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Transgender Creeks and the Three Figures of Power in Late Liberalism

I

We know them well. The hysterical woman (a hysterization of women's bodies); the masturbating child (a pedagogization of children's sex); the perverse adult (a psychiatrization of perverse pleasure); and the Malthusian couple (a socialization of procreative behavior): Foucault cared about these figures of sexuality and gender because he thought they were symptomatic and diagnostic of the formation of power in which he was dwelling, a formation he famously called *biopower*. These figures were not otherwise to biopower. They were its expression and key. The problem was not how these figures and forms of life could be liberated from subjugation, but how to understand them as indicating a possible world beyond themselves, to understand them as a stand-in for something else, something they were not. True, in *Society Must Be Defended* Foucault described living at a time of the insurrection of "subjugated knowledges" (7). But as Foucault delved ever more deeply into the question of what might emerge in the wake of these figures, the question became how would this *otherwise* survive its own emergence; how would it consolidate qualities and characteristics deemed sensible and compelling before being extinguished as a

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monstrosity. By the time he was presenting his last lectures at the Collège de France (*Government of Self and Others*; *Hermeneutics of the Subject*) and his last interviews on sexuality, it was clear that the term *subjugated* was an odd choice of words. The problem was not how given forms of life could be liberated from subjugation, but how to understand freedom as a practice of being otherwise to a given arrangement of life.

Being otherwise—this way of phrasing the purpose of life has been key to critical queer sensibility for quite some time. Understanding freedom as a practice of being otherwise seems to demand that we are in a constant state of antagonism. Against! Against! Only and always against! The only thing to be for is the struggle to be against. And yet, lost in this fixed game of contrariness is another equally interesting question. This question asks not merely why we are governed like this but how we might be governed otherwise or what we might seek to be governed by. This essay tackles these questions by focusing on a "conversation" among four women: Tjipel, a creek in Anson Bay, Northern Territory, of Australia; Linda Yarrowin, one of Tjipel's relatives; Julia Gillard, the former Labour prime minister of Australia; and Gina Rinehart, the chief executive officer of Hancock Prospecting. I attempt to demonstrate that the problem is not which of these women are more or less antinormative, but how all four seek support for a specific form and force of being in the world. On the one hand, I will attempt to suggest the failure of the antagonism between normativity and antinormativity in apprehending this shared, though antagonistic, struggle and the need to shift the axis of conversation from the problematic of normativity to the problematic of existence, obligation, and endurance. As I do so I attempt to show, on the other hand, that the four figures of sexuality are no longer the primary figures and forces of contemporary power.

Any attempt to use Foucault's account of sexuality for diagnosing the present faces, therefore, three serious problems. First, are these the proper figures for our time? The answer is no. We perpetuate a great theoretical anachronism when we focus on the perverse adult (queer, homo, trans) and the Malthusian couple (heteronormativity), for example, whether pro or con. Symptomatic of the loss of relevance of these figures is a shift *away from queer theory* by a host of critical thinkers in queer theory. The conversation they are creating does not yet have a precise name. It still spills across various conceptual domains: posthumanism, animal studies, critical climate change, radical environmentalism, et cetera. Some scholars in this conversation, such as Elizabeth Grosz, Jaspir Puar, and Donna Haraway, have a long association with queer theory. Others emerged in posthumanism,

such as Mel Chen, Claire Colebrook, and Myra Hird. Most are rethinking the problem of gender, race, sexuality, and the human under the weight of climate change, colonial capitalism, and environmental toxicity. How and why this emergent conversation might become identified within the general rubric of queer studies is an open question.

Second, what are the proper figures and tactics and how do they emerge and survive emergence? Three other figures come to mind: THE DESERT and its dominant image of CARBON BASED LIFE, THE ANIMIST and its dominant image of THE INDIGENOUS, and THE TERRORIST and its dominant image of THE VIRUS. THE DESERT is the figure that stands in for all things denuded of life—or, with the application of technological expertise, something that could be made hospitable to life. THE DESERT is, in other words, the space where life was, is not now, or could provide the conditions for life. Whereas THE DESERT emphasizes that which is denuded of life or could be made into (the fuel) of life, THE ANIMIST insists that there is no absence of life because everything has a vital force; there is no nonlife because all is life. THE TERRORIST is the figure of THE DESERT and THE ANIMIST from the perspective of current forms of biontology and biosecurity. THE TERRORISTS are all those who seek to disrupt the current biontological organization of state, market, and sociality by opening the political and social to the nonhuman animal, the vegetal, and the geotic. These three figures announce a new formation of power under way, namely, *geontopower*. Geontopower reveals that the problem of the present is not the governance of and through life, but the maintenance of the difference between life and nonlife.

And third, how do these contemporary figures and tactics of power alter our understanding of the biopolitical and its relationship to the problem of normativity? Crucial to this discussion is not Foucault so much as his teacher Georges Canguilhem. It was Canguilhem, as we will see, who placed normativity squarely within the problem of the endurance of forms of existence.

For instance . . .

II

There is a coastal tidal creek in northern Australia where a young girl lies face down. She came to this creek as a young, beautiful teenage girl (a *tjipel* in the language of the area) who decided to dress as a young man, equipping herself with male clothes and hunting implements including a spear and spear thrower. As she traveled down the coast, she did various

things, including spearing a wallaby. But the heart of her story concerns a sexual encounter she had with an old man. As she passed between two coastal points, a bird told her an old man was coming, so she lay belly down in the sand to hide what parts of her body would reveal. The old man, thinking she was a young man, insisted (s)he get up and cook the wallaby. She put him off claiming to be sick. He eventually tired of waiting and left with the wallaby. But as he walked away, another bird told him that the young man was actually a teenage woman. He rushed back and a fight ensued. He won. She remains there. But she doesn't remain there by the creek. She is the creek. If you knew where or how to look, you would see her watery outline, her hunting implements turned to reefs, and the other parts of her encounter with the old man scattered nearby. Tjipel's encounter with the old man made, and is, the local topography. She now divides the two coastal points, marks the boundaries between two languages and social groups, and joins this region to other regions up and down the coast. This is what Ruby Yilngi taught me.

You would be wrong to believe, however, that in the beginning, the earth was a formless void with darkness covering the surface of the deep and that into this void came Tjipel. Tjipel came to where she now rests from the east, where she also remains, although in a different form. And many of the people, things, and animals she encountered during her travels continued down the coast or cut inland and south, digging waterholes, raising mountains, hollowing out caves, and reddening swamps along the way. Moreover, by the time Tjipel arrived where she now lies, other beings might have already passed through the region: Wirrigi (Rock Cod), Mudi (Barramundi), Parein (Possum), and so on. I am not sure if Tjipel came first and they followed or they came first and Tjipel followed. It doesn't—or didn't—matter who came first or second or third when I began learning about the adventures of entities like Tjipel from Ruby Yilngi, Betty Bilawag, Agnes Lippo, and others in the mid-1980s. The problems these women and other older men asked Tjipel to solve were not how an initial emptiness came to have dimension; how something emerged from nothing; how the one (1) broke the grip of zero (0); how the beginning began. Nor was the problem of which entity came first, second, or third; ordinal numbers did not subsume the coexistence of multiple entities. Tjipel's birth and death were also not compelling questions. The questions "where was she born?" and "where did she die?" never elicited heated discussion. The questions people asked when they asked about Tjipel concerned her directionality (the course along which she was moving), her orientation (the determination of her relative

position), and her connections (her extension into other segments of local, regional, and transregional geontological formations). And they asked how and why she responded to different people and different human actions in this or that way. If I wanted to know more about Tjipel, then I would have to know her intimately and follow her topological coordinates elsewhere. There, I would find other people, stories, and places. And I would find not only that there were multiple other forms and versions of Tjipel but also that within each of these versions were multiple modes, qualities, and relations; depending on which Tjipel you encountered, you would find different ways and capacities to divide, connect, and extend geographies and biographies.

While neither Tjipel's birth nor her death was a pressing problematic, Yilngi's family's obligation to her continuing existence was—and vitally so. This shouldn't be a surprise. While Tjipel never seemed exactly something that was born, and perhaps, as we'll see, something that exactly dies, she could radically alter her arrangement of existence in ways that would be disastrous for her human kin. And her human kin could alter their arrangement of existence in ways that would be disastrous for Tjipel. In other words, and according to Yilngi, Tjipel and her human kin were internal to each other's arrangement. Tjipel established an estuarine normativity that created the human task of caring about and for her: minding her legs by hunting in her mangroves, walking along her spear thrower, fishing in her creek, and so on. If Yilngi's family acceded to the watery norms Tjipel established, Tjipel would turn toward Yilngi's family and care for it. If this rapport was broken, Tjipel would not die, but she would turn away from her human kin. After all, she had changed her arrangement of existence before—twice in fact. First, Tjipel was an adolescent girl who dressed up as a young man. Then she became a creek. These morphological mutations did not kill her; they allowed her to persist. If she changed for a third time she would once again persist, but she would persist in a form inimical to human forms. She would give Yilngi's family her watery backbone, drying her riverbeds and withdrawing her resources.

Thus we would be wrong to think that the "meaning" of Tjipel is captured in the narratives that exist about her. The deepest truth of Tjipel was the normative force that she exerted on her surroundings. Here I am referencing Canguilhem's mid-twentieth-century understanding of *normativity* as "that which establishes norms" (127). For Canguilhem there exists "a spontaneous effort, peculiar to life, to struggle against that which obstructs its preservation and development taken as norms" (126). As Roberto Esposito has noted, effort is key here. Effort defines "the living" as those

kinds of entities that creatively exceed "the objective parameters of life" (189). These objective conditions are the deadly "inertia and indifference" against which life is defined as an "activity of opposition": "Life tries to win against death in all senses of the word to win, foremost in the sense of winning in gambling. Life gambles against growing entropy" (Canguilhem 236). The reason Canguilhem placed so much emphasis on the creative efforts of life (its *conatus*) was to lift life out of the purely positivist models of his time. But Canguilhem's conceptual framework would have to find a creative way to survive as the concerns out of which it emerged changed. His student Michel Foucault would find such an environment in which his framework could be nurtured, namely the problematics of power. And by the time Roberto Esposito returned to Canguilhem, the problematic had decisively turned away from positivism and toward positive and negative biopolitics. The question for Esposito was "how can a politics for life become a politics of death?" (189, 186, 184). The answer was exemplified in Nazi state medicine that reduced the subjective element of life (again, its *conatus*) to simple biological material, a conflation of norm and nature. A positive biopower would maintain the positivity of life as an "unrestrainable power to exist" beyond negative biopower (186).

We should not quickly pass over this idea: that in having an indwelling effort against entropy, some entities are able to be more than their so-called objective conditions. It forces us to ask whether we can simply extend Canguilhem's philosophy of the biological, biontology, to all entities, to geontology, to Tjipel. There is nothing simple about such an extension. If effort is a key means through which life is distinguished from all other entities, then we should be careful when applying Canguilhem's biological normativity to Tjipel's estuarine normativity. In what sense is she the inert and indifferent framework *within which* life forms then move? In what sense is she even *there*? Where does she exactly begin and end: where the sands accumulate as her breasts, or further down shore where they drift? Where the oysters and fish and mangrove roots and seeds and humans, who come and go, as do the winds, originate or end? She seems more self-evidently a mixture, not a substance. She is not, in other words, a self-evidently sovereign subject. She is a composite nonsovereign nonlife being—part biological, geological, and meteorological. This composite flexible material spacing is reliant on a host of entangled entities, including the entanglements in mangrove roots and reef formations and her human parasites. Indeed, according to Yilngi, what makes Tjipel "here" and "this" is the fact that all of the entities that compose her remain oriented toward each other in a way that

produces her as a *thisness*, as an experiential destination and departure: sand comes and goes from her sandbars; fish travel up and down her creek; oysters struggle to stay attached to her reef. All of these entities oriented toward each other become something: none of them are separate from each other. They become Tjipel. Tjipel is an intersection only so long as she is an intersection of entities oriented to each other. This is why our obligation to her is urgent, pressing, and ethical.

But how can we say at one and the same time that Tjipel is a nonsovereign nonlife entity and that she establishes—and is the result of the establishment of—an assemblage-as-norm? How can we say that she is *there* and is *this* but without being able to define clearly her extension or limit? Paradoxes wash up on her sandbanks when we try to apprehend her through a philosophy of life. On the one hand, she is nonsovereign insofar as her capacity to endure over time is extended into and through other entities and the subarrangements that keep them, in turn, in place. On the other hand, once in place, she exerts something that feels like a sovereign-like force of persistence on all these subarrangements. Her river mutation established a norm for how other entities within her reach would behave, thrive, and evolve. Her form, for instance, allowed fish to run through her and changed the salinity of water as she heaved in and out with the coastal tides. But she was neither born nor does she die. She neither emerged from a void nor will she return to one. Thus, I would be surprised if Canguilhem would have considered Tjipel a form of biological life or understood that she exhibits the same or an analogous unstrainable power to exist as human teenagers. Tjipel asks us to consider how the rescue of life from its objective parameters produces her as a realm of *inertness* more terrifying than death itself—an abomination to real life and real human beings.

Thus, what Tjipel "means" is what she is now, and may be becoming, in a set of historically situated dependencies and obligations that will or will not support her as an arrangement of existence.

What, then, are the forces that are challenging the intersection of attention that maintains Tjipel's current form and forestalling or speeding her radical turning away from human entities? Although we cannot say what Tjipel is—this girl that became a boy that became a creek—we can say her strategies for orienting others toward her worked for a good while. Stories told by the generation born at the turn of the twentieth century about how to navigate her body and legs still worked when their children and grandchildren visited the site. And existing satellite maps of the region show little significant surface variation. But Tjipel will need new strategies

if she is to stay in place into the next century. The social, ecological, and economic materials that compose her and from which she draws and extrudes nourishment have significantly changed since Yilngi was a young teenager. And even Yilngi's life has stretched across vast changes in the governance of the local geontology. Yilngi experienced the beginning of vicious settler colonialism and the end of late liberal forms of recognition—in Australia ironically called "self-determination." As goes Tjipel so go many others, not merely the forms composing and passing through her in an immediately local sense but also all the connective materialities these forms make in their habituated movements to and from her.

III

Part of the problem Tjipel faces is what various people *make of* her, or are attempting to turn her into—what they think she is at her core and how much power they have to make her conform to their practical reason. For instance, if Linda had described Tjipel to Gillard in June or November of 2011, she might describe the creek as a "dreaming" or "totem" for her family. She would expect Gillard to know that "dreaming" and "totem" are translatable concepts, loosely meaning that this creek is a spiritual site in Linda's traditional country. If Gillard asked her, "Are you from the Tjipel clan?" Linda might say, "No, I am *murtumurtu* (Long Yam), but *Tjipel* is also my dreaming," meaning that Tjipel is within her traditional country but not her patrilineal or matrilineal totem. Linda might venture that she learned about Tjipel from her deceased mother, Ruby Yilngi, who was born in the region around 1920, as well as from Yilngi's sister and cousin, Agnes Lippo and Betty Bilawag.

Linda would say this because her birth in 1972 placed her in a specific moment of the national and international reconfiguration of the liberal governance of difference. In Australia this new form of governance went by different names depending on whether it was addressed to nonwhite settler communities such as Greeks, East or South Asians, Italians, or Central Africans or to Indigenous people. In the former, "multiculturalism" was the preferred term, and in the latter, "self-determination." But in both cases governments attempted to tame the radical nature of anticolonial and new social movements that were tearing the face off paternalistic colonialism, gender, racialization, and heterosexuality. To tame the demands for Indigenous sovereignty, Australia passed the first piece of significant Aboriginal land rights legislation in 1976—*The Aboriginal (Northern Territory) Land*

Rights Act. In 1989, at the age of seventeen, Linda participated in her first land rights hearing. But throughout her adulthood she was told by state advocates that her rights to her land pivoted on her retention of her cultural traditions, which narratives like Tjipel exemplified. If Linda was to secure communal title over her "traditional country" she would have to be able to tell government officials that places like Tjipel was a Dreaming totem for her family. Moreover, she was told, the nation wanted her to maintain her beliefs and obligations to the spiritual life of the landscape because her belief in places like Tjipel and her obligation to them made the nation truer to itself.

But what the Dreaming meant—what framing the creek in this way practically produced—changed between the time that Linda was born and the moment I am imagining her talking to Gillard. In June and November 2011, Gillard was touring the Northern Territory in the lead-up to a difficult, and ultimately failed, reelection bid. In June, Gillard visited Alice Springs in Central Australia to discuss the Northern Territory National Emergency Response (NTNER) in Indigenous welfare. The NTNER, widely referred to as "The Intervention," was a set of legislative changes to federal laws pertaining to Indigenous land tenure, welfare provision, and legal prosecution.[1] These changes were put in place after a national sex panic erupted about alleged child sexual abuse in Aboriginal communities and town camps.[2] The stated intention of the Intervention was to normalize Indigenous affairs by normalizing supposedly dysfunctional family and sexual practices relative to non-Indigenous public norms (no comparative statistics were cited about settler sexual dysfunction or family structure) and by normalizing labor and property relative to neoliberal market norms. Under the shadow of this rhetoric, the federal government withdrew significant infrastructural funding for rural and remote Indigenous communities; pushed for market solutions to Indigenous well-being; increased police presence in remote communities and town camps; and seized control of community infrastructure.[3]

The sexually normative force of the Intervention did not manifest merely at the macrosociological level. The constant media coverage of Indigenous sexuality, addiction, and violence created new microsociological environments inside and outside Indigenous communities. Thus, if Linda were to tell Gillard the story of Tjipel, she might leave out some details, shorten, subtract, and carefully decontextualize narrative elements—much as I have here—lest Tjipel become not a creek but an example of sexual perversion secreted in the heart of Indigenous spirituality. And it would not simply be Linda and her living family who would be smeared by the sex scandal. Linda often demands that Tjipel be kept in her present mode of

existence not because she is a Dreaming per se, but because her mother told her the story. It is her mother as a legitimate mode of existence and source of existence that Linda is trying to support, at least in part. Of course, Tjipel could become many other things in 2011—and with it Linda and Yilngi. She could become transgender, or butch, because these transfigurations are also possible within the contemporary fields into which her legs extend. A number of Tjipel's human kin now identify as gay or transgender and so she could be for them a personal dreaming. These contemporary public sexual norms and discourses—the "objective parameters" (Esposito 189) of her existence—are part of the objective parameters of Tjipel's existence, the "against which" (Esposito 38) Linda considers what she will say or not: what we discuss I can say or not. And they are the conditions against which Tjipel must creatively adjust. These conditions are inside Linda and Tjipel equally.

But both Linda and Tjipel will also have to adjust to the normalizing force of neoliberal markets and, critically importantly in the Australian context, extractive capital. Both of Gillard's trips to the north took place during one of the biggest mining booms in Australian history. From 2004 to 2012 the mining sector contributed on average 7.5 percent of the national GDP; buffered the Australian economy from the worst of the 2008 financial crisis; and sent the Australian dollar to heights not seen for a decade. In the Northern Territory, the mining boom was centered on Indigenous lands. The Northern Land Council reported: "More than 80 percent of the value of minerals extracted in the Northern Territory comes from mining on Aboriginal-owned land, amounting to more than $1 billion a year. Approximately 30 percent of Aboriginal land is under exploration or currently under negotiation for exploration." The high dollar and inflationary pressure disproportionately affected those with lower fixed incomes like Linda and her family.

As a Labour Party prime minister, Gillard's and her political party's chance of retaining government depended on and was forced to navigate this major economic industry. Australia was able to weather the worst of the 2008 financial global collapse because the mining sector remained robust. Unemployment figures remained at all-time lows (low to mid-5 percent). The surplus-to-deficit ratio fluctuated but was mainly in the black for much of 2011.[4] Whether true or not, the mining industry claimed credit for securing the national economy against the spreading contagion of the financial collapse. The fact that the heavy reliance on commodity exports was raising the value of the Australian dollar and crippling other sectors of the domestic economy was effectively downplayed through heavily financed

media campaigns in the Murdoch print press and television broadcasting. Heralded as national saviors in the context of the global collapse, the mining industry, through its lobby group, the Mining Council, continually kicked up strong headwinds against Gillard's proposal to mobilize capital gain from the mining sector for public expenses. When Gillard introduced a mining tax in an attempt to capture some of the private profit generated from public assets for public expenses, the Mining Council bought airwave time and mobilized the Murdoch press to attack the proposal. Once again, the sovereignty of the demos faced its troubled relationship to the governance of contemporary capital. The Australian mining heiress Gina Rinehart, who Forbes ranked as a more powerful woman than the prime minister, sixteenth and twenty-eighth, respectively, demanded lower wages be paid to workers, threatening the loss of work. As she put it, "Africans want to work and its workers are willing to work for less than $2 per day" (Packham).

As the state withdrew public support from Indigenous programs and communities, Linda Yarrowin and her extended family were told that if they wanted to rise above the poverty level, they needed to open their country to capital, and specifically to mining exploration at and around places like Tjipel. Members of her extended family had other proposals for how to generate income from their lands while maintaining the sort of mutual attention they were taught keeps Tjipel present in her current form. One such project was a green GPS-based augmented reality project for tourists. But as they tried to finance its development the high Australian dollar made tourist ventures risky investment endeavors. The irony was not lost on Linda's family that the mining industry's success meant that alternative projects to mining were priced out of reach. Green dollars cost more than mining dollars, especially, it would seem, if mining dollars are distributed as royalty payments. Mining is quick money, easy money, strongly advocated for by the Land Council meant to be serving Indigenous landowners and seemingly requiring no labor on the part of Indigenous subjects. With the average yearly income for Aboriginal persons hovering around $10,000, any additional income is very seductive. And, given the structure of land governance that the state established under land rights legislation, large numbers of traditional owners who have no knowledge about or interest in the land can outvote those people who do. Mining companies know this, as do the managers and employees of the Northern Land Council, which is increasingly dependent on mining royalties to finance its payroll.

All these forces move through the practical reasoning about what Tjipel is and will become. And these forces are within the current

arrangement of existence. Thus, when reminding her family that their mothers, grandmothers, cousins, and other kin cared about places like Tjipel, Linda is very clear that the world she lives in is not and will never be the world in which her mother lived. She is clear that she cannot truly know or experience the world in which her mother lived, a world in which Indigenous men, women, and children were treated as safari game, were ripped apart on the basis of "interbreeding," were poisoned and burned in remotely located bonfires. Linda's obligation to her mother's existence is, in other words, melancholic in the sense that the obligation is toward an unknown, unknowable object. This melancholic obligation has no less forceful a power on Linda than a mere mourning would; it probably has more. But her melancholic attachment must find a way of continuing in the current governance of Indigenous difference, the suspicions of the Intervention, the economies of extraction, and the rise of a fundamentalist Christianity. In these objective parameters of existence, Indigenous persons such as Linda are confronted with the blunt question of whether the continuing existence of the young woman lying down is practically equivalent to "actual" young women such as herself, her relatives, and her grandchildren. Is Tjipel's existence "worth" the poverty of her human family? Is she worth an iPhone?

Thus part of the problem Tjipel faces if she is to persist is that she is not the same thing across the arrangements of existence that these three women represent. Nor are these three women. They know they can only stay in place in their current form if they can make Tjipel and each other into a specific form of existence. And these different "things" that Tjipel is and could be are themselves backed by unequal normative forces. As each of these "women" float down her river back, Tjipel becomes something else. She is an object of mourning and remembrance of Yilngi for Linda and others. She is a potential gas, rare earth, and mineral deposit. She is an indicator of global warming insofar as climate scientists and activists can use her ecological variation as an indication of warming due to carbons released by mining. She is an anthropological and archaeological archive of precolonial material and social organization. And she is a legal device for measuring cultural retention and distinguishing the territorial boundaries of Indigenous traditional owners. Not only is Tjipel multiple things, what she could be is multiplied as each arrangement defines her as a kind of being, a kind of entity, or an object or thing (*res*). As each of these arrangements absorb her, they open a set of *otherwises* unique to that arrangement, much as Michel Serres notes that each building builds into itself its own way of making noise, of decomposing, or parasitic inhabitation (*Parasite* 12). As

Tjipel becomes a new form of existence, so do her human parasites. They become rich, toxic, melancholic, hungry, evil, anxious, powerful.

IV

Gillard and Rinehart may be locked in battle over the relationship between land, capital, and the state in the contemporary late liberal demos, but neither would consider, I am hazarding, that Tjipel is a living being, much less an adolescent girl who dressed as a boy and became a creek. For them, Tjipel is not life, plain and simple. She is neither *bios* nor *zoe*. Various plants and animals within the place Linda calls Tjipel are certainly alive, but their geological and geochemical contexts are not. Tjipel is inert. She is fictional, without any inherent power of action, motion, or resistance. How do our critical concepts support or undermine the struggle Tjipel wages against Gillard *and* Rinehart? How, for instance, do the theoretical discussions of biopower help us understand the precarious position in which Tjipel finds herself?

As we know, beginning with his Collège de France lectures on the abnormal, Foucault attempted to understand, on the one hand, the formations and figures outside the dominant image of sovereign power and, on the other hand, the emergence of subjugated knowledges, figures, and forces from within any given formation of power. Let me briefly summarize each of these in turn and then discuss where Tjipel might find a space.

Between his 1976 lectures, *Society Must Be Defended*, and his 1977 lectures, *Security, Territory, Population*, Foucault attempted to distinguish the concept of sovereign power from disciplinary and biopower. His understanding of biopower would shift as it became more elaborate over the course of his biopolitics courses. At the heart of the distinction between sovereign power and biopower was the concept of *population* and the distinction between the concept of the population and the people. Remember, in *Society Must Be Defended*, Foucault argues that kingly sovereignty was not displaced by an uprising of "We, the People," but by a discursive shift from the king to the nation as the source of state wealth. In other words, liberal nationalism was not the insurrection of the people as a force of freedom but the emergence of the population as a discourse of life-wealth. *Society Must Be Defended* mentions the difference between the population and the people only in passing; Foucault's main purpose in those lectures was to discuss the relationship between biopolitics and war. But retrospectively one can see that Foucault's use of the term *nation* prefigures his later use

of the term *population*. Hints of what will come are found in his discussion of the Abbé de Sieyès (*Society* 218–21). Foucault notes that Sieyès argues that the people, not the sovereign, supply "the historical conditions of existence of both *a* nation and *the* nation" (*Society* 221). And we should listen closely to this term, *existence*. What constitutes the strength of *the*, or *a*, nation is "something like its capacities, its potentialities" (*Society* 223) as a living, producing creature, a creature at one and the same time within and outside the state, the source and responsibility of state power.

In *Security, Territory, Population*, Foucault discusses more fully the distinction between his concepts of *population* and *people*. The concept and reality of population is, he claims, "absolutely modern in relation to the functioning of political power," although it has genealogical roots in Western political economic theory prior to the eighteenth century (*Security* 11). In its modern form, "the population" became an idea and a reality that grounded state rights in the vital source of capital wealth and human well-being. It became the source, object, and seat of governmental action and legitimacy. But these eighteenth-century roots are critical insofar as they created the concept of *population* as something that can be applied to the biological destiny of the human species and to segments of the human species, such that we can say "the human population" and we can say "the population of Chile." In this new liberal understanding of the nation, the king and his court have become what the living nation struggles against; sovereign power is the "inertia and indifference" obstructing the nation's vital "preservation and development" (Canguilhem 126).

This conceptual distinction between population and people is absolutely crucial for the topos of Foucault's political imaginary. The population is the collective political subject of Western liberal democracies, *not* the people. The population is the living vitality that biopower attempts to govern. Liberal constitutions would be more accurate, in other words, if they were penned in the name of "We, the Population," rather than "We, the People." *The People* is an event. It is a performative residual category of "those who conduct themselves in relation to the management of the population, at the level of the population, as if they were not part of the population" (*Security* 43). Finding and then putting themselves outside "the collective subject-object" of the population, the people are those who disrupt the biopolitical system (*Security* 44). They are a grotesque speech event that breaks and characterizes the surface of a present reality, often in the form of a question or a refusal. That which political theory celebrates as "the People" is, for Foucault, nothing but population. The demos is at core an economic

bioprospect. Those who refuse the demos are refusing the population. They become people who, in their refusal, are cast out of We, the People. They are medicalized, cared for, pastoralized, put in a psych ward or rendition center—or, perhaps, geologized.

Not surprisingly, in the final lectures before his death, Foucault would turn from a discussion of population to a reflection on the sources of the eruptions of freedom that "the People" represented. What constituted the transition from the mere factual residual to an active people? How did the grotesque survive the pastoral care and disciplinary detentions long enough to become a dominant, transformative force within a given arrangement of power? These concerns led to a second direction, or tactic, or series of questions in Foucault's later writings and lectures on biopolitics and normativity. Where did the people as outcasts come from? How did they emerge? How were the subjugated knowledges "buried or masked in functional coherences or formal systematizations" and explicitly "disqualified as non-conceptual knowledges" (*Society* 7)? At the beginning these knowledges were necessarily experienced as incoherent or naive from the perspective of scientific knowledge, unable to survive the conditions of their emergence. Thus, not surprisingly, following his biopolitical lectures, Foucault delved ever more deeply into the general problem of critique—or, if you will, the general problem of the source of the insurrection of critique as a form of knowledge. Across his lectures, in *Government of Self and Others* and *The Hermeneutics of the Subject*, Foucault explored the sources and governance of the people as an *otherwise* existing within the population. His concern was to find not some position that was freed from governance *entirely*, but to find one that asked to be governed differently. Foucault's answer may appear tautological: the transition from being a residual within the population to an instance of a People depends on a sort of person who is capable of hearing, feeling addressed by, and acting on the command to exit this inert position and to actively differ. But the sort of person who can exit (*sortie*) her inertia is not generated from within, but is produced and capacitated in a loop from outside to in and inside to out. And even if this person has been so capacitated, she must still be willing to put herself in danger and at risk, no matter that no one else seems willing to do so. And this risk is not simply her injury or death. It is a broader risk that lies at the intersection of subject, referent, and world, as these three are the artifacts of existing social institutions and relations.[5]

The focus on this kind of event would later animate Gilles Deleuze's infamous infatuation with monstrosity, Rosie Braidotti's becoming-woman,

and Roberto Esposito's formulation of a positive biopolitics against Giorgio Agamben's crypto-thanato-politics. Across these different theoretical approaches, the point was not to find the essence of a (or "the") thing, but to probe the possible existence of another thing. Immanent critique has, therefore, asked not only what activates an event but also, of all the possible events, which event might decisively disrupt the current organization of the actual. Note again, truth is measured not by its propositional consistency or logic, but by the affectivity of its monstrous incomprehensibility. The more monstrous, the more event-full, and thus the more "true" (the more it maximally transverses the given-reality). But the more event-full, the more unlikely the event will survive its "birth." If the transversality of freedom as potential existence is a practice of becoming otherwise, then the freer the becoming, the higher the phenomenological risk to the emergent being. Put another way, the purer the event, the more existential the risk. Foucault was clear that the initial—pure—moment of turning, before a mooring or anchor can be established and thus without the habituated environments that give it its context and meaning, is nearly always suicidal because the monstrosity of immanent *parrhesia* is usually treated monstrously by the given organization of subject, referent, and world. Deleuze equally saw the pure event as unrealizable and unlivable (Deleuze and Guattari). What surprise, then, that the trope of choice within immanent ontology is *ascesis*, the exercise of the self.[6] But the exercises of the self that are necessary to secure a new body occur within a hostile environment, which is why I say that when immanent ontology goes social—when it occupies the world that it says are its grounds—endurance becomes the necessary ethical and political problem.[7]

If we wanted, we could simply extend Foucault's notion of *parrhesia* (*dire vrai*) to Tjipel. Tjipel is a form of speaking truth; she is the monstrous eruption of a people. She is a nonlife entity that demands her position be a part of the governance of the late-liberal demos. But as with Tjipel's rapport with Canguilhem, so her rapport with Foucault. We need to be more attentive to the support within the critical legacy of biopower and her radical departure from it. Tjipel asks us to consider the effects of producing life as a morally and factually distinct mode of being that demands our concern and allegiance in a different way from other modes of existence. She asks why we insist on emphasizing her divergence from biological life. She might not be the same as biological life, but even the biological sciences emphasize the essential nature of being as extension into other entities-as-arrangements. The cells of very small aquatic animals use the water around

them to provide internal nutrients, absorb its waste products, and provide a kind of skin by providing them with a relatively unaltered container. Larger, more complex multicellular animals like humans have created an internal environment of "extracellular fluid" (Heller and Hillis 833). But humans breathe in and ingest from the outside, swarm with bacterial and viral organisms, lock their fragile bodies in clothes and dwellings. Tjipel is a geontological statement that no life is sovereign in the sense of an absolute structural and functional compartmentalization and self-organization. Thus we can interpret the normative force she exerted over life and nonlife as a denegating force: she refuses to recognize any fundamental difference between life and nonlife—or, perhaps, the fundamental irrelevance of the difference between life and nonlife.

The monstrosity of her insistence is indexed by the fact everything I just wrote is infelicitous for many for the simple reason that most people would claim that *Tjipel does not seek* because she cannot speak, let alone intend. By *intention*, I mean that, supposedly, Tjipel cannot give an account of the reason for her actions and the future toward which these actions are the means to an effect. For the most part, philosophers of intention have seen intention as a mental state, as part of what having a mind of a particular sort allows some entities to do. Indeed, Elizabeth Anscombe, an analytic philosopher, delinked intentionality from mere purposive action (18–25). Nonhuman animals could have purposeful action—the purpose of specific actions of the fish that run through Tjipel's legs act in order to eat and not be eaten. We might extend this to plants, saying that the mangroves that hold her muddy skin in place act in order to receive nutrients from soil and air. Geological formations do not engage in purposive action. In any case, intention is distinct from being engaged in purposeful action. To have an intention is to be able to give an account or have an account of why, for what, toward what one's actions are oriented. For Anscombe, would nonhuman animals and plants, let alone geological formations, be incapable of giving such an account?

This critique of the force of Tjipel makes a fundamental mistake in that it emphasizes the wrong angle of Tjipel's difference. It closes off what she opens (blocks its ear, *tjeingithut*), namely, that she is not like us. Her existence is not there to make her like us—to make her have intention, agency, and purposeful action like we do. Her existence insists that *we are like her*, multiple and radically external to our skin sacks. If we demand that participants of governance speak and intend *like us,* then yes, we ban

everything that does not conform to us from the hallways of the demos. If she is a creek or ecosystem, and thus outside the typical domains of sovereign forms of life, can she find a place in the politics of the demos on an equal footing with other entities found there? Can she differ—can she make herself a difference by differing from the given arrangements of existence—by disturbing the distribution of the sensible, that "system of self-evident facts of sense perception that simultaneously discloses the existence of something in common and the delimitations that define the respective parts and positions in [the common]" (Rancière 12)? Or will Tjipel stand outside the demos, denuded of her normative force, a part that seems to play no part, although her part will be to turn away from the demos, refusing to nourish it.

The odds that Tjipel, a composite non–life entity that can neither speak nor intend, will survive these forces are low. She nevertheless demands a new accounting of the formation of power in which she does and might potentially exist. She forces us to consider whether the biopolitical and its key figures and discourses are any longer the key problematics of late liberalism. Tjipel is not merely, or most critically, a representative of "a people" cast out from the population. She is a figure outside the figures and strategies, positive and negative, of biopower. She draws together the three figures of geontopower—the figure of THE DESERT as her future, THE ANIMIST as her salvation, and THE TERRORIST as her potential inner toxic offspring. Note the emphasis on key. The biopolitical has hardly disappeared as a formation of power. We need simply remember how the federal Intervention in Indigenous social welfare proceeded through a discourse of sexual pathology and normalization if we need any evidence of the continued "importance assumed by sex as a political issue" (Foucault, *History* 145). Insofar as sex continues to be "a means of access[ing] both to the life of the body and the life of the species," figures of sexuality will continue to be a productive tactic in late liberalism (146). Along with these figures, the epistemologies that emerged to analyze these technologies, their discourses, and their figures—identity, cultural, and queer theory—will continue to be relevant.

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Notes

1 The $587 million package came into effect with the passage of the Northern Territory National Emergency Response Act 2007 by the Australian Parliament in August 2007. The nine measures contained therein were as follows:

- Deployment of additional police to affected communities.
- New restrictions on alcohol and kava.
- Pornography filters on publicly funded computers.
- Compulsory acquisition of townships currently held under the title provisions of the Native Title Act 1993 through five-year leases with compensation on a basis other than just terms. (The number of settlements involved remains unclear.)
- Commonwealth funding for provision of community services.
- Removal of customary law and cultural practice considerations from bail applications and sentencing within criminal proceedings.
- Suspension of the permit system controlling access to aboriginal communities.
- Quarantining of a proportion of welfare benefits to all recipients in the designated communities and of all benefits of those who are judged to have neglected their children.
- The abolition of the Community Development Employment Projects.

2 Prompted by the publication of *Ampe Akelyernemane Meke Mekarle "Little Children Are Sacred."* Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, 2007.

3 In the second meeting, Gillard met with Barack Obama in Darwin, confirming a significant increase in U.S. military aid and presence in the north.

4 *Australia recorded a trade deficit of 118 AUD Million in November of 2013. Balance of Trade in Australia is reported by the Australian Bureau of Statistic. Balance of Trade in Australia averaged −495 AUD Million from 1971 until 2013, reaching an all-time high of 2228 AUD Million in February of 2009 and a record low of −3854 AUD Million in February of 2008. In 2010 and 2011 Australia reported consistent trade surpluses due to high price of commodities. However in 2012, the trade balance is back in deficit due to sharp in value of exports and rising capital imports. Metals, coal and oil and natural gas account for 54 percent of total exports. Australia is a major importer of machinery and transport equipment, computers and office machines and telecommunication lasers. Australia's main trading partners are: China (27 percent of total exports and 15 percent of total imports), Japan (17 percent of exports and 8 percent of imports), the United States (5 percent of exports and 13 percent of imports), South Korea, Singapore, the United Kingdom and New Zealand. ("Australia")*

5 I am hardly the only one to note that the subject of democratic politics has a dual function as politics and the police. Alain Badiou has sought to counter Jacques Rancière's "democratic hypothesis" with a Maoist hypothesis. And countless varieties of anarchists, Islamists, Indigenous cosmologists, and Western theorists have pointed to the policing function of the democratic fantasy. Moreover, I would not be the first to wonder how Foucault's

archetypical experimenters of life all fit together. Is the precariat understood as part of capital, produced by capital, yet playing no part in capital, even as a reserve force of the same type and modality as those of us who are gay and North American deciding whether to enter into the biopolitical apparatus of marriage?

6 Michel Serres subtly literalized this as a bodily exercise in his chapbook, *Variations on the Body*. For William James, the ethics of the otherwise was at its core an energetics: the material organization and distribution of energizing and enervating forces.

7 Aside: many of us—Colin Koopman, some Italians, and Brian Massumi, for instance—have turned to rereading American pragmatists, especially William James and Charles S. Peirce, where the problem of the new is rooted in the effort of semiosis. Others, such as Donna Haraway, have gone to Whitehead.

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