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Who, in Our Present, Might the Pierre Rivières Be? Political Subjectivation and the Construction of a Collective “We”¹

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ABSTRACT. This article intends to focus on some of the possibilities for analysis and reflection that emerge from the reading of *I, Pierre Rivière, having slaughtered my mother, my sister, my brother*: a 1973 text, edited by Foucault, which develops from the recognition of the potency inherent in the act of speech by the speechless. Pierre Rivière is in fact considered the one who, through but also beyond his terrible deed, has the (entirely political) ability to take the risk of “challenging power.” It is precisely by means of this act that he undertakes a process of desubjection and subjectivation, imposing disruptive and scandalous truths and discourses against other truths and discourses recognized as dominant and more authoritative. Pierre Rivière's Memoir cannot therefore be investigated as a confession; rather, it has to do with *parrhēsia*, anticipating many of the Foucauldian reflections on the subject, which would not be developed until several years later. Moreover, it does not really concern an isolated individual. The subject Rivière speaks of is one who not only rises up for his own part but also paves the way for the many without a part, thus outlining the possibilities of constructing a collective “we” that aims to conquer a political space. From here the question arises: “Who, in our present, might the Pierre Rivières be?” A question that has nothing to do with the tragic facts of the parricide but which allows us to explore what Pierre Rivière enables us to think and say today.

Keywords: Pierre Rivière, subjectivation, *parrhēsia*, confession, speechless, political space

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INTRODUCTION

In 1836, a dossier was published in the *Annales d'hygiène publique et de médecine légale* regarding a case of parricide that occurred the previous year. Although this significant event coincided with the early developments of criminological psychiatry (which would consolidate as a discipline a little later), it did not cause much stir among the many similar cases occurring in the first half of the 19th century. However, when the document was rediscovered in the early 1970s, Michel Foucault took a particular interest in it.² In fact, precisely at that time, the French philosopher was beginning to work on a genealogical analysis of the different types of relationship between power and knowledge in relation to the formation of judicial apparatuses, penal systems, psychiatry and normalization processes.³ With a group of collaborators, he therefore continued this research and, in addition to the materials contained in the *Annales*, he was able to trace all the documents related to the trial, most of which were kept in the archives in Calvados. The result of this investigation is that extraordinary text from 1973, edited by Foucault, the title of which is taken from the incipit of the parricide's Memoir: "I, Pierre Rivière, having slaughtered my mother, my sister, and my brother."⁴

In fact, simply by browsing through the index of the collection, it is clear that only two parts were actually written by Foucault. These consist of just a few pages: the presentation of the work and an essay—entitled "Tales of Murder"—which appears in the second part of the text (after the parricide dossier), dedicated to a series of interventions by some of those who, along with Foucault, had dealt with the Pierre Rivière case (Jean Pierre Peter and Jeanne Favret, Patricia Moulin, Blandine Barret-Kriegel, Philippe Riot, Robert Castel, and Alessandro Fontana). At first glance, it might therefore seem that this text cannot be considered one of the fundamental sources for structuring Foucauldian reflection. Yet, fifty-one years after its publication and forty years after Foucault's death, it is important to return to the profound meaning of the more or less implicit analyses developed in this work. The collection of materials built around the Pierre Rivière case, or rather around Pierre Rivière's Memoir—which tells his story and his crime against other stories and other descriptions and interpretations of his crime—in fact constitutes one of the decisive steps both for understanding Foucault's eminently political works and for retaining one of the main legacies of his thought. Specifically, this case represents a matrix of intelligibility that, on one hand, allows us to explore a series of issues found in much of Foucault's

² Consider that Foucault had devoted an entire seminar to the Pierre Rivière case, held at the Collège de France along with the 1971-1972 course. See Michel Foucault, *Penal Theories and Institutions: Lectures at the Collège de France, 1971-1972* [2015] (2019), 232-233.

³ Refer in particular to the following courses taught by Foucault at the Collège de France: Foucault, *Penal Theories and Institutions*; Michel Foucault, *The Punitive Society: Lectures at the Collège de France, 1972-1973* [2013] (2015); Michel Foucault, *Psychiatric Power: Lectures at the Collège de France, 1973-1974* [2003] (2003); Michel Foucault, *Abnormal: Lectures at the Collège de France, 1974-1975* [1999] (2003).

⁴ Pierre Rivière, "The Memoir" [1836], in *I, Pierre Rivière, Having Slaughtered My Mother, My Sister, and My Brother. A Case of Parricide in the 19th Century* [1973], ed. Michel Foucault (1975).

production and, on the other, anticipates some topics developed only later (between the late 1970s and early 1980s), revolving around the possibilities of subjectivation and, in particular, the possibilities of the active construction of (political) subjects. *I, Pierre Rivière* in fact starts from the recognition of what we could define in terms of potency: that astonishing potency inherent in the act of speech by the speechless, that is, someone who—like many without a voice—is qualified by the impossibility of making their voice heard.⁵ It is precisely through this act, a “right to break the silence and speak at last,”⁶ that Pierre Rivière undertakes a process of subjectivation, giving rise to disruptive truths and discourses; it is through this act that Pierre Rivière—a peasant, poor, from a small village in Calvados (Normandy)—become the Pierre Rivière we are talking about.

Developing on these reflections, some research questions will be formulated, which—in turn—have the main purpose of leading us towards further interrogation relating precisely to the legacy of Foucauldian thought. It is a matter of wondering: who might Pierre Rivière be today? Or more precisely: who might the Pierre Rivières of our present be? Obviously, this question has nothing to do with the tragic facts of the parricide committed by Pierre Rivière, but it calls into question the political function of the act of speaking by those without a voice. Ultimately, a question that allows us to explore what Pierre Rivière enables us to think and say today.

“THE RADICAL VIOLENCE OF THE LIBERATED WORD”

One of the first questions that emerges from reading *I, Pierre Rivière* is: what kind of work had Foucault and his collaborators done in repropounding and organizing the set of documents that constituted the parricide dossier? To answer this question, first of all we must affirm that this collection leaves no room for ‘gaps of speech’ and that—as a characteristic element, underlined by Foucault himself—it brings together materials of very different statuses, origins and forms. It in fact includes a series of medical reports, one of which is signed by some of the most authoritative psychiatrists and forensic doctors of the time (Jean Étienne Dominique Esquirol, Charles Chrétien Henri Marc, Mathieu Orfila). There are court exhibits regarding the crime, arrest, preliminary investigation, trial, period spent in prison and death. The statements by witnesses—all inhabitants of Aunay, a small village in Calvados, where Pierre Rivière came from—are inserted, along with press articles on the case, the history of the Rivière family and Pierre Rivière’s movements after committing the crime. Finally, the most important document: “The Memoir,” the narrative of the parricide “considered by many to be a madman,”⁷ who was sentenced to death but hanged himself in Beaulieu prison, despite having had his sentence commuted. This

⁵ On this topic, certainly consider Philippe Sabot’s important essay: Philippe Sabot, “(P)rendre la parole,” *Raisons politique* 68:4 (2014).

⁶ Jean-Pierre Peter and Jeanne Favret, “The Animal, The Madman, and Death,” in *I, Pierre Rivière*, ed. Foucault (1975), 176.

⁷ Michel Foucault, “Foreword,” in *I, Pierre Rivière*, viii.

document is given in its entirety and holds a central role in the dossier: a pivotal and even magnetic position with respect to all other positions and interpretations.

What is significant for Foucault is not, in fact, only Pierre Rivière the figure and his acts but more precisely the relationship between Pierre Rivière's Memoir and other discourses, i.e., the possibilities offered by the potency of Pierre Rivière's narrative. Pierre Rivière is the one who "with his innumerable and complicated engines of war"⁸ with his "discourse/weapon, poem/invectives, verboballistic inventions, instruments for "encepharing," (...) words projectiles"⁹ speaks of his story, the story of his family, the thoughts that had paved the way for and accompanied his atrocious act. It is in this way (and here we anticipate a passage that will be discussed later) that he imposes his specific truth, which does not coincide with other more authoritative truths. Stating Pierre Rivière's centrality does not, therefore, so much bring to light a certain event but rather an understanding and strategic use of that event through its inclusion in a broader field of discourse.

Based on these considerations, it is a matter of acknowledging that the work done by Foucault and his collaborators does not have the characteristics of what we might define as an "inquiry," if by this term we refer to the semantic field set by the inquisitorial model (which Foucault deals with particularly in *Penal Theories and Institutions*), which consists of the following three phases: "establish the fact, determine the guilty party, and establish the circumstances of the act."¹⁰ It is not a matter of trying to establish "The Truth," since Foucault's work does not in any way seek to delve into the individual documents to formulate a new, ex-post opinion or interpretation of the Pierre Rivière trial.¹¹ Inversely, the aim was to analyze how these documents highlighted relations of power, the emergence of games of truth, the formation of specific (medical, psychiatric, psychopathological) knowledge and, above all, the establishment of strategic-political discourses. Therefore, one of the issues at stake was precisely to address a general problem that characterized Foucault's research for a long time: to understand how discourses to which "a value of truth is attributed are linked to various mechanisms and institutions of power."¹²

In this way, the heterogeneous set of discourses that constitute the Pierre Rivière case dossier—which Foucault brings back to the attention of his present, and in fact also to the attention of our present—become weapons in a battle defined by the layering of multiple relations of force, which may be investigated in terms of war. Here, indeed, we find the main model used to structure Foucauldian analyses in the first half of the 1970s. A "polemocratic scheme" that recognizes critique as a tool of war, and war—understood as the set of processes of tension that cross society and unite or divide subjectivities that do not

⁸ Ibid., xi.

⁹ Michel Foucault, "Tales of Murder," in *I, Pierre Rivière*, 203.

¹⁰ Foucault, *Penal Theories and Institutions*, 231. See also *ibid.* 204-207.

¹¹ See Philippe Riot, "The Parallel Lives of Pierre Rivière," in *I, Pierre Rivière*, 240.

¹² Michel Foucault, "Prefazione all'edizione italiana" [1977], in Michel Foucault, *La volontà di sapere. Storia della sessualità 1* (2009), 8, our translation.

belong to the same space—as a framework of political configuration.¹³ It is indeed this specific relational understanding of war that, also in *I, Pierre Rivière*, defines the matrix used to analyze the functioning of discourses, games of truth and relations of power and knowledge. As, in relation to the documents in the dossier, Foucault states:

In their totality and their variety they form neither a composite work nor an exemplary text, but rather a strange contest, a confrontation, a power relation, a battle among discourses and through discourses. And yet, it cannot simply be described as a single battle; for several separate combats were being fought out of the same time and intersected each other (...). I think the reason we decided to publish these documents was to draw a map, so to speak, of those combats, to reconstruct these confrontations and battles, to rediscover the interaction of those discourses as weapons of attack and defense in the relations of power and knowledge.¹⁴

It is therefore a question of understanding that the effect of Pierre Rivière's Memoir was to shift the plane of analysis. What does this mean? That the Pierre Rivière case should not be examined in psychiatric or legal terms; or, rather, these are not the main spheres of reflection mobilized by Foucault's work. The question is primarily political. The point is in fact not to define the essence of Pierre Rivière the individual, nor even the “phenomenology” or the causes of the parricide, but the relationship of force established by the imposition—a resistant imposition—of Pierre Rivière's act of speaking. Therefore, it is crucial to emphasize that Pierre Rivière's true action—that is, the action that captures Foucault's attention and, at the same time, our attention—is not the parricide as such but parricide in its being consubstantial with the striking narrative of that crime (also considering that Pierre Rivière had already planned to write the Memoir before his act). Pierre Rivière's act of speaking is thus disruptive because it translates into a “narrative/murder;”¹⁵ and, in this sense, the parricide constitutes “the radical violence of the liberated word.”¹⁶

In this regard, it is pointless to underline that, either for Foucault in the 1970s or for us today, it is not a question of celebrating the cult of Pierre Rivière. Nothing could be more alien and further from this idea. As Foucault stated during an interview in 1976, following the release of René Allio's film¹⁷ dedicated to the very same event:

I believe that Rivière's discourse on his own act is above, or at any rate beyond, all possible perspectives. What can be said of the very core of this crime, of this action

¹³ In particular, consider that, beginning with *Nietzsche, Genealogy, History* in 1971 and at least until the 1975-1976 course at the Collège de France, “*Society Must Be Defended*”, Foucault develops and employs a specific polemocritical scheme which precisely recognizes the centrality of war as a matrix of intelligibility of society and relations of power. On this topic, see Valentina Antoniol, *Foucault critico di Schmitt. Genealogie e Guerra* (2024), of which a minor version in French: Valentina Antoniol, *Foucault et la guerre. À partir de Schmitt, contre Schmitt* (2023).

¹⁴ “Foreword,” x-xi.

¹⁵ Foucault, “Tales of Murder,” 207.

¹⁶ Peter and Favret, “The Animal, The Madman, and Death,” 191.

¹⁷ René Allio, *Moi, Pierre Rivière, ayant égorgé ma mère, mes frères et mes sœurs*, film (1976).

that is not infinitely distant from it? We are faced with a phenomenon for which I cannot think of an equivalent in the history of crime or discourse: a crime accompanied by a discourse so strong, so strange, that the crime itself no longer exists, escaping by virtue of the very discourse held on it by the person who committed it.¹⁸

Therefore, returning once again to the question posed at the beginning of this section, we can also see that the work done by Foucault and his collaborators in organizing and presenting the collection *I, Pierre Rivière* is certainly not a matter of adding their own speech or, more properly, their own discourse to the others already present in the dossier. Yet, upon closer inspection, it is also not a matter of giving a voice, an action that—as noted by significant lines of thought, including undoubtedly post-colonial studies¹⁹—would imply a hierarchical relationship inherent in “restoring the voice” of the other. It is, more precisely, about “evoking” a voice or making space for that voice which, in fact, has not only already been spoken and acted upon, that is, it already exists, but has also already conquered its own space. Pierre Rivière’s speech is indeed one that demands firstly to be heard and, thereafter, demands testimony²⁰ (and which somehow recalls the premises of the *Groupe d’Information sur les Prisons* (GIP), a project to which Foucault devoted himself in the early 1970s and which aimed to give a voice to prisoners).²¹ It is thus no coincidence that the title of Foucault’s essay in *I, Pierre Rivière*—“Tales of Murder” (and the French “*Les meurtres qu’on raconte*” better account for this choice)—mobilizes an impersonal and far from trivial standpoint. It is a symptom of a thought that does not force reality but rather questions it. A thought that allows the emergence or, more precisely, respects the insurrection of multiplicities, alterities and subjectivities, however minor, discredited or marginalized.

¹⁸ Michel Foucault, “Entretien avec Michel Foucault” [1976], in *Dits et écrits 1954-1988*, ed. Daniel Defert, François Ewald and Jacques Lagrange (1994), vol. III, n. 180, 98, our translation, with partial adjustment of the text.

¹⁹ Consider, in particular, the collection built around Gayatri Chakravorty Spivak’s famous essay “Can the Subaltern Speak?”: Rosalind C. Morris, ed., *Can the Subaltern Speak? Reflections on the History of an Idea* (2010). See also, Emmanuel Renault, “Subalternité, prise de parole et reconnaissance,” in *Histoire et Subjectivation*, ed. Augustin Giovannoni et Jacques Guilhaumou (2008), 121-137 and, again, Sabot, “(P)rendre la parole,” 9-10.

²⁰ See Brossat, “Les hommes de poussière,” in *Tombeau pour Pierre Rivière*, ed. Philippe Roy and Alain Brossat (2013), 107.

²¹ As Foucault stated during a 1973 interview regarding prison conditions in France: “We illegally got questionnaires into the prisons, and they were returned to us in the same way, so that in our booklets it was the prisoners themselves who spoke and revealed the facts. It was important for the public to hear the voice of the inmates, and for the inmates to know that it was they themselves who were speaking, because the facts were known only in restricted circles,” Michel Foucault, “Prisons et révoltes dans les prisons” [1973], in Foucault, *Dits et écrits*, vol. II, n. 125, 428-429, our translation. On this theme, see “Manifeste du G.I.P.” [1971], in *Dits et écrits*, vol. II, n. 86; Philippe Artières, Laurent Quéro, Michelle Zancarini-Fournel, ed., *Le groupe d’information sur les prisons. Archives d’une lutte (1970-1972)* (2003).

WHO IS (NOT) PIERRE RIVIÈRE?

Who is Pierre Rivière? What kind of act did he commit? These are some of the questions that permeate the original dossier on the parricide case. The magistrates, judges, psychiatrists, doctors and witnesses try to answer these questions; each of them seeks a specific correspondence between Pierre Rivière the individual—examined through a relentlessly objectifying lens—and his crime. It is a mechanism that criminologists define as “criminal and psychological profiling”—a practice that also underpins today’s security and cyber (social) security procedures²²—and that, only two years after the publication of *I, Pierre Rivière* was described in *Discipline and Punish: The Birth of the Prison*. In this essay, Foucault traces the historical articulation—developed between the late 18th and early 19th centuries—of the modalities of the “objectification of crime and of the criminal”²³ in relation to a specific penal reform project which aimed to generalize the punitive function. It is indeed through modalities and tactics of intervention, such as “the organization of a field of prevention, the calculation of interests, the constitution of a horizon of certainty and proof”²⁴ etc., that, on one hand, the criminal is designated as an individual to be known according to specific criteria—he is “a villain, a monster, a madman, perhaps, a sick, and before long ‘abnormal’ individual”²⁵—and, on the other, the crime is indicated “as a fact to be established according to common norms”²⁶ and, therefore, subjected to a rigid codification. Going even further, it is also interesting to observe that in the course held in Louvain in 1981, *Wrong-doing, Truth-telling. The Function of Avowal in Justice*, Foucault notes how it is precisely between 1800 and 1835 (the date of the Pierre Rivière case) that the issue of criminal subjectivity emerges, that is, “the question of the knowledge of the subject as a criminal subject.”²⁷

²² Increasingly, security and cyber social security projects are taking into account the critical aspects related to profiling practices. On this topic, the literature is vast; consider, for example: Bernard E. Harcourt, *Against Prediction. Profiling, Policing and Punishing in the Actuarial Age* (2007).

²³ Michel Foucault, *Discipline and Punish. The Birth of the Prison* [1975] (1977), 101. See also Michel Foucault, “About the Concept of the «Dangerous Individual» in Nineteenth Century Legal Psychiatry” [1978], in *Essential Works of Michel Foucault 1954-1984: Power*, ed. James D. Faubion (2001), vol. 3, 176-200. With reference to the literature on the topic, see in particular: David Garland, “The Criminal and His Science: A Critical Account of the Formation of Criminology at the End of the Nineteenth Century,” *British Journal of Criminology* 25:2 (1985), 109-137; Piers Beirne, *Inventing Criminology. Essays on the Rise of Homo Criminalis* (1993); Christian Debuyst, Françoise Dignieffe, Jean-Michel Labadie, Alvaro P. Pires, *Histoire des savoirs sur le crime et la peine. Des savoirs diffuse à la notion de criminel-né* (1995), vol. 1; Giuseppe Campesi, “L’individuo pericoloso. Saperi criminologici e sistema penale nell’opera di Michel Foucault,” *Materiali per una storia della cultura giuridica*, XXXVIII:1 (2008), 121-141. Finally, for a deeper understanding of the development of Cesare Lombroso’s concept of “criminal man” in the second half of the 19th century, which accompanied the nightmare of the subaltern classes’ uprising, certainly consider: Damiano Palano, *Il potere della moltitudine. L’invenzione dell’inconscio collettivo nella teoria politica e nelle scienze sociali italiane tra Otto e Novecento* (2002), 59-124.

²⁴ Foucault, *Discipline and Punish*, 101.

²⁵ *Ibid.*

²⁶ *Ibid.*, 101-102.

²⁷ Michel Foucault, *Wrong-doing, Truth-telling. The Function of Avowal in Justice* (2014), 212.

It is precisely within such a historical context—in which a “psychiatric and criminological continuum”²⁸ is observed—that specialists devote their utmost attention to describing and interpreting the figure of Pierre Rivière. Every tiny detail, even physical, can help to understand—i.e., circumscribe—the causes of that terrible deed: the murder of his six-months-pregnant mother, his sister and his brother. The official documents report that Pierre Rivière is “aged twenty, a farmer, born in the commune of Courvaudon, residing in the commune of Aunay, cantonal administrative center, district of Vire, department of Calvados, height one meter six hundred and twenty millimeters, hair and eyebrows black and scanty, forehead narrow, nose ordinary, (...), face oval, mouth ordinary, chin round, beard light chestnut, complexion swarthy, gaze furtive, head aslant.”²⁹ Moreover—a distinctive and disturbing trait—Pierre Rivière has “reddish-brown eyes,”³⁰ and this characteristic can only be the harbinger of a certainly unsound, probably unbalanced mind, and a cruel soul. And yet, the experts do not agree on the most important aspect. How should Pierre Rivière be considered? Absolutely mad and therefore innocent?³¹ Or certainly endowed with reason—intent on pretending to be mad to escape justice³²—and therefore guilty? Or perhaps instead, Pierre Rivière can be regarded as a victim himself? Or again, are we talking about a kind of village idiot incapable of “understanding the nature of his ferocious act”³³ or a serious, grim man “with an ardent, cruel and violent imagination”³⁴ whose attitudes indicate a habit of reflection, endowed with a prodigious “aptitude for science and a most remarkable memory,”³⁵ and a singular disposition “for learning equaled only by his avidity for instruction”?³⁶

Pierre Rivière is called upon to write his memoir precisely to remedy these contradictions. Specifically, the text was requested by the magistrate in charge of the investigation, according to which it was to constitute a fundamental document in the inquiry, added to all other procedural documents, in order to establish “The Truth” about the murder—that is, whether it was an act committed with reason or under the aegis of madness. Nevertheless, this Memoir was one that Pierre Rivière himself wanted to write, since—as mentioned earlier—it had already been meticulously prepared, even before performing his act.³⁷ He is the one who, at the beginning of his text, asserts: “All this work will be very crudely styled, for I know only how to read and write; but all I ask is that what I mean shall be understood, and I have written it all down as best I can.”³⁸ For the parricide, writing the Memoir was in fact a unique opportunity to define his own truth (as well as his

²⁸ Ibid., 220.

²⁹ “The Preliminary Investigation.” in *I, Pierre Rivière*, 46.

³⁰ Ibid.

³¹ “Medico-legal Opinions,” in *I, Pierre Rivière*, 125.

³² “The Preliminary Investigation,” in *I, Pierre Rivière*, 50.

³³ Ibid., 52.

³⁴ Ibid., 49.

³⁵ Ibid., 26.

³⁶ Ibid., 49.

³⁷ See Rivière, “The Memoir,” 105.

³⁸ Ibid., 55.

own glory) and, in one fell swoop, escape the evidence of both rationality and madness, forcing a reevaluation of his intellectual abilities. As Foucault notes: he “who had been held to be a ‘kind of idiot’ in his village turned out to be able to write and reason;” he who “the newspapers had depicted as a ‘raving madman’ and a ‘maniac’ had written forty pages in explanation.”³⁹ And it is indeed in this direction that we must read the words of Pierre Rivière as a wise connoisseur of the laws, albeit in the guise of a self-aware monster (the same Pierre Rivière who, however, in another passage had stated that his act seemed destined for him by God):⁴⁰

They told me to put all these things down in writing, I have written them down; now that I have made known all my monstrosity, and that all the explanations of my crime are done, I await the fate which is destined for me, I know the article of the penal code concerning parricide. I accept it in expiation of my faults.⁴¹

It is thus understood that the request made to Pierre Rivière by the judges to recount the parricide, with the pretense of extracting what can indeed be intended as a true and proper confession, turned out to be something completely opposite, taking an entirely different direction and potency. So what exactly is the confession?—a very important theme within Foucault’s production, widely analyzed especially (although not exclusively) in the first volume of *The History of Sexuality* (1976) and in *Wrong-doing, Truth-telling* (1981) (with specific reference to ‘avowal’). It is exactly a discursive ritual that, from the 16th century onwards, is also employed by secular institutions and disciplinary structures in legal and medical fields. The confession, which implies not only an effort of maximum precision on what is most difficult to say but also “the infinite task of extracting from the depths of oneself, in between the words, a truth which the very form of the confession holds out like a shimmering mirage,”⁴² consists precisely in a process of producing truth entirely crossed by relations of power. As Foucault states:

The confession is a ritual of discourse in which the speaking subject is also the subject of the statement; it is also a ritual that unfolds within a power relationship, for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile; a ritual in which the truth is corroborated by the obstacles and resistances it has had to surmount in order to be formulated; and finally, a ritual in which the expression alone, independently of its external consequences, produces intrinsic modifications in the person who articulates it (...).⁴³

³⁹ “Tales of Murder,” 199-200.

⁴⁰ See “The Memoir,” 105.

⁴¹ *Ibid.*, 121.

⁴² Michel Foucault, *The History of Sexuality. Volume 1: An Introduction* [1976] (1978), 59.

⁴³ *Ibid.*, 61-62.

From this, it follows that one of the main characteristics of confession is related to the fact that the one who interrogates does not simply have the task of extracting a secret, something voluntarily kept hidden, but also that of interpreting a truth believed to be unknown even to the person interrogated, who, by the very fact of enunciating it, undergoes a transformation as a subject. And what does it mean to talk about the transformation of the subject in relation to the techniques of confession that require the production of a truth? It means arguing that the one who listens holds power over the one who speaks, and the one who speaks develops a relationship of dependency towards the one who listens; it is indeed this relationship that produces subjection, that is, a process of passive construction of the confessing subject. Specifically, the confessing subject is constituted from an objectification, activated by the exact system of knowledge and power, that is precisely that of the confession: "An immense labor to which the West has submitted generations in order to produce[...] men's subjection."⁴⁴ The confession, the avowal, is indeed "a verbal act through which the subject affirms who he is;"⁴⁵ in this way, the subject binds himself to the truth that he himself affirms, yet is qualified differently from what he himself has affirmed. For example: he is a criminal, but is he repentant? Or is he sick, but still curable? As Foucault observes—during a 1981 interview with Jean François and John De Wit—between 1830 and 1850, "there was a shift from avowal, which was an avowal of an offense, to a supplementary demand: 'Tell me what you did, but above all, tell me who you are'."⁴⁶

It is therefore understood that the Pierre Rivière case is paradigmatic with respect to such a condition; it fits (or rather, seems to fit) perfectly into a similar political-legal framework. Yet, what actually happens with Pierre Rivière's Memoir? What effects do his words produce? As anticipated, Pierre Rivière's narrative has nothing to do with a confession resulting in what Foucault defines as an obsession with the will to know. While the techniques of confession demand an asymmetric relationship of power in favor of the one who listens, on the contrary, Pierre Rivière's words themselves establish, in a disorienting way, the order of discourse.⁴⁷ His Memoir becomes "the general narrative of a clash with the figures of power"⁴⁸ and, in this way, his discourse is placed not only alongside but in an even more prominent position to the discourses of those awaiting a confession in order to strengthen their own position. Pierre Rivière in fact opposes the techniques of subjection by adopting what—borrowing the Foucauldian grammar developed between the late 1970s and early 1980s—we can define as an active process of subjectivation. Or more precisely, we can observe that Pierre Rivière's act of speaking affirms a process of

⁴⁴ Ibid., 60.

⁴⁵ Foucault, *Wrong-doing, Truth-telling*, 17.

⁴⁶ Ibid. 255.

⁴⁷ See Foucault, Michel, "The Order of Discourse" [1970], in *Untying the Text. A Post-Structuralist Reader*, ed. Robert Young (1981), 51-78.

⁴⁸ Judith Revel, *Michel Foucault. Un'ontologia dell'attualità* (2003), 73, our translation.

desubjection—therefore, an indocility⁴⁹—expressed in the act of refusing a specific imposition and a specific constitution as a *subjectus*, accompanied by a process of self-construction—as a *subjectum*⁵⁰—that develops within (and against) specific games of truth.

But let us explain this passage better: without ever addressing the Pierre Rivière case (except for the interview with François and De Wit, as mentioned above), during the course in Louvain in 1981, Foucault observed how, in fact, from the 19th century onwards, this new and so desired object, the confessing subject, becomes “a destabilizing factor in punitive institutions”:⁵¹ an element of crisis rather than a keystone of the penal system. He is the one who says something less and different from what would be expected. Thus, in the same way, with his *Memoir Pierre Rivière* also opens an “irreparable breach.”⁵² He breaks with the processes of objectification—of himself and his crime—to which he seemed irremediably subjected. This results in questioning the clear division between what can be considered objective (expert opinions, reports and interpretations) and what instead falls within the ranks of subjectivity. This means that while the doctors' reports contradict each other, the judicial acts propose different punishments, the witnesses offer discordant statements and the press adapt to the flow of interpretations, on the other hand, Pierre Rivière is precisely the one who shuffles the cards, definitively rendering the presumed certainty of the presented positions indecipherable, thus establishing the ineffectiveness of any claim that has the presumption of identifying and pigeonholing. The radical possibility of rendering all forms of identification dissonant lies precisely in the extreme subjectivity of a memoir that the judges would have wanted to absolutize as objective proof of the facts and adopt as a scientific basis for understanding Pierre Rivière the individual. From voiceless outcast, Pierre Rivière becomes the one who speaks out; from unclassifiable individual, he becomes the subject who does not allow himself to be classified.

WHO MIGHT THE PIERRE RIVIÈRES BE?

Why is the act of speech of the speechless Pierre Rivière ‘disorienting’ and ‘disruptive’? As we have seen, it is because, with his truth and his “narrative/murder”, Pierre Rivière tears apart and upsets both other truths—which enjoy greater prestige and influence—and certain orders of discourse—which are imposed and recognized as dominant. And yet there is more to it. We must add that his truth, his act and his discourse are also scandalous. They offend that certain social order identified as necessary and intransigent (which at the time already recognized not only the importance of the figure of the

⁴⁹ See Michel Foucault, “What is critique?” [1978], in *What is critique? and The Culture of the Self* [2015] (2024), 26.

⁵⁰ See Étienne Balibar, “Subjectus/Subjectum,” in Étienne Balibar, *Citoyen sujet et autres essais d'anthropologie philosophique* (2011), 67-84.

⁵¹ *Wrong-doing, Truth-telling*, 201.

⁵² *Ibid.*, 200.

sovereign, Louis-Philippe, but also the imposition of an articulated system of norms and disciplines).

Therefore, while we have said that Pierre Rivière's Memoir is far from a confession (and in truth, it is neither a defense, nor a justification, nor a begging for reprieve or reconciliation),⁵³ we can rightfully argue that instead—albeit recognizing the differences between the two phenomena—it has to do with *parrhēsia* (παρρησία),⁵⁴ understood as “true discourse in the political realm.”⁵⁵ Foucault deals with this topic especially in the last period of his production, with reference to Greek and Roman Antiquity and starting from an investigation of the ethics of the relationship with the other in the practices of direction of conscience. As can in fact be read in the course held at the Collège de France in 1981-1982, *The Hermeneutics of the Subject*, what is at issue in *parrhēsia* is:

the frankness, freedom, and openness that leads one to say what one has to say, as one wishes to say it, when one wishes to say it, and in the form one thinks is necessary for saying it. The term *parrhēsia* is so bound up with the choice, decision, and attitude of the person speaking that the Latins translated it by, precisely, *libertas*.⁵⁶

And again, in some of its possible declinations, *parrhēsia* can be defined—and here we approach the more properly political aspects of the question that come into play in the Pierre Rivière case—, as a scandalous act of speech that opens up “a risk by the very fact that one tells the truth.”⁵⁷ Unlike the confession, in which the one who states what he is binds himself to this truth but is qualified differently from what he has stated, *parrhēsia* is a way of “freely binding oneself to oneself, and in the form of a courageous act,”⁵⁸ which implies the possibility of breaking with the one or those addressed. It is indeed a “speech act by someone weak, abandoned, powerless;”⁵⁹ therefore, by the powerless who “can do only one thing: turn against the one with power.”⁶⁰ So, who exactly is the parrhesiast? The parrhesiast is the one who makes the decision of “speaking freely;”⁶¹ the one “who has the courage to risk telling the truth, and who risks this truth-telling in a pact with himself,

⁵³ See “Tales of Murder,” 208.

⁵⁴ See “(P)rendre la parole,” 21.

⁵⁵ Michel Foucault, *The Government of Self and Others: Lectures at the Collège de France, 1982-1983* [2008] (2010), 6.

⁵⁶ Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France, 1981-1982* [2001] (2005), 372.

⁵⁷ Foucault, *The Government of Self and Others*, 66.

⁵⁸ *Ibid.*, 66.

⁵⁹ *Ibid.*, 133.

⁶⁰ *Ibid.*

⁶¹ Foucault, *The Hermeneutics of the Subject*, 373. On the topic of *parrhēsia*, the bibliography is vast. See in particular: Pierpaolo Cesaroni, “Verità e vita. La filosofia in Il coraggio della verità,” in *La forza del vero. Un seminario sui corsi di Michel Foucault al Collège de France (1981-1984)*, ed. Pierpaolo Cesaroni and Sandro Chignola (2013), 144-160; Stuart Elden, *Foucault's Last Decade* (2016), 191-209; Daniele Lorenzini, *La parrhēsia et la force du perlocutoire*, in *Foucault(s)*, ed. Jean-François Braunstein, Daniele Lorenzini, Ariane Revel, Judith Revel and Arianna Sforzini (2017), 273-284.

inasmuch as he is, precisely, the enunciator of the truth.”⁶² As Foucault states in the last course he held at the Collège de France, just before his death: “*Parrhēsia* is the courage of the truth;”⁶³ a courage that, for those who decide to take it, implies risking their own life.

It is therefore understood that although, in 1973, Foucault does not yet speak of *parrhēsia*, he already investigates some of the main characteristics of the practice. *Parrhēsia* indeed incites “processes of subjectivation that do not claim the universal, nor (...) to absorb the difference between those who hold power and those who stand up to it, that is, those who face power not as subjected but rather as unrepentant wielders of speech, as literal antagonists.”⁶⁴ Likewise, Pierre Rivière must be considered to have the (entirely political) ability to ‘challenge power,’ in this way demonstrating that—as a speechless person who chooses to speak—he is capable of initiating a process of subjectivation, waging war and producing history without the need for a king or a potentate to make it memorable.⁶⁵ As he himself states: “I wished to defy the laws, it seemed to me that it would be a glory to me.”⁶⁶ If indeed, on one hand, his act threatens the right to kill juridically reserved to the sovereign (consider that in the 19th century parricide was a capital crime assimilated to regicide), on the other hand his Memoir is part of a “subterranean battle”⁶⁷ fought around the right to narrate, considered a prerogative of those who speak in the name of the sovereign. Pierre Rivière is indeed the one who prefers to kill himself rather than accept the pardon granted by the king, which would only have legitimized and further strengthened the royal power. Indeed, it is in this sense that we must understand Foucault’s words when he writes that narratives like Pierre Rivière’s manifest “the desire to know and narrate how men have been able to rise against power, traverse the law, and expose themselves to death through death.”⁶⁸

Yet, these same words are particularly significant for another reason. Upon closer inspection, they do not only refer to Pierre Rivière’s act but also indicate a desire, shared by many, to look beyond the experience and the force of the Pierre Rivière case. These words thus pave the way for a plural and collective dimension, and that—as Foucault writes again—could refer both to the “glorious feats of the soldier” and to the “disgusting deeds of the murderer”⁶⁹ (actions that obviously cannot be compared in terms of merit but in terms of indicating a capacity to “expose oneself to death through death,” thus challenging power). Foucault’s statements therefore allow us to understand that the act of speech by the speechless is powerful precisely because it has no solipsistic vocation; it does not

⁶² *The Government of Self and Others*, 66.

⁶³ Michel Foucault, *The Courage of the Truth (The Government of Self and Others II): Lectures at the Collège de France, 1983-1984* [2008] (2011), 13.

⁶⁴ Sandro Chignola, “Il coraggio della verità. *Parrhēsia* e critica,” in *Foucault oltre Foucault* (2014), 185. Our translation.

⁶⁵ See “Tales of Murder,” 205.

⁶⁶ “The Memoir,” 105

⁶⁷ “Tales of Murder,” 207.

⁶⁸ *Ibid.*, 206.

⁶⁹ *Ibid.*

close in on itself. It does not concern the isolated individual but the singularities in their being embedded into a network of powers and, hence, (always reversible) relations of force.⁷⁰ Pierre Rivière is indeed not an individuality; he does not have "the form of individuality and the self."⁷¹ On the contrary, he is the one who uses the reference to his own individuality and, at the same time, "cancels out the signs of his particular individuality"⁷² as a specific discursive weapon. The subject Pierre Rivière speaks of is indeed a subject who not only rises up for his own part but who, in fact, sets the stage for the many without a part, thus outlining the possibilities of constructing a collective "we" that aims to conquer a political space.

From here the question arises: "who might the Pierre Rivières be?" A question that refers precisely to a "we." A "we" that, as Jean-Pierre Peter and Jeanne Favret state, is the "we" of "the silent people of the countryside" who found in Pierre Rivière "the testimony and the opportunity of some of them who sacrificed their lives as if they knew of a knowledge that staggers reason and that the native had to start by killing and consequently dying in order to speak up and be heard."⁷³ But not only that: this "we" is also the one that Foucault addresses in various other moments of his production. He does so, for example, when in the preparatory manuscripts for the course at the Collège de France of 1975-1976 "*Society Must Be Defended*," he speaks of the history of race war (as between races), understood as "the history of the vanquished, the disinherited, those who have no power"⁷⁴ and who do not surrender to their condition. They rewrite history to wage war, and in this way aim to become victors, overturning the established relations of force. It is precisely to these that Foucault refers when he states: "We really do have to become experts on battles."⁷⁵

Or again, this same question "who might the Pierre Rivières be?" is also implicitly found in Foucault's reports on the Iranian revolution of 1978-1979. Foucault writes:

⁷⁰ On the diversity of conceptualization between individual and singularity, see Francesco Raparelli, *Singularità e istituzioni. Antropologia e politica oltre l'individuo e lo Stato* (2021).

⁷¹ Foucault, "The Order of Discourse," 59.

⁷² Michel Foucault, "What is an Author?" [1969], in *Aesthetics, Method, and Epistemology* (1998), vol. 2, 207. Consider that Foucault writes that Pierre Rivière becomes "in two different ways but in virtually a single deed, an 'author'" ("Tales of the Murder," 201), and with this statement he seems to refer to the role of author-subject, a figure that was problematized precisely at the time of the lecture "What is an Author?" in 1969, and again in the inaugural lecture at the Collège de France, better known as "The Order of Discourse" in 1971. Actually, it is not an author-subject being discussed but rather an author who, through his discourse, indicates the enactment of a process of subjectivation. On the centrality and resonance of some concepts developed in "The Order of Discourse" with the analyses contained in *I, Pierre Rivière*, see Chiara Scarlato, "Il discorso su/di Pierre Rivière. Michel Foucault e il *partage* tra disciplina e in-disciplina," *Logoi.ph* IX:21 (2023), 45-49.

⁷³ "The Animal, The Madman, and Death", 183.

⁷⁴ Archive "Fonds Michel Foucault" – NAF 28730, Bibliothèque nationale de France, Boîte VI, Cours 75-76 « *Il faut défendre la société* » (431 sheets), green folder, s. 5 of 61 unnumbered, original text: "Histoire de vaincu, des dépossédés, de ceux qui n'ont pas le pouvoir".

⁷⁵ Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-1976* [1997] (1997), 51.

“People do revolt; that is a fact;”⁷⁶ “revolts belong to history. But, in a certain way, they escape from it.”⁷⁷ And by stating this, he does not exclusively refer to the “we” of the Persian revolts against the Shah. More generally, he refers to the possibilities of subverting configurations that appear immutable, and that the constitution of multiple “wes” can make possible. It is precisely on the basis of such reflections that Foucault responds to those who, after the birth of the Islamic Republic and the establishment of the theocracy of the Khomeinist regime, had reproached his previous support for the Ayatollah. Indeed, he argues for the impossibility of disqualifying the “imaginary contents of the revolt,”⁷⁸ even when dealing with ‘betrayed’ revolts. And he writes: “One does not dictate to those who risk their lives facing a power”⁷⁹—a statement that again refers to the text by Peter and Favret, who, in reference to Pierre Rivière, stated “death, if risked, causes a shift.”⁸⁰

Almost reaching the conclusion, what must be observed is the fact that the “we” opened by Pierre Rivière, just like all the other “wes” Foucault speaks of, allows us to think about the possibilities of political subjectivation inherent in the critical act of speech (through discourses and actions) by those who have no voice. More precisely, it is about possibilities of subjectivation triggered by a subtraction, a desubjection, with respect to a specific regime of truth that defines the structuration of a given political and social reality. The question that follows is therefore not only “who have the Pierre Rivières been?” but “who today, in the present, might our Pierre Rivières be?”—a question that is both simple and complex. It is simple because it is even obvious to refer to some of the most important collective movements of recent years which developed from courageous and scandalous acts of speech by those without a voice. Just think of the “we” built around the slogan “Woman, Life, Freedom,” for which Mahsa Amini (arrested and killed in Tehran in 2022, for breaching the mandatory veiling laws) represents its Pierre Rivière of activation. Or again, we can refer to Black Lives Matter, Ni Una Menos, the Polish women’s strike movement (*Strajk Kobiet*) for the right to abortion, etc.

Yet, wondering “who, in our present, might the Pierre Rivières be?” is also—as we said—a complex question precisely because it leads to so many answers that risk not being exhaustive. What is probably most at stake here is not to seek a single and definitive answer to this question but rather to keep the question alive, with all the possibilities it offers us. It is, in fact, significant because it lies within a broader analysis that assumes the contours of what Foucault describes as the “ontology of the present (*actualité*).”⁸¹ Indeed, the Foucauldian ontology of *actualité*—also defined as “ontology of ourselves”⁸²—implies, on one hand, an interrogation of the present and of the belonging to this present, to which not only “I” but also “we” belong. On the other hand, it recognizes the centrality of a

⁷⁶ See Michel Foucault, “Useless to revolt” [1979], in *Essential Works of Michel Foucault*, vol. 3, 452.

⁷⁷ *Ibid.*, 449.

⁷⁸ *Ibid.*, 451.

⁷⁹ *Ibid.*, 452.

⁸⁰ “The Animal, The Madman, and Death”, 185, translation partially modified.

⁸¹ See *The Government of Self and Others*, 11-21.

⁸² *Ibid.*, 21

critique of one's own form-subject, that is, of one's historical being, also and above all considered in its collective dimension (we).⁸³ In this sense, questioning our *actualité* (and, at the same time, the legacy of Foucauldian thought) through the question of who is today's Pierre Rivière might be a means of opening a space for those, ascending and irreducible, possibilities of transformation that gain potency from being deployed, to the extent that, from the bottom up, they break the absoluteness of what previously seemed untouchable. These are precisely the possibilities of desubjection and subjectivation that emerge thanks to a critique that—as Foucault wrote in the last period of his life—"will separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think."⁸⁴ And this in order to "imagine and build up what we could be."⁸⁵

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⁸³ See Judith Revel, "'What Are We at the Present Time?' Foucault and the Question of the Present," in *Foucault and the History of Our Present*, ed. Sophie Fuggle, Yari Lanci, Martina Tazzioli (2015), 20.

⁸⁴ Michel Foucault, "What is Enlightenment?" [1984], in *Essential Works of Michel Foucault 1954-1984: Ethics. Subjectivity and Truth*, ed. Paul Rabinow (1997), vol. 1, 315-316. See also Foucault, "What is critique?," 20-61. Finally, see Valentina Antoniol, "Per una lettura ecologica del pensiero di Michel Foucault. Note a partire da alcune riflessioni di Manlio Iofrida," in *Storia, natura, ecologia. Scritti per Manlio Iofrida*, ed. Nicola Perullo and Ubaldo Fadini (2022), 50-53.

⁸⁵ Michel Foucault, "The Subject and Power," in *Michel Foucault: Beyond Structuralism and Hermeneutics*, ed. Hubert L. Dreyfus and Paul Rabinow (1983), 216.

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