That Other Fornication: Race and Judaism in Foucault's Concept of Critique

The second world war precipitated an explosion of discourse on Judaism—in particular, discourse on the French Jewish intellectual tradition and its world-historical importance. Judaism, it seemed, had come at last to redeem Christianity from the sins, horrifically evident, of Hitler's Germany and Pétain's France. Or, at least, that was one way to read the desire that Judaism be theorized for universal consumption. The Jew, as in Sartre's *Anti-Semite and Jew*, hardly need exist—the anti-Semite could have invented him! And through reflection on the figure of the Jew, to borrow Sarah Hammerschlag's term,[1] Europe could recognize its failures, and in doing so implicitly apologize. But apology and forgiveness, as Vladimir Jankélévitch ferociously asked in *Should We Pardon Them?*, his 1971 contestation of the statute of limitations for Nazi war crimes, "When an act denies the essence of a human being as a human being…is it not contradictory and even absurd to call for a pardon?"[2] From the realm of legality and morality, Maurice Blanchot poses question of forgiveness as one of philosophical possibility: " Forgiveness accuses before it forgives. By accusing, by stating the injury, it makes the wrong irredeemable."[3] Forgiveness, either way, cannot be considered in good faith, and Europe's redemption could not be from Nazism alone, since its wrongs extended far beyond its own borders. In the aftermath of the war, as France continued to occupy Vietnam and Algeria, as former colonies in the Caribbean and the Indian Ocean became economically subjugated departments, as new information about Nazi Germany, and, indeed, the Stalin's Russia, filtered into the French public sphere, intellectuals began to publicly speculate on what could be salvaged from a civilization whose claim to that very term seemed to be little more than another strategy for maintaining its advantage in a continuing state of war.

[1] Sarah Hammerschlag, *The Figural Jew: Politics and Identity in Postwar French Thought* (Chicago: University of Chicago Press, 2010).
[2] Vladimir Jankélévitch, trans. Ann Hobart, "Should We Pardon Them?" *Critical Inquiry* 22, no. 3 (Spring 1996), 556.
[3] Maurice Blanchot, trans. Ann Smock, *The Writing of Disaster*, (Lincoln: University of Nebraska Press, 1995), 53.

Judaism provided one possibility. After centuries of exclusion from power in Europe, Africa and the Middle East, Judaism could claim a knowledge that did not serve power. Or at least, it could be claimed as its basis, and thus as a tradition through which Western reason, recognizing its destructive teleology, could be redirected and renewed.[4] Judaism, during the 1960s and 1970s, seemed, if not an answer, to at least be a shorthand for question: what truth can lead us to a politics that will not repeat the crimes of the twentieth century? For better, and for the worse as well, the postwar period in France inaugurated the question of what and whether Judaism could add to the Western philosophical project, and the demand that it do so.

Given the shifting relations between reason, moral right, and political judgment at stake in the answers to this question, it is almost a surprise that Michel Foucault hardly weighs in. His abiding concern for the relationship between power and truth, for the institutional shifts that redefine what is knowable, for articulating the history of what appears self-evident in the present, and for questioning the political effects of our acceptance of these truths, all signal his interest in the questions for which Judaism served as a figure, and sometimes an answer. This would be negligible if Foucault had not, in fact, made significant references to Judaism in his work of the 1970s and 1980s. But he never examines Judaism, Jews, or Jewishness, as themselves objects of knowledge. Instead, Judaism and the Jews appear fleetingly throughout his genealogies of biopolitics and the modern subject, arising as figures of critique, and discarded when critique, coopted by institutional power, becomes the practice of purification.

Given how much space Foucault gave to the consideration of critique in his later work, it is

[4] Drawing on Hammerschlag's readings of Emmanuel Levinas and Maurice Blanchot in *The Figural Jew*, the idea of Judaism's redemptive capacity—and, more importantly, its capacity to encourage critical thought on religion and the West—is in the background of this essay. Importantly, this conception of Judaism as a philosophical resource has been contested and dismissed as an untenable instrumentalization of a tradition, one that empties it of its specific cultural and religious content, and that even contests and countermands the claims that Jews make for Judaism and being Jewish in the contemporary world. This philosophical conception of Judaism and the conflicts it has generated deserve further treatment than they will receive here, but they are important to why the particular conception of Judaism in Foucault is notable, and the problems with that conception that relate to his idea of race.

important to consider the figures through which he explains its development and function. Between 1976 and his death 1984, Foucault returned repeatedly to the idea of critique, expressed initially as social and political "counterhistory" emerging from the discourse of race in *"Society Must Be Defended"*, and developed as part of the genealogy of subjectivity in a number of lectures revolving around Kant's 1784 essay, "Was ist Aufklärung." Critique, it becomes clear, is characterized by a binary division within the subject, within a people, or within truth itself, that makes it possible to question what would otherwise be axiomatic. From the opening lecture of *"Society Must Be Defended,"* the "criticizability of things" and the type of knowledge that can henceforth be generated is his topic. I propose to read *Confessions of the Flesh,* within this theme, as a genealogy of the mechanism that enables the binary division of the modern subject. And, as Foucault moves from race to religion in search of this mechanism and its political significance, its original figure emerges as the Jew.

Race and religion are problematic concepts by which to organize Foucault's oeuvre, since he abandons the former and never seriously considers the latter. I consider it justified, however, because the idea of race through which he attempts to trace his first conception of critique is inextricable from the Jewish figures through which he describes its genesis and political function. Examining his work through race exposes not only, as Alexander Weheliye succinctly shows, Foucault's uncritical reliance on a conception of racial difference conditioned by whiteness,[5] but also the profound relationship between Christian production of Jewish flesh and the production of race, understood as a mechanism of differentiation and hierarchization. Tracing out Foucault's references to Judaism, initially as the precondition for race as the basis of political critique, and later as the flesh that threatens and enables

[5] Reading *"Society Must Be Defended,"* Alexander Weheliye writes, "The fundamental problem, then, is not that Foucault largely omits colonialism and the non-western world from the province of his discussion of racism, but, to be more precise, that he and some of his followers assume there to be substantial inconsistency between a 'confrontation of two alien races' and the 'bifurcation within Europe's social fabric," (61). In other words, Foucault's account of the production of race suggests, without stating outright, a natural difference separate from the production of an artificial difference through the technology of race. Alexander Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (Durham: Duke University Press, 2014).

the transformative hermeneutic of the Church Fathers, shows us how race and religion developed together through Christian theology in ways that demand continuing critique around Jewishness and Blackness today. The Jew, the other whose exclusion from the social body enables its reproduction, that flesh with which Christian hermeneutics has such a fraught relation, is as ignored by Foucault in his work on patristics as Blackness and the racism born of "colonizing genocide"[6] that he notes in passing in his work on race. Race, in Foucault's genealogy of critique, is conceptualized as Judaism, reinvented at the basis of modernity, and engulfed—successfully transformed by those Christian practices from which Foucault traces the division of the subject as a technique of both critique and control.

Drawing on Alexander Weheliye's critique of Foucault, J. Kameron Carter's theological history of race, and Hortense Spiller's discussion of flesh, I read Foucault looking for where Judaism is laminated with race or religion. This is, to some extent, overdetermined, since it is precisely Judaism's self-evident place between race and religion that brings it so subtly but unmistakably into Foucault's argument. My goal, I suppose, is to place that self-evidence in question by looking at how Foucault's Christian disciplinary techniques are not only mechanisms of differentiation internal to the singular subject, but mechanisms that constantly externalize—that produce a surplus, the flesh, which is always more than its simple facticity. By reading Foucault through the terms of race and religion, and taking both as substantial bodies of knowledge in themselves, as well as terms whose ubiquity threatens to hide the mechanisms of transformation that have produced the present, I ask: How does religion relate to knowledge, and to power? How does its theology inform the telos of its practices? How have these practices contributed to the discourses that have consolidated political power, and have challenged it? In sum, how does religion operate in concert with the discourses that organize modernity, and how is

[6] Michel Foucault, eds. Mauro Bertani and Alessandro Fontana, trans. David Macey, *"Society Must Be Defended:" Lectures at the Collège de France, 1975-6*, (New York: Picador, 2003, 256.

that operation marked in the concept of the Jew that is imprinted on Foucault's text where he talks about flesh, race, and critique?

The history of race, at least a history of race in the West, is produced alongside the Christianity's self-anointing as "religion."[7] Further, *critique* is produced within Christianity, and is the mechanism of sublation and transcendence. My real purpose, in reading Foucault through scholars in Black Studies for whom he has been both useful and deeply inadequate, is to suggest that a critical look at his own work through the lens of the Jew can allow us to excavate the relationship between Judaism and race, question the relationship between Judaism and religion, and consider how race and religion weigh on a conversation about the meaning and ends of critique that continues today.[8] In returning to Foucault, I examine more closely at how the bifurcation of the same brings race and religion together, and allows us to show the inadequacy of a conception of race that does not account for Blackness, and a conception of Jewishness that does not account for it as religion.

This is an essay on Foucault, and it consists primarily of close readings of Foucault. To some extent, it makes him central to a discourse on the relationship between race and religion in a way that he perhaps did not mean, and does not deserve, to be. It reinscribes, after all, Foucault's centrality to discourse and the productive polyvalence of a theory which deals almost exclusively with Western Europe, narrowly conceived. But I think, precisely *because* of what he overlooks, because of his centrality in theory and marginality to this question, that he provides a field in which to examine how race and religion are examined, entangled, and dismissed even in work that purports to examine both terms directly. Reading Foucault through a Black Studies lens that critiques both his vision of his genealogy and modernity whose origins he eventually sought in religion rather than in race affords a

[7] J. Kameron Carter, *Race: A Theological Account* (Durham: Duke University Press, 2008), 80.
[8] I am thinking here of Rita Felski's interpretation of Eve Kosofsky Sedgwick's "reparative reading, among other entries in the debate collected in Elizabeth Anker, and Rita Felski, *Critique and Postcritique*, (Durham: Duke University Press, 2017).

glimpse of how Christianity operates within the secular, and how it effaces a relationship between Blackness and Jewishness that is not inscribed in the flesh, but through which flesh is produced and reproduced in a process of transcendence to which there remains always resistance.

Society Must Be Upended: Race, Religion and Revolution in Foucault's Lectures

Foucault's lectures at the Collège de France in 1975 to 1976 represents an examination of his own method which, in the course of introducing key questions for his oeuvre, brings up two deceptively marginal themes: race, and religion. Responding to the crisis of authority in the postwar era, he asks: what purpose does knowledge serve? To reproduce power, of course. What he proposes, as an alternative, genealogy as the excavation of "discontinuous, particular, and local critiques,"[9] which have been suppressed as either irrelevant or dangerous to those powers that the history of truth supports.[10] Race, and the history of "la lutte des races" in Europe, is one such discourse of critique, and he undertakes its elaboration in these lectures to explain how a discourse once levied against sovereignty became the discourse deployed to cement sovereign control in the era of biopolitics. Religion, on the other hand, is hardly credited with being a discourse at all, and yet it circulates throughout his descriptions of power, knowledge, and history. Despite his dismissal of its relationship to the political power, Foucault cannot describe the political form and function of race without recourse to religion, exemplified by Judaism and the Jews. Drawing on J. Kameron Carter's analysis of how race and religion intertwine in Foucault's lectures and on Alexander Weheliye's criticism of the theory of race thus produced, I will spend some time here tracing how Foucault answers the question of knowledge's purpose and the means of its production through an oblique thinking of Judaism that illuminates the race's basis in religion without examining the Christian conception of Jewish flesh from which it is formed.

[9] Foucault, *"Society Must Be Defended"*, 6.
[10] Foucault, *"Society Must Be Defended"*, 11-12.

To discuss Foucault's theory of race, it is first necessary to understand the logic of politics as he tells in these lectures. Famously reversing Carl von Clausewitz's adage that "War is the continuation of politics by other means," he writes: "Isn't politics itself a continuation of war by other means?"[11]—suggesting that politics is not the administration of perpetual peace, but the strategic deployment of force to produce the hierarchical order of victors and vanquished under the *appearance* of peace. But what discourse serves this purpose? Beginning in the present, Foucault posits an answer: "The war that is going on beneath order and peace, the war that undermines our society and divides it in a binary mode is basically a race war."[12] Explaining further, he states that "the social body is basically articulated around two races," one allied with sovereign power and one subject to it in a political hierarchy that race has sometimes destabilized and sometimes maintained. This polyvalence of race is what draws Foucault's attention. Introducing his historical argument, he argues for a reversal in the political ends of race:

> The discourse of race struggle—which, when it first appeared and began to function in the seventeenth century, was essentially an instrument used in the struggles waged by decentered camps—will be recentered and will become the discourse of power itself…It will become the discourse of a battle that has to be waged not between races, but by a race that is portrayed as the one true race, the race that holds power and is entitled to define the norm, and against those who deviate from that norm, against those who pose a threat to the biological heritage."[13]

In his telling, race is defined not only by a binary divide in the social body, but in history: between the era of kings, in which it took the form of a people's assertion of interest against the sovereign and against law, and the era of biopolitics, in which it takes the form of norm, regulated by law set by a sovereign whose goal, in fact, is the preservation of the race. It is at this point that, as J. Kameron Carter points out, "the sovereign's body and the people's body became coeval."[14] But how did race emerge as a category, and how could it shift from a discourse of critique, even revolution, into a

[11] Foucault, *"Society Must Be Defended"*, 47-8.
[12] Foucault, *"Society Must Be Defended"*, 60.
[13] Foucault, *"Society Must Be Defended"*, 61.
[14] Carter, *Race: A Theological Account*, 80.

discourse of control? Answering the latter, he argues that race, having served its revolutionary function, became an object of scientific knowledge that was coopted by states seeking to legitimize their power in the secular age.[15] War remains the logic underlying politics, but race now conceals instead of revealing it.

If genealogy is, as Foucault tells it, "a sort of attempt to desubjugate historical knowledges, to set them free," and to "reactivate local knowledges"—one might say, as he does, Deleuzian "minor" knowledges[16]—then digging up the idea of race as critique cannot serve to solidify another narrative of tragic irony that ends with Nazi Germany. Though Foucault's theory of race is in some ways exemplary of the problems he examines, reading him gives us ample room not only for critique, but to develop the concept of critique that he locates in race, and to question its place in the constellation of terms and transformations that surround it. Race, in what Foucault posits as its early form, operates through *narrative*: it provides a hermeneutic that exposes the use of history to justify sovereign power, and the basis for an alternative historical narrative. History, Foucault argues, was the "discourse of power"[17] legitimated the reigning order and burnished its "glory," or the inchoate halo that places legitimacy beyond question.[18] In contrast to the history of sovereignty, race narrates the history of the subject people—and as result, exposes the fundamental truth of law: "the triumph of some means the submission of others."[19] At the moment of articulating this critique, counterhistory—a sort of primitive genealogy that mobilizes a still vital "local" knowledge—is born. And by discussing it, Foucault not only assigns counterhistory a place in the development of biopolitics, but uses racial counterhistory to push forward his idea of critique as a valid, indeed the only, true mode of knowledge

[15] Foucault, *"Society Must Be Defended"*, 258. On the state's obligation "to use race, the elimination of races and the purification of the race, to exercise its sovereign power," which is at the root of racism. Here is where he, having dismissed the analysis of the roots of racism in colonization, moves to Nazism as his example.
[16] Foucault, *"Society Must Be Defended,"* 10.
[17] Foucault, *"Society Must Be Defended"*, 68.
[18] Ibid.
[19] Foucault, *"Society Must Be Defended"*, 70.

production in modernity.

Foucault articulates the role of counterhistory as, "to show that laws deceive, that kings wear masks, that power creates illusions, and that historians tell lies. This will not, then, be a history of continuity, but a history of the deciphering, the detection of the secret, of the outwitting of the ruse, and of the reappropriation of a knowledge that has been distorted or buried."[20] Serving as an example of Foucault's own method, counterhistory serves a dual function: first, to expose the mechanism through which deception has masked itself as truth in order to smooth the operation of force; and second, to discover the "secret" knowledge that challenges the hegemonic history of power. Aside from the question of whether or not race has ever been buried out of reach of power, from what primordial grounds does this secret knowledge arise? Foucault's language, taking a slightly apophatic turn, extolls the ability of counterhistory to "break up the unity of sovereign law" and reveal that "the light—the famous dazzling effect of power—…is in fact a divisive light that illuminates one side of the social body but leaves the other side in shadow or casts it into the darkness. And the history or counterhistory that is born of the story of the race struggle will of course speak from the side of darkness, from the shadows."[21] In other words, the secret knowledge emerges from what is negated by the reasoning of power, from a preexisting and impenetrable existence that precedes the law and which, in the case of race, invokes the trope of another impenetrable unknown whose marked absence shadows Foucault's texts in every analysis (as I will discuss in more detail in Weheliye's critique). But in fleshing out the ground and function of counterhistory, Foucault draws on a different inexplicable figure, a figure of minority more knowable, and perhaps more textual. For Foucault, the figure that defines minority due to its exclusion from power and its fabrication of a narrative that incorporates and exposes that exclusion, is Judaism.

[20] Foucault, *"Society Must Be Defended"*, 72.
[21] Ibid.

The Mythico-Religious History of Race

Foucault conceptualizes the counterhistory that emerges from race as religious in its form, and that religion is Judaism. This idea of Judaism, however, remains oblique, buried in references and subject to a series of figural transformations through which it practically disappears. Continuing his effort to explain precisely how this discourse from the shadows arises and functions, Foucault writes:

> This new discourse is similar to a certain number of epic, religious or mythical forms which, rather than telling of the untarnished and uneclipsed glory of the sovereign, endeavor to formulate the misfortune of ancestors, exiles and servitude. It will enumerate not so much victories as the defeats to which we have to submit during our long wait for the promised land and the fulfillment of the old promises that will of course reestablish both the rights of old and the glory that has been lost.[22]

This invocation of an "epic, religious, or mythical form" that commemorates the "misfortune of ancestors, exiles and servitude" while fomenting hope for "the promised land and the fulfillment of old promises" is unmistakably biblical in its tone, suggesting the narrative of Jewish exile and its messianic redemption. This inference is borne out by Foucault's continued explanation: "With this new discourse of the race struggle, we see the emergence of something that, basically, is much closer to the mythico-religious discourse of the Jews than to the politico-legendary history of the Romans. We are much closer to the Bible than to Livy, in a Hebraic-biblical form much more than in the form of the annalist who records…the history and the uninterrupted glory of power."[23] What, precisely, is the significance of Judaism here?

First, the "mythico-religious discourse of the Jews" is a figure of opposition to Rome, and to the annals of its sovereign exploits as represented by Livy. Drawing on the description of the previous paragraph, it seems that Foucault is not referencing a historical conflict, but invoking Rome and Jerusalem as figures for a difference in the techniques by which social cohesion is maintained—by Rome, through increasing the glory of the emperor, and by the Jews, through a typology of suffering

[22] Foucault, *Society must be Defended,* 71.
[23] Ibid.

whose telos is the theological promise of redemption. As he continues this line of thinking, the references begin to transform: as the "Hebraic-biblical" form disrupts the Roman "annalist who records…the uninterrupted glory of power", so "at least from the second half of the Middle Ages onward, the Bible was the great form for the articulation of religious, moral, and political protests against the power of kings and the despotism of the Church," and "Jerusalem was always a protest against all the Babylons that had come back to life; it was a protest against eternal Rome."[24] The Jews, whose narrative history critiques the sovereignty of Rome, are gathered into the figure of a Jerusalem that protests Babylon, and finally into the Bible, the basis for critique of the Catholic Church and all the sovereigns, Romes and Babylons that it represents. The particular political conflict in which this division comes to a head becomes apparent at the end of the paragraph as Foucault reaches the 16th century: "in the period of the reformation, and at the time of the English revolution, [we see] the appearance of a form of history that is a direct challenge to the history of sovereignty and kings—to Roman history—and that we see a new history that is articulated around the great biblical form of prophecy and promise."[25] The Jews have been absorbed into the Bible, whose central literary form is prophecy. But how has this Christianization of Judaism produced the discourse of *race*? If Foucault can explain race's critical valence only by reference to a Christian religious Biblical hermeneutic applied typologically to political and religious conflicts, then why does he not discuss *religion* as grounds of counterhistory? Why, in fact, does he hardly discuss religion, let alone Judaism, at all? [26]

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[24] Ibid.

[25] Ibid.

[26] Foucault expends a great deal of time explicating the forms of history and counterhistory based on Rome and Jerusalem, but these figures do not quite capture the demand of the counterhistory of race, which, "far from being a ritual inherent in the exercise, deployment and reinforcement of power, it is not only a critique of power, but also an attack on it and a demand."[26] The counterhistory based *in particular* on race, for him, is not only the preservation of a critique of power and a community excluded from it, nor is an imitation of the "Roman" history of continuous pawer. The counterhistory of race, in his telling, has another objective: "its goal is not to establish the great, long jurisprudence of a power that has always retained its rights…It is…to declare war by declaring rights…the discourse I am telling you about, and which is deployed in the late sixteenth century, and which can be described as a **biblical-style historical discourse**, tears society apart and speaks of legitimate rights solely in order to declare war on laws."[26] Simultaneously suggesting that the "biblical" discourse does not make deep enough political claims while reiterating that it is the "biblical-style historical discourse" that enables the division of society and the usurpation of sovereignty under the rubric

Because religion, it seems, stands outside the realm of politics, despite providing the form for the articulation of a revolutionary critique in its guise as race. At the beginning of his lecture on February 4th, 1976, Foucault poses a question posed to him by many listeners after the lecture on counterhistory and Biblical critique: "'What does it mean to say that racism takes off in the sixteenth or seventeenth century, and to relate racism solely to the problems of the State and sovereignty, when it is well know that, after all, religious racism (and religious anti-Semitism in particular) had been in existence since the Middle Ages?'"[27] Why is religion held up as the very form of counterhistory, when religion—Christianity—has operated in lockstep with sovereign power, enabling and legitimizing it? Has not Christianity, beyond supporting sovereign power, also bifurcated populations and set them against one another long before the racial "science" of the nineteenth century? Foucault's answer is both evasive and revealing. His interest, he claims, is in tracing out *analytics of the state* in order to expose the mechanisms through which the State maintains its power in different eras. In his understanding, "this way of making a political analysis of power relations (which are seen as relations of war between two races that coexist within a single society) does not…have anything to do with the religious problem."[28] He goes further, saying that "Insofar as it is a religious and racial attitude, anti-Semitism had so little influence on the history I was trying to trace for you that it does not have to be taken into account until we reach the nineteenth century."[29] This history, he notes before his statement on anti-Semitism, is not a history of racism, but the history of revolution articulated through a critique of the

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of rights—which will, presumably, take on legitimate status only when the usurpers have arrogated to themselves the authority of truth that they so recently declared illegitimate in the hands of another—Foucault repeats and contradicts himself. What emerges is a portrait of the Jew as a figure within a Christian division of the world, a figure that simultaneously designates racial minority, non-sovereign peoplehood, transcendental authority, and continuous persistence in absence of power that, paradoxically, puts them on the side of right.

[27] Qu'est-ce que ça signifie de fair démarrer le racisme au XVIe ou au XCII siècle, de ne rattacher le racisme qu'aux problèmes de la souveraineté et de l'État, alors qu'on sait bien, après tout, que le racisme religieux (le racisme antisémite en particulier) existait depuis le Moyen Âge?'"[27] Foucault, *"Society Must Be Defended,"* 87/75.

[28] cette forme d'analyse politique des rapports de pouvoir…n'interfère pas, du moins en première instance, avec le problème religieux…Autrement dit, le partage, la perception de la guerre des races anticipe sur les notions de lutte sociale ou de lutte de class, mais elle ne s'identifie pas du tout à un racisme de type, si vous voulez, religieux. Foucault, *"Society Must Be Defended"*, 76/88.

[29] Foucault, *"Society Must Be Defended"*, 88.

state.[30] Race, for him, presumably becomes racism only when the state adopts it in order to bifurcate its population in order to reproduce its purity through the strategic maintenance of racial difference.

It does not seem to occur to Foucault that racism, used this way, might have a history stretching back through the age of colonization, or that it might be bound to the strategies of bifurcation and differentiation housed under the term religion. But to consider this lacuna in his thought helps explain the troublesome doubling that emerges from his portrait of race, however spotty: that the technology of critique and the technology of control are both technologies of *bifurcation*, different only according to who—the sovereign or the subject—defines where lies the boundary. This ambiguity does not obviate the importance difference between political critique and control, but it opens up the question of what role this bifurcation plays in Foucault's theory of modernity. Because, of course, though Foucault never seriously returns to the discourse of race, he begins to examine religion quite extensively after this series of lectures. If religion, and the divisions that it propagates, has nothing to add to the political analysis of the power, then how can Foucault center his genealogy of the modern subject Christianity, its practices, and its institutions? How does he conceptualize religion as separate from the analytic of the political while not only using its terms to describe the political *function* of the discourse of race, but tracing the mechanisms of both critique and biopolitical control to the origins of Christianity and what he terms its "technologies of the self"? How, in other words, can he separate the origins of modern racism and its binary division of society for the purposes of both contestation and purification from religion, when, in he traces the origins of the modern subject and its internal division to the Christian production and transformation of the flesh.

[30] Although, given that Foucault defines the state in some parts of this text as nothing more than the conflict between two racial groups under one sovereign, it is hard to see how he can justify the exclusion of any discourse that divides populations from his analysis of power. As he dismisses "religious" racism, he writes: "The State is nothing more than the way that the war between the two groups in question continues to be waged in apparently peaceful forms. Having established that, I would like to show how an analysis of this type is obviously articulated with revolutionary hopes, an urgent call to rebellion," Foucault, *"Society Must Be Defended"*, 88.

Religion and Racializing Assemblages

What, exactly, is the flesh? The term circulates between discourses; in particular, it is a focal point of both contemporary Black Studies, and, with a rather different goal, late antique Christian theology. Hortense Spillers famously defines the flesh in contradistinction from the body as "that zero degree of social conceptualization that does not escape concealment under the brush of discourse or the reflexes of iconography."[31] The body, she points out, can be stolen, can be effaced by its value—monetary value, in the records of slavery through which she draws out the continuing effacement of personhood through the discourse of race in the United States. But *flesh* remembers, bearing marks of violence as witness to a personhood that is prior to the ideas of man and property. Spiller's thinking of flesh, as Alexander Weheliye reads it, is one path toward "thinking humanity from perspectives beyond the liberal humanist subject Man,"[32] which is to say, thinking about "how the human materializes in the worlds of those subjects habitually not thought to define or belong to this field."[33] And these subjects, who fall outside the norm, are *racialized* subjects, in a manner that Foucault does not think them, though his posthumously published examination of Christian patristics places critique in relation to Judaism and the flesh in ways question the boundaries of his thought as well as the boundaries of well-founded critique of his limits.

In *Habeas Viscus*, Alexander Weheliye makes short work of Foucault's limited theory of race, one that I have in part followed in my analysis up to this point. Race, he argues, is marked by its absence from Foucault's oeuvre except for in *"Society Must Be Defended,"* and in a handful of other lectures in which it is brought up in order to be dismissed or superseded by the more complex notion of biopolitics. There is, Foucault repeatedly and confusingly claims, a difference between ethnic and

[31] Hortense Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book," *Black, White and In Color* (Chicago: University of Chicago Press, 2003), 206.
[32] Weheliye, *Habeas Viscus,* 8.
[33] Ibid.

biopolitical racism. The first, which he does not define, seems to indicate the presumably natural antipathy between "two races [that] exist whenever one writes the history of two groups which do not, at least to begin with, have the same language, or, in many cases, the same religion."[34] The second, which he defines contradictorily, begins in colonial genocide, which he calls "the first—biological—transcription of the theory of permanent struggle and race struggle,"[35] and results in Nazism, "the paroxysmal development of the new power mechanism that had been established since the eighteenth century."[36] Weheliye argues that we must suspect any argument that claims Nazism as the historical apotheosis of racism without explaining how it developed from the racism borne of centuries of colonization. To assume that Nazi racism has hit upon something entirely new with biological racism, Foucault must assume that there are racial differences that are constructed to serve political ends, and racial differences that are natural, "beyond the administrative, ideological and conceptual precincts of Europe…*as and in* an unnamed elsewhere."[37] Foucault's biopolitical racism constitutes a rupture worthy of analysis because he (though not Weheliye) conceives of Jews as continuous with other European populations; in other words, for Nazism to exemplify the logic of state-organized internal bifurcation, Foucault must conceive of Jews as, in contrast to colonial populations, undifferentiable from other Europeans, and thus as theoretically *white*.

This is neither to suggest that Foucault has a concrete conception of whiteness, or to assign Jews a proper place in a black and white racial binary, as if there could be any such thing. I want, rather, to argue that Foucault presumes a racial difference that falls on the epidermal divide of white and black

[34] Foucault, *"Society Must Be Defended"*, 77. Weheliye reads this broad definition of racial difference not as the foundation of different ethnicities, and consequently of ethnic racism, but as a counter-definition of racism set against the self-evident meaning of "simple" ethnic racism (Weheliye, 60). In contrast, I think Foucault here offers a broad definition of ethnicity through which he can assume a "natural" difference that justifies racism. This becomes relevant to the special sphere of "biopolitical" racism only when the populations differentiated by language, religion, or some other self-evident difference are bound into one population by the same sovereign. Then, Foucault becomes interested in the racism that bifurcates and hierarchizes a presumed unity.
[35] Foucault, *"Society Must Be Defended"*, 60.
[36] Foucault, *"Society Must Be Defended"*, 258.
[37] Weheliye, *Habeas Viscus*, 62.

that precedes his analysis of race as technique of critique and of biopolitical control. Drawing on Weheliye's theory of racializing assemblages, I follow up on his point that language and religion play a role in racializing by examining how Foucault retraces the origins of this internal bifurcation through the Church Fathers and into the heart of the modern subject—the subject of desire, defined by the relation of the self, to the self. Moving back to Foucault's avoidance of "religious racism," it is helpful to consider centuries of religious resignification of the flesh, and the political hierarchization of the populations defined by it, as part of the racializing assemblages through which knowledge is produced and political power maintained. Weheliye succinctly decimates Foucault's coherence on race and racism, but I want to argue that precisely the undifferentiability of the Jew in the flesh furnishes the logic for that differentiation that would come to define the value of flesh in and for the West. The idea of the Jew, developed within a Christian discourse that sees itself as the perpetuator of a *true* Judaism, becomes the paradigm for racial differentiation as the origin of both racism and its critique.

But Weheliye does not quite account for the importance of religion to understanding the relationship between race and modernity, despite marking religion as an element in the racializing assemblages with which he is concerned. Foucault not only explains the counterhistory produced by race with reference to religion, he explains Nazism, the exemplary biopolitical state, as in part a return to the "religio-mythical" history of long exile and rightful return, this time deployed all too effectively in service of state power. J. Kameron Carter, honing in on the "quasi-theological nature" of Foucault's genealogy of the racial subject, argues that ability of race to shift from the discourse of critique to a technique of biopolitical control rests on the *religious myth* that lies beneath both functions. And while, of course, that religious myth assigns to the Jewish people a privileged place in the genealogy of modernity, as Jerusalem facing down the sovereignty of Rome, that is a structural position of critique that can be inhabited by anyone—and indeed, in Foucault's telling, is fulfilled by the Protestant

Reformation.[38] If Judaism is the original source for the mythology underlying race, it is as much the source for state-managed racism as it is the origin of critique as counterhistory. Carter, taking care to recognize that Foucault does not hold Jews responsible for Nazi racism, nevertheless points out that by adopting Judaism as his figure for the political function of race, he neglects the *religious* constitution of Jewish peoplehood in the covenant at Sinai and consigns them, following Christian tradition without accounting for it, to the flesh.

But the flesh, as Weheliye points out, is never simple fact, however often the racialized subjects tied to it are excluded from the theoretical canon. Flesh always contains a surplus, resisting disappearance within the racializing assemblages whose strategic deployment it records—for those who know how to read. Flesh provides, in some sense, a hermeneutic through which the activity of racializing assemblages can be understood. And it is as hermeneutic that Judaism functions for Foucault, as Carter argues: "the political hermeneutic of ancient Israel functions in a positive way—namely, in the creation of the *enlightened* modern state. Ancient biblical Israel, within this hermeneutic gaze, is a symbol of modernity."[39] Though this hermeneutic gaze remains a Christian one, Carter posits that, within Foucault's narrative "Jews provide modernity with a *hermeneutic of itself*."[40] The place of the Jew in Foucault, in other words, allows us to see how the techniques by which power operates relate to and transform one another—in this case, how religion, despite Foucault's best efforts to dismiss it, produces race as a technique of both critique and power. This is not to assume that there is an unproblematic definition of religion that we can simply find underlying the theory of race in Foucault. The production of race, made visible through the position of the Jew in his work, occurs through Christian biblical hermeneutics. Judaism is the figure of the historical hermeneutic that rereads and resists hegemonic narratives, and Christian hermeneutics is its practice, one that Foucault himself

[38] Carter, *Race*, 74.
[39] Ibid., 58-9.
[40] Ibid., 71.

examines extensively in lectures of the 1980s. By examining the Jewish flesh that these practices produced and excluded in their development of a hermeneutic that would, in Foucault's view, produce the bifurcation characteristic of the modern subject, we can see how his genealogy of ethics, sexuality and the modern subject through Christianity mark the religious production of race as hermeneutic, but one whose threatening carnality demands its exclusion from the reason. In doing so, we can recover Jewish flesh from its Christian hermeneutic in order to read religion as a defining part of the assemblage that has racialized reason.

The Confessions of the Jews

Confessions of the Flesh, like the earlier volumes in Foucault's history of sexuality, inquires into the genealogy of modernity, particularly the relationship between the critical subject and the biopolitical apparatuses in which she functions. But this volume is different due to its explicit focus on *religion*. Beginning with the earliest attempts to differentiate the Christian practice of virginity from the previous "pagan" practices, Foucault through the Church Father to determine how this shift in apparently similar practices led to the establishment of a new relationship to the body, one focused on the purification of the flesh. This text, rather than a history of prescriptions or interdictions on sexual attitudes, is an account of how sex, and the significations assigned to sexual practice or abstention from it, led to the technique of the bifurcation of the subject that resulted in what he poses as the paradigmatic modern impasse between the division that enables critique, and the division that enables biopolitcal control.

His argument, signaled by the title, follows the process through Stoic practices of continence and self-mastery transformed into the abiding problem of the flesh among early Christian theologians. Flesh, however ambiguous its position in Christian theology, is foundational to what it means to be human.[41] It cannot be shed, but rather must be transformed in order to have a relationship with truth,

[41] Foucault argues that flesh is a mode of experience, a mode of knowledge and transformation of the self by the self,

and the techniques through which that transformation is effected are Foucault's focus. Because the process of transformation relates the facticity of flesh to the meaning of truth, that transformation must be performed repeatedly. Flesh, as Weheliye argues in the contemporary context, always involves a surplus, and it is the constant contention with the flesh that leads Foucault to posit the development of a "relation of the self to the self"[42] within Christianity that defines modern subjectivity.

The constant, repeated evaluation of the self is only necessary if the juridical evaluation of the self is effaced. By juridical evaluation of self, Foucault means the Stoic accounting for what one has done well and where one is lacking, with its goal of self-mastery through achieving the correct relation to an outside standard. But his Christian sources—particularly John Chrysostom, John Cassian, and Augustine—encounter a hermeneutic problem: how can Torah, interpreted as generating law, be *re*-interpreted in the historical era inaugurated by Christ by the subject who properly belongs to it? The production of the subject, it becomes clear, is predicated on the hermeneutic transformation of the Torah that proceeds from the new covenant inaugurated by Christ. And the practice of the hermeneutic is bound to the transformation of flesh of both text and reader, which is coded as Jewish.

There are only two mentions of Judaism in Foucault's text: one that occurs in his reading of John Chrysostom, and another that surfaces in his reading of John Cassian. In both, Jewish religion is seen as inferior to both Christianity and paganism due to its lack of respect for virginity, and Jewish hermeneutics is seen as a form of fornication, one that affirms the flesh in its unredeemed state and poses a threat to the reading that constitutes Christianity. Purifying the hermeneutic is as much a practice of transforming the flesh as the practice of virginity. Indeed, as the body as flesh is *produced*

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that developed in Christian codes of sexual conduct and which is the grounds for modern subjectivity. Michel Foucault, *Histore de la sexualité v.4: Les Aveux de la Chair* (Paris: Gallimard, 2018), 50-51.

[42] "The relation of the self to the self." Foucault expands on this as the fundamental form of subjectivity, writing "Il s'agit en effect de la forme de la subjectivité: exercice de soi sur soi, connaissance de soi par soi, constitution de soi-même comme objet d'investigation et de discours." [It is in effect the form of subjectivity: exercise of the self upon the self, knowledge of the self by the self, constitution of the self as object of investigation."] In other words, modern subjectivity means the positing of a self that is simultaneously shaped and revealed by its own activity. This and all following translations are my own, unless otherwise noted. Ibid., 50.

by Christian hermeneutics, the process of interpreting it and transforming it in accordance with the dictates of Scripture is no less hermeneutic than the transformation of a text's meaning. This relies on a transformation of the law, which introduced a new mode of interpretation and concept of meaning, one so transparently premised on the denigration of Judaism that Foucault, as if without noticing, cannot even describe his sources without transcribing it.

Foucault's elision of Judaism, however, appears almost justified when reading his sources. He is, after all, interested in virginity, which has little place in Jewish religious practice. But this absence of virginity from Judaism is critical for explaining its presence and for constructing its value in Christianity. The value of the virgin depends on her relation to God, which can only exist within the theological structure still developing among Christian writers and rhetors in the 4th century CE. That theological structure entails a concept of history that, like the virgin, depends for its meaning on a relationship to a God being newly reconceptualized.[43] Jews, according to Christian polemic, do not practice virginity, rather remaining faithful to the commandment of Genesis 1.28: "Be fertile and increase."[44] Virginity, in such a schema, is a refusal of God's commandment, and prohibited. Jewish hermeneutic practice, interpreted by Christians as taking that commandment literally, has a threatening fleshliness, or carnality, that is significant beyond the bounds of literal sexual practice. Insisting on the flesh of the word, Jewish hermeneutic practice remains in a carnal state along with their bodies.[45] They are constructed as against virginity, and as the antitype against which Christians, in the hermeneutic

[43] In his discussion of Saint Cyprian's *De habitu virginum*, a book of advice for virgins written in the first half of the 3rd century CE, Foucault concludes that "il faut voir le témoignage [du]…sens spiritual qui est accordé à la virginité entendue comme intégrité totale de l'existence, et non plus simplement comme continence rigoreuse; enfin la valeur qu'on lui prête comme forme absolument privilégiée de rapport à Dieu." [it is necessary to bear witness to… spiritual sense which is accorded to virginity understood as the complete integrity of existence, and not simply as a rigorous continence; *finally the value which is given to it as an absolutely privileged form of relation to God*."] I read this, in context of Foucault's analysis of this text and others, as suggesting that virginity in itself has no value, because its value is in establishing a certain type of relation to God that is made possible by the arrival of Christ. Foucault, *Les aveux de la chair*, 161.

[44] Genesis 1.28, in Adele Berlin and Zvi Brettler, eds., *The Jewish Study Bible*, 2nd ed. (New York: Oxford University Press, 2004), 12.

[45] For a much longer discussion of Christian conceptions of Judaism, and the place of the body in Jewish tradition, see Daniel Boyarin, *Carnal Israel* (Berkeley: University of California Press, 1993).

practices applied to text and body, must be on guard. To read John Chrysostom's *On Virginity* and John Cassian's *Conferences* alongside Foucault allows us not only to see what he misses, but to better see how the flesh, understood within this particular Christian theology, has a hermeneutic significance key to the production of the modern subject and the racial hierarchies in which she is enmeshed.

A Stony Table and a Fleshy

John Chrysostom furnishes Foucault with a full-fledged polemic in favor of virginity, explicating its tense relationship with reproduction, and the theological bifurcation of history that makes it possible. History, it turns out, is inscribed within virginity: virginity is not possible under "the law of death,"[46] but only in "the time of perfection, that in which the practice of virginity must unite itself with a world that is ending. A combination that has been rendered possible, which is now necessary, and which is paradoxically fecund."[47] Pagan virginity, on this account, has no soteriological value in part because "under the law of death, marriage was a precept,"[48] and because, in the redeemed world, "the moment in which Christ will return is not far,"[49] ending the history of earthly life and the need to reproduce in compensation for death. Virginity has soteriological value only within a temporal economy defined by Christian theology.[50]

And what is the place of the Jew in the temporal economy of Christianity? Certainly, on one level, it is a foundational figure against which Christianity shaped its concepts of history and hermeneutics, so to see Foucault focus on virginity's role in articulating those concepts without

[46] "la loi de mort, " Foucault, *Les aveux de la chair*, 194.
[47] "le temps de perfection, celui où la pratique de la virginité doit se conjuguer à un monde qui s'achève. Conjugaison qui a été rendue possible, qui est maintenant nécessaire et qui est paradoxalement féconde." Ibid.
[48] ""sous la loi de la mort, le mariage était un précepte,"[48] and because, in the redeemed world, "le moment n'est pas loin où le Christ reviendra,"." A precept for two reasons: marriage was required in order to compensate for death, and to apprentice man to the practice of continence that would prepare him for virginity in the redeemed world. The fact that it was a precept at all removes marriage from the sphere of virtue, however—from Chrysostom onward, virtue is a result of choice, and exercise of the will. This is critical for understanding the relationship between Chrysostom's writing on virginity and marriage, and Augustine's, which Foucault considers indispensable to understanding the modern subject. Ibid.
[49] "Le moment n'est pas loin où le Christ reviendra," Ibid., 195.
[50] "Economy of time." Ibid., 194

examining one of the discourses seems to repeat the odd myopia of *"Society Must Be Defended*." As with the earlier lecture, the figure of the Jew leaves its mark without becoming an object of knowledge. The first incidental entry of Judaism into his discourse occurs as he paraphrases Chrysostom's hierarchy of religions: "Chrysostom recognized that the Greeks had 'admired and venerated' virginity. He thus placed them above the Jews who would have turned away from it with contempt—as their hatred for Christ, born of a virgin, proves—but below the Church of God.[51] But he moves on from this remark without emphasis, continuing his discussion of the difference between Christian virginity and pagan continence as if Judaism did not lie in between them. For Foucault, the remark serves only to complete the "historico-religious hierarchy"[52] in which paganism displaces Judaism and slides in directly below Christianity. By leaving this hierarchy unquestioned, Foucault elides the importance of Judaism in the development of the Christian conceptions of history and hermeneutics whose relation to modernity are his theme.

The role of Judaism in Chrysostom's thought is well known,[53] and though it appears in *On Virginity*, its significance cannot be appreciated without examining his homilies on Paul's epistles. These are extensive, and since I am no expert on this era of Christian thought, I will just give a quick overview of the sections that set up the importance of Judaism to the transformative hermeneutic that Foucault finds so generative in these sources. In his homilies on Second Corinthians, Chrysostom establishes the basic principles of his Pauline theological-historical frame.[54] He begins with Paul's

[51] "Chrysostome reconnaît que les Grecs ont 'admiré et vénéré' la virginité. Ainsi les place-t-il au-dessus des juifs qui s'en seraient détournés avec mépris—comme le prouve leur haine pour le Christ né d'une vierge." Ibid., 178-9.
[52] "hiérarchie historico-religieuse." Foucault, *Les aveux de la chair*, 178.
[53] While Foucault does not cite it, Chrysostom, like Augustine, is credited with a work entitled *Adversus Judaeos*, a collection of homilies thought to have been given around 386-87 in Antioch in response to apparently "Judaizing" activity (for more, see author, C. Mervyn Maxwell, "Introduction," *Homilies Against the Jews* (dissertation, University of Chicago, 1966.)
[54] I rely here on Margaret Mitchell, whose lectures in *Paul, The Corinthians, and the Beginnings of Christian Hermeneutics* were very helpful in navigating the Epistles and Chrysostom's interperation of them. In that text, she notes several passages in Corinthians I and II whose interpretation have formed the basis of Christian hermeneutics (and its determination by Christian theology) in Origen and in Chrysostom: 2 Cor 3.6 and 3.15-16. Mitchell, *Paul, The Corinthians, and the Beginnings of Christian Hermeneutics*, (Cambridge: Cambridge University Press, 2010), 4.

declaration that "You yourselves are our letter, written on our hearts, to be known and read by all; and you show us that you are a letter of Christ, prepared by us, written not with ink but with the Spirit of the living God, not on tablets of stone but on tablets of human hearts."[55] For Chrysostom, this phrase serves as evidence of a transformation of the textual law through Christian practice: "For, what things God wished to declare to all and to you these are written in your hearts. But it was we, who prepared you to revise the writing. For just as Moses hewed the stones and tables, so we, your souls."[56] Moving on to 2 Corinthians 3, Chrysostom writes: "*Written not with ink, but with the Spirit of the living God; not in tables of stone, but in fleshy tables of the heart* (2 Cor 3.3). Wide as the difference between the Spirit and ink, and a stony table and a fleshy, so wide is that between these and those."[57] The ink corresponds to the tablets of the law, while the spirit corresponds to the heart. And while the correct understanding of the law is located in the fleshly tablets of the heart, that flesh is transformed by a relationship to spirit, rather than remaining locked in the physical body.

Jewish flesh, however, remains carnal in this schema, because they reject the transformative inscription of the Spirit, and thus refuse to transform the inscription. Chrysostom takes as evidence Paul's discussion of the veil over Moses's face when he brought the Tables of the Law down from Sinai.[58] In Chrysostom's view, this explains the hermeneutic fleshliness of the Jews: "For what happened then, once, in the case of Moses, the same happened continually in the case of the Law. What is said therefore, is no accusation of the Law, as neither is it of Moses that he then vailed [sic]

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[55] 2 Cor 3.5, *The New Oxford Annotated Bible*, 2029.

[56] Chrysostom, Homily VI, in *Homilies of St. John Chrysostom, Archbishop of Constantinople, on the Second Epistle of St. Paul to the Corinthians* (Oxford: John Henry Parker, 1831), 81.

[57] Ibid., 82. The Greek phrase here translated as "fleshy tables of the heart" is "πλαξὶν καρδίαις σαρκίναις." In *The New Oxford Annotated Bible, 4th Edition*, the phrase is translated as "tablets of human hearts," (2028). The word "σαρκίναις" appears to be associated more commonly with "human" than with the slightly more morbid translation, "fleshy," but I've kept the latter for its echoes with Foucault's use of "flesh" as a key term.

[58] "Since, then, we have such a hope, we act with great boldness, not like Moses, who put a veil over his face to keep the people of Israel from gazing at the end of the glory that was being set aside. But their minds were hardened. Indeed, to this very day, when they hear the reading of the old covenant, that same veil is still there, since only in Christ is it set aside. Indeed, to this very day whenever Moses is read, a veil lies over their minds; but when one turns to the Lord, the veil is removed." Paul, 2 Cor 3.12-16, *The New Oxford Annotated Bible*,, 2029.

himself, but only the senseless Jews. For the law hath its proper glory, but they were unable to see it."[59] God is not responsible for the inert materiality of the written law on this account; it is the Jews who are responsible for interpreting it in a material way. The material interpretation is transgression under the guise of observance that arises from Jewish relation to flesh. Chrysostom argues that Jews insist on reading only with "the eyes of the body,"[60] which can apprehend the law only in its literal form, which is not to apprehend the law at all. True apprehension, he continues, requires abandonment of law as law, and a new hermeneutic appropriate to the new era: "So that when thou shalt have forsaken the Law, thou shalt then see the Law clearly; but so long as thou abidest by it, and believest not Christ, thou knows not even the Law itself."[61] To be Jewish is to represent the flesh that refuses transformation, and whose threat to Christian hermeneutics requires a scission that must be repeatedly demarcated in order to maintain the meaning of the living word.

Cassian and the Hermeneutics of Suspicion

If John Chrysostom explains how hermeneutics defines the difference between Jewish and Christian, Foucault's examination of John Cassian explains why that difference cannot be taken for granted, and how the production of the flesh entails a division of the self that must be constantly examined and overcome. The self becomes the object of suspicion, and thus of the hermeneutic that seeks to uncover its truth in order to understand the truth of Scripture. Foucault's paraphrase of a section of John Cassians's *Conferences* completes the argument that Chrysostom implicitly advances: "It is necessary to renounce the fornication of the body if one wants to understand the Scriptures, but it

[59] Chrysostom, Homily VII, *Homilies on 2 Corinthians*, 92-3.
[60] This passage reads in full: "There was yet wanting to this comparison the addition of a further and not trifling particular, that of the glory of Moses; such as in the case of the New Covenant none saw with the eyes of the body. And even for this cause it appear a great thing, in that the glory was perceived by the senses; for it was seen by the bodily eyes, even though it might not be approached;) but that of the New covenant is perceived by the understanding." It seems that Chrysostom means to say that Moses indeed was privy to the full meaning of the law, but veiled himself because Israel was not yet able to understand, and the Glory would their fleshly eyes. It is thus the insistence of the Jews on remaining bound to an interpretation according to the flesh, their own and that of the letter, that is challenged by the New Covenant. Ibid., VII, 88.
[61] Ibid., 95

is also necessary to hold oneself far from that 'fornication' comprised of idolatrous ceremonies, pagan superstitions, auguries, premonitions, and that other fornication which is the observance of the law on the Judaic model."[62] The wording appears to be a paraphrase of French translation of Cassian from which Foucault was working:

> It is written in the law: '*You will not fornicate.*' Man, already prisoner of the shameful vices of the flesh would usefully maintain this precept by taking it simply in the literal sense. He, on the contrary, who has disengaged from this mud and its impure affections must observe it spiritually. Which is to say that he must hold himself far not only from idolatrous ceremonies, but from all pagan superstition, from auguries, premonitions, from the observation of signs, days and times.[63]

Fornication, which in Cassian's elaboration of monastic rules has a spiritual as well as a physical sense,[64] is identified implicitly with "the observation of signs, days and times," which implicitly indexes the letter of the law of Judaism. To emphasize his point, Cassian moves on to cite two prophetic texts on the historical fornications of Israel,[65]and to introduce a third of great importance:

> It consists in the superstitions of the Law and of Judaism that the Apostle had in view when he said: '*You observe the months, the times and the years*,' (Gal 4.10); and again: '*It is prescribed to you: To not take! Do not taste! Do not touch!*' (Col 2.21). It is beyond doubt that his words were aimed at the superstitions of the Law. To fall into them is to render oneself an adulterer to Christ.[66]

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[62] "Il faut renoncer à la fornication du corps si on veut comprendre les Écritures, mais il faut aussi se tenir éloigné de cette 'fornication' que sont les ceremonies idolâtres, les superstitions païennes, les augures, les presages, et de cette autre fornication qu'est l'observance de la loi sur le mode judaïque." Foucault, *Les aveux de la chair*, 221.

[63] "Il est écrit dans la Loi: '*Vous ne forniquerez point.*' L'homme encore prisonnier des vices honteux de la chair gardera utilement ce precept, en le prenant simplement au sens littéral. Celui, au contraire, qui s'est dégagé de cette boue et de ces affections impures, doit l'observer spirituellement. C'est-à-dire qu'il se tiendra éloigné non seulement des cérémonies idolâtres, mais de toute superstition païenne, des augures, des presages, de l'observation des signes, des jours et des temps." Jean Cassien, Conférences, XIV.11.2, in Jean Cassien, ed. Michael Petschenig, trans. Dom Eugène Pichery, *Conférences II: VIII-XVII*, 383.

[64] As Foucault helpfully puts it: "La chasteté du corps est la première forme d'une série de 'chastetés' que l'esprit doit revêtir pour avancer vers la connaissance spirituelle sans jamais s'en détacher." ["The chastity of the body is the first from of a series of 'chastities' in which the spirit must clothe itself and never remove in order to advance toward spiritual knowledge."] Foucault, *Les aveux*, 221.

[65] "Telle est la fornication dont il est dit que Jérusalem aussi s'est souillée, lorsqu'elle s'est déshonorée '*sur toute colline élevée et sous tout arbre vert*' (Jeremiah 3.6.)…Telle est aussi la faute dont il accuse ailleurs son peuple: '*Un esprit de fornication les a égarés, et ils ont forniqué en se soustrayant à leur Dieu*' (Hosea 4.12)." [Such is the fornication that it is said that Jerusalem is sullied with, when she dishonored herself *'on every high hill and on every green tree'*…Such is also the fault of which he [Hosea] accused his people: *'A spirit of fornication has led them astray, and they have fornicated and strayed from their God.*'"] Cassien, *Conférences*, XI.3, 383.

[66] "Elle consiste dans les superstitions de la Loi et du judaïsme que l'Apôtre a en vue lorsqu'il dit: '*Vous observez les mois, les tempts et les années*,' (Galatians 4.10); et de nouveau: '*On vous prescrit: Ne prends pas! Ne goûte pas! Ne touche pas!*' (Colossians 2.21). Il n'est pas douteux, en effet, que ces paroles ne visent les superstitions de la Loi. Or, y tomber, c'est se rendre adultère à l'égard du Christ." Ibid., XI.3-4, 383, 385.

To observe the Law according to Judaism, according to Cassian, is adultery against Christ, which is fornication of the highest order. Any hermeneutic in which the law remains the law—any hermeneutic in which Judaism can be sustained—itself fornication, precisely because "le rapport de soi à soi" has been negotiated in relation to the letter rather than its truth.

As Foucault carefully notes: "Purity is not simply a condition, it is simultaneously an effect. There is no purity of the heart if the soul does not carefully guard itself, watching the movements which are produced in it by the spreading of all that can turn the soul away from its contemplation."[67] Purity, for Cassian, requires constant hermeneutic examination of the self to prevent impurities presented by "spirits" from crossing its borders and taking root.[68] Although Foucault pays precise attention to the constitution of these spirits and the relation to the self required for their control, he neglects the fact that, in his own summary of Cassian, it is Judaism that constitutes impurity as an intentional action undertaken by the self, one with which Christianity has always been in combat. Read in light of John Chrysostom, Cassian's contemporary, Jewish hermeneutics denies the theological conception of history in which Christ has transfigured the physical letter into the spirit that is transcribed into every believing body. It insists on fornication as the law, dragging both the letter and the body back into the dying flesh.

By glossing over Judaism, Foucault has overlooked the practice of reading in which his sources are engaged, and through which they establish the logic of transformation on which the history of sexuality hinges and with which it is infused. This logic is predicated on the separation of Judaism

[67] "la pureté n'est pas simplement une condition, elle en est simultanément un effet. Pas de pureté de coeur si l'âme ne veille attentivement sur elle-même, guettant les movements qui se produisent en elle en écartant tout ce qui peut la détourner de sa contemplation." Foucault, *Les Aveux*, 222.

[68] Cassian considers sin to be the result of "spirits" that attempt to insert thoughts that disturb one's tranquillity (Foucault, *Les aveux*, 226), such that the spiritual combat of asceticism is not only "exercice, entraînement, volonté de se dépasser, travail de soi sur soi, contrôle et mesure de ses propres force," (Ibid.) but "guerre contre un adversaire" in which "la lutte se déroule contre un autre," (Ibid.). The point at which this fight against adversaries begins to implicate "le rapport de soi à soi" is temptation, considered as "un *élement dynamique* dans les relations entre l'extérieur et l'intérieur de l'âme," (Ibid., 229).

from Christianity, and the consequent the bifurcation between the written word of Scripture and its meaning—a binary in which Judaism, and the flesh that it represents, falls on the wrong side. Reading *Confessions of the Flesh* as part of Foucault's genealogy of political critique and the dangerous circulation of the discourses that enable it, we can see how his focus on the binary division of an undifferentiated unity is repeated in his examination of Christian hermeneutic theology. In both cases, he presumes the production of the subjugated term without thoroughly examining the pre-existing power relations that allow the creation of the category and give it its differential meaning. By excavating the place of Judaism within the theology that informs the practices through which Foucault traces the genealogy of the modern subject, we can see how the shaping of the flesh through Christian hermeneutics produces Judaism as a precursor to race.

Leaving Minority: Judaism, Blackness and Critique

In *Was ist Aufklärung*, Kant defines Enlightenment as "man's departure from his self-incurred immaturity,"[69]—or, in Michel Foucault's citation of the phrase in his 1978 lecture on "What is Critique": "de sortir…de sa minorité."[70] The translation of *Unmündigkeit* as "minority," while literally correct, introduces a philosophical question for critique as a conceptual tool: what role does *minority* play, and what happens when its representative figures exit that role? Kant, and Foucault as well, intended minority as an *age*, not a demographic position. But reading Foucault through race, and through the revealing readings given by Weheliye and Carter, emphasize the importance of minority critique for questioning the power-effects of truth, including the truth that Foucault's genealogy seeks. Following Foucault's definition of critique as "the movement by which the subject gives himself the right to question truth on its effects of power and question power on its discourses of truth," critiquing Foucault reveals how his genealogy of the modern subject replaces the discourse of race with a history

[69] "Aufklärung ist der Ausgang des Menschen aus seiner selbstverschuldeten Unmündigkeit." Immanuel Kant, "Was ist Aufklärung," in *Utopie kreativ*, vol. 159 (January 2004), 5-10.
[70] Foucault, Michel, and Arnold Ira Davidson. *Qu'est-ce que la critique, suivie de la culture de soi*, (Paris: Vrin, 2015), 58.

of Christian bodily discipline, moving the bifurcation of the social body and into the individual body. The politics with which he is concerned in "*Society Must Be Defended*" are re-formed as ethics, the relation of the self to the self. But even so, this ethical subject can only be formed in a theological matrix that bifurcates history and text, generating differential value in the social body on the basis of religion and the relationship to the self through Scripture that it prescribes.

Drawing his theories of race and religion together brings up the problem, not infrequently remarked upon, that Foucault's technique for resisting hegemonic power is not far from the techniques by which that power disciplines the individual. *Confessions of the Flesh* details a bifurcation that requires the subject to ceaselessly suspect and inspect herself, in constant exposure to a higher authority, whether priest, sage or doctor. At the same time, it is no accident that Foucault tracks critique beginning with biblical criticism during the Reformation, during which ecclesial power was challenged by a "return" to Scripture. Somewhat modifying argument from his 1975-6 lectures, he sees that return to Scripture transformed into a contestation of sovereignty through a "return" to natural law, and the eventual production of a subject who must always question authority and its relationship to truth.[71] The bifurcation of critique, on a religious, political, and individual scale, is produced by the same techniques that lead to biopolitical control, but rather than being deployed against the minoritized position, they are mobilized *from* the position of minority, from the production of oneself as an other. Critique relies on the figures excluded from the narratives of power to make visible the strategies through which power operates, and Judaism functions as that excluded figure in that narrative of Foucault himself. Drawing out the appearance of the Jew in Foucault's work can help formulate a field for questioning the power effects of the separation of discourses of race and religion in his of genealogy of modernity.

[71] Foucault, "What Is Critique," 264-65, 38-9.