



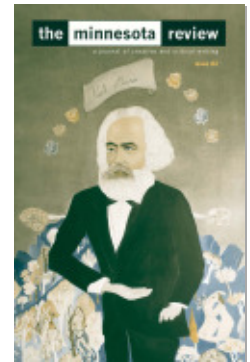
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Of Narratives and States: An Interview with Jacqueline Stevens

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Minnesota Review, Number 81, 2013 (New Series), pp. 126-146 (Article)

Published by Duke University Press



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Janell Watson

Of Narratives and States

An Interview with Jacqueline Stevens

To read Jacqueline Stevens is to be reminded of the extent to which even the most modern societies still organize group and property relations based on fantasies about birth. In *Reproducing the State* (Princeton University Press, 1999), Stevens not only challenges the assumption that ethnicity, race, and sex are natural but also takes poststructuralist scholarship to task for having minimized the role of the state in instantiating these intergenerational relations. Shifting the focus from subjectivities to state politics, Stevens shows how these intergenerational affiliations are maintained by appeals to kinship ties that may seem genetic but are not. In *States without Nations: Citizenship for Mortals* (Columbia University Press, 2009), Stevens undertakes a bold thought experiment, proposing to eliminate birthright citizenship, family inheritance, state-sanctioned marriage, and private land ownership. Grounding her argument in history and political theory, she links these naturalized juridical relations to war, global apartheid, domestic abuse, poverty, and environmental damage. In her many articles published in an interdisciplinary array of essay collections and scholarly journals (including *Social Text* and *GLQ*), Stevens takes on family law, genetics, DNA, biopolitics, citizenship, deportation, and LGBT rights. She has also written for the *New York Times* and the *Nation* and maintains a blog about immigration law enforcement with an emphasis on the deportation of US citizens.¹ Research from her articles and from interviews with her has appeared in stories in local and national newspapers, including Associated Press wire stories, the *New Yorker*, the *New York Times*, the *Christian Science Monitor*, the *San Francisco Chronicle*, and *Mother Jones*, and also in interviews with anchors and reporters for CNN, NPR, “Democracy Now,” and other television and radio shows.

Stevens began studying politics at Smith College, where she earned an AB in Government with Highest Honors in 1984. She continued her studies in the Department of Political Science at the University of California, Berkeley, earning a master’s in 1985 and a PhD in 1993. Her dissertation, directed by Hanna Pitkin, was titled “The Politics of Identity: From Property to Empathy.” From 1986 to 1987,

she served as a Women's Research and Education Institute Congressional Fellow, House Judiciary Subcommittee on Civil and Constitutional Rights, and from 1997 to 1999 she was Robert Wood Johnson Health Policy Scholar at Yale University. Her first faculty position was in the Department of Political Science and women's studies at the University of Michigan, Ann Arbor. She held visiting assistant professorships at Pomona College and then at Bilgi University in Istanbul. She joined the faculty of the University of California, Santa Barbara, in 2004.

In 2010 Stevens joined the faculty of Northwestern University as professor in the Department of Political Science and Legal Studies Program Advisory Board. Since 2012, she has served as the founding director of the Deportation Research Clinic in Northwestern's Buffett Center for International and Comparative Studies. The Guggenheim Foundation in 2013 awarded a grant for Stevens to write a nonfiction narrative of the unlawful deportation of a US citizen to Mexico over his protests that he was born in North Carolina, spoke no Spanish, and had no relatives in Mexico. The rendering of Mark Lyttle's travels is influenced by Miguel de Cervantes's *Don Quixote* and will be attentive to the toponyms and other legacies of the conquistadors and British explorers.

This interview took place in Chicago on January 18, 2013.

Watson I would describe your project as imagining political society otherwise. A political imagining. You make very bold claims based on a careful examination of big social issues. This sets you apart from a certain phase of political feminism—the Michel Foucault legacy, where one looks at discursive iteration or social practices in a specific cultural sphere. You instead think on a much larger scale—birth, death, the state. This goes against the grain of some feminist political theory.

Stevens Yes, that's true. I am following some of the insights of Martin Heidegger or Hannah Arendt and especially G. W. F. Hegel and Friedrich Nietzsche, as their work engages with the politics of narratives. In narrative, there's a beginning and an ending, a framing rooted in our ideas and experiences of mortality. When you're engaging the narrative form, you're engaging those questions, and then to think about how history gets told in relationship to those moments entails thinking about the state and how it is the ultimate archive for remembrances and the guarantor of fantasies of escaping death—through,

for instance, membership in a political society that persists after one's death or the possibility of conveying an inheritance. What underlies these practices that in some form have existed in many, if not all, societies? There are an infinite number of important local observations that can be made that don't need to start with questions about birth and death, and I don't think that everybody needs to be doing this at all, but I think that there's a certain kind of embarrassment or queasiness that people have in coming up with systematic explanations, as you're just observing. Yet if there is a transhistorical practice that you want to explain so as to abolish it, I don't know how you can avoid that.

Watson For a long time there was suspicion about any claim to the universal, any kind of totalizing move. Perhaps now is a good time to wonder if feminists were too shy about the universal, about totality, about the state.

Stevens I think Foucault also is part of that tradition even though a lot of what he said about the state is really useful. I think his most interesting statements about governmentality are at the beginning of *Abnormal* (2003). He points out the discrepancy between the model of the state that comes from canonical political and legal theory—it's coherent and orderly and so forth—and he says, "No, there's a lot of stuff that happens that is also associated with the state that's understood as clownish"—what Foucault calls "Ubu-esque" (35)—or that is "Kafka-esque," and that's also part of how the government exercises authority. If you look at deportation proceedings and the myriad practices that are absurd and illogical, these clownish characteristics are closer to the norm than the exception.

My concern is that Foucault distracts us from how the ideologies that the state produces feed into our willingness to go along with or overlook these legal and illegal injustices. The very form of the nation-state produces people who will say, "Well, yeah, we have to maintain the integrity of the nation-state," and that's why we're willing to overlook all sorts of egregious micropractices that are in violation of the law. So in that sense it actually matters to look at this overarching, Hegelian mechanism that institutes practices that are at odds with the explicit norms and rules of liberalism. Foucault's work suggests that that national ideology is largely irrelevant to the daily effects of power and knowledge. The grand theories and ideologies don't mean much, from his perspective. And yet the persistent ideology of nationalism tells us a lot about why we have the deportation laws that we have and

why we overlook punishing state actors who, for instance, deport US citizens. Yes, he has concepts of governmentality, biopower, and biopolitics, but they are very sketchy and often wrong, in contrast with work by authors who focus on these questions more directly—a point Ann Stoler makes in her brilliant book *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (1995).

Watson Because the state is run by people. I think sometimes we abstract out the state or the institution, not thinking about how ordinary people are running them, with their norms and desires.

Stevens Yes, with their norms and also with power and knowledge that come from wanting to maintain the law of the father, on the one hand, but then also resisting these impulses and ideals of liberalism that say, “We have the rule of law here, and you can’t do certain things.” There are people in deportation proceedings who will file habeas motions and say, “You have to let me out because you held me too long or you didn’t issue me the right order”—you know, people who are actually taking the law seriously and not as a theory and putting it into practice. And I think that’s what Foucault was actually doing in a lot of his political practices, but he doesn’t really encourage this in his theoretical work.

Watson Could you talk about your work on genetics and your critique of the different kinds of things we’re doing with genetics? It’s a central topic to both *Reproducing the State* and *States without Nations*, and you talk about it in discussion of birth, child care, citizenship, race, and wealth distribution.

Stevens Well, it’s funny, because Foucault actually says, I think in the 1960s—he’s got this list of projects that he wants to write about, and at the top of the list is *heredity*. And he never follows up on that. And I believe the reason he doesn’t follow up on that is that if you were to follow up on that, you would have to talk about Hegel and state institutions and where we get these ideas of intergenerational membership that come through our political institutions, and I think Foucault just really was allergic to following that through. Part of what undergirds those ideas about heredity are these beliefs in genetics, even though it wasn’t until the 1980s that you could even imagine identifying through DNA any kind of relationship between parent and children. So this idea—actually, materially drawing on genetics to establish

these relations—is just arising in the last nanosecond of human history. And yet nonetheless, the fact that we have been able to do this recently has mobilized people into thinking that that is actually, concretely, how people have always thought about this. Whereas we know that our kinship systems are established to compensate for the fact that we lack certainty about genetics. And so because for most of history we lack visible knowledge of genetics, we need these kinship rules to put men in these intergenerational relations—that’s the law of the father—that genetics alone cannot. And what’s interesting is that even after we’ve established those ties of fathers with children through marriage, not genetics, conferring legitimacy, there’s now a big controversy in immigration law about what counts as legitimacy. Is legitimacy established simply through legal measures, or do you need to prove what’s called a “blood relationship”? And so there’s a statute that’s written for a certain period that requires a blood tie, but then other statutes for earlier periods do not require that blood tie. And so it’s still a part of ongoing questions about establishing membership in a modern liberal society, looking at these ideas about blood and genetics and so forth.

Watson Your views on marriage and parental relations are fascinating. Rather than advocate that the state sanction same-sex marriage, you propose that the state stay out of marriage altogether and instead administer caregiver contracts for each infant. The birth mother would have the right to parent her own infant if she so chooses and would be authorized to approve additional registered parents. There would be no more fatherhood, only parental contracts. You’ve written about these ideas in various venues. How have others reacted to this proposal?

Stevens Well, I can only speak anecdotally. Some men have said they are uncomfortable about that because they feel under our current laws they have more prerogatives than they would under this alternative. I have a colleague, Dalton Conley, who’s a sociologist at NYU, and he’s written specifically against this for reasons that are consistent with the arguments George Gilder makes in *Sexual Suicide* (1973)—that insofar as men have this fragile, weak sense of their own reproductive importance and one wants to bring them into these parenting relationships, it would make sense to further bolster their incentives by giving them a heightened status and calling them “fathers” and not just “parents.” And so I think some men are worried that their fragile masculinity would be further undermined if this kind of proposal were in place.

But then there are men who are engaged by queer theory and they think it's really cool, so I don't know. What have you heard?

Watson I could imagine a genetic father who actually was engaged with his partner at the time and was really excited about the pregnancy and then they have a fight or something happens, and she decides to cut him off from paternity.

Stevens Well, first of all, even now—I mean it depends on the state you're in—but even now, if you're not married, that man would still be at a disadvantage in a lot of states. So that's not anything especially new. And then people can always get divorced and they have custody fights and so forth. And those custody determinations aren't based on genetics per se, but they're based on the relationship that's in the best interest of the child, and so in that sense I think the work that this concept does isn't along the lines of radically altering legal custody determinations. It would probably alter some in some states significantly, but that's not the main consequence. The main consequence would be Hegelian—changing our discourse and subjectivities by changing the legal vocabulary. And so it's not about the practical relationship between men and children that would be affected as much as undermining this idea that paternal genetics plays an important role in establishing the family. In the case of your example, if all a man has done is ejaculate in a woman and then develop a fantasy about what it means to have a relationship with the person who is born with some of his DNA, I don't see any rational basis for requiring society to honor that fantasy. As I write in the book, awarding custody rights based on the conveyance of DNA is like giving the Pulitzer Prize to the person who delivers the newspaper. If we change our legal terms along these lines we would be able to dematerialize the role that genetics plays in our identities and the sorts of claims to custody you imagine men wanting to make on the basis of their sperm.

Watson You add that a protective global agency ensures that all children are taken care of and ensures the provision of clean water, housing, education, and health care.

Stevens That's the supplement I'm arguing for in *States without Nations*: the elimination of inheritance and the redistribution of all estate wealth to provide this floor for everybody, regardless of marital status. People worry about how this might leave their own children

economically insecure. My argument is, “Well, actually, that would take care of more children,” because there are more children who are not from wealthy families than who are from wealthy families.

Watson I’m wondering if you’ve been following the demonstrations in France, in opposition to the president’s proposal to legalize gay marriage and adoption or medically assisted reproduction for same-sex couples. Even social liberals have joined demonstrations proclaiming that children need a mother and a father.

Stevens I’ve heard little snippets of it on NPR.

Watson France has had same-sex civil unions for a long time, but gay couples cannot adopt children, and a woman cannot get in vitro fertilization or any other kind of fertility treatment unless she’s married to a man. In the United States the federal government does not recognize civil unions, but anyone can get fertility treatment.

Stevens Yes, Switzerland is like that, too. I think it’s a worry about reproducing without men. I mean this is really about the law of the father, right? We’re going to make sure our sperm is still very valuable to you by monopolizing it and not allowing you to go get it on the market with your doctor somewhere else.

Watson But we think of France as being so sexually liberated, so open to gay rights, and yet the view of the family is so conservative.

Stevens Right, but this is a great example of where Foucault missed the link between sexuality and reproduction. He was just so not interested in feminism, and he said some things that were misogynist, too. So his focus on desire and sexuality, you can see how that would get you certain places, without changing—as you were pointing out—the character of reproductive politics. If you just focus on saying, “Okay, you should be able to express your desire however you want,” you might be able to do that and still leave intact, say, policies on access to infertility treatments. That is ancient Athens, right? I mean you have these sexual relationships that were not governed by the state, but you would only have citizens if you reproduced in a way that was in accordance with these very rigid rules about both parents being citizens of Athens, and the child had to be from a legitimate marriage contract. And so if you didn’t stick within those parameters in certain

time frames, you could have an Athenian mother and a resident alien father, and that child could be born in Athens but not have been Athenian, and you could even have an Athenian father and an Athenian mother, and if they weren't married, then the child would not be an Athenian citizen. And that Athenian father could have relationships with prostitutes and so forth, and also have a wife, and those children with the wife would be Athenian citizens. You can see this in one of Aristophanes's plays, the *Ecclesiazusae*.

The women wake up and go early to take over the assembly. When the men wake up, all their tunics are gone, and they're saying the equivalent of, "What the hell, where are our wives?" and the wives are dressed as men and in the assembly. And they vote these new laws, and one of them requires men to have sex three times with an ugly woman before he can have sex with a beautiful woman. In Athens during this time—actually Foucault writes about this in volume 2 of the *History of Sexuality*—there was a law passed that required men to have sex three times a month with their wives. It was for the purpose of reproducing Athenian citizens. Because the thought was that if they had all this sex with other women, they would have children, but those children wouldn't be Athenian citizens. And so I think Aristophanes was making fun of Athens for having laws as silly as if they were passed by women. And again, this goes back to the possibility of having this sort of sexual freedom that doesn't map onto reproductive freedom. In ancient Athens, sexuality was not controlled by the state, but reproduction was. I do not believe Foucault had an appreciation of the extent to which these reproductive laws were constitutive of sexed identities; I don't think he cared about this.

Watson That's one of the outcomes of your thought experiment. By asking us to consider doing away with state marriage and requiring parental contracts instead, you show the absurdities of the way we do things now.

Stevens Well, yes, I mean if we care about raising children, then we should come up with government rules for raising children, but that has nothing to do with this other stuff.

Watson In France or in the United States, would the new law supporting gay marriage equality and same-sex couple adoption impact the state's relation to nation, ethnicity, family, and race?

Stevens As long as you have marriage—I actually wrote a little bit about this in *Reproducing the State*, in relation to the same-sex marriage court decisions—then you’re just going to continue legally instantiating scripts for intergenerational commitments. There’s an anthropologist I read who has a chart with more than ninety different kinship systems. If another system of kinship recognizes same-sex couples as official parents who can reproduce children with the nationality of that nation-state, this will not undermine anything significant about the nation-state.

Watson You would eliminate having citizenship based on birthplace or lineage. Instead you would base citizenship on residency and allow unrestricted immigration. The benefits that you expect to gain from this arrangement include more equitable wealth distribution, because immigration would be allowed from poorer to wealthier states, as well as a reduction in violence by eliminating ethnic nationalism. These changes would need to happen on an international or transnational scale. How would you go about organizing a movement to advocate such changes?

Stevens Well, you know, it’s funny, I’m actually writing an article right now for *Tikkun* called “The New Abolitionism,” and it’s about looking at already existing social movements and groups that are organizing to do exactly this. These people are challenging our deportation laws, the building of detention centers, the deporting of people, the abuses committed by border control agents, and so forth. We spend a lot of time looking at all the bad guys who are implementing our deportation laws, but there are actually a lot of people who are organizing already to protest against those. And so I think it’s important to pay attention to those people. The movements to abolish slavery started first with people saying “Wow, look at all the terrible things that are going on in the plantation system, we have to get these owners to stop abusing the slaves,” but then it turns out that it’s really hard to stop that abuse as long as you keep the legal system intact. Really the only way to manage that problem was to eliminate the laws that allowed for slavery. So I see the movement that’s challenging our practices associated with deportation as part of that, that as people become more attuned to how deportation works—and I think it’s becoming more apparent with the Dream Act children and so forth—that you can’t just do this piecemeal. And once we recognize that deportations are the consequence of people moving across the border without legal

authority, and as we see that this is *not* leading to the end of our country, then attitudes will change.

Watson Could you tell me a little bit more about the Deportation Research Clinic that you direct? Is it part of Northwestern?

Stevens Yes, it's part of the Buffett Center of International and Comparative Studies, a large research center at Northwestern. I started it in the fall [2012] as a way of consolidating various research projects having to do with the deportation of US citizens and others that revealed government misconduct. The clinic work is in collaboration with the Litigation Clinic at Northwestern Law School and also the Watchdog/Accountability Project at the Medill School of Journalism. The purpose is to highlight federal, state, and local misconduct in deportation proceedings. I'm also coediting a volume with Benjamin Lawrence that's called *Citizenship in Question*, and it's focused on evidentiary questions of birth and blood and bureaucracy. The book came out of a conference in the spring [2012] that showed, internationally, problems that people are having proving their citizenship. So not just in the United States but in Portugal, Ivory Coast, India, Pakistan, Malaysia, and Thailand, it's a huge problem, and so we're looking at these micropractices of the state in order to throw into question the legitimacy of these larger rules that are trying to define our citizenship. Rather than saying OK, these are all just little mistakes, we're pointing out the ways that these minute documents associated with verifying citizenship call into question the whole concept in the first place. How is it that we're so dependent on somebody being circumcised or not to prove where he was born? Are these different practices of identity and personal history legitimately connected to reasonable criteria for citizenship?

The clinic also engages public health work. There's been a trend in the last twenty years in the field of public health research to look at violence as a public health problem. You might be familiar with that in terms of research on gang violence or civil war violence. I'm trying to take those kinds of paradigms for looking at violence and apply them to the state, to say that state violence is also a public health problem and that government misconduct is a public health problem. So that's why I call it a clinic.

Watson You also advocate eliminating inheritance—wealth distribution based on genetics. Wealth, including property, would instead

revert to the state upon death. How do you make sure that wealth appropriated by the state does not wind up in the hands of an oligarchy that could acquire power in a number of ways unrelated to family affiliation, like plain corruption?

Stevens Right. I actually have some specific ideas about that in the chapter discussing this in *States without Nations*. The main idea would be to have the people distributing this wealth selected by lottery. I'm actually a big fan of lotteries for picking political leaders. You get rid of money as an incentive, and you have automatic representation that's equitable, whatever the category is that you pick. You don't have to worry about, "Oh, well, should we pick a certain number of women?" or this or that category. It's already likely to be representative, and you don't have to worry about people being corrupted, because there's this idea of rotation. It's the method we use for juries, and that's the most reputable, well-respected body among the political bodies that we have. So the idea would be that these funds would be administered by people selected on the basis of lotteries associated with different levels of government—local, regional, and interstate—who would disperse the resources, and all of it would have to be transparent. All of the funding and budgeting and expenditures and so forth would be tracked online. I'm a huge advocate of transparency, but it's actually really hard to get people to do that. I mean, even my own department—I belong a department with a lot of funds, and the last chair wouldn't tell us where they were spent. You look shocked, but I bet your department doesn't either.

Watson I work at a public university. Our salaries are published. It's easier to track where the money is spent at a public school because of state reporting requirements.

Stevens Right. I mean I think it should be easy, I just don't know why—when I brought this up at the last faculty meeting no one actually gave a reason not to reveal this. I got this feeling it was a taboo topic. Nobody actually was going to say, "Well, I just want to be able to cut a secret deal, and that's why I don't want people to know about the money." And so since they couldn't really come up with that reason, people just sort of talked around it and it didn't happen.

Watson How does your vision, your way of imagining politics otherwise, compare to socialist or communist imaginings of political society?

Stevens This perhaps ties into your question about corruption, and something to maybe add into the last question in connection to this one is that I actually don't think that the main problem in our inequality in wealth is rooted in capitalism. The problem in allocating resources is not primarily hampered by capitalism's allowing corporate interests to control expenditures but rather by corruption. And so I think your question here about corruption is a really good one, but I think it applies to every political system. A lot of what goes wrong in our so-called liberal democratic institutions is really not about something that you can put at the doorstep of capitalism and markets but something that you can put at the doorstep of political corruption and oligarchy. I have a colleague, Jeff Winters, who has a book that's called *Oligarchy*, where he questions why it is that we even have this image that we are a democracy in the first place when all of our institutions look like they're oligarchic. I think to some extent that raises an interesting question, but I think that really what's going on is that we have a kleptocracy. Rich people are able to bribe politicians. That's actually not about capitalism but hampers free markets and occurs despite capitalism. And so going to your question about socialism and communism, I think that the problem isn't about who owns the means of production per se, in terms of the unfairness in the distribution of wealth. China right now has state ownership of the major means of production, and they have a lot of kleptocracy. So I don't think trying to ensure more accountability and equity in how the government allocates its resources comes about based on the political system per se, but the crucial requirement is mechanisms of transparency for whatever the political system is that's in place. The mechanisms for dealing with that would be the same that you would want to have in place for any system. And that's why I think people being able to file lawsuits and sue the government and file Freedom of Information Act requests is so important and really part of what it takes to not just wait until some utopian moment to practice accountability and participatory democracy but to do it now.

Watson Unlike many versions of communism, yours focuses on the state rather than on changing the economy.

Stevens Right, but that would be another thing that I would see as more the same than different over time. A lot of things that get identified by the Left as neoliberalism I see as of a piece with how markets are exploited by a few powerful people who are able to use the prevailing

state institutions to their personal benefit. That's part of mercantilism, for instance, as well. If you look at how America gets settled, it's by rich people obtaining the backing of the monarchy for lotteries, so the sponsors of the expeditions seeking to raise funds will be able to guarantee the winners will be paid. A certain amount goes to the people who buy the winning tickets, a portion goes to the expedition, and a portion goes to the Crown. And that's what's paying for people to come to the Americas; and then in exchange for the initial backing, the monarchy also gets a cut of the natural resources, the gold and so forth that the explorers or those who have charters bring back. If you changed a few words here and there, you know, the White House issuing a letter on behalf of a corporation encouraging a certain trade arrangement in exchange for expectations of campaign contributions, it might appear to be neoliberalism. Calling something capitalist or neoliberal is a little bit confusing when what's really going on here is a more general problem of kleptocracy.

Watson I'm interested in how various theories have been shaped by the different disciplines in which they operate. How do you situate your work in relation to poststructuralism?

Stevens Well, I don't think of my work as poststructuralist, by the way.

Watson But you know poststructuralism. You can talk the talk, you can write about Foucault.

Stevens Right, that's true, but I would consider my work structuralist. I think that there are certain kinds of topics that are best addressed by structuralist theory, and there are other topics that are best addressed by psychoanalytic theory, and there are other kinds of questions that are best addressed by deconstruction, and so rather than say that I'm this or that, I would rather say I'm so lucky to have been educated so that I have this whole set of different kinds of tools that I can use to address different kinds of questions. So that's what I do.

Watson I loved your article "On the Morals of Genealogy." You emphasize the original context of Friedrich Nietzsche's notion of genealogy, which Foucault distorts in borrowing it. You provide a useful lesson in what happens when theory is transposed into another context and another time.

Stevens Thank you, but it hasn't really changed how anyone's used the concept of genealogy, which is fine, but I'm happy that at least it's part of certain conversations about it. I think also that Foucault and Gilles Deleuze weren't so interested in textual exegesis. The reason I became interested in this was that I remember as a graduate student that Hanna Pitkin said, "Why is everybody talking about genealogies?" and I was telling her my understanding about the concept from Foucault, and she said, "You know, that actually has nothing to do with what the word means," and she was right about that. And so I'm thinking, "Well, Nietzsche is a philologist, I mean he's got to care about that," and so that's what led me into this research.

So the way I think about structuralism and poststructuralism—and this is where I think Foucault misled people—is that there are certain kinds of systems that actually are universal and transhistorical, and the sex/gender system is one of them. There's no political society anywhere that does not have kinship rules. And—this is actually from Claude Lévi-Strauss and other work in political anthropology—what kinship rules do is they put men as fathers in an intergenerational relationship with children, regardless of genetics. So it's all well and good to say that everything is historically specific, but if in fact you find a dynamic that is recognizable in every historical period in every society, then it's kind of pointless to emphasize the small differences as opposed to thinking about what it is that all of this has in common and how it is that it's all recognizable. So it might be that the connotations of sex are different in different societies, and the parenting roles are different, and the rules for marriage are different, and so forth, but nonetheless, they all have these rules. So I think that for questions about the constitution of sex, and therefore gender difference, it matters to look at kinship rules, and that's structuralist theory; and so I would use structuralist theory for thinking about that, but I wouldn't necessarily imagine that that means there is something that is necessary about that, or biological, or inescapable in those institutions. For most of the history of the world we had slavery, but we don't have that anymore. And for most of the history of the world, in most places, no indoor toilets! So the fact that there's something that is of a universal experience or practice doesn't mean it is not vulnerable. A lot of the work that was done by feminists and then queer theorists to emphasize—and this is so clear for Foucault in his interest in Nietzsche—to emphasize the plasticity of sex roles and practices was strategic to jarring thinking about how we could do that differently, and I think that it was just a misdiagnosis of the problem.

Another example of how this leads to some confusion is Judith Butler's work. She's very invested in this Foucauldian way of understanding gender trouble, on the one hand; but on the other hand, she's also very invested in psychoanalytic theory, and those two are actually contradictory. You can't have this assumption about this universal transhistorical structure of desire and then think that Foucault tells us how to think accurately about gender. I think it's that—and I'm sure she must be aware of that tension, she's probably published on that and I've missed it—does she talk about that? It's almost as though she's got two parallel tracks on how she uses him. So the description of power from Hegel and Freud, discussed in *The Psychic Life of Power*, is a completely different kind of conversation about the subject than the one that she's engaged in in *Gender Trouble* and *Bodies That Matter*. I think that tension is why she ends up now in this position I think is unhelpful, which is the Levinasian ethics and the frames of war.

Watson She does say that in the end she remains a Hegelian.

Stevens Really? What does that mean? What does that mean to say that you're a Hegelian and to use Foucault's theory of sovereignty? That's so funny, because Foucault in one of his lectures, in the memorial to Hyppolite, says, "You know all this stuff I've been saying is very anti-Hegelian"—you know what I'm talking about, that passage in the "Discourse on Language"—he says, "but in the end Hegel's standing there laughing at us." And you know, Hegel's theory really can accommodate so much, so I don't know, I would be really interested in seeing that and seeing the context in which she's saying that and what she means by that.

Watson One of the big differences between Butler's approach and yours is that you look closely at legal questions and find the law a powerful political tool, whereas she questions turning to the state to fix the problems caused by the state. You take the opposite strategy.

Stevens Yes, I think she gets that from Foucault or perhaps echoes of critical legal theory. Foucault really was on the forefront of initiating this movement of resisting theorizing the state, coming out of his reading of Nietzsche and also a response to what was going on with the structuralist theorists in France such as Louis Althusser, especially, and the Hegelians. And I think that there is something in this that's correct. To the extent that the state is constituting these kinship rela-

tions, he wants to say well then, let's look at something else and try to develop our alternative ways of inhabiting the world, separate from even engaging specifically with the state. And I think he was trying to do that in a sense because the Hegelian way of thinking about the state gave it too much authority and legitimacy, on the one hand. On the other hand, that kind of refusal reeks of resentment. Why exclude legal analysis so vehemently as opposed to looking at our political institutions, especially in so-called liberal democratic societies that at least hold out this promise of the people being able to exercise self-governance? Why not say, OK, look, we can engage with them and just see the state as another political battlefield?

Politically, that is exactly where he was at. If you read the Didier Eribon biography, it's so clear that Foucault is engaged in Tunisia with the student protests there; he was engaged with colonialism and then postcolonialism in Algeria; he organizes intellectuals to protest the executions that came out of a show trial in Spain under Franco; and he organized a Maoist Committee on Truth and Justice with Hélène Cixous to challenge certain things that were going on in the French criminal justice system. In all of those practices he's explicitly engaging the state and what the state is doing, protesting against that. He was very hands-on in mobilizing people to protest against what the French state was doing.

So then the question is, well, why isn't he writing about that? Why is that not coming out in his published writings? And so I think that it's deliberate. I don't think that he didn't understand how the state worked. He actually came very close to being appointed as part of the cultural ministry under Mitterrand. So he was in that mix but chose not to focus on that, and I think it's because he just made a mistake. I think he made a strategic mistake. The work I'm trying to do through the Deportation Research Clinic is very much along the lines of what he was trying to do with the Prison Information Network, which is to make transparent the micropractices of government that are inconsistent with the grand narratives about how things are supposed to work and to use that inconsistency to press the government to do things that are more in line with ideas like justice and fairness and dignity. So it's a challenge to try to think about what it looks like to theorize that in a way that's not simply liberal. But I also think that it's not a terrible thing to draw on liberal theory to motivate that work as well.

Watson Broadly speaking, feminist theory swept through literary theory and cultural studies in the 1980s, and then during the 1990s

it swept back through as gender and sexuality studies. In the current decade, academic feminism is sweeping through political science departments, as evidenced by Wendy Brown, Nancy Love, Kathi Weeks, and the group I'm interviewing here—you, Bonnie Honig, Jane Bennett, Jodi Dean. But unlike the feminist literary and cultural theorists of the 1980s and 1990s, your generation of feminist political theorists doesn't always foreground gender in your work, and yet you promote an awareness of differently situated subjects or agents. Is this mapping accurate?

Stevens The way I understand your question is that there are people who may have started with questions of sex and gender earlier and then have moved away from prioritizing that as being central in their publications but who nonetheless are informed by that sensibility, and so I guess I would say that it's more a question of how people have had their scholarship and theories informed by feminist theory and then used that to explain how they understand political institutions.

In my work it's really clear. I'm starting with questions about the family and thinking about how we come up with these institutions that reproduce certain kinds of citizens, and then looking at the way that the nation-state is something that is a constituent of these kinship rules. But again, I'm starting with this question of sex and gender and thinking, "Well, how did we come up with that?" And for me, I came to this through Gayle Rubin's work "The Traffic in Women." That essay is just in the center of everything I do because it led me to Lévi-Strauss and then eventually to Hegel. I don't think that's true for other feminist theorists.

Watson I like to ask political scientists how they define politics. Perhaps we're a bit sloppy in literature and culture when we label everything politics. How do you define politics, and what distinguishes politics from the apolitical or the nonpolitical? Is there an outside to politics?

Stevens My impulse is to say that once you ask if something is political, it's political. I guess from a sort of conventional, metaphysical point of view, that's not an acceptable answer; but if you think about this from the point of view of deconstruction, then I think that that's just got to be the answer. Once you ask that question, then the answer is yes. So if the question is, "Is this political?" then the answer can never be no.

Watson But is it possible to be apolitical?

Stevens It is, but once you ask the question, “Is this apolitical?” then the answer is no. I don’t think that that’s true for everything. If you said, “Is this a chair?” I wouldn’t say each time, “Yes, there’s always a chair there.” If you say, “Is this political?” you’re always engaging the concept of what counts as possibly political. The next question that implies is, “What fills in that content, what are the connotations of what’s political?” And that answer is about the relationship of dependence and interdependence between this individual—a relation, concept, or object—and others. Nothing is excluded from that. So once you ask the question, “Is this political or apolitical?” it’s always part of that context. Again, as opposed to a piece of furniture. If you were to say, “Is this a piece of furniture or not?” the question does not interpellate furniture, but because there’s nothing that’s potentially excluded from the relationships of independence and interdependence, then everything is political, once you ask the question.

Watson So then I suppose you would say that feminism is inherently political?

Stevens Yes, it’s inherently political, and not just so by the performance of a question.

Watson You combine empirical research, policy questions, political philosophy, and critical theory. My background is in literary and cultural criticism, and I feel a connection in reading your work because you’re able to engage in our idiom but also in policy studies and legal studies. You’ve published in *Social Text* and *GLQ*, as well as in some very mainstream political science journals.

Stevens Well, it really does go back to being really, really fortunate at having a good liberal arts education. I actually started off as an English major, and other than government courses, I took a lot of courses in the English department. Someone who was very influential on my work is Dierdre David. She is a Marxist modern literary theorist. Shortly after I took classes with her at Smith she was at the University of Maryland, from where she is emerita. She taught a modern English fiction class that was one of the most important classes I ever took. There were two things that were important about it: one was the actual material that she taught. For instance, I read Virginia Woolf’s *Between the Acts* in that class. It’s the last book Woolf wrote, about a family that

stages a pageant on British history and the different characters and the relationship between their individual, daily, small activities and History—you know how Woolf writes that the bird chirps, on the one hand, but then on the other hand, there are these big events in British history—and it’s about attachments to English nationalism and war, and it’s brilliant. I actually began the Foucault graduate course that I taught with a little paragraph from this book about this character who is engaged with “one-making,” and everything fits together. I think it’s a Hegelian observation by Woolf about the advantages and disadvantages of thinking how everything fits together.

Anyway, so there’s that going on in David’s class, but then the other thing was throughout—and this is a perfect question for a modernist class—were discussions about the relationship between form and content. That course is what allowed me to understand that the form that you use is going to matter quite a bit for what you say and also where you publish and so forth. I wrote about basically the same question in articles for *Social Text* and for the *Journal of Health Politics, Policy and Law*, an article cited in genetics journals and medical journals.

Watson What brought you to political theory and political science?

Stevens So I went to an undergraduate institution that did not have a political science department but had a government major, and half of the faculty taught political theory. From my perspective as an undergraduate at Smith College, that’s what the study of politics was: reading Plato, Karl Marx, Hannah Arendt, anarchist theorists, and feminist theory. To think about going to graduate school was to think about doing more of that. And so then when I arrived at the political science department at the University of California, Berkeley, I was shocked and appalled, as were many of the faculty who engaged with me when I arrived there. I remember the chair of the political science department at the time asked me what I studied—you know, at the first cocktail reception that we had—and I told him political theory, and he said, “Well, what do you mean?” and I said, “You know, Plato, Aristotle, Marx,” and he said, “Oh, philosophy! Theory is what we do when we study international relations.” That was when I learned that there was something that was going to be very different about what I would encounter in the graduate context from what happened as an undergraduate.

As far as political theory went, I took “Introduction to Political Theory,” and then I had a section that was taught by Phil Green,

someone who turned out to be an important mentor to me and to other women who went on in political theory as well.

Watson So you were exposed to feminist theory and continental theory as an undergraduate?

Stevens Yes.

Watson In the preface to one of your books, you mention your involvement in a comparative studies program at the University of Michigan at an early point in your career.

Stevens Yes, Comparative Studies of Social Transformations. Some really amazing people were in that workshop.

Watson Did you come to that space with an interdisciplinary background?

Stevens This space actually helped me develop that background. I came to that space with a background in Hegel and an interest in looking at the ways that his work would help us understand ideas about the nation and race, and then, because of the prominence of the anthropologists in that group, I became engaged in this other literature as well. Most of them were much more poststructuralist and engaged with Foucault than I was, but basically, it was a really welcoming space for the work that I did and was outside political science, which was not so welcoming of that work.

Watson Amazing things were happening in anthropology at that time, a lot of exciting work from poststructuralism, postcolonialism, thinking about the position of the subject, and the legacies of Lévi-Strauss.

Stevens Michael Warner came through, Lauren Berlant, Benedict Anderson, so it was a really exciting group of people and conversations.

Watson You also have a journalistic side. You've written for the *New York Times* and for the *Nation*, where you once had an internship.

Stevens The internship at the *Nation* was a long time ago, although it did lead me to do some writing for alternative weeklies when I was in graduate school. I've always had an interest in journalism.

Watson You also keep up an active blog. Do you see the journalism and blog site as connected to your academic writing?

Stevens I would put it the other way. I think of what I do as being a writer. So I'm a writer, and often I publish on topics of interest to scholarly audiences and sometimes I write for publications that are more popular.

Watson What are you working on now? What's your next book or big project?

Stevens I'm working on a book that is drawing on the narratives of the conquistadors and the chivalry romance novels. It's tentatively called "Two Hundred Percent American," and it's based on the travels of Mark Lyttle, who was born in the United States and was deported to Mexico. The book will characterize what happened to him by drawing on the framing of the expeditions to the Americas in Cervantes's *Don Quixote* in order to convey the fantasies that underlie our attachments to the nation-state and emphasize the role of fantasy and fiction in materializing these crazy things that have to do with our borders and our deportations. The idea is to convey how these come from a fictional past that isn't really rational. So in a chivalry novel by a sixteenth-century writer, California is an Amazonian island, and when Cortez's expedition gets to a certain point, they think that they discovered California, this island they had read about. So they read about this foreign place that's an invented, fantastic island, and that is actually now a part of the United States of America. That's what *Don Quixote* is making fun of, all of these conquistadors who are inflating fiction with fact because they're so influenced by these chivalry romances.

Watson You're going back to your English major! Fiction shapes our world.

Note

1. Stevens's blog: stateswithoutnations.blogspot.com/.

Work Cited

Foucault, Michel. 2003. *Abnormal*. London: Verso.