9. For similar readings of the Jouy case in terms of marking deviant identities see D. Taylor, “What Has Being a Subject Done for You Lately? Feminism, Foucault, and Sexual Violence,” 3–6; Tremain, “Educating Jouy,” 806–810.

Indeed, for anyone whose sexual activity or desires deviate from the norm (where “normal” sex acts have typically been defined as heterosexual, monogamous, vanilla) sexual identity usually has the effect of being totalizing. Consider for instance the (problematic) use of such characteristics as one’s mannerisms, haircut, athletic prowess, or taste in music to ascertain whether someone is gay or straight. This construction figures sexual identity as being such a fundamental part of a person’s essence that the many seemingly unrelated aspects of one’s personality, tastes, and life choices are supposed to be reflective of one’s sexual desires. The offshoot of this treatment of sexual “deviance” as permeating the whole self is the theoretical justification of continued institutional interest in the many facets of individuals’ private lives. Indications or hints of abnormality are sought out in order to identify and manage them, both in ourselves and in others.

Yet, the assumption that everyone must identify according to sex and that sex is at the heart of understanding who we are is not obvious to everyone and may in fact be viewed as restrictive. McWhorter writes, “For years I had wondered why categorization of people on the basis of their sexuality was so prevalent a practice. Why was sexuality so important? I could see no logical or ontological reason for its significance, and yet there was tremendous pressure on everyone to take on some sexual identity, to submit to sexual classification, to confess their sexual desires.”⁷² The repressive hypothesis reinforces and extends the mandate to identify by figuring sex (and more confession, more discourse) as crucial to understanding and living as our authentic selves. In so

⁷² McWhorter, *Bodies and Pleasures*, 18.

doing, the repressive hypothesis misses the ways in which sexuality is constructed for us, and it fails to challenge the assumption that sexual identity is natural or essential.⁷³

Movements to undermine the givenness and coherence of modern constructions of sexual identity and to develop alternative ways of relating to the self have thus followed from Foucault's critique, namely under the heading of queer theory or queer politics. I will say more about these alternatives in chapter four.

Huffer's Reading

Huffer's criticism of the acts-identities reading takes two main forms. First, she takes issue with the common practice of reading Foucault's mention of the year 1870 as his pinpointing a specific moment in history when the "homosexual" was invented.⁷⁴ She argues that when Foucault invokes this date (the date of publication of an article by Carl Westphal) he is doing so ironically. This irony is indicated by his referring to Westphal's article with the French "*fameux*." Though translated simply as "famous" in the Hurley edition, Huffer points out that "unlike *célèbre*, which carries the 'straight' meaning of famous, *fameux* is almost always tinged...with a slightly derisive irony."⁷⁵ Thus, Foucault does not intend for this date to be taken literally. In addition, she argues that there are verb tense problems in Hurley's translation that unnecessarily skew toward reading the "sodomite" and "homosexual" as existing at entirely discrete moments. Yet,

⁷³ As examples of scholarship supporting the acts-identities reading see Kelly, *Foucault's History of Sexuality*; Lynch, "Reading *The History of Sexuality, Vol. 1*"; McWhorter, *Bodies and Pleasures*; Mills, *Michel Foucault*; Oksala, "Freedom and Bodies"; Rubin, "Thinking Sex"; Sedgwick, *Epistemology of the Closet*; Taylor, "Foucault, Feminism, and Sex Crimes."

⁷⁴ Foucault, *History of Sexuality, Vol. 1*, 43. Huffer, *Mad for Foucault*, 68, 74–75.

⁷⁵ *Ibid.*, 75.

the original French suggests that the process of the sodomite becoming the homosexual is ongoing.⁷⁶

Huffer is right to caution that the shift Foucault charts here would not have been instantaneous and that it is unlikely Foucault would propose a clean break between the era of the sodomite and that of the homosexual. Still, it is not clear that Foucault means us to take his reference to 1870 entirely ironically. Chloë Taylor, for instance, is not fully convinced by Huffer's argument. Taylor writes that Foucault's use of the term *fameux* "might just mean that he found [Westphal's article] obnoxious—it does not mean that Foucault's argument in this passage is in jest."⁷⁷ She goes on to suggest that we could just as easily take his language here to mean "that he might have chosen another text or another event within that approximate period to make the same point."⁷⁸ Given that Foucault includes a date at all it seems fair to read him as at least pointing to a general time period in which this shift becomes particularly palpable.⁷⁹ Even so, Huffer's point that we must think of the "ancient sodomite" and "modern homosexual" as being

⁷⁶ Huffer quotes Hurley's translation with her own changes in brackets as follows:

The nineteenth-century homosexual became *a personage* [a character]; a past, a case history, and a childhood, in addition to being a type of life, a life form, and a morphology....*Nothing that went into his total composition was unaffected by* [Nothing of what he is, in total, escapes] his sexuality. It *was* [is] everywhere present in him....The sodomite *had been* [was] a *temporary aberration* [a fall back into heresy]; the homosexual *was* [is] a now a species. Ibid., 69 italics are Huffer's.

Huffer calls particular attention to Hurley's use of "had been" in the last sentence of the passage: "Oddly rendered as 'had been' in the English version, the better translation of *était* as 'was' conveys a past whose beginning and end cannot be specified; the *imparfait* signals the past as a condition or state of being that not only happens again and again, but cannot be definitively separated from the time of the present" (Ibid., 74).

⁷⁷ Taylor, "On Owning Foucault," para. 10.

⁷⁸ Ibid.

⁷⁹ Though interestingly, Huffer notes, Foucault gets the publication year wrong. It is 1869 not 1870. Huffer, *Mad for Foucault*, 75.

“temporally coextensive” is well taken.⁸⁰ Particularly given Foucault’s analysis of the diffuse way in which power moves through various discourses, we should be careful not to cast a single event as causing an immediate wholesale shift in how we understand sexuality. It seems unlikely that Foucault means to do so.

Second, and with potentially greater consequence, Huffer is critical of the tendency to read Foucault as “contrast[ing] earlier sexual *acts* with later sexual *identities*.”⁸¹ She highlights the fact that in the passage typically cited in order to draw this claim, Foucault does not actually use the term “identity,” and she maintains that Foucault in fact “saw identity, in its personal or political meanings, as a specifically American obsession.”⁸² Identity in this American sense typically indicates a characteristic or set of characteristics that tie individuals together and shape how we relate to ourselves and others; gender, race, and sexuality are common examples. The American concept of identity is additionally linked to a sense of group membership that frequently forms a basis for political action stemming from shared interests (e.g., feminist, civil rights, or gay rights movements). Following along these lines the Anglo-American acts-identities reading tends to see Foucault as primarily challenging the mandate to identify as gay, straight, or bisexual and as contesting the organization of politics around group identities.⁸³

⁸⁰ Ibid., 74.

⁸¹ Ibid.

⁸² Ibid., 70.

⁸³ Ibid., 70–71, 78.

However, Huffer argues that to read this sense of identity into *History of Sexuality* is to misunderstand the nuances of what Foucault is actually saying here. Rather than contrast acts and identities, Foucault is pointing to a shift in how we conceive of subjectivity and ethical responsibility, a shift from being the “author” of one’s actions to being a “character” or “puppet” shaped by normative discourses. Working with her re-translation of the “acts-identities” passage and reading it in the context of Foucault’s work in *History of Madness*, Huffer holds that what Foucault is marking here is “a weakening, a diminishment” of a “thicker set of experiences called sodomitical practice.”⁸⁴ This weakening occurs when the “homosexual” and “sexuality” are formulated through psychoanalytic and medical discourses. Huffer writes that psychological “knowledge diminishes that complex, erotic, relational experience of what will become sexuality by capturing it and pinning it down as a ‘figure’ it can use.”⁸⁵ According to Huffer, this shift echoes the break that Foucault traces between madness and reason in his earlier work in *History of Madness*, which I discuss in more depth in chapter five. For now, we can see at least that in Huffer’s view, Foucault is marking a significant shift in how we conceptualize and experience ourselves as subjects. The “homosexual” is not just an identity, in the American sense, but a fundamentally different kind of subject, a subject with a sexuality. This subject, which Huffer also refers to as a “subject-turned-object,”⁸⁶ has the sense of being a moral agent with a rich, complex

⁸⁴ Ibid., 73.

⁸⁵ Ibid.

⁸⁶ Ibid.

interiority. But this sense of agency is a bit of an illusion, concealing the processes of power by which we are constituted as particular kinds of self-regulating subjects.⁸⁷

By way of getting at what Huffer means here, it will be helpful to return to the repressive hypothesis. This hypothesis supposes that the mind is composed of conscious and unconscious elements. We can act to explore the depths of our inner psyche and liberate ourselves from the social or psychic pressures that keep these unconscious elements at bay. Yet, in so doing we take for granted the existence of the conscious and unconscious mind. In this construction we are agents, but we are agents acting within a framework not of our own making. The repressive hypothesis does not question the process by which we come to orient and understand ourselves in terms of psychic depth, in terms of a specific psychoanalytic perspective. This psychoanalytic perspective organizes individuals to behave and understand themselves in particular ways, namely to be subjects with desires and intentions, agents whose agency is directed toward uncovering the truth about our sexuality. Thus, the repressive hypothesis takes for granted the process by which we come to pass our experiences of bodies and pleasures through the language of sexuality, interiority, and desire.⁸⁸

Whether this more robust sense of what is diminished when “acts” become “identities” is entirely missing from queer theory and Foucault scholarship is debatable.⁸⁹ But Huffer’s close reading is especially helpful in terms of getting at the complexities of

⁸⁷ Ibid., 71–76.

⁸⁸ Ibid. For explanation of Huffer’s reading of these passages see also Hengehold, “Huffer’s *Mad for Foucault*,” 227–228.

⁸⁹ Shannon Winnubst suggests, for instance, that when we expand the white queer canon and look at queer of color works we can see more of the “kind of desubjectifying ethical work in alterity that Huffer calls for at the end of her book.” For examples, see Winnubst, “On the Historicity of the Archive,” 222–223.

what Foucault means when he refers to “an incorporation of perversions and a new specification of individuals.”⁹⁰ By making explicit a distinction (which sometimes gets collapsed) between subjectivity and identity in a flatter sense, Huffer helps to clarify important terms and cautions us against oversimplifying Foucault’s critique. In taking Huffer’s cautions seriously I do not think that we need necessarily abandon the language of acts and identities, which I will argue has continued value for discussions of sexuality and sexual violence. We should acknowledge, however, that in using this language we are working with a specifically Anglo-American reading of Foucault.⁹¹

Summary of Foucault’s Critique

As we have seen, Foucault thus draws attention to and critiques several assumptions within modern constructions of sex and sexuality. Namely, he argues that the primary forms of power at work on sex/sexuality are not repressive but productive. He also challenges the framing of “sex” in terms of desire and the understanding of sex as natural, necessary, and integral to identity and self-understanding. In the sections that follow, I consider the implications of these points for Sophie Adam and for contemporary survivors and demonstrate why survivors have an important stake in Foucault’s critique of sex and sexuality.

⁹⁰ Foucault, *History of Sexuality, Vol. 1*, 42–43, emphasis removed.

⁹¹ Chloë Taylor also rallies for the continued relevance of the acts-identities reading, maintaining that “there should be nothing forbidden about expanding Foucault’s argument in order to speak of the production of ‘sexual identities’ simply because Foucault or the French more generally do not speak in these terms. This would effectively mean that we cannot use Foucault’s works as tools for our own political purposes, in a context where identity *is* part of our political vocabulary” (“On Owning Foucault,” para. 9). To Huffer’s credit, it is not entirely clear that she would necessarily reject using Foucault’s works for such purposes. Later in her own text, Huffer does clarify that her criticisms should not be taken to “constitute a negative moral judgment about the value of identity work itself...My single point here is that it’s not Foucauldian, and I believe that the time has arrived for queer theory to examine, as it has not yet done, the ethical and political implications of the differences that distinguish performative identity work from Foucauldian thinking about the subject” (Huffer, *Mad for Foucault*, 171).

Rereading Foucault: Sophie Adam, Sexual Violence, and Survival

In chapter two we saw that in the Jouy case, as told by Foucault and by doctors Bonnet and Bulard, Sophie Adam functions primarily as a gap or placeholder. Her major discursive contribution is to describe what happened with Jouy so that a judgment can be made about his pathology and moral culpability. While Jouy becomes an object of psychiatric and scientific interest, swept up into a seemingly endless parade of discourse, Adam is beaten by her parents and most likely (if the town has any say in it) sent to a house of corrections. This, of course, is not to say that psychiatry will not eventually get hold of her too.⁹² But in this particular moment, 1867 rural France, Jouy's pathology is complex and interesting; Adam is a promiscuous child in need of correction.

When we extend Foucault's critique to the discourses and power dynamics involved in shaping and producing Sophie Adam's identity and sexuality, it becomes clear that Adam's sexuality is nonetheless being managed as well. And, as I will argue, Adam is also limited by the institutional responses and discourses of perversion surrounding Jouy. When we move to contemporary contexts we can see that modern, normative conceptions of sexuality are limiting for contemporary survivors as well.

Sophie Adam—*La Petite Rosse*?

As we saw in the last chapter, when Sophie Adam and her friend reveal to an adult that they have been “making *maton* (curdled milk) with Jouy's penis [*avait fait du maton (lait caillé) avec la verge de Jouy*],” the adult tells them simply that they are “two rotten little beasts [*deux petites rosses*].”⁹³ This interaction is indicative of the general

⁹² For instance, as a case study in hysteria, sexual disorders, trauma, or even false memory syndrome

⁹³ Bonnet and Bulard, *Rapport Médico-Légal*, 3. “*Rosses*” is translated “horrors” in Foucault, *Abnormal*, 294.

response to Adam at least as articulated in Bonnet and Bulard's report. Adam is not seen as an eleven year old victim of a forty year old child molester or rapist, as she would be in contemporary contexts, but as a sexually precocious problem child. It is not clear that Adam experiences herself as a victim either. At least, the doctors report that she does not tell her parents about either incident with Jouy for fear of punishment.⁹⁴ As previously mentioned, it is the mother who finds blood and other stains in Adam's clothing and then confronts her about it. Foucault points out that this discovery itself is probably no accident; parents during this time were encouraged to examine their children's laundry for evidence of masturbation.⁹⁵ Thus, the climate in which Adam moves is one of surveillance and suspicion. Adam also has a negative reputation among the townspeople who wish to see her locked up.⁹⁶ She is described by her father as "undisciplined [*indisciplinée*]"⁹⁷ and by the mayor as exhibiting "thoughtlessness in her conduct [*légèreté dans sa conduite*]."⁹⁸ And Jouy reports that he had previously seen Adam on the road masturbating a young teenage boy, which Bonnet and Bulard take as an example of "lax morals [*mœurs...relâchées*]" in the town of Lupcourt.⁹⁹

When Adam's parents discover and report Jouy's crime, it may therefore not be as much to protect Adam as to try to curb her "promiscuous" behavior. Foucault speculates anyway that her parents had "given up on" disciplining Adam and had opted instead to

⁹⁴ Bonnet and Bulard, *Rapport Médico-Légal*, 4.

⁹⁵ Foucault, *Abnormal*, 295.

⁹⁶ Bonnet and Bulard, *Rapport Médico-Légal*, 4.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*, 3.

⁹⁹ *Ibid.*, 4.

“[plug] into another system of control and power,” namely going after Jouy through law enforcement channels.¹⁰⁰ Similarly, McWhorter speculates that the Jouy-Adam case had “become a matter of intense official curiosity and activity—not because newly enlightened officials cared about the well-being of little girls but because they wanted to learn how to control and administer everybody’s sexual behavior, including that of little girls.”¹⁰¹

In fact, the central questions in the report and investigation are not ones of well-being or harm (whether physical, psychological, or emotional). Legal and psychiatric discourses set the terms of the discussion, which centers on culpability (and measuring culpability in terms of responsibility for acts). Authorities want to know why Jouy chose an eleven year old. Was it because of circumstance or some innate perversion? Did he physically force himself on her? (Would he force himself on someone?) Does he understand the moral implications of his actions? Does he have a history of masturbating? Did he “complete” the sexual act? What specifically were the sexual acts involved? Of Adam they want to know: Did she resist? Does she have a history of engaging in similar behavior (and so it was not necessarily Jouy’s idea)? What does the mayor think of her (is she an innocent victim or no)?

Of course, ultimately, the doctors find that Jouy “chooses” Adam because he has seen her masturbating boys before and because he is “made fun of [*se moquait de lui*]” when he approaches women his own age.¹⁰² He knows that what he has done is wrong,

¹⁰⁰ Foucault, *Abnormal*, 295–296.

¹⁰¹ McWhorter, *Bodies and Pleasures*, 236, n16.

¹⁰² Bonnet and Bulard, *Rapport Médico-Légal*, 9.

yet he lacks self-control and a thorough understanding of the wrongness of his actions outside fear of punishment.¹⁰³ Further, he is not the type of person who would force himself on someone.¹⁰⁴ Though they do not say so explicitly, the doctors' inclusion of Adam's sexual history in their report suggests that they view her past experiences as relevant to determining whether force was used in this case. It is also possible that this history factors into their not raising the question of Adam's capacity for consent based on her age.¹⁰⁵

Contemporary analyses of Adam's case would likely employ more complex notions of force and coercion and would also consider the cumulative effects of normalized domestic violence on Adam's experience of her own body. But this is not the language that was available to Adam, and it seems unlikely that there were any venues

¹⁰³ For example, another doctor notes of Jouy that "the moral sense in him is insufficient to resist animal instincts when they can be exercised without violence [*le sens moral est chez lui insuffisant pour résister aux instincts animaux lorsqu'ils peuvent s'exercer sans violence*]" (Béchet, quoted in *Ibid.*, 5).

Additionally, Bonnet and Bulard write,

Like children who have done wrong and are ashamed, he [Jouy] has fear of being punished and one sees clearly that this fear alone dominates him. He will understand that he has done wrong because one says it to him; he will promise not to repeat, but he does not appreciate the moral value of his actions. [*Comme les enfants qui ont mal fait et qui sont honteux, il a peur d'être puni et l'on voit clairement que cette crainte seule le domine. Il comprendra qu'il a mal fait parce qu'on le lui dit; il promettra de ne pas recommencer, mais il n'apprécie pas la valeur morale de ses actes.*] *Ibid.*, 9.

¹⁰⁴ Bonnet and Bulard write,

It is almost obvious that, not being wicked, if he [Jouy] had met the least resistance, he would have quickly renounced the act to which bad instincts pushed him....And we know that they [bad instincts] sometimes have the greatest irresistibility to imbeciles and degenerates. [*Il est à peu près manifeste que, n'étant pas méchant, s'il avait rencontré la moindre résistance, il aurait bien vite renoncé à l'acte auquel le poussaient de mauvais instincts....Et nous savons qu'ils ont parfois la plus grande irrésistibilité chez les imbéciles et le dégénérés.*] *Ibid.*, 10.

¹⁰⁵ As mentioned in chapter two, this lapse could also be due in part to the age of consent having been raised from eleven to thirteen just four years prior to these incidents. Vigarello, *A History of Rape*, 132–133.

for her to tell any version of the events (to herself or others) outside the one shaped by blame and punishment. We do know from the original report that Adam indicated some physical pain and confusion about what happened.¹⁰⁶ But in the context of the investigation these details matter only to the degree that they help (or do not help) the doctors determine precisely what sex acts occurred. Because the discourses surrounding the case are concentrated on Jouy's culpability, we know very little about how Adam experienced these events, especially given that she experienced them in a context very different from ours. Given the authorities' focus on determining whether Adam freely chose to participate in sex acts with Jouy or whether he forced himself on her, the question of Adam's well-being is almost an afterthought.

The story of Jouy and Adam thus reminds us that modern normalizing discourses on child sexual abuse begin with a focus on the perpetrator. The climate in which many modern survivor narratives emerge is one characterized by specific medical and judicial discourses that aim not to serve the victim or survivor but to make a decision about whether or not a perpetrator should be locked up. As I will argue, this context helps to explain the limits of some of our present concepts for thinking through sexual violence and survival.

In addition, it is worth noting that the questions asked in the Jouy-Adam case primarily concern intention, character, force, and cognitive capacity and therefore assume and produce certain kinds of subjects. Adam and Jouy are supposed to be coherent subjects whose actions follow a teleological progression from desire to knowledge of desire to decision to action. When it comes to Jouy, Foucault draws our attention to this

¹⁰⁶ See chapter two.

framing and its disciplinary role in shaping particular subjects. He shifts our focus from uncovering the truth about Jouy's sexuality to exposing the assumptions embedded in this undertaking.

Yet, Foucault's approach to Adam actually reinforces the line of questioning and assumptions about sex and sexuality that he sets out to challenge. Where the contemporary presumption is that Adam has no sexual agency or desire, Foucault suggests the possibility of a narrative in which Adam is an "alert [*éveillés*]"¹⁰⁷ child who laughs about masturbating Jouy and leads him to a ditch to have sex with him in exchange for some pennies which can be traded for almonds.¹⁰⁸ The trouble with Foucault's posing this possibility—or one of many troubles with it—is that it reinforces the framing of the incidents as primarily a problem of culpability and desire (or lack thereof, as the case may be). Foucault's argument that the institutional responses to Jouy are excessive is partly augmented by his suggestion that Adam probably wanted these things to happen and was unharmed by them. Foucault thus gives us a different possible answer to the question of whether Jouy raped Adam ("almost, partly, or more or less [*moitié, en partie, peu ou prou*]").¹⁰⁹ In so doing, Foucault moves the focus away from the truth of Jouy's sexuality, but he shifts the same set of questions onto Adam. Foucault essentially draws feminists and others into a debate about the truth of Adam's intentions, wishes, and her (limited) capacity for consent. Further, he effectively forces readers into the position of reasserting the significance of sex in order to defend the importance of

¹⁰⁷ Foucault, *History of Sexuality, Vol. 1*, 32 [44].

¹⁰⁸ Foucault, *Abnormal*, 292.

¹⁰⁹ *Ibid.*, 292 [275].

taking sex crimes and child sexual abuse seriously. Foucault's treatment of the case thus initiates a string of discursive responses that continually reproduce the framing of sexuality (as identity, desire, fixed, important, knowable) that he critiques.

Thus, if Foucault's challenge to our assumptions about children's lack of sexual agency is transgressive then it is transgressive in the same way that all speech about sex is supposed to be transgressive according to the repressive hypothesis. Foucault's treatment of Adam continues rather than disrupts the discourses that frame sexual violence in terms of culpability and intention. Following Foucault's own response to the repressive hypothesis we might instead shift the discussion to ask why it is so important to determine Jouy's degree of culpability, or at least why it is Jouy's culpability that primarily determines the meaning of the events at hand. I do not mean to suggest that we ought to abandon questions of accountability for sexual violence. But we should also ask about the value and effects of introducing survivor narratives through a framework that centers on culpability and normative understandings of sexuality fashioned around identifying deviance and perversion.

When we do look at the effects of this framing on Adam we can see that the assumption that sexuality is innate pushes the narrative in the direction of evaluating character and reputation in order to determine what happened. In the Jouy-Adam case, no one seems to doubt that a sex act occurred. Jouy confesses, and there is the evidence in the laundry. But Jouy's status as "the village idiot" (and Adam's as a sexual troublemaker) also likely play a role in the readiness of authorities and townspeople to believe that the events occurred at all. As to the question of consent and force, the report tells us essentially that because Jouy does not seem like he would force himself on

someone, he did not. And because Adam is sexually precocious, he would have had no need to. Phrased this way these conclusions will seem absurd to many contemporary readers. For one, we have a different view of the capacity for children to consent to sex. Second, the relevance of victims' sexual history to evaluating sexual assault claims has been extensively challenged. Yet, as I will argue, the remnants of this construction are still present in current responses to victims/survivors to the degree that the perceived characters of victims and alleged perpetrators continue to play a role in whether or not victims' claims are believed.

Contemporary Discourses of Survival and Sexuality

In the next sections I look at three main areas of Foucault's critique as it pertains to contemporary survival: 1) the role of sexual identity in determining how experiences of sexual violence are framed and whether or not victims/survivors are believed, 2) the role of sexual identity in shaping what it means to be a victim or survivor of sexual violence, and 3) the role of conceptions of "sex" and "sex acts" in determining how we identify acts of sexual violence.

Role of Sexual Identity in Epistemic Responses to Sexual Violence

Given the understanding of sex as identity-constituting, victims' and survivors' narratives are saddled by the ontological consequences of their claims. In a context where deviant sex acts are supposed to say something about the person who commits them—where these acts mark the deviant in a totalizing way—one cannot speak about sexual violence without scripting the identity of another. We saw that in the Jouy-Adam case, accusations against Jouy are tested on the basis of whether or not he is the "type" of

person who would rape a child. To classify the incident as a rape, the stakes of identifying Jouy as a monster or deviant must not be too high.

In contemporary contexts we know that survivors' claims of sexual violence are still frequently dismissed when these claims conflict with what others—family members, colleagues, friends, juries, law enforcement officials, or the public—believe to be true about the identity of the accused. It can be more difficult for survivors' claims to be accepted when an alleged perpetrator holds a position of epistemic or moral privilege, such as when the accused is white, affluent, well educated, well employed, or just a seemingly “good” or “normal” person.¹¹⁰

Additionally, where the accused is a family member, partner, friend, or other trusted person, the survivor and others must make sense of how the perpetrator can occupy seemingly mutually exclusive categories, such as loved one and rapist. Many incest survivors in particular report difficulty integrating the seemingly incompatible roles that perpetrators play. Gizelle, who was raped by her father, says, “I split my father into two different people. . . . The man who came down and sat at the kitchen table was my father. The man who came in the middle of the night and molested me was a shadow. I made him into someone else.”¹¹¹ Similarly, an anonymous survivor says, “When my father would come into my room at night, I would think, ‘That’s not my father. That’s an alien being.’ I’d look at these people doing these things to me and think, ‘Invaders have taken over their bodies.’”¹¹²

¹¹⁰ See, for example, Freedman, *No Turning Back*, 276–302; Gordon, “Bill Cosby, Himself”; Mukhopadhyay, “Trial by Media.”

¹¹¹ Bass and Davis, *Courage to Heal*, 463.

¹¹² *Ibid.*, 127.

In some cases, the difficulty of reconciling the images survivors have of their abusers with the images they have of child molesters or rapists functions as an obstacle to acknowledging abuse or trauma. Randi Taylor, another incest survivor, explains her story as follows:

I never saw anyone like me in the incest books. I never saw anyone who said she had a good relationship with her father. All the perpetrators looked like angry, ugly, mean people, and yet my father appeared to be a loving, charming, wonderful man. I loved and adored him. He treasured me...My sister started reading books about incest, and then she came to me and said, "What Dad did to us was incest." I said, "Maybe for you, but not for me. I love my father. He loves me. He never did anything to hurt me"...It took the longest time for me to wholeheartedly believe that my experience counted.¹¹³

In Taylor's case in particular we can see that her understanding of her own experience hinges on whether or not she is able (emotionally or cognitively) to make the identity of child molester fit the image she has of her father. In fact, survivors' framing of their own experiences often begins with what it says about the perpetrator. Becky BIRTHA writes, "I am not able to call myself a survivor of incest. Reluctantly, I do say I am a victim of childhood physical abuse. Even to name it 'child abuse' is hard—seems harsh and unfair to my parents, particularly my father."¹¹⁴ Another woman who suspects she was abused says, "I had the symptoms. Every incest group I went to, I completely empathized. It rang bells all the time. I felt like there was something I just couldn't get to, that I couldn't remember yet. And my healing was blocked there. Part of my wanting to get specific

¹¹³ Ibid., 416, 419, 420.

¹¹⁴ Wischild, *She Who Was Lost Is Remembered*, 26.

memories was guilt that I could be accusing this man of something so heinous, and what if he didn't do it? How horrible for me to accuse him!"¹¹⁵

The difficulty of resolving conflicting images of abusers shows up in family responses to incest as well. Incest survivors frequently report being disbelieved and ostracized by their families when speaking out about their abuse. When Laura Davis, co-editor of *Courage to Heal*, disclosed that she was sexually abused by her maternal grandfather, her mother reportedly screamed at her, "My father would never have done anything like that!"¹¹⁶ Another woman who was molested by her stepfather is told by her mother, "He's so good to you. You're just making this up."¹¹⁷ These sorts of responses, framed in terms of identity and character, are common. The disinclination to believe that a family member or loved one is perverse or capable of sexual violence is such that incest survivors often face disbelief even in cases where the evidence against a perpetrator is strong. One survivor, Judy Gold, says,

The one thing that brought it all into focus—and it was the hardest thing—was a memory that I had always wet my pants. I used to hide all these sticky underpants in my closet as a little girl. And now I know I didn't pee in my pants at all. My father had ejaculated on me. . . . My grandmother found piles of them in my closet and she showed them to my mother, who accused me of wetting my pants. I told her I hadn't done it, but she wouldn't believe me. She punished me for denying it. . . . As I pieced this together in therapy, I realized she had to have known the difference between urine and semen.¹¹⁸

¹¹⁵ Bass and Davis, *Courage to Heal*, 92.

¹¹⁶ *Ibid.*, 21.

¹¹⁷ *Ibid.*, 456.

¹¹⁸ *Ibid.*, 367–368.

Gizelle, reports that in spite of her needing stitches and her sheets being covered in blood and vomit, her mother refused to believe that she had been raped by her father. Instead, her mother beat her and told her that she was a “lying, evil, dirty, filthy child.”¹¹⁹

Part of what these disturbing examples demonstrate is that when someone is raped or sexually abused by someone known to the victim or the listener, the most immediate reaction typically centers on the aggressor. Can we believe that this person would rape or assault someone (/me)? If not, if we cannot make the identity of sexual predator fit the accused, then another set of questions follows. Could there have been a miscommunication? Is the speaker (/am I) lying, confused, somehow responsible for what happened? Even where the intent of disclosure is to ask for help or support, this disclosure usually sets in motion a set of juridically oriented discourses focused on the guilt or innocence of the accused (and the accuser). Foucault’s use of the Jouy-Adam case helps us to see why this is the case. Modern discourses concerning sexual violence emerge in the context of law enforcement and psychiatric study of the criminal and deviant. These discourses are thus not necessarily designed to serve the victim or survivor. In this context claims to trauma or harm tend to be secondary to and determined by judgments about who is at fault. Though the truth value of survivors’ claims is important—both in terms of accountability and in terms of acknowledging the realities of trauma—we can see how the juridical framework for responding to claims of sexual violence, in centering culpability rather than harm, may nonetheless have limited value for the health and well-being of survivors.

¹¹⁹ Ibid., 462.

Additionally, we can see in these cases the effects of modern conceptions of sexuality that treat sexual deviance as an identity that is totalizing. The expectation is that sexual deviance is so enveloping that someone who commits abusive sex acts must be wholly abusive and perverse, such that we should be able to easily recognize child molesters, pedophiles and rapists. The underlying assumption is that if perpetrators do practice kindness or charity or exhibit “normal” sexual desires in other areas of their lives these expressions cannot be authentic and we should be able to see through them. If we cannot recognize someone as sexually deviant, he/she must be incapable of committing an act of sexual violence or abuse. Or, if someone we love or respect does commit an act of sexual violence, this act must negate whatever good things we may have thought about him/her. We may even wonder if there is something wrong with us for liking this person or for not recognizing him/her to be a “pervert.”

Of course, the disinclination to believe accusations against people whom we esteem cannot be entirely attributable to the way we think about sexuality and identity. It is disruptive to our belief systems to learn that someone we hold in high regard has committed an act of violence and caused serious harm to us or someone else. But the view of sexual deviance as totalizing makes it especially difficult to conceive of perpetrators other than as one-dimensional beings. A group of writers representing Communities Against Rape and Abuse (CARA) argue that where sexual “aggressors are perceived as ‘animals,’ unable to be redeemed or transformed...these extreme attitudes alienate everyday community members—friends and family of survivors and aggressors—from participating in the critical process of supporting survivors and holding

aggressors accountable for abusive behavior.”¹²⁰ If naming an act abusive, traumatic, violent, coercive, or nonconsensual is to simultaneously identify someone as deeply and irreconcilably, monstrously deviant then in cases where that identity does not quite seem to fit the effect is one of cognitive dissonance. In these instances the view of sexual deviance as totalizing functions as an added obstacle to recognizing acts of sexual violence. To identify incidents or behaviors as traumatic carries with it the burden of identifying a perpetrator as deeply morally flawed, even sociopathic, often at the expense of obscuring the perpetrator’s other character traits, whether negative or positive. In cases where conflicting identities are too difficult to reconcile, or where one’s emotional or material well-being is dependent on the perpetrator’s being a partner or provider and not a pervert or rapist, the costs of simply naming sexual violence are very high.

We can see the effects of discourses of perversion and sexual identity not just in cases where the perpetrator is known to the listener or survivor but also in cases where an accusation disrupts assumptions about other identity groups to which the accused may belong. Survivors whose abusers are women, for instance, often face added difficulties in acknowledging their own experiences and having their stories heard or understood. One woman who was sexually abused by her mother writes “I find that when I tell my story, a lot of people are uncomfortable. People have all these squirmy reactions. It’s almost as if they don’t quite believe it....When you talk about women as sexual abusers, it blows a lot of myths: Women aren’t sexual. Women are gentle. Women are passive. How could a woman do that to a child?”¹²¹ Men who report having been abused or assaulted by

¹²⁰ Alisa Bierrria, Onion Carrillo, Eboni Colbert, Xandra Ibarra, Theryn Kigvamasud’Vashti, “Taking Risks,” 250.

¹²¹ Bass and Davis, *Courage to Heal*, 108.

women often face similar obstacles. Mike Lew, author of a support book for male survivors of child sexual abuse writes, “A boy faces a particular form of confusion and isolation when he is sexually abused by a woman. Sexual activity between older women and young boys is rarely treated as abusive. It may be ignored, discounted, or disbelieved. Men (even boys) are supposed to be the sexual aggressors, strong enough to protect themselves against unwanted attention from members of the ‘weaker sex.’”¹²² The myth that women are sexually passive and incapable of committing sexual abuse or assault creates added obstacles for men (and women) who hope to have their claims of sexual trauma believed and taken seriously. Julia Serano adds that pervasive narratives that figure men as predators and women as prey also have “the effect of rendering invisible instances of man-on-man and woman-on-woman harassment and abuse.”¹²³ Challenging essentialist views of sex and gender thus continues to be an important part of acknowledging the realities of abuse and making survivors’ stories intelligible.¹²⁴

In cases where a perpetrator’s identity is consistent with dominant narratives, survivors’ claims may be more readily believed. Yet, at the same time victims/survivors may also worry about how their claims feed into or support harmful identity stereotypes. Given pervasive, racist stereotypes of men of color as violent, some survivors report ambivalence (both self-imposed and in the form of pressure from others) about reporting sexual violence when their perpetrators are men of color if doing so will feed into harmful narratives about race and sexual violence. Max S. Gordon suggests that one of

¹²² Lew, *Victims No Longer*, 60–61. See also Andersen, “Men Dealing with Memories.”

¹²³ Serano, “Why Nice Guys Finish Last,” 229.

¹²⁴ For more on this point see Filipovic, “Offensive Feminism.”

the reasons why many have been quick to defend Bill Cosby in the wake of an emerging history of sexual assault allegations is in part be his status as a father figure: “For many of us, it is impossible to imagine Bill Cosby is guilty, because he is, or was at one time, considered to be ‘America’s Dad.’”¹²⁵ But he also considers the role of race: “It’s not that we don’t know there is sexual abuse and pathology in the black community, but as there aren’t enough positive representations of black men in our culture, it is seen as a betrayal to make it harder on them by talking about, and demanding an end to, their sexual violence.”¹²⁶ Similarly, Soledad, a Chicana survivor of incest says that race factors into her reluctance to talk about being abused by her father: “Admitting any problem would reflect badly on our whole culture. And that’s why it’s still hard for me to talk about it. I don’t want anyone to use this against people of color, because there are so many negative stereotypes of Latinos already. People are already more willing to trust white men than they are men of color. And I don’t want to promote more mistrust of men of color.”¹²⁷

In addition, in a context where sexual violence is framed in terms of desire, whether claims of sexual violence are believed will also hinge on assumptions about the identities of victims. Where men, women of color, and sex workers, for instance, are hypersexualized in popular discourses, the assumption is that people belonging to these identity groups are always consenting and therefore cannot be raped.¹²⁸ Similarly, where

¹²⁵ Gordon, “Bill Cosby, Himself,” sec. 4. Gordon goes on to say that Cosby “may still be [America’s Dad] but not in the way we originally intended. If we look at our own extended families and consider which ones have been touched by rape, incest, or inappropriate sexual touch of girls (all of them), ‘America’s Dad’ may be a more accurate moniker than we realized.”

¹²⁶ *Ibid.*, sec. 7.

¹²⁷ Bass and Davis, *Courage to Heal*, 385.

¹²⁸ See, for instance, Lew, *Victims No Longer*, 61; Springer, “Queering Black Female Heterosexuality”; Lopez, Passion, and Sandra, “Who’re You Calling a Whore?,” 273, 285.

dominant narratives tell us that only certain kinds of bodies are desirable, victims may also face increased disbelief if they do not fit the narrow model of a proper object of sexual desire. Alcoff and Gray observe that “older women and women who are not conventionally attractive often have a harder time getting acceptance for their accounts.”¹²⁹ Samhita Mukhopadhyay writes that “the sentiment that no one would rape *you*, continues to silence women of color.”¹³⁰ And Kate Harding reports that fat women are frequently told online that they “would be lucky to even get raped by someone.”¹³¹

Again, these examples demonstrate that where our understanding of sex is grounded in particular discourses of identity and perversion, identification of an event as constituting sexual trauma will frequently be determined, whether directly or indirectly, by our narratives about the accuser and the accused. In the latter case, survivors or others may decide that what ultimately matters is not the perpetrator but the harm done. We have seen shifts in conversations about sexual harassment, for instance, where defining factors have changed to center on how an action is interpreted or received rather than how it is intended. And in therapeutic contexts, the focus will generally be on the survivor’s experience and understanding of what happened and on the process of healing. Yet, it would still be difficult to bypass modern discourses about perpetrators and deviant sexuality altogether. Most survivors will have to pass through these discourses in one form or another, even if to eventually reject or disregard them or put them on hold.

Identifying as a Victim or Survivor

¹²⁹ Alcoff and Gray, “Survivor Discourse,” 266–267.

¹³⁰ Mukhopadhyay, “Trial by Media,” 159.

¹³¹ Harding, “How Do You Fuck a Fat Woman?,” 68.

How one identifies or is identified after experiencing sexual violence is, of course, varied and complex. Though victims and survivors obviously do not “choose” their experiences, sexual violence does nonetheless tend to be identity-constituting for victims and survivors as well.

Ann Cvetkovich proposes in fact that there are parallels “between coming out as a ‘lesbian’ and coming out as an ‘incest survivor,’” as both constitute sexual identities and “both kinds of coming out can be so devastating to families (both in theory and practice).”¹³² I would add that because survivors occupy an identity position that falls outside of what is supposed to be the “norm,” victim and survivor identity have the effect of being viewed as totalizing. One anonymous survivor says, “I don’t run around telling every soul I meet that I’m an incest victim, because I don’t want that to be my definition.”¹³³ Novelist and essayist Dorothy Allison similarly describes how speaking about incest leads her to be seen by others: “When I finally got away, left home and looked back, I thought it was like that story in the Bible, that incest is a coat of many colors, some of them not visible to the human eye, but so vibrant, so powerful, people looking at you wearing it see only the coat.”¹³⁴ As Allison points out, there is a tendency for incest in particular to mark survivors in such a way that it becomes all or most of what others see. The survivor becomes “that damaged one” or “the one whose father raped

¹³² Cvetkovich, *Archive of Feelings*, 89. Cvetkovich also notes that these parallels have been undertheorized in part so as to avoid associating the two and playing into suggestions that incest causes lesbianism. For a nuanced discussion of the relationship between incest survival and lesbianism see *Ibid.*, 89–117.

¹³³ Bass and Davis, *Courage to Heal*, 110.

¹³⁴ Allison, *Two or Three Things*, 70–71.

her,” and this identity may obscure all others, so that her interests, choices, and desires are interpreted primarily through the lens of the effects of trauma.

Though Allison’s example deals with how survivors are seen by others, this can also be a useful way of thinking about how sexual violence shapes one’s relationship to oneself. When sex and identity are inextricably linked in such intense ways, fundamentally changing one’s identity becomes a condition of recognizing and naming sexual violence. And we could argue that the aftereffects of this violence are amplified in a context where sex and identity are intertwined. Along these lines, Chloë Taylor writes that when

sexual experience is caught up with identity, one reason that rape is so terribly traumatic is that it undermines and determines their [women’s] very sense of who they are....The experience of having been raped, or of having had sex with an adult when she was a child, will henceforth be a determining factor in her sexuality, and in turn her sexuality will be central to her sense of being. As a result of supposedly therapeutic discourses, rape and child-adult sex have a different and arguably more monumental impact today than in earlier times.¹³⁶

There is some danger in making these claims if they are taken to undermine survivors’ claims that sexual violence is fracturing to their core sense of self or if taken to discount survivors’ testimonies to the devastating effects of sexual violence. C. Taylor thus goes on to caution that Foucault’s critique of sexuality should not lead us to conclude that “victims today simply need to take [rape] less seriously,” particularly given that to do so would mean to return to an age in which violence against women was commonplace,

¹³⁵ C. Taylor refers specifically to women here, but I think her points here could apply to most victims and survivors regardless of gender, though of course, as I have suggested in this chapter, gender will likely play a role in what it means for this violence to be central to one’s sense of self.

¹³⁶ Taylor, “Foucault, Feminism, and Sex Crimes,” 13–14.

“placing the burden of change once more on women.”¹³⁷ And she adds that “the de-normalization of violence...is a *positive* historical development.”¹³⁸

Thus, although Foucault’s critique of sexuality suggests that our experiences of sexual violence are not necessarily transhistorical, the contextual nature of trauma and sexuality should not be taken to undermine the seriousness of sexual violence. It is a fact of our time that sexual violence, abuse, and coercion are intensely damaging to those who experience it. Dianna Taylor accordingly concludes that Foucault’s critique challenges us to think “about how to mark significance without making a violation constitutive of who one is [and] how to de-center an event without minimizing or dismissing it as ‘inconsequential.’”¹³⁹ In the next chapter I talk more about how we might accomplish this.

In the meantime, in determining how to describe seemingly ambiguous incidents or memories, for some it may not seem worth the costs of changing one’s self-identity (or of donning the stigma attached to being a victim/survivor of sexual violence) in order to describe these incidents as abusive or traumatic. This may make survivors reluctant to voice or acknowledge the impact of memories about which they are uncertain or to recognize boundary violations that seem minor enough to dismiss. In cases where identifying in relation to sexual violence conflicts with one’s personal sense of identity or with other identity groups to which one belongs, this may also create an added barrier to acknowledging and coping with experiences of sexual violence. For example, Lew writes

¹³⁷ Ibid., 19.

¹³⁸ Ibid.

¹³⁹ Taylor, “What Has Being a Subject Done for You Lately? Feminism, Foucault, and Sexual Violence,” 21–22.

that for men the process of identifying as a victim can be “demasculinizing... If men aren’t to be victims (the equation reads), then victims aren’t men.”¹⁴⁰

Of course, victim or survivor identity need not be viewed as stigmatizing or totalizing. Taking on the identity of survivor can be a powerful and recuperative way of recognizing the effects of trauma and aligning oneself with other survivors. Brison, for example, writes that “the surviving self needs to be known and acknowledged in order to exist” and that sharing stories of trauma and survival with responsive others is essential to rebuilding one’s sense of self and to “reintegrat[ing] the survivor into a community, reestablishing bonds of trust and faith in others.”¹⁴¹ Still, some might experience unduly sex-weighted constructions of identity—and the inherent inclination to identify or be identified in relation to trauma—as restrictive. As I discuss in the next chapter, Dianna Taylor argues that the language of “victim” and “survivor” is limiting to the degree that both identity options “maintain the harm of sexual violence as central to women’s self-relation.”¹⁴²

Further, within the logic of modern normative discourses of sexuality, to be a victim of sexual violence is to be fractured, damaged, broken, and scarred. Where being a whole subject requires having a sexual identity, and having a sexual identity requires self-knowledge and coherence, victims and survivors find themselves in a paradoxical position. They must articulate an unspeakable violence and integrate their fracturing experiences into a coherent sense of self. The construction of desire also requires that

¹⁴⁰ Lew, *Victims No Longer*, 40.

¹⁴¹ Brison, *Aftermath*, 62, 68.

¹⁴² Taylor, “Resisting the Subject,” 94.

they be able to project themselves into the future, yet as Susan Brison writes, “The undoing of the self in trauma involves a radical disruption of memory, a severing of past from present, and, typically, an inability to envision a future.”¹⁴³ Within this framework, the survivor must in some sense always be an incoherent, coherent subject—both broken and recovered/recovering, and neither.

Where survivors are uncertain about their memories or where they do not have full access to their memories, as is often the case given the nature of trauma and our mechanisms for coping with it, this incoherency is compounded. Survivors in these situations often describe feelings of being in an in between space with respect to their own identity and understanding of what happened to them. Becky Birtha, writes, “I still cannot say that I am a survivor of incest. But I cannot say that I am not.”¹⁴⁴ Another survivor, Lynne Yamaguchi Fletcher, says that without clear memories “much of [her] healing has...taken place, and continues to take place, in a void of sorts.”¹⁴⁵ She writes, “I don’t have specific, concrete memories of being sexually abused as a child, but so certain am I that I was that being a survivor has become part of my identity. Even without the mental images, my body tells me that I was...I recognize that I may never remember: After some five years of exploring and processing, I realize that this near certainty may be the closest I ever come to knowing my past.”¹⁴⁶ It is common for survivors to exist in

¹⁴³ Brison, *Aftermath*, 68.

¹⁴⁴ Wisecchild, *She Who Was Lost Is Remembered*, 29.

¹⁴⁵ *Ibid.*, 48.

¹⁴⁶ *Ibid.*

these sorts of ambiguous spaces, which would seem to place them on the outside of modern normative discourses of sexuality.

A sense of otherness for victims and survivors also shows up in the intersubjective relationships that follow from experiencing sexual violence. Brison points out that to be identified as a victim or survivor is to be detached from others, both because of the sense of trust in humanity that is lost through abuse and violence but also because there is a tendency to distance ourselves from survivors as a form of self-preservation. Brison says that after surviving rape and attempted murder by a stranger while on vacation, she faces “massive denial” about the events from many of the people around her. She writes,

They cannot allow themselves to imagine the victim’s shattered life, or else their illusions about their own safety and control over their own lives might begin to crumble. The most well-meaning individuals, caught up in the myth of their own immunity, can inadvertently add to the victim’s suffering by suggesting that the attack was avoidable or somehow her fault.¹⁴⁷

Yet, the inability to have one’s experience confirmed by compassionate others can be further retraumatizing and disorienting or fracturing to one’s sense of self.¹⁴⁸

What are Acts of Sexual Violence?

In addition to challenging modern notions of sexual identity, we saw that Foucault also calls into question modern understandings of sex itself. According to modern conceptions of “sex,” sexual acts should be clearly identifiable and have marked starting and ending points. Insofar as such a view of sexual acts lends itself to a similar view of sexual violence, modern notions of sex render some narratives of sexual violence

¹⁴⁷ Brison, *Aftermath*, 9.

¹⁴⁸ *Ibid.*, 16.

incoherent. That is, following particular conceptions of sexual acts, there is a tendency to think of acts of sexual violence as having a clearly marked beginning and end, as being easily recognizable. This view of sex is challenged by sexual violence that takes the form of non-penetrative sexual assault, covert incest, non-enthusiastic assent, verbal street harassment, and sexual boundary violations that for whatever reason do not cohere to widely known and accepted figurations of what constitutes sex, rape, abuse, or harassment. These events challenge our understanding of sexual acts, but our understanding of sexual acts also poses challenges to identifying these events as constituting sexual violence though they may be experienced as such.

For example, philosopher Rebecca Reilly-Cooper writes about her experiences with uninvited touching at an academic conference:

Just over a year ago, at an academic conference, something unpleasant happened to me....Over a period of perhaps twenty minutes, another delegate at the conference—repeatedly and without my consent—touched my head, hair, neck, lower back, inside of my forearms, all the while indifferent to my distress and discomfort.¹⁴⁹

Reilly-Cooper goes on to explain that part of what was distressing about this incident is that she was not entirely sure how to explain what had happened, “what *type* of incident this was; what label to give it, what category to assign it to.”¹⁵⁰ Without language to describe the incident (Is it sexual? Is it an assault? Is it harassment?), Reilly-Cooper reports that she has difficulty making sense of it or communicating what happened to conference organizers or others.

¹⁴⁹ Reilly-Cooper, “Some Thoughts on ‘Groping,’” para. 2–3.

¹⁵⁰ *Ibid.*, para. 4.

Bass and Davis maintain that one can experience sexual trauma without undergoing an overt assault. They write that there are, “times when women don’t have memories of sexual abuse because no specific incidents took place. Instead you may have been subjected to an environment of inappropriate boundaries, lewd looks, sexually suggestive behavior, or emotional incest.”¹⁵¹ One woman writes, for instance, “My father made me his wife. After my mother died, he put me in her place. He’d send me bouquets of flowers addressed to ‘My darling,’ he’d bring me fancy chocolates, he’d dress me up. He even bought me a ring with a diamond chip and put it on my finger. Everyone thought he was so devoted, so charming. But it was sick and it left me hopelessly confused.”¹⁵² Randi Taylor, whose story is mentioned above, describes a home environment where she frequently felt sexually violated or unsafe though she was unsure how to classify her father’s actions. For example, she says, “A lot of times while he was tickling me, he’d reach his hand around and cup my breast...I’d tell him to stop, and he’d say ‘Oh gee, did I slip? I didn’t mean to.’ It was in the same tone as someone who just poured a glass of water on you and said, ‘Oops! I didn’t mean to do that.’ He made a mockery of it.”¹⁵³

The tone of these incidents and the possibility of dismissing them as “accidental” leaves Taylor confused about how to categorize her father’s actions, though she describes feeling “invaded and ashamed” and “always afraid of what [he was] going to do.”¹⁵⁴

Ultimately it is a more overt incident that keeps her from dismissing her feelings and that

¹⁵¹ Bass and Davis, *Courage to Heal*, 91. On emotional or covert incest see also Adams, *Silently Seduced*, 15–22, 152–153; Blume, *Secret Survivors*, 4–6.

¹⁵² Bass and Davis, *Courage to Heal*, 91.

¹⁵³ *Ibid.*, 417.

¹⁵⁴ *Ibid.*, 418.

she says “allowed [her] to feel anger at him later on.”¹⁵⁵ She describes the incident as follows:

He’d brought home some felt-tipped pens, and the game he had in mind was to decorate my breasts. He made me pull up my nightgown and he drew on my body. He made my two breasts into eyes, and then he drew a nose and a mouth below it. His hands were shaking and his breath was really hot while he was doing that. And all the time, he was joking and teasing. It was horrible for me.¹⁵⁶

Nonetheless, Taylor says, “It took the longest time for me to wholeheartedly believe that my experience counted.”¹⁵⁷

These examples highlight an internal tension in modern conceptions of “sex.” On the one hand, as Foucault points out, the concept of “sex” brings together a wide range of objects and experiences (“anatomical elements, biological functions, conducts, sensations, and pleasures”).¹⁵⁸ There is accordingly some ambiguity in what counts as “sex” (and precisely what constitutes a “sex act” or a “sexual” act). This ambiguity leaves confusion about how to describe actions that feel intrusive and sexual without being clearly or overtly so. At the same time, the “quasi-scientificity”¹⁵⁹ of sex implies the possibility of objective knowledge about sex. We should know, or should at least be able to know, what constitutes sex, sex acts, and sexual acts. Where the assumption is that “sex” is a naturally occurring, coherent, scientific phenomenon, the parenthetical

¹⁵⁵ Ibid., 417.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid., 419–420.

¹⁵⁸ Foucault, *History of Sexuality, Vol. 1*, 154.

¹⁵⁹ Ibid., 155.

assumption is that sexual acts (and acts of sexual violence) are easily identifiable. But, of course, this is not always the case.

In addition, domestic sexual abuse is often intermixed with emotional, verbal, or psychic abuses that extend into and traverse the many terrains of daily life, such that it may be counterintuitive to try to conceptualize acts of sexual violence as being clearly identifiable, as having a clear starting and ending point. Challenging modern conceptions of “sex” thus has the potential to broaden our understanding of sexual violence to be more inclusive of survivors whose experiences are caught up in these internal tensions.

On this note, a case could be made (and perhaps it is a case Foucault himself would make) that the ideas of covert incest or abuse that is ambiguously sexual are themselves a symptom of the repressive hypothesis, of the inclination to produce “sex” as being present everywhere. Yet, the issue in cases of covert or emotional incest, for example, is that the child’s emotional needs are made secondary to the parent’s. Kenneth M. Adams writes that in these instances, “Children feel icky, too close, and enmeshed in the adult world of the marital and sexual frustrations of the parent.”¹⁶⁰ I suggest that the problem with the repressive hypothesis here is not so much that it tells us these relationships are “sexual” but rather that, as I argue in this chapter, it frames the issue in terms of intent and desire. In Randi Taylor’s case or in the case of the daughter who reports feeling like a surrogate wife after her mother’s death, modern notions of sexuality are such that to call such a relationship incestuous or abusive is to attribute sexual intent to the father and cast him as a pervert, which is likely to impede acknowledgement of perceived harms.

¹⁶⁰ Adams, *Silently Seduced*, 153.

Conclusion

As we can see, extending Foucault's critique of modern, normative conceptions of sex and sexuality can help us to pinpoint some of the obstacles faced by contemporary survivors in contexts where these conceptions persist. Though this chapter paints a somewhat bleak picture, I draw out these obstacles with an eye toward spinning out the possibilities that open up for survivors when we begin challenging the assumptions that create these obstacles. Part of the goal of my project is to demonstrate that situating survivors more clearly within Foucault's critical philosophy can help us to more readily imagine the place of survivors within positive projects that draw on Foucault. In the next chapter, I look at some of these positive projects and suggest directions for positively rethinking survival in light of Foucault's critique of sexuality.

CHAPTER FOUR
QUEERING IDENTITY FOR SURVIVORS
AND OTHER POSITIVE PROJECTS

In the previous chapter I outlined key components of Foucault’s critique of modern sexuality as he presents it in *History of Sexuality, Vol. 1*. I then argued for the relevance of this critique for contemporary survivors in terms of how we think through identity and naming acts of sexual violence. As we saw, modern ways of figuring sexuality do not fully capture the complexities of all experiences of sexual violence. These figurations also amplify the damages of sexual violence and complicate the identification of instances of sexual violence by figuring this violence as necessarily central to one’s identity (for victims or survivors as well as for perpetrators).

Yet, the question remains how to go about challenging normative conceptions of sexuality and creating alternative ways of thinking through sexual violence and survival. Where victims/survivors have frequently been silenced through threats from abusers or through shame, stigma, or taboo around speaking openly about sexual violence, movements to eradicate sexual violence have often formed around the paradigm of “breaking the silence.” In the early nineties Linda Alcoff and Laura Gray observed,

This strategic metaphor of “breaking the silence” is virtually ubiquitous throughout the movement: survivor demonstrations are called ‘speak outs,’ the name of the largest national network of survivors of childhood sexual abuse is VOICES, and the metaphor figures prominently in book

titles such as *I Never Told Anyone*, *Voices in the Night*, *Speaking Out*, *Fighting Back*, and *No More Secrets*.¹

More recently, as we saw in the previous chapter, Susan Brison, has advocated telling one's story to empathic others as essential to surviving sexual violence.² And contemporary groups such as Speak Up Speak Out, SOAR (Speaking Out About Rape), and Hollaback!³ continue the theme of speaking out against sexual violence and harassment. Because survivors frequently report that shame and pressure not to talk about sexual violence (or not to talk about it too much) is in itself damaging, the movement to make space for survivors to speak is a potentially powerful one. As Ann Cvetkovich writes, "many narratives by survivors of incest and sexual abuse indicate that the trauma resides as much in secrecy as in sexual abuse—the burden not to tell creates its own network of psychic wounds that far exceed the event itself."⁴ Thus, challenging the stigma around speaking about sexual violence would seem to be an important component of political change and personal healing around this violence.

At the same time, given Foucault's points about discourse and power, we may wonder about the effectiveness of strategies centered on breaking the silence or on speaking out about sexual violence. The idea that victims and survivors have been silenced by taboos (and that breaking this silence is key to liberating victims and survivors) sounds somewhat similar to the repressive hypothesis (which states that we are sexually repressed and need to speak more about sex in order to liberate ourselves).

¹ Alcoff and Gray, "Survivor Discourse," 261.

² Brison, *Aftermath*.

³ See speakup-speakout.org, soar99.org, ihollaback.org.

⁴ Cvetkovich, *Archive of Feelings*, 94.

Given Foucault's critique of the repressive hypothesis, we may then be suspicious of enjoinders to speak out about sexual violence or wary of assumptions that this speaking out will necessarily be transgressive or transformative. Whether or not survivor speech is analogous to the discourses of repression and liberation that Foucault critiques,⁵ his analysis nonetheless raises questions about how to challenge modern conceptions of sexuality. Given the pervasiveness of these conceptions in structuring our thinking and given the seeming inescapability of the disciplinary entanglements of discourse, how do we make certain that survivor discourse does not simply reinforce systems of thought that are limiting or harmful for survivors? How do we ensure that this discourse is actually transformative in the spaces where assumptions about sexual violence, survival, and sexuality need to be transformed?

Foucault tells us in the second volume of *History of Sexuality* that, as in many of his other histories, his aim in this series is to “free thought from what it silently thinks, and so enable it to think differently.”⁶ But Foucault was notoriously reluctant to tell us very specifically how we ought to think differently. While he offers some clues along the way, his own critique of normalizing discourses leaves him understandably cautious

⁵ Alcoff and Gray, for instance, maintain that discourses that call for breaking the silence with regard to sexual violence are not exactly parallel to the discourses of sexual repression and liberation that Foucault critiques. Rather, they argue that “survivor discourse is closer to the discourse of the mad, as Foucault discusses it, than to the discourse of the repressed” (Alcoff and Gray, “Survivor Discourse,” 269). I take up this claim in more detail in chapter five. On the other hand, Dianna Taylor's critique of processes of “subjectification” in survivor discourse, which I discuss later in this chapter, suggests some parallels between the repressive hypothesis and certain responses to sexual violence insofar as these responses claim to liberate survivors but in so doing obscure the ways in which they reinforce other disciplinary structures.

In either case, all three (Alcoff, Gray, and D. Taylor) seem to agree that critical attention to the contexts in which survivor discourse is formed and distributed is essential to ensuring that this discourse does not simply reinforce narratives that are harmful for survivors. On the tensions in survivor discourse following Foucault's critique of the repressive hypothesis see also Cvetkovich, *Archive of Feelings*, 92–95; Hart, *Between the Body and the Flesh*, 184–185.

⁶ Foucault, *History of Sexuality*, Vol. 2, 9.

about potentially replacing one rigid set of norms with another or limiting the possibilities for shaping our own lives. Given the pervasiveness of the structures of sexuality that Foucault critiques and our immersion in complex networks of discourse and power, the project of thinking differently will also likely be complex, ongoing, and ever shifting.

So how should we think survival differently? *Can* we think survival differently? Our answers to these questions will of course depend on the context in which they are asked as well as on what we want this different thinking to accomplish. Given the problems raised in my previous chapter, I suggest that what are needed are alternative conceptions of sexuality and selfhood that challenge the necessity of making “sex” central to one’s self-relation and that can better account for the ambiguities involved in survivor/perpetrator identity and in conceptions of sexual violence. In this chapter I draw out some of these alternatives as they show up in Foucauldian and queer theory scholarship, and I suggest some future directions for positive projects on survival.

Toward this end, I look at one of the positive hints that Foucault offers in *History of Sexuality, Vol. 1*—“bodies and pleasures [*les corps et les plaisirs*]”⁷—and the uptake of this theme within queer theory. I also bring these Foucauldian conversations together with Ann Cvetkovich’s work on queer projects of survival. The projects she highlights speak to concerns regarding discourse-centered responses to rebuilding the self after sexual violence (through traditional talk therapy, for instance), and they aim for an embodied approach to healing and working through selfhood and survival. I argue that Cvetkovich’s approach is connected to queer interpretations of “bodies and pleasures,”

⁷ Foucault, *History of Sexuality, Vol. 1*, 157 [208].

and thereby offers an example of what a Foucauldian rethinking of survival could look like.

In spite of Foucault's controversial treatment of sexual violence and his subsequently strained relationship with feminist theorists of sexual violence, Cvetkovich does refer to Foucault's critique of the repressive hypothesis as useful for queer approaches to survival. But the repressive hypothesis is the extent of her explicit engagement with Foucault. In fact, where Foucault has typically been thought of as an important intellectual benefactor of queer theory, his negative record on sexual violence has the potential to put those who would create queer projects on survival in an unusual—perhaps queer—position. By more fully developing the connections and compatibility between Cvetkovich's work on survival and Foucault's critique of sexuality (and its positive offshoots) I aim to open up further spaces for queer projects on survival and add *History of Sexuality* as an additional resource for related positive projects.

In another vein, feminist Foucault scholar Dianna Taylor draws extensively on Foucault in order to suggest ways of positively rethinking subjectivity and survival in her essay "Resisting the Subject." However, D. Taylor does not explicitly engage *History of Sexuality* (or queer theory) in this piece, focusing instead on some of Foucault's later lectures on modern subjectivity where he proposes *parrhesia* as a source of positive insights for rethinking relationships to the self. D. Taylor's approach is promising, and, in my view, also speaks to concerns that are highlighted when we reread *History of Sexuality* for survivors. Also, as we saw in chapter three, Lynne Huffer argues that Foucault's thinking on sexuality as connected to subjectivity (rather than "identity" in the

American sense) has been underdeveloped in queer theory.⁸ Connecting D. Taylor's essay to *History of Sexuality* and to the projects undertaken by Cvetkovich and Hart brings this more robust understanding of sexuality to the forefront and helps to forge additional interdisciplinary connections between feminist, Foucauldian, and queer treatments of sexual violence and survival.

For my own part, I suggest another interdisciplinary turn, in this case to critical race theory on identity as offering some possible directions for future projects on survival. In particular, I look at Lani Guinier and Gerald Torres's conceptualization of political race around the metaphor of the miner's canary. As I will argue, their approach provides a viable alternative for thinking through survivor identity at a practical and political level. Applying Guinier and Torres in this context helps to illustrate that the challenges faced by survivors are not just problems of survivors but rather these challenges indicate broader cultural problems and weaknesses in modern conceptions of identity. Guinier and Torres's approach also provides a model for uncovering shared interests and linking groups together to find creative solutions. I suggest Louise Wisechild's anthology *She Who Was Lost Is Remembered* as an example of one such approach.

Queer Theory, Bodies, and Pleasures

Given Foucault's critique of sexuality and the problems inherent in modern categories of sexual identity (to the degree that they essentialize and overemphasize "sex" as an intrinsic identity marker, especially for those deemed "abnormal") one response has been to eschew identity categories such as gay, lesbian, homosexual, or bisexual in favor

⁸ Huffer, *Mad for Foucault*, 67–80.

of the term “queer.” Queer theory is thus connected to, or at least has some of its roots in LGBT studies.⁹ At the same time, queer theory challenges these sexual categories themselves to the degree that they are treated as normative or essentializing. As Shannon Winnubst puts it, “To be queer is to not know exactly who or how one ‘is.’ It is to have confused the categories of identity so deeply that they no longer provide meaningful residence.”¹⁰ Along these lines, Donald E. Hall and Annamarie Jagose describe queer studies as entailing a “commitment to non-normativity and anti-identitarianism.”¹¹

Rather than referring to a stable identity, “queer” thus differs from traditional sexual identity categories (and identity politics) by signifying resistance to norms and a rejection, not just of rigid sexual categories themselves, but also the requirement to define oneself primarily in relation to “sex” or “desire” at all.¹² To emphasize this difference, “queer” is frequently used as a verb rather than as a noun to help designate it as an active and shifting mode of being and a creative rethinking of norms, boundaries, and relationships to the self. Nikki Sullivan defines “to queer” as “to make strange, to frustrate, to counteract, to delegitimize, to camp up...heteronormative knowledges and institutions, and the subjectivities and socialities that are (in)formed by them and that (in)form them.”¹³

⁹ See Hall and Jagose, “Introduction,” xvi; Sullivan, *Critical Introduction*, vi.

¹⁰ Winnubst, *Queering Freedom*, 134.

¹¹ Hall and Jagose, “Introduction,” xvi.

¹² Johanna Oksala explains, “practising freedom entails questioning and even denying the identities that are imposed on us as natural and essential by making visible their cultural construction and dependence on the power relations that are operative in society” (Oksala, “Freedom and Bodies,” 96).

¹³ Sullivan, *Critical Introduction*, vi.

Definitions of “queer” thus typically begin with a number of reservations and tensions. On the one hand, putting forth a singular definition for queer raises issues given that the term is meant to disrupt categories altogether. Yet, leaving “queer” too open may result in the misguided conclusion that anything can be queer. Winnubst writes that “this lack of specificity becomes both the radical potential and the Achilles’ heel of queer: it serves as both the resistance to domestication and the submissiveness to commodification.”¹⁴ That is, if we cannot say what “queer” means, then it is left open to cooptation by anyone or anything, and it risks saying nothing at all. At the same time, we must be careful not to apply too rigid a definition such that the possibilities of “queer” are limited in advance.

Similar dilemmas arise when trying to identify the roots and the domain of queer. Though the term “queer theory” has come into use in academic contexts, the label “theory” is somewhat fraught in itself, if understood to imply an organized system. As Tasmin Spargo writes, “Queer theory is not a singular or systematic conceptual or methodological framework.”¹⁵ She suggests thinking of it as a “collection of intellectual engagements.”¹⁶ Whether these engagements should be considered a cohesive discipline is somewhat of a discursive, conceptual, and practical problem, highlighted by the term “discipline” itself. (Sullivan tells us that queer theory “is a discipline that refuses to be disciplined.”¹⁷ Winnubst says it “is constantly in danger of being domesticated.”¹⁸)

¹⁴ Winnubst, *Queering Freedom*, 134–135.

¹⁵ Spargo, *Foucault and Queer Theory*, 9.

¹⁶ *Ibid.*

¹⁷ Sullivan, *Critical Introduction*, 5.

Fueled by concerns about the disciplinary entanglements of the academy along with those familiar worries about theory becoming a purely intellectual exercise divorced from practice, queer theorists (thinkers? writers? activists?) have wondered whether queer theory (studies? politics? practice? projects?) should be conceived of as an academic enterprise at all.¹⁹

Nonetheless, Hall and Jagose note that queer studies and queer politics began emerging in the early nineties both in activist communities and in the academy, in the latter typically as a sub-discipline or interdisciplinary field in the humanities and social sciences.²⁰ Queer theorists have tended to employ an integrative approach, looking at the intersections between sexual identity and other identity categories to which individuals may belong. Hall and Jagose write that “rather than separating sexuality from other axes of social difference—race, ethnicity, class, gender, nationality, and so on—queer studies has increasingly attended to the ways in which various categories of difference inflect and transform each other.”²¹ Though queer theory generally began with a focus on sex and sexuality, as it has developed it has also picked up and connected with other disciplines or sub-disciplines that have problematized essentializing notions of identity.

¹⁸ Winnubst, *Queering Freedom*, 134.

¹⁹ Winnubst writes, “As a field of academic studies, queer theory is without doubt one of the most hotly contested, contentious, embattled, and even confused subdisciplines to emerge from the virtual implosion of disciplinary boundaries over the last fifteen years or so [as of 2006]. This is a good thing, a good queer thing. It bespeaks the kinds of resistances to categorization and demarcation that constitute this site of signification, ‘queer’” (Ibid). On the relationship between queer theory and the academy see also Sullivan, *Critical Introduction*, v.

²⁰ Hall and Jagose, “Introduction,” xvi.

²¹ Ibid.

Given queer theory's dedication to disrupting academic borders and canons, there are some tensions in listing Foucault as a primary founding influence on queer theory. As Winnubst writes, "Despite the impact of Foucault's *History of Sexuality, Volume One* on early queer theory, current work in queer of color critique challenges the politics and epistemology of placing this text in such a canonical position, particularly for the adamantly anti-foundational field of queer theory."²² Even so, Foucault's work on sexuality is still frequently cited as foundational or at least as widely influential in queer theory.²³ In Hall and Jagose's list of sites of influence and cross-pollination in queer studies, Foucault is the one specific figure included among "feminism, radical movements of color, the lesbian and gay movements, AIDS activism, various sexual subcultural practices such as sadomasochism and butch/femme stylings, poststructuralist thought—particularly the work of Michel Foucault—postcolonialism and diasporic studies, transgender and disability studies."²⁴

The diverse (or, to borrow from Gilles Deleuze and Felix Guattari, rhizomatic)²⁵ roots of queer theory are such that one need not explicitly engage Foucault or endorse his works in order to create queer projects on survival. Therefore, Foucault's contentious treatment of sexual violence need not be viewed as a problem for queer projects on survival, which could just as easily draw on other queer thinkers or pick up Foucault here

²² Winnubst, "Temporality in Queer Theory," 136.

²³ See, for example, Hall and Jagose, "Introduction," xvi–xvii; Huffer, *Mad for Foucault*; Kelly, *Foucault's History of Sexuality*, 126–128; Oksala, "Freedom and Bodies"; Sawicki, "Foucault, Queer Theory, and the Discourse of Desire"; Spargo, *Foucault and Queer Theory*; Sullivan, *Critical Introduction*, 1–4.

²⁴ Hall and Jagose, "Introduction," xvi.

²⁵ "A rhizome may be broken, shattered at a given spot, but it will start up again on one of its old lines, or on new lines" (Deleuze and Guattari, *Thousand Plateaus*, 9).

or there and then branch away. Yet, underlying this tension between Foucault and survivors is a problem that I think queer theory must address, which is this: How does an anti-normative, boundary averse, anti-disciplinary “discipline” deal with sexual violence?

A word is thus in order here regarding norms and what it means to be anti-normative. In the previous chapter we saw that in Foucault’s thought, the norm is a statistical standard that is formed through a descriptive and prescriptive interpretation of data. The norm performs a disciplinary function in regulating individuals in accordance with a statistical curve that presents itself as objective while concealing its evaluative elements. In the case of “sex” the flipside of the normal curve is that sexualities marked as statistically “abnormal” are taken to be not just examples of variation (which may have a positive, negative, or neutral value) but indications of pathology.²⁶ According to Michael Warner the “trouble” with combating sexual shame by asserting that gay people, for instance, are normal (just like “everyone else”) is that it bolsters the normal curve. It reinforces hierarchies by which some sexual groups are legitimized at the cost of “throw[ing] shame on those who stand farther down the ladder of respectability.”²⁷ For example, monogamous same sex couples may gain acceptance at the expense of stigmatizing those who are polyamorous. For Warner, “queer” is thus “a way of saying: ‘we’re not pathological, but don’t think for that reason that we want to be normal.’”²⁸ To be anti-normative in this sense, I suggest, is not necessarily to challenge all evaluative

²⁶See Warner, *Trouble with Normal*, 57–58; Mader, *Sleights of Reason*.

²⁷ Warner, *Trouble with Normal*, 60.

²⁸ *Ibid.*, 59.

norms but rather to undermine the interweaving of descriptive and evaluative norms around sex.

Along these lines, Warner argues that challenging sexual norms need not imply a rejection of all ethical standards,²⁹ and in fact, he suggests that shame against some acts—such as “violence toward women, sissies, and variant sexualities”—may be “well deserved.”³⁰ Warner is not alone in maintaining that one can have a queer or Foucauldian ethics.³¹ And some authors have pointed out that Foucault himself did not reject all sexual “norms.” For example, Kelly Ball draws our attention to the following statement from Foucault: “There are sexual acts like rape which should not be permitted....I don’t think we should have as our objective some sort of absolute freedom or total liberty of sexual action.”³²

Chloë Taylor also reminds readers that when Foucault advocates “decriminalizing non-coercive sex between adults and minors” he is not arguing in favor of coercive sex acts or even in favor of decriminalizing all adult-child sexual relationships.³³ In the relevant interview, when asked about setting an age at which someone can give “definite consent,” Foucault responds as follows:

Yes, it is difficult to lay down barriers....Where children are concerned, they are supposed to have a sexuality that can never be directed at an

²⁹ Warner writes that “suspicion of sexual variance is pseudo-morality, the opposite of an ethical respect for the autonomy of others. To say this is not to reject all morality, as some conservatives would have us believe; it is itself a moral argument” (Ibid., 4).

³⁰ Ibid., 5.

³¹ See, for example, Halperin, *Saint Foucault*, 79–81; Huffer, *Mad for Foucault*; McWhorter, *Bodies and Pleasures*.

³² Foucault, “Sexual Choice, Sexual Act,” 143 qtd. in Ball, “More or Less Raped,” 53.

³³ Taylor, “Foucault, Feminism, and Sex Crimes,” 15.

adult, and that's that. Secondly, it is supposed that they are not capable of talking about themselves, of being sufficiently lucid about themselves... They are thought to be incapable of sexuality and they are not thought to be capable of speaking about it. But, after all, listening to a child, hearing him speak, hearing him explain what his relations actually are with someone, adult or not, provided one listens with enough sympathy, must allow one to establish more or less what degree of violence if any was used or what degree of consent was given. And to suppose that a child is incapable of explaining what happened and incapable of giving his consent are two abuses that are intolerable, quite unacceptable....

In any case, an age barrier laid down by law does not make much sense. Again, the child may be trusted to say whether or not he was subjected to violence.³⁴

We may disagree with Foucault about the capacity for children to consent to sexual acts with adults, the ability of children to speak freely and be listened to, and the possibility of non-coercive sexual relationships between adults and minors or children. However, it does not seem to be the case that Foucault's position constitutes a complete rejection of all sexual "norms," in the ethical/evaluative sense. That Foucault distinguishes "consensual" and "non-consensual" adult-child sexual relationships and argues only for the former suggests that he maintains an ethical distinction between the two. In so doing, he seems to be employing a set of sexual norms, though given the shape of his philosophical projects perhaps not universally so. Thus, although he does not put forward a normative ethical system, we need not assume that his philosophy requires absolute moral relativism that would preclude limiting coercive sex acts. (And even if it did, we could still reject this aspect of his philosophy while exposing and challenging the limits of particular normative networks.)

³⁴ Foucault, "Sexual Morality and the Law," 284.

My aim here is not to put forward a particular version of queer ethics but to demonstrate that queer and Foucauldian projects that challenge normalizing approaches to sexuality are compatible with a rejection of acts that constitute sexual violence, abuse, or coercion. Next, I look at some specific examples of queer projects on survival that challenge normative conceptions of identity and subjectivity. I bring in these examples to demonstrate that they are not just compatible with but also benefit from Foucault and from queer interpretations of his positive suggestion of “bodies and pleasures.”

Queering Survival

In her book *An Archive of Feelings: Trauma, Sexuality, and Lesbian Public Cultures*, Ann Cvetkovich briefly mentions Foucault, arguing that his critique of the repressive hypothesis can help to demonstrate why “disclosure” of traumatic experiences “doesn’t always provide relief” in therapeutic contexts.³⁵ Cvetkovich draws attention to three sets of projects that she views as “point[ing] to healing as a process that engages the body and consists in rituals of performance that defy simple notions of disclosure.”³⁶ The examples that she brings in include works by Margaret Randall, Dorothy Allison, and Staci Haines. Randall’s *This is Incest* is a collection of photos, poems, and essays in which she explores an intense mushroom phobia as a way of recalling and healing from child sexual abuse by her grandfather. Cvetkovich notes the physicality of Randall’s process, as she overlays photos of her grandfather and photos of herself with mushrooms and then photographs these scenes.³⁷

³⁵ Cvetkovich, *Archive of Feelings*, 93. Cvetkovich draws here on Alcoff and Gray’s reading of Foucault in their essay “Survivor Discourse.”

³⁶ Cvetkovich, *Archive of Feelings*, 95.

³⁷ *Ibid.*, 95–100.

In Allison's case, she writes in her semi-fictional, semi-autobiographical novel *Bastard out of Carolina* about a protagonist, Bone, who masturbates to sadomasochistic fantasies as a way of coping with physical and sexual abuse by her stepfather.³⁸

Cvetkovich notes that

the pleasure they [the fantasies] produce cannot be separated from the trauma to which they are also connected; to ask for one without the other is to demand that Bone tell her story of violence and leave out her fantasies. Rather than offer a truncated narrative that makes her an innocent victim, she will remain silent....The shameful fantasy also provides her with the sense of self that is her way out, that gives her...strength.³⁹

Haines' self-help book *The Survivor's Guide to Sex* also includes discussion of S/M as a potential healing practice and in so doing brings together, in Cvetkovich's view, "two feminist communities that are not often linked: sex-positive communities and incest survivor communities."⁴⁰ Haines also emphasizes "somatic forms of therapy," which Cvetkovich notes "represents a dramatic shift from the discursive focus of many therapeutic traditions."⁴¹

Though Cvetkovich's only reference to Foucault in this discussion is to his critique of the repressive hypothesis, I argue that her approach is also linked to his positive proposal of "bodies and pleasures" as a potential site for challenging normative conceptions of sexuality. In the next section I look at this positive proposal in order to

³⁸ Ibid., 100–110.

³⁹ Ibid., 103. On the connections between sadomasochism and healing in Dorothy Allison's work see also Hart, *Between the Body and the Flesh*, 167–239. On sadomasochism as therapeutic for healing trauma also see Califia, *Public Sex*, 158–167.

⁴⁰ Cvetkovich, *Archive of Feelings*, 112.

⁴¹ Ibid., 114.

further develop the connections between Cvetkovich's analysis and Foucault's positive philosophy.

Sex-Desire vs. Bodies and Pleasures

Toward the end of *History of Sexuality, Vol. 1*, Foucault hints, in characteristically open-ended fashion, that “the rallying point for the counterattack against the deployment of sexuality ought not to be sex-desire but bodies and pleasures [*contre le dispositif de sexualité, le point d'appui de la contre-attaque ne doit pas être le sexe-désir, mais les corps et les plaisirs*].”⁴² The project of untangling this enigmatic phrase “bodies and pleasures” has largely been the inheritance of queer theory, where, as mentioned, scholars and activists have carried on Foucault's challenge of modern, normative conceptions of sexuality and continued building alternative ways of shaping “sex,” sexuality, identity, and experience.

By the end of *History of Sexuality, Vol. 1*, Foucault has laid out his main arguments concerning the disciplinary functions of discourses on sex and desire, which we saw in chapter three. However, he leaves the reader to determine how “bodies and pleasures” might help us escape or resist these discourses that keep us locked into a particular form of identity and subjectivity. Unsurprisingly, interpretations of what Foucault means by “bodies and pleasures” vary. Mark G.E. Kelly remarks that “It is

⁴² Foucault, *History of Sexuality, Vol. 1*, 157[208]. Mark G.E. Kelly suggests a different translation of “rallying point [*point d'appui*].” He writes, “This phrase *point d'appui* is usually translated into English as ‘fulcrum’. A fulcrum is the point at which a lever pivots. That is bodies and pleasures are not seen as something to rally towards by Foucault, but to pivot off, as a base, a springboard. Another translation into English would be as foundation.” For a fuller explanation of this point see Kelly, *Foucault's History of Sexuality*, 117.

undoubtedly a mark of how little practical advice Foucault gives us that this tiny kernel of advice for resistance should have been seized on to such an extent.”⁴³

One way of thinking through the difference between desire and pleasure is in terms of temporality. Desire is future-oriented and anticipatory, while pleasure is experienced in the moment, in the present.⁴⁴ In addition, desire involves interpretation of an experience (or a future experience, or inclination) as a form of understanding one’s inner self. David Halperin suggests that pleasure, unlike desire, “is desubjectivating, impersonal: it shatters identity, subjectivity, and dissolves the subject, however fleetingly, into the sensorial continuum of the body, into the unconscious dreaming of the mind.”⁴⁵ For Halperin’s part, he draws on some of Foucault’s interview comments on sadomasochistic practices to propose sadomasochism as representative of pleasures that de-center the subject and that challenge traditional conceptions of “sex” by “detach[ing]

⁴³ Ibid., 116. Readers hoping to find in the two follow-up volumes a detailed, practical how-to for turning from sex-desire to bodies and pleasures in contemporary contexts will likely be disappointed. Foucault shifts gears to an in-depth study of classical Greek and Roman cultures in the latter two volumes. This study is not unrelated to “bodies and pleasures” or the issues that Foucault raises in the first volume. His aim in turning to the Greeks and Romans is to look to a very different time and place in order to, as McWhorter puts it, “describe a way of being a human being that did not include an experience of being, fundamentally and inevitably, a subject of desire, much less an experience of being a subject of sexuality” (McWhorter, *Bodies and Pleasures*, 113). On the connections between “bodies and pleasures” and the latter two volumes, see for example, Ibid., 113–117.

While the insights drawn in volumes two and three could potentially be useful for future projects on survival, as I explain in chapter one, I have nonetheless chosen not to include them in my dissertation. I opt instead, in the next chapter, to look at Foucault’s earlier work in *History of Madness*. I have chosen this move given that the positive connections between madness and sexuality in Foucault’s thinking are undertheorized and so as to circumvent the (unnecessary, in my view) alienating effects of Foucault’s extensive discussion of ancient sexual practices between men and boys in the latter two volumes of *History of Sexuality*.

⁴⁴ See, for example, McWhorter, *Bodies and Pleasures*, 178.

⁴⁵ Halperin, *Saint Foucault*, 95.

sexual pleasure from genital specificity, from localization in or dependence on the genitals.”⁴⁶

In a completely different vein, Ladelle McWhorter writes in her book-length exploration, *Bodies and Pleasures*, about line-dancing as an experience of pleasure that brings her into a different form of self-relation. She explains, “It wasn’t a matter of knowing how the dance was supposed to look. I could feel the dance from the inside. What I knew was what it felt like to *be* that dance.”⁴⁷

In either case, in the switch from “sex-desire” to “bodies and pleasures” there seems to be a movement to create, or open oneself up to, a different kind of embodied experience that is not about uncovering the truth about oneself. I propose that Cvetkovich and her interlocutors similarly gesture toward experiences, physical movements, and motions that take the survivor out of the process of transforming trauma into coherent self-knowledge (and a “normal” sexuality) through discourse. Randall confronts us with a disjointed “narrative” of trauma. Allison refuses (through her fictional character, Bone, but also in her own personal essays) to reshape her sexuality to separate violence and pleasure and be the “right” kind of victim/survivor.⁴⁸ Haines insists on allowing for a range of sexual experiences and pleasures for survivors (though the therapeutic context of her text is such that the connection back to self-knowledge still figures fairly prominently

⁴⁶ Ibid., 88. For criticisms of Halperin’s interpretation of “bodies and pleasures,” see for example, Huffer, *Mad for Foucault*, 271–272; Sawicki, “Foucault’s Pleasures,” 172–180.

⁴⁷ McWhorter, *Bodies and Pleasures*, 171. For an overview of additional interpretations and responses to Foucault’s invocation of “bodies and pleasures” see Sawicki, “Foucault, Queer Theory, and the Discourse of Desire,” 191–196.

⁴⁸ See, for example Allison, *Two or Three Things*; Allison, *Skin*.

in her approach).⁴⁹ I suggest then that Cvetkovich offers us some possible examples of what “bodies and pleasures” could mean for survivors or what a Foucauldian project of survival could look like.

Subjectivity and Survival

Another example of a Foucauldian approach to survival comes from Dianna Taylor in her essay, “Resisting the Subject.” In this essay, Dianna Taylor draws on some of Foucault’s later lectures on subjectivity to argue that feminist strategies of asserting survivors as subjects inadvertently reinforce a restrictive form of self-relation. While she maintains that asserting the subjectivity of those who have been treated as objects is sometimes necessary and not entirely without merit, it also sets in motion a “normalizing cycle of self-assertion and self-renunciation” that she views as harmful.⁵⁰ As an example, she offers the practice of asserting victims as survivors, which is meant to be an empowering way of refiguring the self after sexual violence. Yet, she points out, “such approaches to resistance maintain the harm of sexual violence as central to women’s self-relation.”⁵¹ That is, in asserting the victim (who lacks agency) as a survivor (autonomous subject), we uncritically reproduce the same normalizing discourses that figure the experience of sexual violence as self-constituting. In so doing, we renounce those aspects of self or experience that do not fit with this vision of selfhood, closing off other possible ways of relating to the self. Shani Orgad, for example, argues that where survivorhood is

⁴⁹ As one example, in her approach to dealing with triggers, Haines writes, “The intent in this work is to heal your sexuality to such an extent that you can fully make your own choices about sex. You get to choose your sexual expression based upon your own needs and desires, not those limits and traumas induced by childhood.” Haines, *Healing Sex*, 131. I point this out not as a criticism of Haines’ approach but to note her positioning in relation to the discourses at hand.

⁵⁰ Taylor, “Resisting the Subject,” 94.

⁵¹ *Ibid.*

characterized by speaking out, silence (on the victim's part) is precluded as a legitimate or empowering response to sexual violence, viewed instead as a sign of weakness.⁵²

The assertion of the victim as an autonomous subject (survivor) is thus also an act of self-renunciation that simultaneously conceals the act of self-renunciation. In D. Taylor's view, *parrhesia*, which Foucault locates in ancient Greek and Roman cultures, provides a potential alternative. In chapter three, we saw that confession plays an important role in disciplining individuals. Individuals are supposed to speak their "innermost" thoughts, feelings, and desires in order to reveal and "uncover" the truth about themselves. This process of revelation is supposed to be liberating and freeing—the speaker no longer has to "hide" his/her true self. And this "true" self must be known in order to live authentically in pursuit of one's inner desires. Yet, this framing and process of confession conceal its disciplinary effects. It requires an individual to insert herself into an already established mold, and it produces for the individual her sense of self and self-relation, as one who relates to herself in terms of having innate desires which must be uncovered. Rather than the individual engaging in a creative process of shaping her self-relation according to an array of endless possibilities, her subjectivity is shaped and produced by discourses about her. At the same time, these discourses are presented as natural, as though objectively uncovering an already existing essence. Thus, as D. Taylor puts it, "individuals or groups are deprived of their capacity to act and are instead merely acted upon or determined."⁵³

⁵² Orgad, "Survivor in Contemporary Culture," 154–155.

⁵³ Taylor, "Resisting the Subject," 92.

To take an example connected to sexuality, gay pride movements challenge the stigma around identifying as LGBT(Q?) and call for community and self-acceptance of sexual diversity. In so doing, these movements perform a crucial function in terms of challenging homophobic discourses that produce shame, violence, and political disenfranchisement. At the same time, this seemingly politically necessary process keeps individuals entangled in asserting and reasserting normative modes of self-relation (in terms of “sex” and “desire”). In this process individuals ostensibly thereby also foreclose and distract from engaging in a creative process of shaping their lives and relationships differently. To some degree, this process of self-assertion is therefore also a renunciation: of alternatives, of the process of creatively shaping one’s own life, of those aspects of self that do not fit into the pre-given mold.⁵⁴

Confession ultimately serves the goal of curing or making the individual “normal” (or closer to normal). This mode of confession and becoming/asserting oneself as a subject thus offers a certain kind of safety. D. Taylor writes, “By radically reducing not merely alternative modes of thought and existence but also the possibility for their development, a normalizing self-relation simplifies the world. In doing so, it also holds out certainty as attainable and, thus, offers security.”⁵⁵ Foucault contrasts this process with *parrhesia*, which is also “a verbal act of truth-telling,” but one which has different effects in terms of self-relation.⁵⁶ Of *parrhesia*, D. Taylor writes, “Impermanent, open,

⁵⁴ For an insightful discussion of the relationship between *parrhesia* and transgender discourses, particularly in the context of the medicalization of trans narratives, see Johnston, “Transgressive Translations.”

⁵⁵ Taylor, “Resisting the Subject,” 96.

⁵⁶ *Ibid.*, 94.

and dynamic, there is neither a pre-given notion of what one is nor the renunciation of what one was, but rather an ongoing process of self-cultivation. In the place of certainty and security are possibility and more risk.”⁵⁷

D. Taylor thus advocates “desubjectification,” which “entails constituting, understanding, and relating to oneself in ways other than as a subject.”⁵⁸ She recommends trying to recreate, not *parrhesia* itself, but acts or movements that produce similar effects to that of *parrhesia*.⁵⁹ For example, desubjectification could, in D. Taylor’s view, disrupt the victim/survivor binary which maintains trauma and violence as integral to one’s sense of self. As an example of what a contemporary analogue to *parrhesia* could look like D. Taylor offers the Garneau Sisterhood, a grassroots group that formed in 2008 in Edmonton in response to a series of rapes and a dissatisfying police response which included lack of transparency and withholding of information that could help to keep women safe.⁶⁰ The sisterhood hung posters in the area that “critiqued the police, confronted the rapist, and called attention to the underlying sexism that pervades and is thus rearticulated through prevailing constructions of and attitudes concerning sexual violence against women.”⁶¹

D. Taylor argues that the campaign is striking precisely because it does not rely on traditional scripts of subjectivity.⁶² It also exhibits risk-taking insofar as the group is

⁵⁷ Ibid., 96.

⁵⁸ Ibid., 89.

⁵⁹ Ibid., 100.

⁶⁰ Ibid., 88, 100.

⁶¹ Ibid., 88–89.

⁶² Ibid., 101.

not institutionally protected and challenges the authority of the police by encouraging people to contact them directly with information. Though the group does employ the terms “woman” and “survivor” in their posters, D. Taylor maintains that they do not do so “uncritically.”⁶³ She argues that the campaign “destabilizes traditional gendered ways of characterizing, and thus responding to rape and sexual assault, and thereby unsettles the subject ‘women.’ Such destabilization and unsettling in turn decenters the harm of sexual violence by refusing to constitute women, and thereby requiring them to constitute themselves, in terms of that harm—either as victims or as survivors.”⁶⁴

Though D. Taylor does not directly appeal to queer theory or Foucault’s work specifically on sex/sexuality in this piece, her approach addresses concerns that arise from *History of Sexuality* (the centrality of sex in structuring our sense of identity), particularly as they relate to survivors. In bringing together survival and Foucault’s positive philosophy she thus inadvertently opens up avenues for queer projects on survival as well.

Critical Race Theory and Survival

Political Race and The Miner’s Canary

To continue rethinking identity around survival, I suggest another interdisciplinary turn, in this case to critical race theory and in particular to Lani Guinier and Gerald Torres’s approach to racial identity and political race in *The Miner’s Canary*. They begin this text with discussion of the tensions involved both in employing and in eliminating racial identity categories, whether at a political or personal level. On the one

⁶³ Ibid.

⁶⁴ Ibid., 102.

hand, where the givenness and coherency of racial identity have been undermined and where race has been used to mark people of color as biologically, socially, or politically “other,” some have advocated eliminating the use of racial categories altogether in favor of a “colorblind” approach.⁶⁵ However, others, including Guinier and Torres, worry that “colorblindness” amounts to simply a kind of pretending which precludes acknowledgement of the very real ways in which race does structure our interactions with each other. In addition, in eliminating the potentially negative content of racial identity, the positive is forfeited as well, where this positive content includes affinity, political potential, and sense of self or belonging.⁶⁶

Guinier and Torres thus propose “political race” as “a third way,”⁶⁷ a middle ground between uncritical embrace of racial identity and wholesale rejection of it. Political race does not provide a model for shaping one’s own personal identity but for using identity categories loosely in order to drive political change. Their approach varies significantly from traditional identity politics in that it aims not to reinforce essentializing notions of identity but to disrupt single group centered politics in order to locate shared interests and articulate broader goals and initiatives.

Guinier and Torres define political race as follows, “At its core it does not ask what you call yourself but with whom do you link your fate. It is a fundamentally creative political project that begins from the ground up, starting with race and all its complexity, and then builds cross-racial relationships through race and with race to issues

⁶⁵ See, for example, Appiah, “Race, Culture, Identity.”

⁶⁶ Guinier and Torres, *Miner’s Canary*, 1–10. See also, Gutmann, “Responding to Racial Injustice.”

⁶⁷ Guinier and Torres, *Miner’s Canary*, 9.

of class and gender in order to make democracy real.”⁶⁸ To begin elucidating what they mean here, Guinier and Torres employ the metaphor of the miner’s canary. By way of explanation they note that in times past it was common practice for miners to bring a canary with them as they went to work in the mines. Because the respiratory system of the canary was weaker and thus more sensitive to poisonous gases than that of the miners, the canary functioned to warn the miners when the toxicity of the air was reaching dangerous levels. If the canary’s delicate lungs collapsed, it served as a signal, warning that conditions in the mine were unsafe for miners as well.⁶⁹

Guinier and Torres assert that “those who are racially marginalized are like the miner’s canary: their distress is the first sign of a danger that threatens us all.”⁷⁰ That is, Guinier and Torres’s premise is that weaknesses in political, institutional, and cultural systems will be most palpably felt by those who are racially marginalized and who are thereby most vulnerable to oppressive and damaging forces in these systems. By indicating specific ways in which practices or discursive arrangements harm people of color, metaphorical “canaries” point us to harmful elements or weaknesses in larger systems. These practices and arrangements end up being harmful for others in various, though not always immediately visible ways. Guinier and Torres thus suggest that race can be used to perform a “diagnostic” function, helping us to point to systemic problems.

This process of diagnosis forms the first step of political race projects, as Guinier and Torres envision them, where political is understood to mean “collective interaction at

⁶⁸ Ibid., 9–10.

⁶⁹ Ibid., 11.

⁷⁰ Ibid.

the individual, group, and institutional level.”⁷¹ The next steps are “aspirational” and “activist,”⁷² as I will explain shortly. The practical examples Guinier and Torres offer for applying their notion of political race tend to be materially specific and to center on efforts to connect racial marginalization with class discrimination. To help illustrate what they have in mind for critical race projects, Guinier and Torres look at communal responses to the mid-nineties Hopwood vs. Texas case, where affirmative action admission policies at the University of Texas Law School (and therefore at other public university systems throughout the state) were ruled unconstitutional. The original complaint was lodged by Cheryl Hopwood, a white woman whose application to the University of Texas Law School had been rejected. She alleged that less qualified (according to the rubrics of GPA and LSAT scores) Mexican-American and black students had been accepted based on their races and that the admissions process therefore constituted a form of discrimination against white applicants.⁷³

As a response, people of color linked up with lower class and rural white people to draw attention to the ways that the need for affirmative action policies pointed to broader problems in the admissions process. Analysis of the process demonstrated exclusionary effects for applicants of color as well as for economically disadvantaged whites. When people of color began mobilizing to challenge the ruling against affirmative action admission policies, it was found that although the SAT and LSAT were supposed to measure academic skill and potential, they were failing to do so. In actuality,

⁷¹ Ibid., 14.

⁷² Ibid., 12.

⁷³ Ibid., 67.

high test scores did not necessarily correlate with future academic success but were rather a better indicator of “parental income (and even grandparents’ socioeconomic status) than actual student performance in college or law school.”⁷⁴ Additional research also found that “10 percent of the high schools in Texas routinely filled 75 percent of all freshmen seats at the university.”⁷⁵ Unsurprisingly, the high schools with greater representation tended to be “the more affluent suburban and private schools.”⁷⁶

The Hopwood ruling thus ultimately drew attention to problems in the University of Texas’s broader admissions process that extended beyond race. The use of test scores ultimately functioned to exclude not just people of color but also those who were at an economic or geographic disadvantage. After brainstorming solutions, the Texas 10 Percent Plan was drafted and instituted across state public institutions. This plan involved accepting all undergraduate applicants graduating in the top ten percent of their class, which meant that more high schools and areas of the state would be represented in Texas’ public universities.⁷⁷

This example illustrates the three steps of political race projects that Guinier and Torres propose. First, a problem is identified and diagnosed. In this case, the affirmative action admission policy was in place to begin with because white students were being admitted at a higher rate than students of color. When the admissions process was looked at more closely, larger problems were identified. The project thus began through attention

⁷⁴ Ibid., 68.

⁷⁵ Ibid., 71.

⁷⁶ Ibid.

⁷⁷ Ibid., 72–73.

to race but moved to connect the interests of people of color with those who were economically disadvantaged: “Linking the fate of rural and poor whites to that of blacks and Mexican Americans...revealed that what had been thought of as a racial divide also masked a historic class divide in the provision of elite higher education.”⁷⁸ This brings in the second step of political race projects, which is aspirational, “articulating a broader social justice agenda.”⁷⁹ And finally, step three involves taking action, and in particular “a willingness to experiment with new democratic practices.”⁸⁰ The Texas 10 Percent Plan, for example, represents the results of collaborative brainstorming in search of a creative solution for ensuring diverse socioeconomic and geographic representation without targeting specific identity groups.

Gunier and Torres’s approach demonstrates that acknowledging the ways in which people of color are marginalized or harmed by oppressive systems does not require taking an essentialist view of race or racial identity. Rather, political race, as Guinier and Torres envision it, involves applying “race” loosely with awareness of its limits in order to diagnose a problem and institute broader change. Similar to queer theory, political race thus challenges traditional essentialist views of identity categories and identity politics.⁸¹ And in fact, Guinier and Torres borrow from Foucault his “idea that identity is both a target of power and a vehicle for resistance.”⁸²

Political Race and Survival

⁷⁸ Ibid., 73.

⁷⁹ Ibid., 95.

⁸⁰ Ibid., 96.

⁸¹ On the differences between political race projects and identity politics see Ibid., 98–100.

⁸² Ibid., 17–18. Thank you to Jacqueline Scott for drawing this reference to my attention.

I suggest that a similar approach is useful for thinking about identity and survival.

In some cases those who have experienced sexual violence are reluctant to identify as victims or survivors. As we have seen, such identities can be stigmatizing, they may not fit with an individual's sense of self, and they figure sexual violence as central to one's identity and self-relation. Individuals may also be uncertain about their memories (whether precisely what happened or how to categorize them) or concerned about the implications of such identification for the aggressor or abuser. Some survivors also express worry about claiming the labels of victim or survivor if it means aligning themselves with others whose experiences they perceive to be "worse" than their own. Ellen Bass and Laura Davis note, for example, "Women who come to Ellen's workshops [for survivors of child sexual abuse] are often afraid that their abuse wasn't bad enough for them to be qualified to participate. They will say, 'It wasn't incest—it was just a friend of the family,' or 'I was fourteen and it only happened once,' or 'He just showed me movies,' or 'It was with my brother. He was only a year older than me.'"⁸³

Yet, people who have experienced varying kinds of sexual abuse or violence often share similar interests, whether therapeutically or politically. Applying the labels of "survivor" and "victim" loosely with recognition of their limits can help to bring these groups of people together. I offer *She Who was Lost is Remembered: Healing from Incest through Creativity* as an example of such a project. The anthology, which is a collection of creative works dealing with incest, includes a variety of art forms (prose, poetry, photography, paintings, drawings, sculptures, music, and performance pieces) and represents contributors from a range of backgrounds and experiences. The editor, Louise

⁸³ Bass and Davis, *Courage to Heal*, 25.

Wisecchild, herself an incest survivor, says that when putting the anthology together she received submissions detailing “abuse by fathers, uncles, brothers, step-fathers, mothers, baby-sitters, neighbors, preachers, teachers, and cults.”⁸⁴ Placing these pieces alongside each other in an anthology on incest challenges easy assumptions about what counts as incest or family. Some of the submissions also challenge what it means to be a survivor. Becky Birtha, whose story was mentioned in the previous chapter, is upfront about her uncertainty as to whether or not she experienced child sexual abuse. Her statement, “I still cannot say that I am a survivor of incest. But I cannot say that I am not,” offered without apology in an anthology of incest survivors challenges normative conceptions of sexuality that require self-knowledge.

In addition, feminist movements have been widely criticized for marginalizing the voices of women of color and shaping a movement that speaks primarily for white women while presenting it as being for all women.⁸⁵ One of the concerns women of color have raised is the failure of white feminists to actively engage critiques of police force and correctional systems as perpetuating racial violence and marginalization. Instead, white feminists have tended to appeal to increased police presence as a way of making “women” safer without considering what this increased presence will mean for people of color who are disproportionately targeted by police.⁸⁶ Taking a cue from Guinier and Torres I suggest that attention to racial injustices in our “justice” system can help bring together various groups to articulate a broader critique and mission. As my rereading of

⁸⁴ Wisecchild, *She Who Was Lost Is Remembered*, xvi.

⁸⁵ See, for example, Moraga, *This Bridge Called My Back*.

⁸⁶ Hoffmann, “Prisons, Borders, Safety.”

Foucault's *History of Sexuality* indicates, institutional systems in place to protect victims (or potential victims) from sexual perpetrators have negative effects on victims/survivors. Guinier and Torres's approach urges us to bring together these critiques in order to create alternative ways of dealing with sexual violence that better serve all survivors and people of color.⁸⁷

Future Directions and Potential Obstacles

In this chapter I have looked at and proposed some approaches for shaping survival and challenging the normative conceptions of sexuality that negatively affect survivors. Together these approaches especially highlight the importance of interdisciplinary efforts and forging connections across identity boundaries. In particular, Guinier and Torres's approach calls us to recognize that systems that are harmful for some are potentially harmful for all and to recognize "linked fates." In the next chapter I look at some of the obstacles to linking fates with survivors and I also argue for theoretical application of Guinier and Torres's guiding miner's canary metaphor to the discipline of philosophy in order to help address these obstacles.

⁸⁷ For one example of an approach that brings together feminist responses to sexual violence, women of color's criticism of the prison system, and Foucault's critiques of sexuality and prison systems, see Taylor, "Foucault, Feminism, and Sex Crimes."

CHAPTER FIVE

MADNESS, KNOWLEDGE AND SURVIVAL

Could we hear Sophie Adam if the passageway of her throat were clear? If she did not have a lump, that ungainly Adam's apple, lodged in her throat?

—Kelly Ball¹

So far I have argued that the possibilities for survival and for survivor narratives are limited in multiple ways by modern normative conceptions of sexuality. At the same time, to the degree that survivor narratives in turn challenge these conceptions of sexuality, survivor discourse has the potential to be disruptive and transformative. In the previous chapter I suggested, via Lani Guinier and Gerald Torres, that recognizing a “linked fate” between survivors and others can help to mobilize resources toward transforming dominant systems in response to the practical needs of survivors. In this chapter I address some of the barriers to linking the political and theoretical interests of survivors with others, which I will speak to through Foucault's work on madness. Looking to Foucault's work on madness also helps to capture the transformative potential of survivor discourse.

As we saw in chapter three, there are some cognitive and emotional hurdles to identifying with survivors. As Susan Brison points out, to empathize with survivors is to relate to “those whose terrifying fate forces us to acknowledge that we are not in control of our own.”² She notes that there are thus “intense psychological pressures that make it

¹ Ball, “More or Less Raped,” 63.

² Brison, *Aftermath*, x.

difficult for all of us to empathize with victims of trauma.”³ These obstacles can extend not just to those who have not experienced sexual violence but also potentially to many of those who have. Brison calls our attention to the fact that many women who are assaulted blame themselves precisely because “it can be less painful to believe that you did something blameworthy than it is to think that you live in a world where you can be attacked at any time, in any place, simply because you are a woman.”⁴ Victims and survivors may wish as much as anyone else, if not more so, not to shape their lives around sexual violence or to identify with/as victims/survivors. (Though, given the lasting effects of sexual violence, they may have less leeway not to do so.)

The difficulty of identifying with survivors is therefore at least somewhat understandable. To move through the world and participate in all of life’s activities leaves little room for acknowledging one’s vulnerability to sexual violence in every moment. And, incidentally, constant attention to one’s vulnerability that interferes with day-to-day functioning (hypervigilance) is listed as a symptom of post-traumatic stress disorder (PTSD).⁵ The implication is that to be healthy and normal requires to some degree that we *not* identify with survivors, at least not too much. Brison notes the irony in cultural acceptance of the frequency of sexual violence and concurrent seeming disbelief that it can happen to anyone at anytime. She writes,

The everydayness of sexual violence, as evidenced by...mind-numbing statistics, leads many to think that male violence against women is natural, a given, something not in need of explanation and not amenable to change. And yet, through some extraordinary mental gymnastics, while most

³ Ibid.

⁴ Ibid., 13.

⁵ American Psychiatric Association, “Posttraumatic Stress Disorder Fact Sheet.”

people take sexual violence for granted, they simultaneously manage to deny that it really exists—or, rather that it could happen to them.⁶

To some extent these mental gymnastics are necessary (for survivors and others) to go about daily life. Yet, if they keep us from empathizing with survivors, then survivors are forced to bear a disproportionate burden of the effects of sexual violence and normative conceptions of sexuality. Though of course empathic barriers to taking communal responsibility for sexual violence are not insurmountable, it is important to address some of the ways that these barriers can impede taking communal responsibility for sexual violence. Brison points out that even well-intentioned and presumably empathic listeners are susceptible to “victim blaming” in order to secure their own sense of safety. She writes, “One victims’ assistance coordinator...stressed that she herself had never been a victim and that I would benefit from the experience by learning not to be so trusting of people and to take basic safety precautions like not going out alone late at night.”⁷ Victim-blaming responses such as this one have been widely criticized.⁸ Yet, the coordinator’s assumption that the attack took place at night and that Brison could have somehow prevented it (Brison was attacked from behind during the day) speaks to the pervasiveness of the inclination to reframe survivors’ experiences in ways that allow us to maintain some semblance of sense of safety.

Aside from overt victim-blaming, Linda Alcoff and Laura Gray observe that one of the ways that listeners shift responsibility for sexual violence onto survivors is through distancing survivors by figuring them as “mad.” Looking at survivor narratives through

⁶ Brison, *Aftermath*, 4.

⁷ *Ibid.*, 9.

⁸ See, for example, Buchwald, Fletcher, and Roth, *Transforming a Rape Culture*.

the lens of Foucault, they argue that “survivor discourse is closer to the discourse of the mad, as Foucault discusses it, than to the discourse of the repressed.”⁹ In coming to this conclusion, Alcott and Gray draw on Foucault’s work on sexuality and discourse, but not specifically his work on madness.¹⁰ In this chapter I situate Alcott and Gray’s claim in terms of Foucault’s *History of Madness* to help clarify and extend their analysis of what is happening when survivor discourse is cast as “mad.” This analysis is important, as in Alcott and Gray’s view, the casting of survivor discourse as “mad” functions to absorb its transformative potential and the challenges that this discourse poses to normative assumptions about sexual violence and survival. It also hinders identification with survivors. Alcott and Gray advise that we therefore be mindful of the contexts and power arrangements within which survivor narratives are framed.

I propose that looking at survivor discourse in the context of *History of Madness* offers another way of framing the problem and solution. In this text, Foucault claims that modern diagnoses of clinical illness conceal a lost experience of madness as indicating a special kind of knowledge that has been precluded through modern psychiatry’s treatment of the “mad.” Foucault locates one such experience, which he refers to as the “cosmic, tragic [*tragique et cosmique*] experience of madness,” in the Renaissance.¹¹ I suggest that survivor discourse similarly exhibits proximity to a kind of “mad” knowledge. Yet, when survivor discourse is cast as illness, at least two things happen.

⁹ Alcott and Gray, “Survivor Discourse,” 269.

¹⁰ At the time of Alcott and Gray’s writing (1993), the current unabridged translation of *History of Madness* had not yet been published, though the abridged edition, *Madness and Civilization*, was available in English at this time.

¹¹ Foucault, *History of Madness*, 27[39].

First, as I will explain, the complexities of this discourse are obscured. Second, listeners are not forced to confront the knowledge that survivor discourse brings with it, and victims/survivors are left to bear a disproportionate burden of holding onto these “truths.”

If we can reclaim survivor discourse as “mad” (or something akin) in the Foucauldian Renaissance sense then we can demonstrate that survivor discourse reveals something potentially dangerous. These dangerous elements cannot be simply attributed to a fault or temporary illness in the individual but require us to confront fissures in broader systems of meaning, much as Guinier and Torres call us to do through their conception of political race. In particular, what survivor discourse “knows” is the instability, limits, and artificiality of modern, normative conceptions of sexuality and identity (as we saw in chapter three) but also prominent beliefs about order, safety, knowledge, and temporality, as I demonstrate in this chapter.

Of course, asserting survivors’ speech as “mad” poses some dangers. By suggesting in a contemporary context that the tragic experience of madness can tell us something about survivors’ epistemological positioning, we risk 1) further pathologizing survivors and legitimating accusations that survivors are either crazy, ill, or irrational (and therefore unreliable epistemological authorities); and 2) unduly romanticizing cognitive phenomena that occur as the result of a terrible violence that can be incapacitating. On the one hand, we must recognize the painful and debilitating effects of sexual violence on survivors and the importance of treating these effects and helping survivors return to “normal” life and to “normal” functioning. At the same time, survivor discourse reveals that to some degree “normal” life is a ruse.

What I argue, however, is that Foucault's theorization of the tragic experience of madness helps us to get at this ambiguity and ambivalence in survivor experience, insofar as it captures madness as both tapping into some sort of special knowledge, as well as positioning the "mad" such that their proximity to this hidden "truth" interferes with their intersubjective functioning, floating the mad outside what is alternately figured as reality. While claiming survivor discourse as "mad" in the Foucauldian Renaissance sense will not entirely resolve these issues, it can help us to better identify both what is gained and what is lost in modern therapeutic treatments of survivors' symptoms as indicating a temporary and curable illness. In so doing, we can also help to challenge some of the movements by which survivors are distanced and precluded from linking fates with those who turn out to have similar interests.

In building my case, I first outline Alcoff and Gray's arguments to demonstrate how they are using the term "madness" and the problems in survivor discourse to which they are drawing our attention. In particular, what emerges from their discussion is the tension between the problems in diagnosing trauma symptoms as mental illness and in not diagnosing them as mental illness. Next, I move to *History of Madness* and outline overlaps between this text and *History of Sexuality* to bring together Foucault's thinking on sexuality and madness and to argue for the importance of looking at these two texts together. I then explain Foucault's distinction between tragic and critical responses to madness (and concealment of the tragic experience of madness in modern psychiatric and therapeutic treatments of "madness" as clinical illness). Finally, I look at what kinds of tragic knowledge are revealed in survivor discourse and explain how reclaiming Foucauldian "madness" for survivors can help to shift the responsibility for challenging

and transforming modern assumptions about sexuality, sexual violence, and knowledge away from survivors and onto larger communities.

Survivor Discourse: Alcoff and Gray's Argument

According to Alcoff and Gray, survivor discourse has the potential to be culturally and politically transformative. They write, "Survivor speech is positioned (or at least has the potential to be positioned) not in an oppositional but still harmonious complementarity with the dominant discourse but rather in violent confrontation with it: its expression requires not a simple negation but a transformation of the dominant formulation."¹² For instance, by juxtaposing terms like "rapist" and "husband," which are supposed to be incompatible, survivors have challenged the traditional narrative in which a husband is understood to be "the man to whom a woman has given unconditional sexual access," leading to legal and cultural recognition of marital rape.¹³ In addition, by reporting partner violence and sexual abuse by family members or relatives, survivors have challenged widely held myths that home is synonymous with safety.¹⁴

Yet, in line with Foucault's analysis of discourse, if therapeutic or popular discourses are able to contain and defuse these challenges, trauma/survivor discourse may simply function to bolster dominant discourses of sexuality as that against which the norm is defined as stable and coherent. Alcoff and Gray argue that the casting of survivor discourse as "madness" is a prominent way in which the challenges posed by survivor

¹² Alcoff and Gray, "Survivor Discourse," 269.

¹³ *Ibid.*, 268.

¹⁴ *Ibid.*, 276.

discourse are effectively absorbed and managed. In making this claim, Alcoff and Gray seem to be using the term “madness” in primarily two ways.

First, in cases where they are disbelieved, survivors’ claims are sometimes explained away by casting them as systems of mental illness and delusion. Listeners may dismiss claims of sexual violence (and abdicate responsibility for determining the source of survivors’ claims) by insisting that the survivor/accuser is confused about reality or is posing terms that do not make sense. Alcoff and Gray write, “When we claim, for example, that our husband/father/brother/boyfriend is our rapist we are often faced not with disagreement but with charges of delusion, hysteria, and madness.”¹⁵ Survivors’ claims are dismissed and reframed at times not by being simply silenced or cast as false, but as not making sense, as being representative of illness. As Alcoff and Gray put it, “the point of contention between dominant and survivor discourses is not over the determination of truth but over the determination of the statable.”¹⁶

Second, in cases where survivors’ claims are believed, subsuming survivors’ symptoms under diagnoses of mental illness can sometimes (though not always) function to distance survivors from others and impede recognition of these symptoms as indicating communal rather than individual problems. As an example, Alcoff and Gray examine how survivors are presented on television talk shows. They observe that these programs tend to perpetuate hierarchies between victims/survivors and “experts” who are brought on to mediate, theorize, and comment on survivors’ stories. Survivors are typically cast as highly emotional, broken, and disordered; experts (usually white, by the way) are

¹⁵ Ibid., 269–270.

¹⁶ Ibid., 269.

presented as professional, objective, rational, and calm. This setup, combined with other framing techniques that sensationalize, objectify, and distance survivors, perpetuates a view of victims/survivors as “other,” as exhibiting an unhealthy self- and world-relation.¹⁷

A tension emerges here, as therapeutic discourses cast survivors’ symptoms as both normal and pathological. That is, “experts” explain that symptoms such as hypervigilance, heightened startle reflex, memory loss, anxiety, depression, dissociative identity disorder, etc. constitute a “normal” response to sexual trauma. These reactions serve a self-protective function that helps individuals survive sexual abuse and violence. Yet, when these coping mechanisms persist once the violence is “over,” they become debilitating and are thus marked as a “pathological” way of continuing to be in the world. Therapist E. Sue Blume argues that pathologizing what are essentially adaptive techniques of survival does a disservice to those who develop these “cognitive adaptations” in order to survive. As she puts it,

the after-effects of Post-Incest Syndrome are not “problems” to be “overcome,” but coping mechanisms with negative side-effects. By attaching the concept of “disorder” to these consequences, we damn the incest survivor to weakness instead of attributing to her the strength of spirit, creativity, and endurance that she deserves—that she has *earned*.¹⁸

In contrast, I am not sure it is the case that casting survivors’ symptoms as illness precludes recognition of the strength behind developing them. It seems that the therapeutic response can and does acknowledge the function of these coping mechanisms and the negative effects of continuing to live with them.

¹⁷ Ibid., 274–279. On the survivor/expert paradigm, see also Naples, “Deconstructing and Locating Survivor Discourse,” 1159–1160.

¹⁸ Blume, *Secret Survivors*, 75.

I suggest that what is at stake in the pathologization of survivors' symptoms is the implication that these coping mechanisms are not needed in "normal" life. To pathologize survivors' symptoms is to cast these symptoms as a normal response to an anomalous situation. While doing so does not preclude recognition of the communal problems that produce sexual violence (and victims/survivors with trauma disorders), it softens some of the challenges that survivor discourse poses to broader systems by casting these challenges as curable at an individual rather than communal level. Along these lines, Ann Cvetkovich cautions that while psychiatric diagnoses of trauma related disorders such as PTSD serve an important function in securing treatment for survivors, we should "remain vigilant about the hazards of converting a social problem into a medical one."¹⁹ Underlying this caution is a tension between recognizing the debilitating effects of trauma and pathologizing survivors rather than the violence itself. Shani Orgad similarly states that "the celebration of agency, personal empowerment, self-responsibility, and self-management has contributed to deflect discussion away from the responsibilities of the community, the state, and the society at large."²⁰ That is, where survivors' symptoms are viewed as temporary and curable, there is a sense in which the effects of sexual violence can be managed individually.

In both cases (where survivors are disbelieved and where they are believed but distanced), figuring survivors' discourse as "mad" (in the sense of "mentally ill") performs a negative function in Alcoff and Gray's view, potentially impeding empathic responsiveness and recognition of the challenges survivor discourse poses. Yet, Alcoff

¹⁹ Cvetkovich, *Archive of Feelings*, 45.

²⁰ Orgad, "Survivor in Contemporary Culture," 44.

and Gray hint that this alterity in survivor discourse is also part of its transformative power. I suggest that Foucault's distinction between tragic and clinical experiences of madness can help to capture these positive or potentially transformative aspects of survivors' "mad" discourse and shed light on both the positive and limiting effects of modern psychiatric and therapeutic discourses on trauma disorders.

Madness in Foucault

Connecting Sexuality and Madness

Before moving to explanation of Foucault's distinction between Renaissance madness and modern clinical illness we should first contextualize Foucault's project in *History of Madness*. As it happens, there are good reasons for including *History of Madness* in studies of Foucault's work on sexuality. On a surface level, Spencer Jackson suggests a parallel between Foucault's descriptions of the story of Jouy in *History of Sexuality* and the ship of fools in *History of Madness*. In the latter case, the ship functions for Foucault as a symbolic illustration of the place of the mad during the Renaissance. The ship of fools, which appears in artwork and literature around the fifteenth century, carries madmen who have been banished from cities and abandoned to an "itinerant [*facilement errante*]" life at sea.²¹ Foucault describes the ship as thus representing "the liminal [*liminaire*] situation of the mad" who is "confined [*enfermé*] at the gates of the cities."²² In this narrative the madman's "exclusion was his confinement [*son exclusion doit l'enclorre*]," he exists in a "threshold [*seuil*]" that is his "prison," and he is "detained

²¹ Foucault, *History of Madness*, 9[19].

²² *Ibid.*, 11[22], emphasis removed.

[*retient*] at this place of passage...placed on the inside of the outside, or vice versa [*à l'intérieur de l'extérieur, et inversement*].”²³

Jackson reminds us that in *History of Sexuality* the sexual act between Jouy and Adam similarly takes place at “the border of a field [*au bord d'un champ*],” and that Foucault describes the sexual acts as having occurred “at the edge of the wood [*à la lisière du bois*], or in a ditch [*le fossé*] by the road to Saint-Nicolas.”²⁴ The pleasures Jouy experiences essentially take place, Jackson notes, between “cultivated land” and uncharted countryside.²⁵ And building on Jackson’s case, we could add that Foucault begins his description of Jouy by noting that he too exists as a wanderer “employed here then there...sleeping in barns and stables.”²⁶

Subtler though are Foucault’s allusions to water in this passage, which link Jouy to the madman, particularly if we consider Foucault’s *History of Madness* statement that “the link between water and madness is deeply rooted in the dream of the Western man.”²⁷ In his description of the Jouy case Foucault refers to the promiscuous children in the town as “village urchins [*gamins*].”²⁸ Jackson points out that the double meaning of the term “‘urchin’ identifies Jouy and his companions as mischievous paupers” but also metaphorically connects them to the sea.²⁹ Additionally, he notes Foucault’s curious

²³ Ibid.

²⁴ Foucault, *History of Sexuality, Vol. 1*, 31[43].

²⁵ Jackson, “The Subject of Time,” 41.

²⁶ Foucault, *History of Sexuality, Vol. 1*, 31.

²⁷ Foucault, *History of Madness*, 11.

²⁸ Foucault, *History of Sexuality, Vol. 1*, 31[43].

²⁹ Jackson, “The Subject of Time,” 41.

reference to “the road leading to Saint-Nicolas” in his *History of Sexuality* telling of Jouy’s story.³⁰ As we learn in Foucault’s more formal account of the case in *Abnormal* (and, as is confirmed by Bonnet and Bulard’s original report) the rape took place not on a road to Saint-Nicolas but on a road to Nancy.³¹ Jackson suggests that this substitution recalls “the fourth-century Bishop of Myra who served as an inspiration for the modern figure of Santa Claus and is considered by the Orthodox Church to be the patron saint of sailors.”³²

Besides this artistic connection between the two figures, Jouy is of course locked up in a madhouse, and *History of Sexuality* deals extensively with the role of modern “therapeutic” discourses and institutions in regulating and producing particular sexual subjects. Lynne Huffer also reminds us that homosexuality was only removed from the Diagnostic and Statistical Manual of Mental Disorders (DSM) in 1973, meaning that *History of Madness* “was produced *within* a scientific ethos sure of homosexuality’s ontological status as mental illness.”³³

Yet, studies that bring together Foucault’s thinking on the construction of madness and the construction of sexual deviance are not as common as one might expect. Huffer, for instance, notes queer theorists’ inattention to Foucault’s writings on madness in spite of their role in his thinking on sexuality and the crucial role Foucault’s work on sexuality has played in queer theory. She argues that the focus on *History of Sexuality*

³⁰ Foucault, *History of Sexuality*, Vol. 1, 31.

³¹ Foucault, *Abnormal*, 292; Bonnet and Bulard, *Rapport Médico-Légal*, 2.

³² Jackson, “The Subject of Time,” 42.

³³ Huffer, *Mad for Foucault*, 101.

and subsequent lack of engagement with *History of Madness* has resulted in a woefully incomplete understanding of Foucault's thinking on sexuality. This omission is at least partly explained by politics of publication. Until fairly recently, the version of *History of Madness* most widely circulated (in French and in most other languages) was the abridged edition, roughly one-third the length of the original text, published in English under the title *Madness and Civilization*. Since the release of the unabridged English translation in 2006 the role of sexuality in Foucault's account of madness has become evident to a wider audience.³⁴

Prior to this publication, and working with the unabridged French text, Didier Eribon also argued that madness and sexuality “form, in Foucault's vision, two fragments of the same inquiry.”³⁵ That is, both indicate a process of exclusion, of marking individuals as “abnormals...those defined by the norms that reject them.”³⁶ As I demonstrate shortly, in *History of Madness* Foucault traces the movement of madness from indicating a kind of tragic knowledge in Renaissance times through classical confinement to modern treatment of “madness” as an exclusively clinical object and illness. Over time, madness shifts from being viewed as having something important to tell to being studied primarily in order to contain and cure it.³⁷ The movement from

³⁴ Ibid., xii–xv; Allen, “Feminism, Foucault, and the Critique of Reason,” 16.

³⁵ Eribon, *Insult and the Making of the Gay Self*, 265. On the connections between sexuality and madness in Foucault's thought see also, Allen, “Feminism, Foucault, and the Critique of Reason,” 18–19, 24; Huffer, *Mad for Foucault*, xiv; Gordon, “History of Madness,” 94.

³⁶ Eribon, *Insult and the Making of the Gay Self*, 272.

³⁷ And, of course, as we saw with sexuality, in Foucault's view to “study” madness is at the same time to produce it. As Jean Khalifa puts it in his introduction to *History of Madness*, “The thesis of this book is that whether madness is described as a religious or philosophical phenomenon (an experience of inspiration, a loss of mind, etc.), or as an objective medical essence (as in all the classifications of types of madness that

Renaissance madness to modern illness is thus one of splitting madness away from reason such that the two can no longer communicate with each other. Foucault writes,

Modern man no longer communicates with the madman... There is no common language: or rather, it no longer exists; the constitution of madness as mental illness, at the end of the eighteenth century, bears witness to a rupture in a dialogue... and expels from the memory all those imperfect words, of no fixed syntax, spoken falteringly, in which the exchange between madness and reason was carried out. The language of psychiatry, which is a monologue by reason *about* madness, could only have come into existence in such a silence.³⁸

To be “mad” is therefore to be placed outside of reason, and where reason defines what is communicable and intelligible, to be mad is in a sense to be placed outside of discourse. In the modern discursive world of reason, one can instead speak as someone who is “mentally ill” (and potentially curable), which we will see does not retain precisely the same meaning.

The splitting of madness and reason is thus also a movement by which certain individuals and possibilities of thought and experience are excluded, a theme which also appears in Foucault’s work on sexuality. As we saw in chapter three, part of what normative discourses on sexuality do is render incoherent experiences or discourses that fall outside the norm. For an individual to say that he does not have a sexuality—or that she both is and is not an incest survivor, or that his father both is and is not a rapist—is to challenge the coherency of modern constructions of sexual identity. Thus, in some sense, I will argue, it is to speak in the “nonsense” language of a “mad” person.

Tracing Madness: Tragic Knowledge and Critical Consciousness

have been developed by psychiatry), these conceptions are not discoveries but historical constructions of meaning” (Khalifa, “Introduction,” xiv).

³⁸ Foucault, *History of Madness*, xviii.

Initially, Foucault begins *History of Madness* with the idea of reaching back in time to try to get at that something that is lost when reason and madness cannot communicate with each other. In his original preface to the book, Foucault suggests that what he really wants to uncover is the “degree zero of the history of madness, when it was undifferentiated experience,”³⁹ or “madness itself, in all its vivacity, before it is captured by knowledge.”⁴⁰ Foucault locates the hints of such an experience in the Renaissance. He identifies two different though sometimes entwined threads that emerge in this period: 1) the tragic, which figures primarily in the visual arts and 2) the critical, which predominates in the literature and philosophy of the time. This split between the tragic and critical prefigures for Foucault the widening gap between reason and madness, which will grow ever more asymmetrical through confinement and fear in the classical age to the modern, psychiatric figuring of madness as exclusively clinical object, a condition to be cured, an illness with nothing to communicate to reason. Foucault maintains that this modern treatment of “madness” (illness) is always incomplete, eclipsing the “cosmic, tragic experience of madness.”⁴¹ What modern psychiatry and similar therapeutic discourses treat (and produce) is not madness in the Renaissance sense but a distilled and altered version of it. Yet, according to Foucault, this tragic experience of madness persists and threatens to return: “Behind the critical consciousness of

³⁹ Ibid., xxvii.

⁴⁰ Ibid., xxxii. It should be noted that Foucault later removes and replaces this preface. As his methodology develops, Foucault becomes increasingly skeptical of attempts to locate a singular experience or phenomenon throughout history, rather than to demonstrate how experiences are produced through the recording of history itself, through discourses and relationships of power. On this note, see Khalfa, “Introduction.”

⁴¹ Foucault, *History of Madness*, 27.

madness in all its philosophical, scientific, moral and medicinal guises lurks a second, tragic consciousness of madness, which has never really gone away.”⁴²

To elucidate the differences between Renaissance madness and modern clinical illness, I begin with Foucault’s explanation of Renaissance madness, where the tragic and critical begin working themselves loose. What Foucault means by the tragic experience of madness is not entirely straightforward, but his elusiveness here is fitting with his project in that he says he is grasping at an experience that cannot quite be recovered. We cannot get hold of this “wild” madness in its “primitive purity,”⁴³ both because to comprehend madness and put it into language would be to capture it and because we exist in the world in which the division between madness and reason has already taken place.

In enigmatic fashion, Foucault says that what is at the heart of artistic engagements with madness in the Renaissance is “the nothingness [*néant*] of existence.”⁴⁴ By way of getting at what he means here, he notes that in the late Middle Ages leading up to the Renaissance the theme of death comes up frequently in paintings, reflecting the ever-present reality of war and plagues. As Foucault puts it, there is a proliferation of “grinning death’s head imagery,” exemplified in the fifteenth century series of Dance of Death or *Danse Macabre* paintings. Foucault describes these artworks as exhibiting a persistent preoccupation with death as “an order and an end that no man can escape” and as that which “reduces man to dust.”⁴⁵

⁴² Ibid.

⁴³ Ibid., xxxiii.

⁴⁴ Ibid., 15[27].

⁴⁵ Ibid., 14.

In Renaissance art, Foucault alleges, the focus shifts from death to madness. The Dance of Death is replaced with the dance of fools and ship of fools,⁴⁶ and the army of skeletons in Pieter Brueghel's *Triumph of Death* are "conquer[ed]," in Foucault's view, by "the cries of Mad Meg" in Brueghel's *Dulle Griet*.⁴⁷ Foucault tells us that at this point,

The fear before the absolute limit of death becomes interiorised in a continual process of ironisation. Fear was disarmed in advance, made derisory by being tamed and rendered banal, and constantly paraded in the spectacle of life. . . . Death as the destruction of all things no longer had meaning when life was revealed to be a fatuous sequence of empty words, the hollow jingle of a jester's cap and bells.⁴⁸

Foucault moves through this argument fairly quickly, but the turn that he describes is reminiscent of Friedrich Nietzsche's discussion of the ancient Greeks in *Birth of Tragedy*. Looking to Nietzsche could thus help us to fill in what Foucault means here, and in fact, the parallels here suggest that Foucault's unexplained use of the term "tragic" to describe the Renaissance experience of madness could potentially be a nod to Nietzsche.⁴⁹

The question that Nietzsche puts before *Birth of Tragedy* is the question of how the ancient Greeks could simultaneously exhibit such cheerfulness and such pessimism.⁵⁰ That is, they acknowledge that life is full of suffering, as evidenced in their tale of the wisdom of Dionysus's companion, Silenus. When Silenus is asked what "the best and most desirable of all things for man" is, he responds: "What is best of all is utterly

⁴⁶ Ibid., 16.

⁴⁷ Ibid., 15. On Foucault's discussion of these paintings see for example, Boyne, *Foucault and Derrida*, 20–21.

⁴⁸ Foucault, *History of Madness*, 14.

⁴⁹ Andrew Cutrofello also suggests that Foucault's reference to hubris as the ancient Greeks' closest analog to a concept of madness in his original preface could also explain his use of the term of "tragic," given the role of hubris in Greek tragedy. Personal communication, 2015.

⁵⁰ Nietzsche, *Birth of Tragedy*, SC, 1.

beyond your reach: not to be born, not to *be*, to be *nothing*. But the second best for you is—to die soon.”⁵¹ That the Greeks have such a pessimistic view represented here leads Nietzsche to conclude that “the Greek knew and felt the terror and horror of existence.”⁵² However, Nietzsche notes that in spite of this pessimism, the Greeks are nonetheless “high-spirited.”⁵³ In Greek mythology, the lives of the gods are filled with tales of deception, affairs, gluttony, suffering, jealousy, lust, and rage. The Greeks thus glorify their own lives and suffering in the world of the Olympian gods, and Nietzsche sees in this a “triumphant life in which all things, whether good or evil, are deified.”⁵⁴

In Nietzsche’s view, to celebrate and deify “earthly” life even with knowledge of such extreme pessimism is to express a radical affirmation of life, to be able to say yes to suffering and even to extreme suffering without meaning. It is to delight in life to such a degree that one would rather suffer and accept whatever facets of life there may be—even the wisdom that one might be better off not living at all—than not live. Indeed, the Greeks seem fascinated by suffering (even their gods suffer and make suffer) so that suffering itself becomes an enticement to rather than an argument against life. In this way, Greek mythology becomes, according to Nietzsche, “a transfiguring mirror” in which the wisdom of Silenus is accepted, celebrated, and finally reversed so that it is just

⁵¹ Ibid., 3.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid.

one more incentive to life, and the “worst of all” becomes “to die soon” or even “to die at all.”⁵⁵

Foucault seems to be tracing a similar kind of turn in the early Renaissance. Constant confrontation with death leads into “a contemptuous contemplation of the nothingness that is life itself,” which thereby “disarm[s] the fear of death.”⁵⁶ That is, pessimism in the face of the ever-present threat of death calls the meaning of life into question. And as life loses meaning, the meaningfulness of loss of life loses some of its power. In an ironic reversal, the seeming arbitrariness of life neutralizes the menace of death whose very image showed life to be meaningless. Now, instead of being haunted by the “grinning head” of death, humans are haunted by the “carnival mask” and “the laugh of madness” at the face of death, which empty life of its apparent weight and significance.⁵⁷

It is suspicion of and fascination with the possibility of this kind of “tragic” knowledge or insight that Foucault says preoccupies one side of Renaissance thought at this time and which gets localized in the figure of the mad. “The seriousness of death” thus turns to “derision of madness,”⁵⁸ where madness signifies some kind of hidden knowledge that threatens to undo the ordered world of meaning and existence. Caught up in the sweeping undertow of this knowledge, is a system of meaning structured by religion, explaining why Foucault also terms this knowledge/experience “cosmic.”

⁵⁵ Ibid.

⁵⁶ Foucault, *History of Madness*, 14.

⁵⁷ Ibid., 15.

⁵⁸ Ibid., 14.

Around this time, Gothic texts, such as *Mirror of Human Salvation*, Foucault notes, had become so overburdened with proliferating, esoteric symbolic meanings that they almost ceased to be meaningful at all. Eventually, these symbolic meanings drop out altogether, and we are left with “nightmarish silhouettes” that suggest an opaque, menacing kind of truth lies beneath them.⁵⁹

Foucault points us, for instance, to the depiction of animals in paintings during the Renaissance. Where previously, religious thought had humans in charge of animals, paintings such as Matthias Grünewald’s depiction of the *Temptation of Saint Anthony* has the saint surrounded by wild, otherworldly beasts. Unlike the prior images of animals as imparting wisdom to humans through divine symbols, Grünewald’s beasts are unruly and chaotic, haunting viewers with a kind of “mad” knowledge to which we do not have access. This forbidden, inaccessible knowledge reserved for the mad is, Foucault suggests, of an apocalyptic sort, foretelling a global collapse and disorder.⁶⁰ On this side of Renaissance madness it is a sense that there is nothing undergirding existence—impending doom and disorder as constituting the real “order” of things, a cosmic splintering of meaning—that makes up the knowledge of the tragic figuring both madness and the mad.

At the same time, as mentioned, there is another approach to madness that Foucault notes as surfacing in the literature and philosophy of the time, such as in Desiderius Erasmus’s *In Praise of Folly*. This is madness not as insight but as foolishness and vice, the mistaking of what is not real for what is real, a kind of false knowledge that

⁵⁹ Ibid., 17.

⁶⁰ Ibid., 20.

can be staved off with wisdom and carefulness. Critical Renaissance consciousness takes madness to be not some invidious menace to a broader order but a fault of individuals owing to delusion and a faulty relationship to the self.⁶¹ In contrast to the tragic madness encapsulated in the images of Renaissance painters, madness as figured by critical consciousness is superficial, “a shiny, reflective surface, with no dark secrets lurking below.”⁶² It is mastered and held at a distance by wise observers, taken as an object of examination from the outside.⁶³ But more notably, critical madness also turns the objective gaze back on itself, provoking the observer to introspection, to searching him/herself for traces of vice and madness. The lessons disclosed by the mad under critical consciousness are thus cautionary instead of captivating and moral rather than metaphysical. The wise are not haunted by the laughter of critical madness; instead, it is the wise who laugh at madness in order to keep it at bay.⁶⁴

Yet, in Foucault’s view, the critical does not erase the tragic experience of madness but merely obscures it in a vision of madness that is “erroneously taken as complete.”⁶⁵ This division between the critical and tragic views of madness in the Renaissance foreshadows for Foucault the complete split between reason and madness that will happen over the centuries to follow. In the classical age, Foucault says, the haunting fascination with madness as exhibiting a kind of tragic knowledge drops from

⁶¹ Ibid., 23.

⁶² Ibid., 22.

⁶³ Ibid., 24–25.

⁶⁴ Ibid., 24.

⁶⁵ Ibid., 27.

view, and the mad are “reduce[d] to silence.”⁶⁶ During this time, the mad are moved into places of confinement alongside all of those others whom communities do not seem to know what to do with—criminals, the poor, the unemployed, prostitutes, and homosexuals, to name a few.⁶⁷

Gradually, an understanding of madness as treatable develops; the places of confinement “become the place of cure;” and modern psychiatry emerges.⁶⁸ Under the objective “gaze” of psychiatry, the “mad” are allowed (and even compelled) to speak, but in the language of psychiatry, in the direction of bringing themselves back in line with reason.⁶⁹ As Huffer puts it, in this setup, “the patient’s part... is a silent one.... The patient functions as a negative foil, the blank of a placeholder, for the productive imagination of a truth-wielding scientific project that will eventually fabricate, in the nineteenth century, our modern ‘pathological forms.’”⁷⁰ In Foucault’s view, much as in the case of sexuality and the repressive hypothesis, psychiatry creates the illusion of giving the “mad” a space in which to speak while structuring and managing this speech to fit with specific, normalizing discourses. Thus, Foucault maintains that what emerges under the clinical gaze of psychiatry is not madness in the cosmic, tragic sense that we saw in the

⁶⁶ Ibid., 44.

⁶⁷ Ibid., 47, 80–91.

⁶⁸ Ibid., 436.

⁶⁹ Ibid., 442.

⁷⁰ Huffer, *Mad for Foucault*, 143.

Renaissance. Rather, it is “madness, disarmed” and mastered by science, “alienated from itself through its promotion to a new status as object.”⁷¹

Reclaiming Tragic Knowledge: Survivor Discourse and Madness

So then, if clinical treatment of mental illness eclipses some lost experience of madness or tragic knowledge (as Foucault suggests), and if the figuring of survivor discourse as symptoms of illness neutralizes a threat (as Alcoff and Gray suggest), then what is the threat that survivor discourse represents? What are the difficult truths with which survivor discourse confronts us? In the sections that follow I argue that the content and character of survivor discourse places survivors in a position similar to that of the “mad” in the Renaissance. Yet, where contemporary therapeutic discourses figure survivors’ knowledge and ways of knowing as temporary (even if necessary) disorders that can be contained and cured, the full transformative potential of survivor discourse drops out and is obscured. I do not propose that we abandon contemporary therapeutic practices or leave survivors to suffer the debilitating effects of trauma. Rather, I argue that claiming survivors’ proximity to tragic knowledge helps to link the fate of survivors with others and ensure that in making life livable for survivors again we do not miss taking communal responsibility for the challenges this knowledge brings.

What Do Survivors Know?

If survivor discourse hints at proximity to a world-shattering kind of knowledge, it would be most obvious to say that what survivors know is the reality of the pervasiveness of sexual assault, abuse, and coercion, that this violence is not anomalous

⁷¹ Foucault, *History of Madness*, 442, 443. On Foucault’s explanation of the shifting treatments of madness over time, see also Allen, “Feminism, Foucault, and the Critique of Reason”; Gordon, “History of Madness”; Huffer, *Mad for Foucault*.

but widespread and systemic. The content of this knowledge in itself likely upsets many of our basic beliefs about the levels of cruelty that are humanly possible or our vision of a meaningful and ordered world in which we (and the people we care about) are moderately safe. Survivor discourse challenges the common belief that sexual violence is an isolated rather than endemic problem, a belief that, as mentioned, maintains the stability and coherence of many of our institutional and familial structures.

But where the mad of the Renaissance confronted human beings with difficult truths, therapeutic discourses promise to cure survivors' symptoms, and thus potentially let us off the hook. To return to the example of hypervigilance, medicine, therapy, support groups, or self-help books can "cure" survivors of this symptom but without really resolving the social problem of the pervasiveness of sexual violence or the philosophical/existential problem of human vulnerability. This seems to be part of the worry that Cvetkovich expresses when she urges that we be "vigilant" about the limits of medicalizing trauma. Medical diagnosis and cure of hypervigilance does not preclude addressing these larger issues, yet it potentially simplifies and contains the "tragic" knowledge underlying this symptom.

The terminology of survival itself points to the ways in which our basic understanding of sexual violence lends itself to the assumption that this violence must be rare. Sexual violence and incest are prohibited precisely because they qualify as an assault to the self that one is not meant to live through. That our homes and familial systems are not in greater crisis, that women, children, and vulnerable populations have not disappeared from public or private spaces, indeed suggests that sexual violence must be uncommon. However, by their very existence, survivors (and the sheer number of

survivors that exist) testify to the prevalence of sexual violence and to the sometimes relative quietness of survival—the pervasiveness of this violence having required adaptive behaviors so widespread and common that they nearly become invisible.⁷²

To survive sexual violence is thus to live through something one is not meant to live through and to bear witness to an event that is not supposed to happen.⁷³ As Hart reminds us, the DSM at one time defined a traumatic event as one “that is outside the range of usual human experience.”⁷⁴ Finding language to communicate a traumatic experience (to oneself or to others) can thus be difficult, if not impossible. Some have argued that one cannot speak from the place of trauma because trauma obliterates the self; it is only retrospectively that one can try to articulate the experience from the outside.⁷⁵ Brison thus asks, “How can we speak about the unspeakable without attempting to render it intelligible and sayable?”⁷⁶

⁷² On this point see Hart, *Between the Body and the Flesh*, 177–178.

⁷³ As Hart puts it, “Not only is incest marked as a founding taboo and therefore presumed not to happen if the culture is to retain its illusion of coherency, but also, then the survivor is *not meant to survive*” (Ibid., 178).

⁷⁴ American Psychiatric Association, *DSM-III-R*; Hart, *Between the Body and the Flesh*, 173.

⁷⁵ Cvetkovich writes, “The obstacle to retrieving the memory of trauma is not necessarily that it has been repressed but that due to dissociation, for example, it was never experienced in the first place. Or given the overwhelming nature of physical and emotional stimuli, the memory of trauma may not give rise to a conventional narrative; it may instead consist of a series of intense and detailed, yet fragmented, psychophysical experiences” (Cvetkovich, *Archive of Feelings*, 98).

On a similar note, Nora Strejilevich writes that testimony to genocide “cannot speak without losing track of itself, since it names intolerable destruction” (“Testimony: Beyond the Language of Truth,” 706). Though Strejilevich is referring to the trauma of genocide, I would argue that her point is still relevant here. Though of course, they do not represent identical kinds of trauma, it is worth noting that sexual violence is often employed as a part of torture and genocide and that sexual violence is also frequently experienced as a destruction of the self.

⁷⁶ Brison, *Aftermath*, xi.

We could say then that trauma cannot “speak” the language of reason, much as madness and reason can no longer communicate in Foucault’s view. When psychiatry gets hold of survivors they are given the opportunity to speak. Therapeutic discourses help the survivor to put her experience into language (particular, therapeutic language). These discourses help her in essence to become a survivor, to tell and retell her story until it can be integrated and healed, at least as well as possible. This is a positive development insofar as it makes it possible for survivors to function and eventually maybe even flourish in the aftermath of sexual violence. But the question remains: What happens to those inarticulable parts of traumatic experience? What is held there? By representing that which discourse and reason cannot reach, the untellable parts of survivor experience point to a limit. These untellable parts confront us with an experience that we, as modern, rational subjects cannot quite language our way into.

If this is the case, then much as with the tragic, cosmic experience of madness, we (survivors and others) cannot really “capture” whatever this tragic knowledge/experience is that gets lost in the unsayable. I suggest, however, that there are some hints in what survivors can and do say. As we have seen, the limits of survivor discourse point to internal tensions and incoherencies in modern conceptions of sex and sexuality. Survivor discourse also exposes and undermines assumptions about our own (in)vulnerability to sexual violence. In the next section I argue that the unsayable in survivor discourse also points to survivor discourse as challenging not just the content of our knowledge but some of our basic epistemological assumptions themselves.

How Do Survivors Know?

Lynda Hart observes that in most contexts the discursive order in which survivors must find a way to interject their experiences is one in which there is a sharp division between fact and fiction. Yet, survivors frequently operate according to an epistemology in which the straddling of multiple contradictory positions collapses and blurs various distinctions. As we saw in chapter three, incest survivors are often faced with making sense of how an abuser can occupy seemingly incompatible positions, such as provider and loved one as well as someone who is abusive or cruel. Survivors may even find themselves in the position of protecting abusers on whom they depend for shelter and familial stability.⁷⁷ As Hart writes, “Incest survivors exist in a psychic space in which the holding of two seemingly mutually exclusive ideas is the very condition of their existence.”⁷⁸

Along these lines, incest survivors frequently describe a feeling of existing in an in between space, not just in terms of identity, as we saw in chapter three, but also in terms of reality. In an essay on surviving incest Leah Lakshmi Piepzna-Samarasinha describes her childhood as follows, “There was Normal World and Secret World, which you couldn’t talk about.”⁷⁹ Similarly another survivor, Marie-Elise Wheatwind, says, “During those grammar-school years, I lived in two different worlds, or time zones. There was school, and there was home.”⁸⁰ Kim Newall writes of the “Liar” part of

⁷⁷ Hart, *Between the Body and the Flesh*, 188–189.

⁷⁸ *Ibid.*, 177. In her analysis here Hart draws on E. Sue Blume’s work on incest survival in *Secret Survivors*.

⁷⁹ Piepzna-Samarasinha, “What It Feels Like When It Finally Comes,” 95.

⁸⁰ Wisecchild, *She Who Was Lost Is Remembered*, 10.

herself, “At seven she has mastered the split between what is hidden ‘back there’ and the unreachable future ‘out there.’ She is never fully either place. She is stuck in-between the two worlds I live in. She protects the secrets of the unseen side.”⁸¹

Holding onto multiple incompatible truths, combined with the shock of experiencing a traumatic event, can lead to a sense of unreality for many survivors.

Brison describes life after she was raped:

I felt as if I was experiencing things posthumously. When the inconceivable happens, one starts to doubt even the most mundane, realistic perceptions. Perhaps I’m not really here, I thought, perhaps I did die in that ravine. . . . For the first several months after my attack, I led a spectral existence, not quite sure whether I had died and the world went on without me, or whether I was alive but in a totally alien world. . . . I felt as though I’d somehow outlived myself.”⁸²

In her description we can see that Brison’s experience disrupts her sense of what is real but also her sense of time. In fact, survivors often report fragmented experiences of time both during and after trauma. Because victims/survivors often dissociate during trauma as a protective mechanism they may not fully experience the event in the moment and may continue to re-experience the trauma well “after” the fact through flashbacks.⁸³ Sensory flashbacks continually move many survivors in and out of the present, such that the distinction between present and past may not hold the same meaning for the survivor as it once did or as it does for others. Brison writes, “The undoing of the self in trauma involves a radical disruption of memory, a severing of past from present, and, typically,

⁸¹ Ibid., 2.

⁸² Brison, *Aftermath*, 8–9.

⁸³ See, for example, Bass and Davis, *Courage to Heal*, 78–82.

an inability to envision a future.”⁸⁴ Where survivors experience a sense of foreshortened (one of the symptoms of PTSD), they will find themselves at odds with discourses of desire (which are future-oriented) as self-defining. Survivors’ experiences of disjointed time can thus fundamentally dislodge them from the dominant discourses in which their narratives must become legible if they are to be intelligible to others.

Survivors are likely to experience their bodies in relation to knowledge differently from the “norm” as well. Brison writes that given the experience of flashbacks, “the most salient traumatic memories...are more tied to the body than memories are typically considered to be.”⁸⁵ Trauma survivors are, of course, not the only ones who experience sensory flashbacks; our senses can trigger vivid memories at any time. Yet, Brison points out that for survivors, trauma “changes the nature and frequency of sensory, emotional, and physiological flashbacks.”⁸⁶ And when survivors lack conscious memories the trauma is held primarily within the body, shifting the locus of memory itself. One survivor describes having flashbacks “that would have no pictures to them at all.” She explains, “I would just start screaming and feel that something was coming out of my body that I had no control over...I would remember in my body, although I wouldn’t have a conscious picture, just this screaming coming out of me.”⁸⁷ Another survivor, Catherine Houser, also describes remembering her abuse through her body before being able to consciously remember what had happened to her:

⁸⁴ Brison, *Aftermath*, 68.

⁸⁵ *Ibid.*, 44–45.

⁸⁶ *Ibid.*, 45.

⁸⁷ Bass and Davis, *Courage to Heal*, 83.

My first conscious memories of the abuse were vague, elusive, difficult to put into words, yet they were the most real memories, most true feelings I had ever experienced—because they were visceral. More than remembering with my brain, I was reliving, refeeling the abuse in my body—the choking, the gagging, the hands wrapped around my wrists, the force of being held down.⁸⁸

While for some survivors, these body memories help to confirm what happened to them, for others remembering through the body makes these memories more difficult to trust.

Judy Bierman, for example, says,

Believing my own story is very difficult. For the most part my memories have been kinesthetic—my body reliving rape and its aftermath, my body re-enacting the abuse. I rarely have any “pictures” at all during these experiences, and more often than not I walk away from them feeling crazy, unwilling to believe I have been the victim of anything more than a set of bizarre, albeit violent sexual fantasies. I feel ashamed and inadequate.⁸⁹

As these examples demonstrate, to speak the language of sexual trauma may involve attesting to contradictory or distorted truths, accepting ambiguity, eschewing normal narrative conventions like the linear movement of time, “knowing” with the body, or it may mean having language fail altogether. By thereby drawing attention to the fragility of some of the characteristics of the modern subject—as knowable, rational, firmly inserted in a chronological movement of time—survivor discourse (where it can be perceived as discourse) is connected to broader postmodern philosophical critiques of identity and knowledge. It also constitutes in these respects, a way of speaking (or not being able to speak) “madness” to “reason,” at least the reason of the modern subject.

⁸⁸ Wisecchild, *She Who Was Lost Is Remembered*, 91.

⁸⁹ *Ibid.*, 190.

There is a sense then in which survivor discourse “queers” modern sexuality and subjectivity.⁹⁰

To return to Guinier and Torres’s metaphor of the miner’s canary, if we take their suggestion that those most vulnerable to the “toxicities” or cracks in various systems can alert us to problems in the systems themselves, then the limits of survivor discourse point to larger philosophical problems in how we conceptualize identity, sexuality, safety/vulnerability, knowledge, and temporality. Acknowledging these limits in survivor discourse and their connection to broader postmodern philosophical critiques can help us to link work on survival with other sub-disciplines (such as queer theory and race theory). It can also help us to challenge the distancing mechanisms that hinder identifying with survivors and mobilize philosophical resources to reshape those conceptions of identity and knowledge that leave the most vulnerable on the outside.

Concluding Remarks

In spite of the noted weaknesses of Foucault’s approach to Sophie Adam, I maintain that Foucault’s critiques of sexuality and madness make a powerful contribution to feminist work on sexual violence and survival, and I maintain that survivors have a particular stake in queer theory and in other positive uses of Foucault. Additionally, drawing out Adam as a crucial character in unfolding discourses of normative sexuality helps us to create more nuanced accounts of the reach and limits of sex-centric conceptions of identity and selfhood. By neglecting to attend to Adam, we (and Foucault) miss important facets of modern conceptions of sexuality, and, similarly, feminist approaches that do not consider Foucault’s critique of sexuality miss crucial aspects of

⁹⁰ I owe this framing to Andrew Cutrofello’s provocative suggestion that in *History of Madness*, Unreason queers reason. Personal communication, 2015.

survival. Namely, what is missed is the impact of modern conceptions of sexuality on survivors and the stake survivors have in challenging them. Creating space for Sophie Adam within Foucault's critique thus allows us to build the foundation for more inclusive conceptions of sexual violence, selfhood, and survival that better serve survivors.

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