

**Thesis title: Literary Governmentalities: Race and Resistance in modern western law  
and Toni Morrison's fiction**

**Abstract**

Modern fiction, especially the nineteenth-century novel form of prose writing, has been traditionally assumed as subversive because it democratized the reading public in the Euro-American west by being accessible to the masses, unlike the earlier epic/classical literary formations available only to the educated elite. The novel thus challenged power, but when power was viewed as repressive and negative. But how can the novel or fiction in general, challenge power when power becomes productive, of individual subjects and human life? This thesis explored the possibility of literary resistance in the age of what Michel Foucault calls discipline and biopower through three fictional works of Toni Morrison – a much acclaimed novel (*Beloved*), an experimental short story ('Recitatif'), and a lyrical play (*Desdemona*). In texts like *Discipline and Punish*, and lecture series like *Society Must be Defended*, Foucault describes disciplinary power and biopower as those that operate through norms emanating from non-sovereign sources to produce docile subjects. This is different from the earlier sovereign power that emanated from the unified body of the king. The novel or literature in general, becomes relevant when considered as a non-sovereign means normalizing or disciplining the reading public towards the production of docile bodies. While literary historians since the late 1980s like Mark Seltzer, John Bender, D.A Miller, Arne de Boever, and Christopher Breu studied the coeval rise of the modern novel and the modern powers (roughly in the late eighteenth century but more firmly in the nineteenth century Europe) thereby questioning the assumption of novel's subversiveness, they did not explore its 'excesses' – by which I mean possibilities of resistance written into the structure of the

novel itself and not outside it – that could transgress normative boundaries. Studying select texts of Toni Morrison, this thesis aims to locate the ‘excesses’ of these three literary forms – novel, short story, and play – to show how they can be renewed as instruments of resistance to the modern powers.

First, the thesis attempted to bring Michel Foucault and Toni Morrison into a theoretical dialogue on the question of normalized racism – that is, how in the modern regime racism runs through the social fabric as a norm, not deviation. Texts studied in this regard are (again) Foucault’s *Discipline and Punish: The Birth of the Prison*, *History of Sexuality Vol.1: An Introduction*, and *Society Must be Defended: The Birth of Biopolitics*; and Morrison’s non-fictional works *Playing in the Dark: Whiteness and the Literary Imagination*, and ‘Site of Memory.’ This helped construct a theoretical framework in which literary genres, archives, and canons are revealed to operate with ‘law-like’ regularities or norms that have historically relegated black subjects or characters on the borders of literary or public consciousness. Secondly, using the Derridean notion of ‘justice as excess of law’, the research borrowed from Ben Golder and Peter Fitzpatrick’s *Foucault’s Law*, a poststructuralist approach to modern law identifying its two dimensions – a ‘determinate’ dimension on the side of the norm, and a ‘responsive’ dimension resisting that norm. Finally, the research contended that like modern law, literature too has those two dimensions – ‘determinate’ and ‘responsive’. It showed how Morrison’s pivotal/titular characters in *Beloved*, ‘Racitafif’, and *Desdemona* were in ‘excess’ of the ‘juridico-historical’ function of the genre, archive and canon respectively thus transgressing their own normative boundaries.

The thesis combined novel studies, social-legal studies, and Foucauldian jurisprudence to first show how in the age of discipline and biopower, law operates not only through legal codes but norms, emanating from extra-legal or extra-sovereign sources. Then, it showed how these norms are inherently racist in nature. In thus demonstrating the legalist/racist/normative

underpinnings of these discourses, the research claimed that they can be renewed as instruments of resistance through their 'responsive' dimension, or possibilities written within their own structures. By borrowing this notion of 'responsiveness' - which the thesis will eventually reveal as the 'fictionality' of law - from socio-legal studies to identify the 'legality' of literature, the research can further contribute to new imaginings for the field of 'law and literature.' Here the conjunctive 'and' is not only a contested place giving this interdiscipline its political compass (Grahm-Farley 2005), but also that the 'excesses' can be manifest here, opening up spaces for resistance.