

Foucault: Biopolitics and Law

Manas Ray

The relation between biopolitics and law is a relatively undertheorized area of Foucauldian scholarship. Across the 1970s – especially between 74-5 (i.e., *The Abnormal*) and 78-9 (i.e., *The Birth of Biopolitics*) – his arguments crisscrossed, overlapped and even contradicted one another. Quite often he made very different gestures to the relationship between biopolitics and law. There are places where biopolitics is marked if not as a continuation of sovereignty, at least its correlate (with consequent implications for law). But mostly law is seen as a façade for biopolitics and discipline. Could there be a third space as well? Could it be that law, caught between the determinate and the responsive, finds out a space of autonomy for itself, a space of infinite elaboration, an illimitable play with the transgressive? What implications would it have for our understanding of the biopolitical? My presentation would refer to a disparate number of texts and lectures of the mid-70s.