The making of the sexed body

La fabrique du corps sexué

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Abstract:

What role does sexuality play in identity construction? How can body image determine the construction of sexual identity? Can the making of a body escape the representations of its time? Since the 17th century, sexuality and sexual practices have been both the object of the scientific discourse determining the subject's identity and what is there at stake. In his work, Michel Foucault studies the discourse on sex that historically establishes the connection between sexuality, subjectivity and the obligation of truth, a triad which he then attributes to psychoanalysis as the heiress of this *scientia sexualis* that looks for truth in sex. Has psychoanalysis lost the subversive edge of its gesture discovering polymorphous infantile sexuality?

Résumé :

En quoi la question de la sexualité est-elle importante dans la construction identitaire ? En quoi l'image du corps peut-elle déterminer la construction d'une identité sexuelle ? La fabrique d'un corps échappe-t-elle aux représentations de son temps ? Depuis le XVIIe siècle, la sexualité et les pratiques sexuelles sont l'objet et l'enjeu d'un discours scientifique qui détermine l'identité d'un sujet. Dans ses travaux, Michel Foucault étudie le discours sur le sexe qui établit historiquement le lien entre la sexualité, la subjectivité et l'obligation de vérité, une triade qu'il verse au compte de la psychanalyse comme héritière de cette *scientia sexualis* qui cherche la vérité au fond du sexe. La psychanalyse a-t-elle perdu le tranchant subversif de son geste qui invente la sexualité infantile polymorphe ?

Keywords: psychoanalysis, Foucault, body, gender, sexual identity, norms

Mots-clefs : psychanalyse, Foucault, corps, genre, identité sexuelle, normes

Plan :

"A visual doubt"

As Foucault, who did not always criticize Freud, reminds us, Freud's invention distanced itself from the degeneration theories of his time and in the era of the likes of Krafft-Ebing, Kraepelin and Morel, it constituted, especially given its foregrounding of infantile sexuality, a truly

subversive gesture. What is today left of this subversive gesture? Can its subversion be extended into our own practice?

The two "pillars" of civilization, which Freud considered as the two great enigmas of psychic life, namely death and sexuality but also the

bodily practices to which they give rise, are today no less scandalous. Since the eighteenth century, sexuality and its practices, “the obscure object of desire,” have become the object of scientific discourse (medical, psychiatric, judicial and political), in which the subject is objectified as the material support of knowledge. The question is henceforth of “telling the truth” about sexuality and, as Foucault writes:

[...] sexuality, a much more than an element of the individual which could be discarded as external to himself, is constitutive of the bond that requires people to be tied to their identity under the form of subjectivity.¹

The question is now to know what the truth of sex is, sexuality becoming an object of power’s specific inquiry, based on discourses of “veridiction,” [véridiction] to use Foucault’s own term.

“We are our sexuality,” or at least we have been told so over and over, writes Arnold Davidson. In this sense, there is no doubt that this goes without saying; we would not be able to think of ourselves, of our most fundamental psychological identity, without thinking of our sexuality, of this often deep and secret layer of our desires that reveals the type of individual that we are. The ‘triumph’ of the humanities is precisely in having shed light, with the full force of scientific concepts, on the role that sexuality plays in shaping our personality and on its privileged place at the heart of our psychic life.²

Citing the Catalan painter Antoni Tàpies, Davidson adds:

We must provoke a movement which ‘irritates’ and at the same time is able to force the self-righteous, those who believe themselves in possession of truth, to think again. [...] And if fortune smiles on us, it will not be the least significant effect of our work having produced this friction, allowing us to establish a strange and new rapport with ourselves.³

In what way is the question of sexuality important for identity construction? And is it

still important? In what way can body image determine the construction of a sexual identity? Can the making of a body escape the representations of its time?

“A visual doubt”

In order to tackle these questions, I would like to start with a contemporary event, which caused a great stir in the world of sport: the misfortune of the South-African athlete Caster Semenya. The affaire caused a scandal during the World Championships in Athletics in Berlin, in August 2009. The experts in fact questioned the “real sex” of the South-African athlete, winner of the women’s 800m final. Caster Semenya then had to submit herself to a number of blood tests and chromosome analyses, had to undergo medical and gynaecological exams and psychological interviews. According to *The Sydney Morning Herald Tribune*, the world’s 800m champion was a hermaphrodite. The Australian journal indeed declared that the exams ordered by the International Association of Athletics Federations have “revealed” that Semenya has both female and male genital organs; that the medical reports have shown that the young South-African has no ovaries, but rather has internal male testes, which produce testosterone and thus put her at an advantage over her competitors. In the sport rubrics of several dailies, one could read that:

The General Secretary of the International Athletics Federation Pierre Weiss wished to clarify that the “femininity tests” were now being carried out by physicians in Germany and in South Africa and their results would only be known in two to three weeks.

Yes, she will attend the medal ceremony, Pierre Weiss said. It would be completely unfair to exclude her. There is no proof that she is not a woman, there is only a *visual doubt*. That is not enough to disqualify an athlete.

The athlete herself was never interviewed; instead, the Federation’s president speaks in her

place. The “visual doubt” thus denies the young woman her own speech. The following is taken from an article published in *Le Monde*, dated 20 August 2009:

On the highest step of the podium, the unknown one of 800m, the unexpected guest. On Wednesday 19 August, the *improbable* [*invraisemblable*, emphasis LL] eighteen-year-old glided over the blue track of the World Championships in Berlin. The South-African Caster Semenya stole the gold with the time 1'55"45, the world's best performance this year. The exceptionally talented young woman thus surpassed the previous titleholder, who finished two seconds behind her. A miracle? With her adolescent looks, her warm voice, her facial hair, her abnormal muscles (compared to the slight physique of her rivals) and her gracefully... masculine [sic] gait, Caster Semenya puts her femininity in question. And if the gold medallist were a man? Or a hermaphrodite? This very serious question is now investigated by the South-African Federation and the International Athletics Federation.

The testosterone-using East-European athletes of the 1960s prompted the International Athletics Federation to carry out femininity saliva tests. In 1992, the IAAF decided to stop these tests. “They were not 100% accurate,” emphasized Mr Weiss. At the time, a Spanish female athlete was disqualified from an athletics tournament after an IAAF exam had shown that she was a man. Later test confirmed that the athlete was indeed of female sex.

In the case of Caster Semenya and judging from the press reports I was able to find, the South-African Federation thought that things had quickly gone too far. Leonard Chuene, the president of the athletics federation lost his nerve and defended his young protégé:

The media have unfortunately tried to put a great pressure on us. But we will continue to support her because I believe she has not committed any criminal act. She has not used any performance-enhancing substances. *She is not a criminal. She cannot be a criminal just because of her physique or her way of being. I have never seen anyone*

being ostracized based on looks or natural comportment. She is now at the top of the world. She is young and we are supporting her. We make it clear to her that she has done nothing wrong. The country is very happy with her. She has made us proud. She should be satisfied with her performance.⁴

In an event that might have remained a mere anecdote, a young woman is therefore deprived of her own voice. Due to a “visual doubt” about her secondary sexual characteristics (musculature, facial hair), she has been given a body that is not hers. The affair reminds us of the case of the Indian Santhi Soundarajan. The athlete lost her silver 800m medal, which she had won during the Asian Games in Doha (Qatar) in 2006, after having failed similar “femininity tests.” Case in point of the restraint that the international associations should show regarding Caster Semenya, Santhi Soundarajan subsequently attempted suicide.

A bodily performance regarded as “abnormal,” together with a “visual doubt” concerning a female body not complying to normative gendered representations, trigger a battery of medico-psychological tests, the so-called “femininity tests”, the sole aim of which is to make bodily representations correspond to sexual and gender identity.

I got interested in the story of Semenya while working on Foucault's text *The True Sex*, his commentary on the memoirs of Herculeine Barbin. I was interested in precisely these kinds of connections. In *The Birth of the Clinic*, Michel Foucault describes the historical construction of modern medicine. For Foucault, modern medicine was born from the introduction of the “medical gaze.” “A gaze that sees is a gaze that dominates.”⁵ According to him, this gaze already concerns an object constituted by a norm. The patient is the “object of the gaze” and the physician its “subject,” the institution's function being to socially legitimize this framework and the relationship between the subject looking and the object being looked at. As Foucault indicates, we should not be interested in what power *is*, but in *how* it is exercised and what

categories of subjects it introduces, with what values, interests and strategies. In *The Will to Knowledge*, he writes:

This form of power demanded constant, attentive, and curious presences for its exercise [...] it required an exchange of discourses, through questions which extorted admissions and confidences that went beyond the questions that were asked [...]. The *medicalization of the sexual peculiar* was both the effect and the instrument of this. [...] The power, which thus took charge of sexuality set about contacting bodies, caressing their eyes, intensifying areas, electrifying surfaces, dramatizing troubled moments.⁶

In order to put this “medicalization of the sexual peculiar” into perspective, I would like to look at the *Memoirs* of Herculine Barbin, dating from mid-nineteenth century, in the light of the Caster Semenya affair. As Foucault writes in *The Order of Discourse*, “One must think of discourse as a violence we do to things, in any case as a practice we impose on them.”⁷

The *Memoirs* of Herculine Barbin were discovered by Ambroise Tardieu, a well-known pathologist already famous for his much-noticed work, *Assaults against decency*.⁸ In this book, a truly descriptive anatomical guide, Tardieu is able to identify the frequent practice of oral sex—highly reprehensible at the time—by the shape of the individual’s mouth. The task of the physician and that of the judge thus go hand in hand. Sex is from the very beginning a potential vector of crime. “In all cases, physical signs constitute excellent means for conducting legal investigation.”⁹

Ambroise Tardieu *invents* a body based on the sensibilities of his era and, as Georges Vigarello writes in his introduction to Tardieu’s book:

We must emphasize this “imagined” anatomy. It stems from a will to judge rather than to show; yet it raises a larger problem than simply those of counting the wounds or the suspicion directed against the victim. It reflects a need to *identify individuals* [...] A means to help unmask the suspects [...]. This is a social expectation, a precise concern which goes beyond the

mere effects of aggression, indeed an obsession, which the nineteenth century society and the abandonment of the ancient order allowed to develop in a manner previously unseen: to be able to better identify individuals, having been made ‘indistinct’ by the assumed blurring of the social conditions, to better locate them and monitor them. The ‘naked’ body becomes an endlessly observed reference point, subject to the pathologist’s wisdom, because habit no longer suffices to reveal a person’s social origin and status.¹⁰

This is the beginning of an era of suspicion against sexual practices, identified by the forms and physical structures of bodies.

In 1874, Ambroise Tardieu published a scientific work entitled *Forensics of Identity Involving Deformities of the Sexual Organs*, which includes the manuscript found in 1868 in an attic room in the Parisian Latin Quarter. Next to the manuscript, a body was found: that of Abel Barbin, aged twenty-eight, who had just committed suicide. Abel was born Adélaïde Herculine Barbin (nicknamed Alexina) and was re-baptized, at twenty-one years of age, after a court process had declared him of male sex. This administrative decision took into account the “obvious dominance of the male sex” from the physiological point of view. This “young man,” an employee of railway administration, committed suicide in 1868, by inhaling gas from his stove. On the table he left a letter addressed to his mother, as well as a manuscript entitled *My Memoirs*¹¹, in which he tells the story of his solitary and miserable life. The medical examiner in charge of issuing the death certificate inspected the body, including the genital organs, in order to see if the individual suffered from any illness that could explain his suicidal act. During the exam, Dr Regnier was surprised to find “a case of male hermaphroditism of the most definite kind.”¹² Ambroise Tardieu was thus able to write:

The extraordinary fact which I now must report can in fact serve as the most cruel and painful example of the *fatal consequences which may result from an error committed at birth in the constitution*

of civil status. We see the victim of such probable error, after spending twenty years in the clothes of a sex that is not his, grappling with a passion which knows not itself, finally alerted by an explosion of his senses and returned to *his real sex*, and at the same time to the *real consciousness of his physical infirmity*, finding life distasteful and finally ending it by the act of suicide. This poor fellow, raised in a convent and in boarding schools for girls until the age of twenty-two, who was allowed to take exams and successfully obtained teacher qualifications, subsequently experienced the most dramatic and moving circumstances when his civil status was changed by the judgment of the tribunal at La Rochelle and was unable to bear the miserable existence which his new and incomplete sex imposed on him. Certainly, in this case, the appearances of the feminine sex had been carried very far; still, science and justice were obliged to recognize the error and to return the young man to his true sex [...] I do not hesitate to publish the almost complete [*Memoirs of Herculine Barbin*], since I do not want the double and precious lesson it contains to be lost: on the one hand, from the point of view of *the influence which the malformation of sexual organs has on emotional faculties and moral dispositions*, on the other hand from the point of view of *the seriousness of both the individual and social consequences that an error in ascertaining the sex of a new-born child can have*.¹³

The reason Tardieu publishes Herculine Barbin's *My Memoirs* is therefore to provide a scientific demonstration of the tragic effects caused by an error in sex assignment and above all to establish a "rational" and "scientific" causal link between gender and sexual attraction.

Herculine is raised in religious institutions, a girl among others. This is what she writes about her gender reassignment: "What happened to me was not a revelation but an additional torment in my life."¹⁴ Therefore, far from being a revelation delivering her from an identity "trouble," this veridiction causes her much more suffering than relief. Foucault adds:

Alexina wrote her memoirs once her new identity had been discovered and established. Her "real" and "definitive"

identity. It is however clear to us that she is not writing from the standpoint of a sex she had at last found. It is after all not a man who is speaking, trying to recall the sensations and his life during a time when he was not yet "himself". When Alexina writes her memoirs, she is not very far from her suicide; *for herself she still remains without a certain sex*, yet she is deprived of the pleasures she experienced in not having it or not having it in quite the same way as those among whom she was living, whom she loved and whom she so strongly desired.¹⁵

Nevertheless, Alexina is not "without a certain sex" when she loves and desires. Foucault no doubt passes rather too quickly over the modalities of enunciation in her text. Even after her sex has been reassigned by the authorities, Alexina writes her memoirs using the feminine grammatical gender. In the language that serves her as support, in the body of her writing, Alexina indeed loves as a woman and loves women:

I was generally well *liked* [*aimée*, original emphasis] by my teachers and my companions and I repaid them with equal affection. I was *born* [*née*] to love [...] I soon developed a close friendship with a charming girl named Thécla, a year older than myself. It is certain that nothing was more externally contrasting than our physical appearances. My friend possessed all the freshness and grace that I lacked. They called us nothing but the inseparables and indeed, we would not lose sight of each other for a single moment.¹⁶

Born [*née*] to love, *loved* [*aimée*] by her companions. It is this desire and these erotic impulses that raise the suspicion of both the physician and the judge of this time. Because as a woman she desires a woman, Alexina is assigned by the medical body to be a man. Who owns a body in this context, the subject's grammar or the subjectivity of the time? As far as Tardieu and his fellow experts are concerned, a woman who loves and desires a woman can only be a man.

Later, Alexina has an amorous and sexually passionate relationship with the young Sara:

“During our delightful tête-à-têtes, she liked to give me the masculine qualification that the authorities were to grant me later.”¹⁷ In her account of their erotic games—in their amorous and sexual fervour, her companion calls her Camille—and of her *reciprocated* amorous passion for her friend Sara, Alexina destabilizes language, undoes and upsets the hierarchy of genders by moving between the male and the female gender, and she does so quite consciously. In fact, she herself emphasizes these modifications of grammatical gender.

I begged my friend to share my bed. She accepted with pleasure. To express the happiness of her being by my side would be impossible! I was mad [*folle*] with joy! We talked for a long time before falling asleep, my arms around her waist and her face resting against mine. My god! Was I guilty? And should I thus accuse myself here of a crime? No, no! The fault was not with me but with an unprecedented fatality I could not resist! Sara was finally mine! She was mine! What in the natural order of things was supposed to separate us in this world had in fact united us! Let anyone imagine, if it is possible, the situation of *both* [*tous deux*] of us!¹⁸

While “mad [*folle*] with joy” in the erotic and passionate élan that binds her to Sara, when reminded of the world she is living in, Alexina laments and worries about the situation of them both [*tous deux*]. Raised and educated as a woman, “socially constructed as a woman,” if I may put it this way, living in a community of women, she relates the catastrophic effects which the “medical truth” of her indeterminate sex has on both her life and her body. Sexual practices are here restricted by the necessity of having a true sex and experiencing sexual attraction corresponding to one’s gender. Alexina is medically a hermaphrodite, yet the conclusions of the medical expert’s report confirm the “obvious dominance of the male sex.”

What do we conclude from the above-reported facts? Is Alexina a woman? She has a vulva, labia majora and a female urethra. These are entirely feminine attributes:

indeed, but Alexina has never menstruated, the outside appearance of her body is that of a man and during my exam I was not able to find a uterus. *Her tastes and inclinations drive her towards women. Here we have the true proof of sex; we can now conclude by saying: Alexina is a man, surely a hermaphrodite but with an obvious dominance of the male sex.*¹⁹

The true proof of sex is thus the fact of her inclinations towards women. Erotic desire as such is incontrollable. In his article *Monstrosity and the monstrous*, Georges Canguilhem writes: “In its rationalized and therefore weakened form, we indeed find the monstrous to be the source of monstrosities.”²⁰

The rational discourse of medical science tends to show in what way abnormal physiological formations are the sign of potential monstrosities in the social field. The monstrous is a vehicle for the criminal.

Thus, as Canguilhem writes, “in the presence of a three-legged bird, should we pay more attention to there being one leg too many or there being but one in addition?”²¹

However, what happens when Alexina has been returned to “her true sex”? What happens when the social discourse and society itself try to align sexual deformation and sexual desire? What could have been a change allowing Abel to love his friend Sara, no longer having to hide, no longer feeling shame or anxiety, once Herculine Barbin’s name and status have been changed in the municipal registry, becomes in fact a tipping point for suicide. The establishment of Herculine’s “true sex” by the social and scientific discourse, the restoration of her sexual identity to its “veridiction,” leads him/her to suicide.

She writes:

So it was all done. According to my civil status, I was henceforth to belong to that half of the human race which is called the stronger sex. I, who had been raised, until the age of twenty-one, in religious houses, among my shy companions, was going to leave all that delightful past behind me like Achilles and join the fray, armed with my weakness alone and my deep inexperience of men and things.²²

A young girl raised among her shy companions becomes a secretly fragile Achilles.

The fact of belonging to the male universe, an inclusion which is now marked by using the masculine gender—while the reader of Alexina's text had become accustomed to a confusion of genders, or indeed an emphasis on the feminine form—does not produce the desired correspondence with her "true sex."

Tardieu decides to censor precisely the passages detailing Alexina's suffering, leaving but a few pages in order not to break the momentum of her writing style, a style that Foucault considers "a way of life:" a tone of writing as well as a way of being in the world.

This elegant, artful, allusive style, slightly overblown and out-dated, which for the boarding schools at the time was not only a way of writing but a way of living.²³

Thus Alexina writes:

This never-ending struggle of nature against reason exhausts me more and more every day and quickly carries me to the grave [...] When the day comes, a few doctors will make a bit of a stir over my body, they will shatter all its extinct impulses, draw new ideas from it, analyze all the mysterious hardships heaped upon a single human being. O princes of science, enlightened chemists with names that resound all over the world, go on and analyse, if it is possible, all the pains that have burned, devoured this heart to its last fibres; all the burning tears that had drowned it, deadened it by their savage grasp.²⁴

Alexina was right in saying that she was to become the object of scientific gaze and language, but not, as she says, in order to "analyze all the pains that have burned, devoured this heart to its last fibres," but in order to open, dissect, subject a body to the expert gaze in trying to obtain "an ideal of an exhaustive description." This search for an image, a will to see, was so widespread that a photographer of this time, Félix Nadar, took a few pictures of hermaphrodites. Some of these

should be portraits of Herculine Barbin.²⁵ The desire for an exact description of the real relies on the premise that, as Foucault puts it, "all that is visible is expressible and that it is entirely visible because it is entirely expressible."²⁶

Medicine corrects the wrongdoings a subject had suffered and neither Tardieu nor his learned colleagues ever question the justification of having rectified Herculine's sex. As Canguilhem says:

The characteristic of false science is that it never encounters falsity, it never has to renounce anything, never has to change its language. For a false science there is no pre-scientific state. The discourse of the false science leaves no place to refutation. In short, false science has no history.²⁷

What Tardieu omits from publishing is precisely Abel's, ex-Alexina's history and the story of his/her sorrows; he leaves out the speech and the account written after the change of her civil status. The history of the subject does not interest him: it is only pathology that speaks here and solicits the physician's learned opinion. We can therefore say that in this context, sexuality and sexual practices are both the object of and what is at stake in the scientific discourse which determines the subject's identity: everything seems as if the truth of a subject could be reduced to his sexual identity. According to Foucault, due to sexuality and its discursive framework, the subject has become a "psychological being." "Do we really need a true sex?" asks the philosopher, slightly provocatively, in his introduction to the printed version of *Herculine Barbin, also called Alexina. B.*²⁸

Therefore, does truth not serve a categorization of the ego, which the subject himself interiorizes in order to be identified, recognized by the other's gaze? Sexuality was one of the fields subjected to this regime of veridiction, to constitute the subject's identity and personality. And modern medicine entered into this field of veridiction.

The visual doubt of Caster Semenya and the sexual doubt of Alexina destabilize the scientific

discourse proclaiming the “truth of sex.” The normalization of the body happens through a *visible* recognition of one’s belonging to a single sex.

Foucault writes: “We had long assumed that a hermaphrodite should have a single, true sex.” In the Middle Ages, he argues, it was the role of the father or the godfather (i.e. of those who “named” the child), to decide, during baptism, on the sex the child would retain. Starting from the eighteenth century, biological theories of sexuality have gradually lead to the rejection of the idea of both sexes being combined in a single body and to the consequent restriction of free choice in the case of uncertain individuals. “Henceforth, to each one sex and only one. To each a primary and profound sexual identity, determined and determining.” From the standpoint of the medical profession, the question is now of deciphering the true sex, hidden under the appearances. Foucault comments:

I know well that the nineteenth and twentieth century medicine corrected many things in this reductive simplification [...] However, the idea that one must finally indeed have a true sex, is far from having been dispelled. Whatever the biologists may think of this, we find, at least in a diffused state, not only in psychiatry, psychoanalysis and psychology, but also in the current opinion, the idea that there are complex, obscure and essential relationships between sex and truth. We are no doubt more tolerant towards practices that transgress the law. But we continue to think that some of them are an insult to “truth” [...] we may be willing to admit that they do not represent a grave disturbance of the social order; but we are equally ready to believe that they constitute a kind of ‘error.’ An ‘error’ understood in the most traditional philosophical sense: a mode of practice which does not correspond to reality; a sexual irregularity is perceived as more or less a part of the world of chimeras.²⁹

In his works, Foucault studied the discourse on sex which historically established a link between sexuality, subjectivities and an obligation of

truth, a triad he ascribes to psychoanalysis as the inheritor of the *scientia sexualis* which seeks truth in the depths of sex and which would supposedly like to express true sex and identity with the help of a norm, together with a confessional practice.

And then we also admit that it is in sex that we must search for the most secret and deepest truths regarding the individual; that it is here that one can best discover what one is and by what he is determined and although for centuries it had been believed that it is necessary to hide things connected to sex because they are shameful, now we know that it is sex itself that hides the most secret aspects of the individual: the structure of his fantasies, the roots of his ego, the forms of his relationship to the real. [...] From the nexus of these two ideas—that we should not be mistaken in what concerns our sex and that our sex contains what is most true within us –, psychoanalysis derives its cultural vigour. It promises us at the same time our sex, the true one, and all the truth about ourselves that secretly lies awake in it.³⁰

Still, Freud never got tired of showing that the child is a “polymorphous pervert” and that infantile sexuality is the mould of psychic life. The ambiguity of the sexual, the strangeness and polymorphous perversion of the Freudian invention, have been overshadowed by the discourses of categorisation and normalization. Foucault criticizes medicine—according to him replaced by psychoanalysis—for the violence of its power apparatus, which tends to establish the truth of a body or to characterize a body through truth. For him, the body exceeds and destabilizes truth through its use of pleasure, which is irreducible to all determination or categorization. *Bodies and pleasures*, as he writes in *The Will to Knowledge*, must remind us of the precarious, contestable and potentially violent character of all efforts to characterize the body in truth. *Bodies and pleasures* must be preserved, defended and asserted against all claims to determine, in a definite way, what a body is. Foucault’s analysis of Herculine’s memoir is based on an opposition he establishes between

sexual difference as the marker of subjective identity, to which Herculine is assigned, and *bodily differences*, which belong to the sphere of experience and its practices.

Despite the social and discursive ordering which tries to assign and categorize the body, the latter resists through its experiences of pleasure, which make it impossible to define. As practice, sexuality escapes any single definition and leaves the body open to its own plurality.

Jean Allouch extends this Foucaultian refusal to identify an individual by and through his sexuality into the following motto: “There is no truth of sex” or “Each of us belongs to a sexual minority.”³¹ However, “we must do justice to Freud,” to echo Foucault’s own expression: even if psychoanalysis in its discursive developments demarcated the limits of sexuality through the norms of its own time, we must also recognize Freud as the theoretician of polymorphous perversion, of infantile sexuality, of an unconscious which does not know sexual difference and in addition to this, of the concept of the drive. Let us recall that the drive has no predetermined object or aim. In the *Three Essays on the Theory of Sexuality*, published in 1915, Freud writes:

Thus from the point of view of psychoanalysis the exclusive sexual interest felt by men for women is also a problem that needs elucidating and is not a self-evident fact based upon an attraction that is ultimately of a chemical nature.³²

Alexina’s erotic élan drove her towards women: is this sufficient to determine her “true sex”? When Alexina becomes Abel, he breaks off his relationship with his girlfriend Sara; this is where the drive may resound something of an obstacle, therefore at the time creating a scandal. It is no doubt by listening in this way that the Freudian analyst can free himself of his own norms and discourse, to give up the idea of

an indubitable knowledge, to bypass “ideologies,” to disentangle oneself from the discourse of the Master.

To conclude, I would like to cite Marie-José Mondzain:

There are some visibilities which personify a discourse and this is always the discourse of the master. Therefore, the visible indoctrinates and incorporates the spectator in the visibility of the personifying body, which is simply the body of the underlying discourse. The discourse of the master subjects the gaze to the visible and engulfs it in approval. In the case of all the other visibilities, their form personifies nothing and they are inhabited by speech [...]. In this case, the visible places the spectator in a position where the image is yet to be constructed.³³

A “visual doubt,” medical tests, the absence of singular speech: all these characterized the practice of Tardieu and other forensic specialists. The gaze scrutinizing a body aims to give it a sexual signification, a sexed identity. The “medico-judicial” project of the Tardieus of both then and today is to ascertain an error, to establish a regime of truth which would say not only what desire and bodily or sexual practices are, but what they *should* be.

The oddity of a certain conduct in terms of sexual attraction or bodily performance produces a visibility, an imaginary representation, the body thus falling prey to the visible as captive of the imaginary.

It is left to the discourse of analysis to question the “dynamics of the work of truth”³⁴—as Lacan puts it—and its conflicting and dialectical aspects. The analytic discourse, Lacan writes, is therefore distinguished by “*asking the question of what is the use of this form of knowledge* that rejects and excludes the dynamics of truth.”³⁵ A dynamics, that is to say the conflicting potential proper to a non-knowledge.

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- ¹Foucault Michel (2001). Sexualité et pouvoir (1978). In *Dits et Écrits*, t. II. Paris : Gallimard, coll. « Quarto », p. 522-531, p. 528.
- ²Davidson Arnold I. (2005). *L'Émergence de la sexualité*. Paris : Albin Michel, p. 9.
- ³*Ibid.*, p. 11.
- ⁴Emphasis mine.
- ⁵Foucault Michel (1963). *Naissance de la clinique*. Paris : PUF, p. 38.

- ⁶Foucault Michel (1980). *The history of sexuality*, Volume I: *an introduction*. New York: Vintage Books, p. 44.
- ⁷Foucault Michel (1971). *L'Ordre du discours* (1970). Paris : Gallimard, p. 55.
- ⁸Tardieu Ambroise (1995). *Les Attentats aux mœurs* (1857). Grenoble : Jérôme Millon.
- ⁹*Ibid.*, p. 389.
- ¹⁰Vigarelo Georges. La violence sexuelle et l'œil du savant. In Tardieu Ambroise. *Les Attentats aux mœurs*. *Op. cit.*, p. 23-24.
- ¹¹Tardieu published this manuscript as *Question médico-légale dans ses rapports avec les vices de conformation des organes sexuels* (1872). Paris : Baillière. He did not publish the entire manuscript: "What is missing is firstly and above all a part of Alexina's memoirs. It seems that Tardieu received the entire manuscript from the physician, Dr. Régner, who issued the death certificate and carried out the autopsy. Tardieu kept it, only publishing the part he deemed important. He omitted the memoirs of Alexina's last years—all that, according to him, were but complaints, recriminations and incoherences. In spite of much research, it was not possible to find the manuscript which Tardieu had on his hands." (Foucault Michel. In Barbin Herculeine (1978). *Mes souvenirs*. *Op. cit.*, Paris : Gallimard, p. 131.)
- ¹²Goujon Dr E.. Étude d'un cas d'hermaphrodisme imparfait chez l'homme. In Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 142.
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- ¹⁴Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 41.
- ¹⁵Foucault Michel. Le vrai sexe. *Art. cit.*; emphasis mine.
- ¹⁶Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 35.
- ¹⁷*Ibid.*, p. 68.
- ¹⁸*Ibid.*, p. 61.
- ¹⁹Chesnet Hippolyte. Question d'identité ; vice de conformation des organes génitaux externes ; hypospadias ; erreur sur le sexe. Cited by Michel Foucault in Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 142; emphasis mine.
- ²⁰Canguilhem Georges (2003). *La Connaissance de la vie* (1965). Paris : Vrin, p. 225.
- ²¹Canguilhem Georges. *La Connaissance de la vie*. *Op. cit.*, p. 222.
- ²²Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 102.
- ²³Foucault Michel. Le vrai sexe. *Art. cit.*, p. 938..
- ²⁴Barbin Herculeine. *Mes souvenirs*. *Op. cit.*, p. 116-117.
- ²⁵I refer the reader to the work by Magali Le Mens & Jean-Luc Nancy (2009). *L'hermaphrodite de Nadar*. Paris : Créaphis Éditions.
- ²⁶Foucault Michel. *Naissance de la clinique*. *Op. cit.*, p. 116.

²⁷Canguilhem Georges (2009). Qu'est-ce qu'une idéologie scientifique ?. *Idéologie et rationalité dans l'histoire des sciences de la vie* (1977). Paris : Vrin, p. 39-55, p. 46.

²⁸Id. (2001). Le vrai sexe. In *Dits et Écrits*, t. II. Paris : Gallimard, coll. « Quarto », p. 934-942, p. 935.

²⁹*Ibid.*, p. 935.

³⁰Foucault Michel. Le vrai sexe. *Art. cit.*, p. 937.

³¹Allouch Jean (2003). Lacan et les minorités sexuelles.

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³²Freud Sigmund (1905). *Three Essays on the Theory of Sexuality*. New York: Basic Books, note, p. 12

³³Mondzain Marie-José (2003). *L'image peut-elle tuer ?*. Paris : Bayard, p. 61.

³⁴*Ibid.*, p. 103.

³⁵*Ibid.* My emphasis.

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