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ESSAYS



The Violence of Curiosity: Butler's Foucault, Foucault's Herculine, and the Will-to-Know

LAUREN GUILMETTE

As it is known, a doctor enjoys certain privileges with a sick person that nobody dreams of contesting. . . . His face was distorted, betraying extraordinary excitement. "I beg you to leave me alone," I said to him. "You are killing me!" "Mademoiselle," he answered, 'I'm asking you for just one minute, and it will be finished.' His hand was already slipping under my sheet and coming to a stop at the sensitive place. It pressed upon it several times, as if to find there the solution to a difficult problem. It did not leave off at that point!!

—Herculine Barbin, *My Memoirs*, 68

As for what motivated me, it is quite simple; I would hope that in the eyes of some people it might be sufficient in itself. It was curiosity—the only kind of curiosity, in any case, that is worth acting upon with a degree of obstinacy: not the curiosity that seeks to assimilate what it is proper for one to know, but that which enables one to get free of oneself.

—Michel Foucault, *History of Sexuality Volume Two*, 8

NEARLY EIGHT YEARS passed between volumes one and two of Michel Foucault's *History of Sexuality*, during which—among other projects—he initiated an unfinished series, entitled *Parallel Lives*. The title of this series

mimicked Plutarch's pairings of Romans and Greeks, the parallel trajectories of great men and, thus, studies in the influence of virtue on destiny. By contrast, Foucault's prefatory essay to the series, "Lives of Infamous Men" (1977), turns to those liminal figures who "no longer exist except through the terrible words that were destined to render them forever unworthy of the memory of men" (164). Here, in the Parisian archive where he once researched *History of Madness* (1961), Foucault considers the mode of curiosity drawing him to those judged and forgotten by history, the impossibility of recollecting them fully, and the transformations of thinking and feeling they enable in their strangeness. Foucault completed two volumes of the *Parallel Lives* series: *Le Désordre de familles*, coedited with historian Arlette Farge,¹ and the volume of my focus here, *Herculine Barbin: Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite* (1978, translated with a new preface in 1980; hereafter cited as HB). This singular work assembled memoirs, medical and legal documents, and fictitious renderings of a female-identified intersex adolescent who went by Alexina until s/he found h/erself the object of medical-moral inquiry. Foucault's preface contextualizes his assembled documents, found in the archives of the Department of Public Hygiene, with the significance of Alexina's historical moment—the 1860s—as a period of intensified research, poking and prodding into the "truth" of sexual identity.

In *Gender Trouble* (1990; hereafter cited as GT), Judith Butler criticizes Foucault's preface for romanticizing in Alexina's case a pre-discursive sexuality—a time in her life *before* the medical and legal enforcement made it their concern to discover or "pin down" h/er "true sex" (GT 120). Butler writes that, in taking Herculine's early experience to be "outside all convention," Foucault naively exhibits "sentimental indulgence in the very emancipatory discourse his analysis in *The History of Sexuality* was meant to displace" (GT 123). That is, in Butler's opinion, *Herculine Barbin* exhibits an error in Foucault's thought—a misstep at best, but a threat to the genealogical project on sexuality at its worst. Butler's critique of the *Herculine* project went largely unchallenged—with the notable exception of Ladelle McWhorter's (1999) account of the text as a plurivocal "counter-memory"²—until the past few years; here, my thinking is enriched by the work of Chloë Taylor (2010), Johanna Oksala (2011), and Jemima Repo (2014), among others. Building upon the insights of these authors, who have begun to question, for instance, Butler's (non-) relationship to biopower, this article returns to Butler's early critique of *Herculine* in order to recover a project covered over by that critique, and thus covered over in a range of scholarship that takes its bearing from Butler's early work. Here, I argue that the early Butler not only misses but also arguably transgresses the ethical stakes of Foucault's *Herculine* volume when she dismisses the work as little more than

a parallel confession between “Herculine Barbin” and Foucault himself. *Contra* the early Butler, I interpret *Herculine Barbin* as continuous with Foucault’s *History of Sexuality: The Will to Knowledge* (1976) in its concern with the affective framing of *la volonté de savoir*, the will to know, especially when it pertains to what is strange or unfamiliar.

Butler is, however, not irredeemable on this point. While more recent feminist theorists have criticized Butler’s account concerning ontological questions of sex and gender, I find that Butler herself, in her ethical turn³ to the differential distributions of precarity and grievability, *does* offer a distinctive lens through which one *could* return to *Herculine Barbin* anew, and this is the concluding section of the work I will do here. The later Butler shares with this supposedly marginal Foucault a thematic concern with how we take interest in the lives of others, regarded in their strange complexity—especially with what I call the “violence of curiosity,” as the affective frame of modern biopolitics. As I will argue in what follows, this later Butler might differently register Foucault’s attention to this memoir, particularly his explicit contextualization of that memoir with medical and legal documents and with fictions concerning the same person’s life. In the tensions of these documents, Foucault draws our attention to aspects of a cultural frame that made the particular life addressed within these pages *impossible*, unlivable, and, at the time of h/er death, ungrievable.

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During h/er short life, Herculine Barbin went by “Alexina” (and sometimes Camille), living as a woman in a convent school—as s/he writes, “in the delicious calm of religious houses” (HB 3). In h/er early twenties, however, a medical visit led to a “discovery” that would rename Alexina as “Abel,” casting h/er out of all previously known institutional relations and social bonds. Alexina grew up poor, the daughter of a provincial housekeeper in “the small town of L.,” h/er father having passed away soon after h/er birth. By the generosity of “Mother Superior” and the influence of a “distinguished lawyer” in this small town, Alexina was received into an orphanage at the age of seven, after which s/he was raised in convent schools, in the care of strangers (HB 5–7). After some time serving as a lady’s maid, Alexina came to work as a schoolmistress in a convent school (HB 20–22). There, s/he taught and lived alongside young women, though s/he became increasingly aware of h/er bodily differences from her peers and hid those differences accordingly; Alexina describes h/er distress at communal living, “instinctively ashamed” of h/er bodily differences, body hair, and hardness where others exhibited softness and new curves (HB 26–27). Alexina also grew increasingly aware of h/er desires for other women, from h/er friend Thécia to h/er teacher,

Sister Marie-des-Anges (HB 28–32), and eventually, s/he became lovers with another schoolmistress, Mademoiselle Sara, daughter of the director of the convent boarding school (HB 42–52). During these early years, Alexina avoided the surveillance of the parish priest (whom s/he quickly discerned as a future enemy) and the increasing curiosity of others in the convent and local town (HB 54–57), though eventually a recurring abdominal pain led h/er to visit a doctor at Sara’s insistence (HB 67). This medical examination led to others, which, along with a series of confessions, led to the designation of a medical “error” in need of legal correction in civil status. I will return to the scene of Barbin’s medical examinations at some length in my analysis of the ethical stakes of the volume, which comes to light not through Foucault’s preface but through a consideration of the assembled medical dossier, which Foucault includes without specific commentary. It bears noting that Barbin is also insistently and, I find, *resistantly* silent about these examinations in her own writing, alerting the reader to the pain these examinations caused and the unrelenting curiosity of h/er examiners.

Indeed, Foucault’s assembled corpus of documents, in their plurality, itself speaks to a lack of cohesion that should be seen as characteristic of Herculine Barbin’s “infamous” life. Barbin committed suicide in 1868, at the age of thirty, leaving behind the manuscript of h/er memoirs; this manuscript eventually found its way in partial form, via Auguste Tardieu’s 1874 *Question médico-légale de l’identité*, to the Parisian archives of the Department of Public Hygiene, where Foucault found it a century later. Foucault also includes Oscar Panizza’s 1893 fiction about Alexina, “A Scandal at the Convent.” The non-compossibility of these accounts should signal to the careful reader that something similar belongs to this troubled life as well. The ethical question raised in regard to such a “case,” and raised by Foucault in the character of the *Herculine* text, then shows itself as remarkably similar to the ethical questions raised by such a life. Or rather, it raises the question of whether there can be, in this or any case, any such thing as a life *itself*—whether this life, or any, apart from being made into a “case” for the violence of medical and legal curiosity, can be considered to hold any *truth*. Butler’s claim that the text should be encountered as a veiled confession of Foucault’s own sexual truth, then, would not simply be dismissive, but violently so.

The last years of Barbin’s life were marked by loneliness and suffering, torn from the relations that once sustained h/er through anxiety and discomfort. As Chloë Taylor aptly summarizes, Barbin voluntarily gave three confessions to priests and underwent three voluntary medical examinations because s/he had “faith in confession as an unburdening of her/his soul, and also had faith in medical practitioners. . . . Later, however, in the aftermath of her/his change in civil status,” Barbin would come to regret this faith and find h/erself punished “cruelly” for it (Taylor 2010, 221). Geertje Mak

observes that this punishment entailed social dislocation and, with a change of name and clothing, the enforcement of masculine cultural scripts in which Barbin felt ill at ease, unable to make the romantic connections that once motivated and organized h/er lived experience (Mak 2012, 85). Bemoaning h/er fate, Barbin writes: “My inexperience prepared me only for sadness and disillusionment. I saw everything then in a light that was radiant and free of clouds. Poor fool that I was! I possessed happiness, true felicity, and with gaiety of heart I was going to sacrifice all that—for what? For an idea, a stupid fear! ! Oh! I have thoroughly atoned for my folly. . . . Many people will laugh. I pardon them, and I hope they shall never know the nameless sorrows that have overwhelmed me! ! !” (HB 85). Subjected to scandalous rumors and consigned to “that half of the human race which is called the stronger sex” (HB 89), Barbin had to leave all previously familiar sites of community for the anonymity of Paris, where s/he sought work unsuccessfully as a man and lived in poverty and isolation. Margaret McLaren notes that, here, Barbin was perceived as too weak for servant work and, now identified as male, s/he could not call upon h/er earlier experience as a lady’s maid: “When Herculine was a woman, she was too strong, too gawky, too tall, too masculine. But when she was a man, she was too soft, too weak, too feminine. But her body and appearance were the same” (McLaren 2002, 132). Indeed, in these last years, Barbin came to see h/erself as transcending both genders; Taylor (2010) observes, “Barbin now denies that s/he has any sex at all, insistent that s/he is not a ‘degraded man’ . . . [but] an angel, one of those sexless, androgynous beings . . . pure soul” (222–23).

However, this air of transcendence seems to have been fragile in comparison to the medical and legal curiosity that silently pursued her even into these depths of solitude. Before committing suicide, Barbin was haunted by thoughts about the future of h/er body, which would, she surmised, fall into the eager grip of medical experts upon her death:

When that day comes a few doctors will make a little stir around my corpse; they will shatter all the extinct mechanisms of its impulses, will draw new information from it, will analyze all the mysterious sufferings that were heaped upon a single human being. O princes of science, enlightened chemists, who names resound throughout the world, analyze then, if that is possible, all the sorrows that have burned, devoured this heart down to its last fibers; all the scalding tears that have drowned it, squeezed it dry in their savage grasp! (HB 103)

Much as Barbin foresaw, h/er case history would become an object ripe for medical, psychiatric, and literary “medico-libertine” analysis in the late nineteenth and early twentieth centuries. Foucault demonstrates the fulfillment

of this fear through his inclusion of the appended medical documents and Panizza's "A Scandal at the Convent." Turning now to Judith Butler's critique of *Herculine Barbin*, I note from the start that she does not engage these appended documents, and that this omission profoundly limits Butler's reading of Foucault on the emerging modern relation of "sex" and "truth." Butler's limited engagement with these equally important elements of *Herculine* limits her analysis of Foucault's purpose and causes her to miss the ethical question Foucault raises by their inclusion.

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Butler's dismissive analysis occurs in the second section of chapter 3 in *Gender Trouble* (1990), entitled "Foucault, Herculine, and the politics of sexual discontinuity." To avoid replicating the practice of a dismissive critique, therefore, we must first note the stakes of *the work that frames* Butler's critique. In this landmark text, Butler works to unravel foundationalist fictions of "woman" as the subject of feminism, by drawing on Foucault's theories of power and discourse, specifically his claim that "juridical systems of power produce the subjects they subsequently come to represent" (GT 4).⁴ Beyond controlling or repressing women, Butler argues, juridical systems of power in fact constitute the category "woman." Insofar as the process of becoming a subject depends upon norms and social categories for intelligibility, the subjectification, for Butler, is inextricable from subordination.⁵ She argues that sex is "constructed through a historically specific mode of sexuality," compulsory heterosexuality,⁶ which teaches one how one must comport, discipline, and understand oneself. This renders a particular set of relations stable and even natural "as part of a strategy to conceal and, hence, to perpetuate power relations" (GT 31, 121). When we take sex for granted as the backdrop of politics, we further naturalize a regime of power-knowledge; thus, Butler concludes that we must reject "sex" as a self-identical substance and of "gender" as a form of *being*, and take it up instead always as a kind of *doing*. Anatomy, in other words, is not destiny. Given the discursive, constructive nature of subjectification, Butler argues that there is no doer behind the deed, no sex behind the gender. Because we cannot escape the perceptual frames and terms we have inherited, Butler turns to Foucault's *History of Sexuality Volume One* (1976) in search of sites of "subversion from within the terms of the law" (GT 119).

Having adopted Foucault as a new possible orientation to rethink resistance, Butler nevertheless follows him to (what she perceives as) his own failure to maintain this critical rigor in *Herculine Barbin*. In a move that is as surprising as it is blunt, Butler distinguishes what she calls the "official" Foucault of *Sexuality Volume One* from his preface to *Herculine*, in which she locates "the opportunity to read Foucault against himself" (GT 124). While she reads *Sexuality*

Volume One as compatible with her own psychoanalytic framework—where one can only be recognized as a subject through a gendered identity presumed heterosexual in its desires—in *Herculine Barbin*, Butler finds a problematic romanticism of polymorphous sexual freedom. To Butler, the Foucault of *Herculine Barbin* sounds like Rousseau appealing to a benevolent “state of nature,” which depicts Alexina’s convent life as a “natural heterogeneity” among women, a queer freedom before or beyond the repressive patriarchal gaze. This reading, while possible in light of Herculine’s own reflections, is not the proper affect of Foucault’s total presentation. While Butler insists on the predominance of the “cultural” over the “natural” in her deconstruction of the sex/gender distinction, Foucault himself resists recourse to this dualism; as Jemima Repo (2014) writes, Butler’s interpretation of *Herculine Barbin* sits in tension with Foucault as a de-historicized “gender ontology” rather than a genealogy.⁷ As Repo argues:

Foucault’s analyses do not analytically differentiate between “nature” and “culture” . . . [both of which] are ordered by scientific knowledge production. . . . The control over sex therefore is not cultural, for Foucault, but biopolitical. It is not determined by cultural norms, but by the strategy to gain control over life.” (Repo 2014, 75)

Questions of sex and gender, so vital to Anglo-American feminist theory, in no small part *because* of Butler, fall under a single term for Foucault, *le sexe*. Thus, while Butler argues that sex (like gender) is always already discursive, Foucault did not problematize sex in this way; instead, Foucault claimed sex is imaginary. As Johanna Oksala writes: “he was not arguing that femaleness is imaginary, ideal, or arbitrary. Rather, he was trying to problematize a certain kind of explanatory framework of sexuality: the idea of a foundation or an invisible cause that supports the visible effects” (Oksala 2005, 116).

Geertje Mak (2012) has more recently written of Foucault’s *Herculine* text as though it explicitly theorized the relation between the biological and the social in nineteenth-century human sciences, arguing that Foucault misdiagnoses the search for a “true sex” when, “both for the physicians involved and for Barbin himself [*sic*], sex was a social and moral position rather than an expression of individual [sexual] identity” (18).⁸ Much like Butler in this regard, Mak claims that her own reading of *Herculine* better aligns with the “official” voice of Foucault’s work, and she continues (though one may wonder whom she takes to disagree with her) that the question of a pre-discursive sexuality is “quite ahistorical” and fails to properly explore “the question of what the category of sex actually meant to Barbin—of how, exactly, sex and self are connected (or not connected) in his [*sic*] memoirs” (Mak 2012, 67). Intentional fallacy aside, one can appreciate Mak’s interest in the historical formation of “sex” and

“truth” in modern subjectivity; yet, she arguably follows the early Butler here in missing the significance of Foucault’s *Herculine* as an *ethical* exercise. Against Mak, I would argue that Foucault was explicitly *not* concerned with discovering what Barbin *really* thought but, rather, with the interplay of memoir, medical, and fictional documents. Foucault’s volume is not much interested in whether the nineteenth-century hermaphrodite was understood as an “interior” biological condition or an “inscribed” cultural condition of a moral, legal, and social order; rather, I argue, Foucault’s *Herculine* volume can serve as a site for highlighting the emergence of a violent curiosity animating “the will to knowledge,” a cruelty that one senses in the fissures between memoirs, medical reports, and fictions—in their shuddering silences and discursive excesses.

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I believe Butler missteps in her analysis, in fact, because she is intent on reading the *Herculine* text as a moment in which Foucault lays his own autobiographical context overtop of Barbin’s in a moment of confessional weakness. In reading the preface and the memoirs (without the dossier or novella), Butler takes Foucault to endorse Alexina’s nostalgia in h/er memoirs for the convent as evidence of romanticizing a pre-discursive sexuality, and she suggests that he “joins with Herculine in taking h/er sexuality to be outside all convention,” and, in this “sentimental” and “didactic” presentation of “Herculine’s” life, that he somehow confesses something; she writes:

Foucault, who gave only one interview on homosexuality and has always resisted the confessional moment in his own work, nevertheless presents Herculine’s confession to us in an unabashedly didactic mode. Is this a displaced confession that presumes a continuity or parallel between his life and hers? (GT 129)

Yet, I believe this move is a narrowly focused reach. Foucault’s “one interview on homosexuality” never discusses his own homosexuality but the gay movement more broadly. Butler gains traction for this move by interpreting the Plutarch epigraph about “parallel lives” as a parallel between the lives of “Herculine” and Foucault himself. She writes, “in the sense in which divergent lifelines, which are in no sense ‘straight,’ might well be . . . not in any literal sense, but in their very contestation of the literal as such, especially as it applies to the categories of sex” (GT 129). From Foucault’s suggestion that we might learn from the experiences of Herculine Barbin, Butler deems his framing in the preface not only “unabashedly didactic” but furthermore a “displaced confession” that ties his intimate life to that of Herculine. The majority of feminist accounts that engage Butler’s analysis here, however, fail to

ask what, precisely, Butler implies Foucault is confessing.⁹ Is it an affirmation of ambiguity? An ambivalent desire for a queer identity, which associates homosexuality with “an unnamable libidinal heterogeneity . . . a love that either cannot or dare not speak its name?” I wonder whether Butler herself would be able to say, or whether it constitutes another moment of suggestive thought that others have subsequently taken to be a precise, rhetorical question. Although the question clearly has something to do with his intimate sexual practices—about which, she notes, he said little—Butler herself ultimately leaves the matter ambiguous. This gesture, in its implied exposure of Foucault as sentimental confessor, however, is narrow and dismissive insofar as it fails to address the larger ethical concerns clearly raised by the *Parallel Lives* series of which *Herculine* was part, concerns about the violence of the will-to-know—a framework in which the desire to label one as an abashed confessor is one important tactic.

In her 1990 critique, then, I find that Butler takes herself to be *correcting* a sentimental figure—“a happy dispersal of these various functions, meanings, organs, somatic and physiological processes” (GT 123)—and, in turn, analyzing *Herculine* through the “juridical law of the incest taboo . . . [which] instigates and maintains heterosexuality by forbidding the love of the mother and encouraging identification with the father” (Repo 2014, 77). Basing her critique heavily on Foucault’s description of Barbin’s time in the convent as a “happy limbo of non-identity,” Butler insists that there could have been no such moment preceding the imposition of “the law,” because desire (understood psychoanalytically as lack) can only arise for Butler through prohibitive laws (GT 134). Thus, shaped by the prohibition of maternal love through the repressive law of the incest taboo, Barbin’s time in the convent is not “outside the law” but, in fact, structured by this law as s/he moves from “mother” to “mother” and then falls in love with various mothers’ “daughters” (GT 132–33; see also Repo 2014, 79). Yet, this analysis relies on a slim understanding of the context (i.e., the convent) in which this so-called limbo exists.

As I elaborate in the following section, the relative freedom available to Barbin in the convent was, rather, the product of paradoxically enabling limitations within the confines of convent life, in women-only spaces subject to—but not yet fully mastered by—the gazes of various authoritative men. This problem of a “happy limbo” in *Herculine Barbin*—a pre-discursive sexuality before the imposition of the law—is not so much Foucault’s problem as the effect of framing this text at a particular moment in gender studies scholarship—one in which recourse to psychoanalytic framing constitutes an historical anachronism that, while a matter of course for the discursive milieu from which Butler produces her critique, is not endemic to the milieu in which Barbin encapsulates h/er experience, nor to the one out of which Foucault assembles the *Herculine* text.

Quite distinct from Butler's suspicions that he romanticizes lesbianism in the convent, McLaren (2002) faults Foucault from the other side for failing to engage the "satisfying lesbian relationships" preceding Herculine's sex reassignment. McLaren finds that Foucault thus "renders lesbian existence invisible or impossible" and overlooks that the "moral interest" motivating the demand to clarify ambiguities of sex is, she claims, ultimately the deterrence of homosexuality (134). While McLaren rightly observes that Barbin's ambiguous body was intolerable in a culture insistent upon dichotomous gender categories, and while it has been well documented by feminist readers that Foucault wrote little about women and specifically gendered forms of oppression,¹⁰ it is this objection to Foucault's *Herculine* (rather than Foucault's text itself) that might warrant Butler's objection to a "happy limbo of non-identity" preceding the imposition of medical-moral (masculine) authority.

If a "happy limbo of non-identity" has been romanticized by any voice in this volume, surely it is Alexina h/erself, who describes h/er childhood as "that age when everything is beautiful, because everything is young and bright with the future," protected "in the delicious calm of religious houses" (HB 3). Profoundly shaped by literary conventions of French Romanticism, the relative sexual freedom Barbin finds in the convent is not free of cultural norms and imperatives but, indeed, made possible through these conventions, especially the Romantic sublimation of "the particularities of bodies and organs to the loftier expressions of romantic love" (Taylor 2010, 225). Yet, arguably, the target of Butler's critique is Foucault's comparison of the changing medical-legal treatment given to the "hermaphrodite" before and after the 1860s.¹¹ Earlier, Foucault notes, hermaphrodites could pick a gender at the time of marriage as long as they kept "the sex they had then declared until the end of their lives"; it was changing one's mind (rather than any "anatomical mixture of the sexes") that led to condemnations in medieval and Renaissance-era France (HB viii). By contrast, the subject of these nineteenth-century techniques is not the juridical subject of law, not the guilty moral monster but the biopolitical patient: the "Tom Thumb" whose symptoms fall on a grid of abnormality. He thus writes that "nobody in Alexina's feminine milieu consented to play that difficult game of truth which the doctors later imposed on h/er indeterminate anatomy, until a discovery that everybody delayed for as long as possible was finally precipitated by two men, a priest and a doctor" (HB xii). Perhaps due to Victorian modesty, perhaps due to the conventions of the boarding school, perhaps because Alexina was an exceptional student, no curiosity mingled with their fondness for h/er (HB 27). To apply the terms of *History of Sexuality Volume One*, institutional presumptions of femininity and virtues of modesty in the convent provided Alexina with a "relatively obscure area of tolerance"

(HS 101). This tolerance, therefore, far from being a polymorphous sexual free-for-all, required silence and hushed communication; thus, h/er relation to Sara skirts below speech, as when s/he confesses: “I feel from now on this affection cannot be enough for me! I would have to have your whole life!!!” Sara, “struck by the strangeness” of these words, does “not try to give them an impossible meaning,” but instead worries that they might wake the students. Barbin only writes, “She squeezed my hand, letting me understand that I was pardoned” (HB 50).

The feminine space of the convent—internal to the church and yet obscured from men. To be sure, this is not a space free from the law but, in Barbin’s historical moment, at least, it is not clearly a space for which a psychoanalytic reading is appropriate either. It exists as one moment—for Foucault, likely, an exemplary one—in which the historical movement from legal-juridical power to biopower finds its intermediary stage. To formulate this movement, we might begin by recalling Foucault’s February 1975 lecture (*Abnormal*, hereafter AB), which plays upon the difference between the categories of the witch and the convulsing nun. These two designations for the abnormal female exist on different sides of the epistemic divide between juridical and pastoral power. The witch, on the one hand, lives on the outskirts of the village; the juridical subject of “guilt” and “evil,” she may be burned at the stake for exchanging her soul for power (AB 205, 210). By contrast, the convulsing nun is not a juridical subject; rather, she emerges from new techniques of spiritual direction following the counter-Reformation. The possessed nun is thus a site of “carnal disorder” rather than the juridical subject of guilt, and the nun’s body convulses because it *battles* with a competing force rather than occupying it of her own accord; at once, she resists the occupation of her flesh by the devil and “counters the rule of obedient direction with intense shocks of involuntary revolt or little betrayals of secret connivance” (AB 213). Importantly, she differs from the witch in that she is not condemned, not responsible for her convulsions, but because of this innocence, she is made subject to the subtlest interventions of experts *on her behalf*. Alexina, who finds herself from the earliest age in the grip of pastoral power, is thus never accorded guilt for her condition, but in this historical moment, h/er subjectivity is not simply spiritual either. For Foucault, in fact, s/he exemplifies something of a fulcrum point in the transformation from the spiritual subject of a pastoral power to the medical subject of a biopolitical regime. S/he lives and writes on the threshold of a further epistemic shift, her body itself exemplifying a fading site of obscurity in the consolidation of biopower, at a moment when the regime of pastoral power cedes the convulsions and desires of the flesh to medical and psychiatric experts. As Mark D. Jordan writes in *Convulsing Bodies* (2015), this is a power that cares, demanding candor and obedience and

professing “not to be interested in conquest or punishment so much as the promotion of flourishing,” from the attainment of salvation to that of health (125). While deployed differently, the emerging sciences of abnormality could incite speech about sex only because they transfigured the power of the confessional in the clinic, claiming “scientific status for its hygienic control of sexuality only inasmuch as it inherited the domain of the flesh demarcated and organized by ecclesiastical power” (AB 223). A convulsing nun in h/er relation to institutional experts, Alexina is not condemned but rather studied.

Thus, Alexina’s historical moment does not allow h/er experience to be transported wholesale into the twentieth century as a veiled analogy for Foucault’s own experience of “abnormality”; they are not and *cannot* be parallel in this respect. The specificity of this historical moment furthermore complicates even Butler’s more limited claim—that we should read Foucault and Herculine as parallel moments of confession—because Alexina is *not guilty*, not a juridical but a *biopolitical* subject. At this historical juncture, Alexina gives three confessions to priests, but these confessions serve as precursors to medical examination, subjecting h/er body to the demands of three doctors. Thus, Alexina could be better said to represent for Foucault a transitory figure in the shift from pastoral power—guidance toward *salvation*—to biopower, with its *guidance* toward the new modern ideal of *health*.

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Having put away Butler’s claim that the text is a mere confession on Foucault’s part, we can now turn toward what I think is the more fecund reading of this strange text—namely, the significantly plural nature of the *Herculine* text as Foucault presents it. The splintered form is significant for understanding the complex ways in which bodies assume meaning, in an irreducible play of discourses and practices with embodied sensations. Butler’s critique focuses on the memoirs (and Foucault’s limited framing of them) without attention to the medical documents or the fiction that follows, thus missing the multiplicity of “truths” assembled there (cf. McWhorter 1999, Oksala 2011, Repo 2014). Oksala (2011) observes that these tensions between the parts of the text draw our attention to the gap, as she writes, “between the subject’s experience of his or her body and the scientific and legal discourses on its true sex” (218). The text then operates as social critique, motivated by this irreducible gap between subjective experience and objective descriptions; the normative and dominant discourses must be juxtaposed with subjugated knowledges in order to reveal the former as pathologizing, criminalizing, and moralizing discourses of sexuality, for example. I argue that this critical movement between perspectives on a single life—from autobiographical to expert to fictional discourses—resonates

with Butler's twenty-first-century ethical turn to consider the interpretive cultural frames through which some lives are rendered unrecognizable and, thus, placed outside the limits of the moral community.

Resonances between Foucault's *Herculine Barbin* and the later Butler come to the fore in her ethical concern—in recent books such as *Precarious Life* (2004), *Giving an Account of Oneself* (2005), and *Frames of War: When Is Life Grievable?* (2010)—for taking perspective from first-person narratives, considering how our frames of interpretation can preclude as well as enable lines of inquiry and can prohibit as well as justify our responses to what emerges in a given frame. Thus, Butler (2004) courageously argues—here in the post-9/11 context of U.S. wars in Iraq and Afghanistan, and the cultural and legal prohibitions on critical discourse about these wars—“It seems crucial to attend to this frame, since it decides, in a forceful way, what we can hear, whether a view will be taken as explanation or as exoneration, whether we can hear the difference, and abide by it” (5). In this context of framing, Butler is concerned with “de-centering” the predominance of first-person speech when we give an account of what has happened, shifting away from self-justification to consideration of the subject's conditions of possibility—its constitutive relations, for which it cannot fully account—and to the ethical insights of the second-person (the “scene of address”) and in the third-person (where norms of intelligibility shape this exchange). Butler's de-centered self is responsive to the world in the form of affects—hope and fear, suffering, joy, and rage—which are, in turn, mediated by interpretive frames that these affects can call upon or, at times, call into question (34). In addition to offering a critical rereading of *Herculine Barbin* alongside Judith Butler's ethics, this paper observes that “curiosity” presents an especially powerful affect, in this way Butler describes, for sustaining and, at moments, also resisting modern biopower—what Foucault (1980) will call “curiosity-as-care.”

In their 2013 dialogue, *Dispossession*, Athena Athanasiou recollects for Butler her early claims in *Bodies that Matter* (1993) that a heterosexist symbolic order posits “the regulatory fiction” of a “pre-discursive materiality” of sex that blocks the possibility “of alternative imaginary schemas for constituting sites of erotogenic pleasure”; this is the pre-discursive sex for which she criticized Foucault's *Herculine* (Butler and Athanasiou 2013, 50). Butler first ponders: “Indeed, who was the person who held these views?” Who was this Butler? Responding to Athanasiou, she reflects on *Bodies that Matter*—a book published by “Butler” twenty years earlier—in light of her more recent ethical and political writings; Butler then “recalls” the central insight of that work to Athanasiou: “The very determination of anatomical parts takes place through an interpretive scheme. The debates about how to determine sex, how to establish, for instance, an intersexual condition, depend on how one draws the line around the organ . . . our sexual organs are saturated with historical interpretations” (Butler and

Athanasiou 2013, 52). Butler recollects her earlier work through her more recent ethical concerns with interpretive schemes, and the violence of those schemes that draw rigid lines around bodily organs. She thus connects her early work to her more recent concerns with biopolitics as a public intellectual, engaging the administration of life and death and the political distribution of precarity.¹² In this register, Butler invites her reader to return to her early work, to converse with *that* Butler in light of her more recent ethical emphasis. This later Butler enables a different reading of Foucault's edited volume, in which a biopolitical frame of reference could not tolerate sexual ambiguity and thus drew violent lines on the body of Alexina Barbin. In conclusion, I extend this reading of Foucault's *Herculine* in light of Butler's ethical turn, concerning the violence of curiosity.

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The violence of curiosity in Alexina's story—so visceral in h/er medical reports—casts into relief the naturalized relation of sex and truth in modernity and, thus, might shift one's perceptions in the historical present. For what purpose was Alexina probed, judged, secluded? To correct an error? H/er body is a casualty of the condensation of administrative power that was historically intertwined with the medical examination of life. Repo (2014) aptly observes: "The process of examining and organising the insides of creatures and determining their life-sustaining functions positioned scientists to erect classifications and cartographies of newly exposed organic structures. . . . The very organs of bodies were territorialized by biopower" (83). This is how both Chesnet (who examined and deemed Alexina a man in 1860) and Goujon (who did the autopsy in 1868) could both acknowledge the bodily ambiguity before them and deny it by declaring a hidden reality, a true sex. These studies of Alexina-turned-Abel's body generated hopes of a new teratology, a handbook of monstrous diagnoses to pinpoint every possible anomaly. In Goujon's post-mortem study, he insists—with certainty beyond any demonstration—that "hermaphroditism does not exist in man and the higher animals" (HB 139), and claims that Alexina must be male because h/er sexual organs follow predominately male functions, disguised though they are by deceptive bodily appearances (HB 143). Goujon comes up against the logical impossibility of what he sees and claims this evidence is a play of illusion, simply false. Can the contours of a body be false? Under the gaze of medical curiosity, Alexina's ambiguities are flattened to the binary switch of truth, while the idiosyncrasies of h/er anatomy are subject to the most thorough of investigations.

The excessive speech of doctors examining Alexina's body is mirrored in h/er silences and explicit refusals to describe these encounters, expressing discomfort, pain, and shame at their invasiveness. In those gaps and silences,

Alexina's memoirs refuse to rearticulate the anatomical details that would fill the pages of so many expert records; s/he describes h/er examinations in sparing detail. Among the most sustained scenes of medical observation, Alexina depicts h/er encounter with Dr. T., whom s/he saw for h/er chronic severe pelvic pain only at Sara's insistence; here, s/he depicts his authoritative privilege and h/er own discomfort: "As it is known, a doctor enjoys certain privileges with a sick person that nobody dreams of contesting" (HB 68). Wary of his violent curiosity, Alexina notes that he was "full of interest, while giving vent to muffled exclamations . . . 'My God! Is it possible?'" S/he continues:

His face was distorted, betraying extraordinary excitement. "I beg you to leave me alone," I said to him. "You are killing me! . . ." His hand was already slipping under my sheet and coming to a stop at the sensitive place. It pressed upon it several times, as if to find there the solution to a difficult problem. It did not leave off at that point!!! He had found the explanation he was looking for! But it was easy to see that it exceeded all his expectations! (HB 68-69)

Dr. T. located the "truth" of Alexina's sex only by tuning out the protestations of h/er voice. Yet, while eager to solve the puzzle of h/er body for the satisfaction of dispelling ambiguity, Dr. T. had no interest in following through to oversee h/er reassignment. Understanding the gravity of the situation, Dr. T. felt content to send Alexina away from the convent as fast as possible without disclosing his report to local authorities, "believing that he thus released himself from all responsibility" (HB 70). Fearing exposure and hoping that h/er local priest would ease these fears, Alexina went to h/er mother, who took h/er to Monseigneur de B., who then sent h/er to Dr. H. (i.e., Chesnet); between this doctor and this priest, the examination was complete. S/he describes h/er encounter with Dr. H. as animated by a similarly violent curiosity:

It displeased me to see him initiate himself into my dearest secrets, and I answered in not very restrained terms certain of his remarks that seemed to me to be a violation. He said to me then, "Here you must regard me not only as a doctor but also as a confessor. I must not only see for myself, I must also know everything you can tell me. . . ." I shall excuse myself from entering here into the minute details of this examination, after which science conceded that it was convinced. It now remained for him to bring about the correction of an error that had been committed beyond the bounds of all the ordinary rules. (HB 78)

In the pronouncements of Dr. H. (Chesnet), having initiated himself into (violated) Alexina's "dearest secrets" and insisted that he holds the power of doctor and confessor at once, Alexina's very embodiment must be

“corrected” and her personal history thoroughly confessed. In the aftermath of these examinations, Alexina found h/erself stripped of all former relations and achievements, reassigned to the male identity of “Abel,” and no less misunderstood.

Within this modern paradigm of sex and truth, ambiguous bodies could not rest unexamined; the expert “had, as it were, to strip the body of its anatomical deceptions” (HB viii–ix). Foucault’s preface continues that this suspicion of “sexual irregularity” as somehow fictional persists, for instance, in attitudes that “tolerate” homosexuality but nevertheless consider it, consciously or subconsciously, “a manner of acting that is not adequate to reality.” Today, Foucault writes in the late 1970s, the dominant culture can tolerate queerness—“we may be prepared to admit that a ‘passive’ man, a ‘virile’ woman, people of the same sex who love one another, do not seriously impair the established order”—and yet may tacitly maintain a sense of error in these presentations, not as criminal but rather as chimerical and illusory pleasures (HB x). Here, Foucault pushes against the designation of an error in an economy of truth that renders some lives invisible and, in the words of Butler’s recent ethics, ungrievable.

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Perhaps one of the strangest elements of *Herculine* is the inclusion of a fictional account about Alexina’s life—Oscar Panizza’s 1893 novella, “A Scandal at the Convent.” The novella inexplicably places Alexina’s narrative in the early 1830s (before h/er birth) and yet reframes it through later discourses of hysteria and homosexuality, anachronistic to the pre-biopolitical episteme of Alexina’s 1860 France. As with the material from the medical and legal dossier, Panizza is absent from Butler’s analysis of the *Herculine* text; his fictional narrative is, furthermore, not among the options of possible “parallel lives” of “Herculine” (GT 129). And yet Foucault himself explicitly pairs the two narratives, mediated by the dossier, as artifacts of the shifting “truth” of sex in the late nineteenth century. The pairing is not arbitrary. Foucault finds “something surprising about this imaginary encounter between the little provincial French girl of indeterminate sex and the frenzied psychiatrist who was later to die in the asylum at Bayreuth” (HB xv).¹³ Panizza’s fiction offers “a remarkable echo” of Alexina’s memoirs, not simply because he retells the story—as a psychiatrist living in France as well as Germany in the early 1880s, it is not surprising that he encountered h/er medico-legal records—but because of the way Panizza portrays his fictional “Alexina Besnard,” known as the “Schoolmistress,” in the context of his own descent into madness. Why does Foucault place these texts, a memoir and a novella, together? And, what is this “something surprising,” this remarkable echo?

I argue that the echo follows from a theatrical reframing of this historical narrative, which captures—obliquely—the violence of the desire to know Alexina’s true sex. Panizza takes two big liberties with Alexina’s memoirs, shifting the perspective out of the first-person to that of an all-knowing narrator and, furthermore, retelling the story of Alexina’s “discovery”—historically the work of authoritative men—through hysterical responses of young women at the convent, disgusted by an apparent lesbianism (two girls found in bed together) that later becomes intelligible as a secret heterosexuality (having corrected the “error”).¹⁴ Panizza’s novella retells the story of the memoirs from the outside, presenting Alexina “only in the fleeting profiles of what others see,” as a “shadowy figure . . . who vanishes at the end of the narrative, leaving no trace” (HB xvi). Thus, although Panizza offers the story from a bird’s-eye view, his ending refuses to “fix [Alexina] with a suicide,” refuses to depict h/er objectification in autopsy (HB xvi). Rather, tension builds throughout the novella, which culminates in a pitchfork-wielding mob banging at the doors to the convent, demanding the devil and his bride, i.e., a witch. Here, Alexina is paradoxically “hanged” for her abnormality in a strange, impossible position between the biopolitical figure of the hysterical lesbian, on the one hand, and the juridical guilt-laden figure of the witch, on the other. With this desire at once to pin down a sickness of the present in the past, and a demon of the past in the future, I believe what Panizza’s fiction (via Foucault’s choice for inclusion within the *Herculine* text) signals to us, far from any conceivable attempt at confession, is the complex nature of any attempt, at any point in history, to pin down the truth of Barbin’s subjectivity. Thus, the scandalous star of this late-nineteenth-century stage is not Alexina in any possible or parallel life, but, rather, the violence of curiosity itself.

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Rather than a marginal or sentimental project, as the early Butler suggests, I have argued that Herculine Barbin is continuous with *History of Sexuality Volume One* in its concern with the affective framing of *la volonté de savoir*. Foucault’s juxtaposition of memoirs, medical and legal records, and novella in *Herculine* is not incidental; this assemblage of “fact” and “fable” disrupts the “truth” of sex and dramatizes the violence of curiosity to know this “truth.” This curiosity grew violent particularly when it purported to be neutral and disinterested, when Alexina’s doctors, engrossed in the sublime oddity of h/er intersex body, seem unable to hear h/er cries of pain in their search for “truth.”

How might this curiosity animating the will-to-know be productively rerouted, such that the desire to understand could mean something other than the desire to control? Curiosity finds its root in the Latin *curiosus*, an etymology suggesting diligence toward one’s object of interest, obscured in contemporary

connotations of curiosities as gratuitous and invasive. In an anonymous 1980 interview, “The Masked Philosopher,” Foucault envisioned a mode of attention he named curiosity-as-care, motivated by “a readiness to find strange and singular what surrounds us, a certain relentlessness to break up our familiarities and to regard otherwise the same things,” importantly, with care for “what exists and what could exist” (Foucault 1997 [1980], 325). Here, we might furthermore find the later Butler helpful; Butler (2002) writes that Foucault offers a model of critique as a practice of virtue, exposing the limits of the background—the “epistemological horizon”—through which one thinks and feels “an ethics which is not fulfilled merely by following objectively formulated rules or laws . . . [but through] a critical relation to those norms, one which, for Foucault, takes shape as a specific stylization of morality” (Butler 2002, 214). She continues that one stylizes oneself “at the limits of established being,” the limits of what it is possible.

In *Herculine Barbin*, then, Foucault engaged the violence of biopolitical curiosity as he also offered the reader a set of materials for genealogically interrogating their own presumptions about the “truth” of sex. Reading *Herculine* we may ask: Which of these voices can be properly described as factual? If these are, ultimately, irreconcilable accounts, then the “truth” found in this text will not be the revelation of a hidden secret but a different kind of revelation. In the juxtaposition of a memoir and a novella with medical records, Foucault’s *Herculine* invites the reader to wonder what it is about bodily ambiguity that inspires the violence of experts. In the gaps, fractures, and silences of *Herculine*, Foucault offers a chance to exercise a different mode of curiosity, one that cares for what exists and what could exist in all its ambiguity.

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NOTES

1. This volume, following Foucault’s 1977 “Lives of Infamous Men,” also considered those imprisoned at the request of their families by *lettres de cachet* under the Ancien Régime in France.
2. McWhorter (1999) begins by informing her readers that her account of *Herculine Barbin*, as a “counter-memory” in multiple voices, finds little resonance in the secondary literature (200).
3. Various scholars (e.g., Kramer 2015, Stark 2014, Culbertson 2013) have generatively explored Butler’s turn to ethics in the years since September 11, 2001, though arguably her work from early theories of performativity to the more recent concept of precarity shows sustained commitment to addressing marginality and dispossession.

Watson (2012) argues that Butler's "vulnerability politics"—to overcome the differential distribution of precarity through recognizing shared precariousness—is utopian and requires a richer analysis of the global economy; yet, Butler offers an important ontological insight about our fundamental relationality and a redefinition of the body—away from the bounded liberal individual—as inherently social.

4. Here, I understand "power" for Foucault to signify enabling and constraining networks, a "moving substrate of force relations" deployed from below and above. I understand "discourse" to entail the realm in which "power and knowledge are joined together," a fractured realm of stories we tell about ourselves, and the operations these stories conceal. Yet, discourses are tactically polyvalent; what was once an instrument of power can be "a hindrance, a stumbling block, a point of resistance and a starting point for an opposing strategy" (HS 101).
5. Amy Allen (2006) persuasively argues that Butler's theory of subjection conflates dependency and subordination through the volatile middle term of "power," describing one's passionate attachment to norms of intelligibility. While compelled by Butler's claim that our vulnerability to subordination may bring us to settle for those forms of recognition and identification available to us, this does not mean "that subjectivation is always subordinating" (207).
6. See, for instance, Rich 1994; Schilt and Westbrook 2009.
7. Jemima Repo (2014), 86 and 78; Repo's insight for feminist theory going forward is that a biopolitical genealogy of "sex" enables us to overcome the nature/culture split that Butler's theory of gender performativity reverses but ultimately maintains, understanding that "the sex-bound idea of gender as we know it today" is a recent product of the twentieth century, generated by sexologists and feminists; Repo writes: "To examine gender genealogically and biopolitically, as Foucault did with sexuality, we must examine how 'relations of power had established' gender 'as a possible target' for the governance of life" (Repo 2014, 87).
8. Specifically, Mak finds that Foucault "confusingly conflates a biological and a psychological 'inner' truth of sex" by placing such significance on Barbin's physical "discovery," arguing that the 1860s did not yet have a concept of modern sexual identity in which one's "sex" expressed the "truth" of the "self" (66).
9. One notable exception is Chloë Taylor's consideration of Butler's critique in light of her 2005 monograph, *Giving an Account of Oneself*. Taylor (2010) notes that Butler's early critique "seems to be a case of championing the sincerity of an other, of extracting or providing a confession which was not given," though Butler's later work clearly observes that "demanding a confession of another which would fulfill our desire to know him" cancels both the freedom of the other as well as our desire to know that other (177). Yet, distinct from my own reading, Taylor "is inclined to agree with Judith Butler's claim that Foucault romanticizes this text," though she observes, more affirmatively, that here Foucault "thought that it was possible to say something about oneself, one's past, one's childhood, one's pleasures and miseries, without fixing oneself as such" (ibid.).

10. See, in addition to McLaren 2002, for instance: Alcoff 1988, Deveaux 1994, Fraser 1989, Hartsock 1990, McNay 1992, Moi 1985, as well as defenses against these critiques by Huffer 2009 and Sawicki 1994. See also Hekman (ed.) 1996 and Ramazanoglu (ed.) 1993.
11. Colin Koopman spoke on the genealogical significance of this decade, the 1860s, at SPEP 2013 in Eugene, Oregon. Thanks to Colin for his helpful insights early in the formulation of this project, and for pointing me toward the work of Jemima Repo!
12. Butler (2010) distinguishes the existential and shared state of precariousness from the biopolitical distribution of precarity, “that politically-induced condition in which certain populations suffer from failing social and economic networks of support and become differentially exposed to injury, violence, and death” (25). While we cannot universalize the recognition of each person in his or her specificity, by recognizing our shared precariousness we might extend the scope of lives that *matter*, i.e., grievable lives (28).
13. Panizza would later be committed to prison for penning antireligious works and expelled from his refuge in Switzerland for an “outrage” on a female minor (HB xv).
14. Panizza’s Alexina is smarter than the other girls at the convent school, called the “Schoolmistress” by her peers, disgusted by feminine needlework, and drawn instead to mathematics (HB 174). Thus, in his novella, Panizza interprets h/er as a man in women’s clothes, and the mob reaction against h/er is clarified by Alexina’s “real” identity.

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