

# Technologically Assisted Life

Between Biopolitics and Thanatopolitics

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The aim of this essay is to analyze the case of abortion law in Poland as a paradigmatic example of biopower. The historical genealogy of abortion legislation is my point of departure. I argue that within science, new visual technologies have a significant impact on the way that social and national imaginaries of life and death are currently being constructed. I emphasize that new reproductive technologies function as optical machinery that allow the power-knowledge of the clinical gaze to shape our understanding of new kinship structures. Technologically assisted life is blurring the line between biopolitics and thanatopolitics, because of its proximity to the modern biopolitical state and the capitalist system.

## 1. *Introduction*

I will start with an example of a peculiar visual representation that I noticed when I recently visited a «technology of power» institution that I was subjected to for several years (or in Althusserian terms the most powerful institution of the Ideological State Apparatus). In my old elementary school, in a small village in northern Poland, there was a showcase on the wall of the corridor with a sign above it saying: «The achievements of our students». Behind the glass, a collection of diagnostic ultrasound pictures showed blurry, grainy images – fetuses of pregnant female graduates of that school.<sup>1</sup> To complete the context of this snapshot I have to explain that near the showcase there was a Catholic cross, symbolizing the non-secularism of this institution, and a Polish national emblem. The ideological and gender-specific message that was sent through this extremely meaningful situatedness of this technologically assisted visualization of life, of flesh, and of the body, makes my example not only connected to national, religious and scientific contexts, but also locates it somewhere between biopolitics and thanatopolitics. Why is this grotesque archive or album of liminal life legitimized or even allowed? How does this example inscribe in the heated debate on abortion in Poland?

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<sup>1</sup> To explain a bit more, it has become popular to post ultrasound pictures of fetuses on social networking services. In this case, someone has just printed out the images from the profiles of female graduate students of this school, and decided to create this peculiar exhibition of unborn life. What is striking, the understanding of reproduction as a kind of achievement and commitment to national values, as if reproducing new citizens was «women's duty» is imposed on students in a crude way.

Abortion is a crucial issue in political, ideological, religious, and feminist disputes in Poland. Unfortunately, this ongoing debate is extremely narrow and has a limited set of arguments, which I am not going to bring up here. In fact, I would risk stating that the current debate is paralyzed because both anti-abortion and pro-choice organizations refuse to abandon a specific kind of ethics. Characteristically, the fetus is presented as the most important and permanently present actor in Polish social life, but it is usually positioned on the side of anti-abortion campaigners. Pro-choice activists seem to pass over this undefined and inconvenient actor in silence, focusing more on the experience and the body of the woman. The debate seems to be a perfect split between proven arguments defending the life of the fetus and those concerned about the life of the pregnant woman.<sup>2</sup> In this sense, abortion politics is very similar globally.<sup>3</sup>

Therefore, the aim of this essay is to analyze the case of abortion law in Poland from a different perspective, as a paradigmatic case of biopower. Is there a paradigmatic example of how the sovereign's power is biopower? Could that example be legal regulations on abortion? Legislation on abortion is my point of departure. I mainly use Michel Foucault's theory and the arguments of Giorgio Agamben. I argue that science, particularly new visual technologies, has significantly changed the way that social and national imaginaries of life and death are being shaped now. To move beyond dualisms of life and death, body and soul in my analysis, I would like to include the role of technology, referring to Donna Haraway's concept of the posthuman. In order to pursue my argument I would like to pose several questions: When and how does the fetus become a human being? What are the outcomes and consequences of its ambiguity? Is marginalizing the fetus as an actor of the social drama a mistake made by proponents of access to abortion? Could this form of life become an ally for pro-choice campaigners? Does the ambivalent status of the fetus and the role that technology plays in mediating this process of «making things visible = making them real», give the fetus the characteristic of a cyborg figure?

It is also important to mention that this case touches upon one of the most discussed issues in feminist theories – reproduction. As Donna Haraway notes, «reproduction has been at the center of scientific, technological, political, personal, religious, gender, familial, class, race and national

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<sup>2</sup> In 2006 representatives of a right-wing party («LPR» – League of Polish Families) created a project of the law changing the Polish Constitution, so that life would be protected from the moment of conception until the natural death. In that time the topic of abortion (significantly more than euthanasia) dominated the public discourse. In the All Saints Day both sides of the debate lit candles, but with different intention. The anti-abortion activists wanted to commemorate the lives of aborted fetuses, while the pro-choice campaigners mourned women that died because they could not terminate their pregnancy, or it was done with the use of unsafe methods. One death was opposed to the other – one form of life versus another form of life.

<sup>3</sup> See, M. GOLDBERG, *The Means of Reproduction: Sex, Power, and the Future of the World*, New York 2009.

webs of contestation for at least past twenty-five years».<sup>4</sup> I would even suggest that the issue of reproduction has shaped these debates for much longer, for centuries. Carole Pateman in her book *The Sexual Contract* has shown how the classical 17<sup>th</sup> and 18<sup>th</sup> century social contract theories – which form the foundations for contemporary political systems – obscure the sphere of reproduction as a necessary factor of the survival of the political community in form of conjugal contract.<sup>5</sup> After analyzing the political philosophy of Enlightenment contractarians like Thomas Hobbes, John Locke and Jean Jacques Rousseau, and contemporary ones like John Rawls, Pateman noticed that in these theories women were excluded from the original pact, from civil society and from being political subjects – they could only exist in civil society as wives. In consequence, the only way for a woman to enter the social contract is through a marriage contract. What Pateman calls the sexual contract precedes the social contract. Women's bodies have to be controlled and thus they became the biopolitical arena in which to exercise power and domination. Pateman notes that:

«Men give birth to an 'artificial body, the body politic of civil society; they create Hobbes' 'Artificial Man, we call a Commonwealth', or Rousseau's 'artificial and collective body', or the 'one Body' of Locke's 'Body Politic'. However, the creation of the civil body politic is an act of reason rather than an analogue to a bodily act of procreation».<sup>6</sup>

In Foucauldian terms, sex and reproduction were also «put into discourse» at the beginning of modernity. I will mainly use his idea of biopower that is defined in the intersection of medical, political, and juridical discourse. Although the French philosopher constructed his idea of biopower in opposition to the juridical model of power as a repressive mechanism only, I propose to take a closer look at the legal status of abortion, as one domain of the «polymorphous techniques of power».

## 2. *The law on abortion in Poland. Why should it be paradigmatic?*

First, I would like to sketch a broad historical context of the abortion law in Poland. Until 1932, abortion was banned in Poland without exceptions. Then, according to the new penal code, it was considered a crime, unless the pregnancy was threatening the life of the woman, or (for the first time in Europe) it was a result of a crime.<sup>7</sup> This law was in power until 1956, except during the period of the Nazi occupation. During the

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<sup>4</sup> D.J. HARAWAY, *Modest Witness@Second Millenium. FemaleMan Meets OncoMouse: Feminism and Technoscience*, New York - London 1997, p. 187.

<sup>5</sup> C. PATEMAN, *The Sexual Contract*, Cambridge 1988.

<sup>6</sup> *Ibidem*, p. 102.

<sup>7</sup> Penal Code from 11<sup>th</sup> July 1932, Articles 231, 232, 233, [http://www.przestepczoscorganizowana.republika.pl/praw\\_pliki/historia\\_prawa/Kodeks\\_karny\\_1932r.pdf](http://www.przestepczoscorganizowana.republika.pl/praw_pliki/historia_prawa/Kodeks_karny_1932r.pdf), p. 22.

Second World War in years 1943-1945, a Nazi decree introduced abortion on demand for Polish women, which was obviously part of the eugenic and racial policy of the Third Reich.<sup>8</sup>

After World War II, in 1956 an *Act on conditions of permissibility of abortion* legalized it in three cases: when the life or health of the woman or the fetus was in danger, when there was a well-founded suspicion that the pregnancy was a result of a criminal act, and when the woman was experiencing «difficult living conditions», that she herself attested to.<sup>9</sup> Practically, it meant abortion «on request». It is worth mentioning that the period of Real Socialism in Poland was perceived as the Soviet occupation, so the laws of the time were regarded to be imposed by an external political force.

After the fall of Communism, abortion became the subject of a heated debate. The political scene was divided into two camps: left-wing and liberal politicians wanted to maintain the act from 1956, while right-wing politicians, religious institutions and the Catholic Church pressured the new democratic government to restrict abortion law and to make it possible only when there was a serious threat to the pregnant woman's life. According to Eleonora Zielińska:

«issues associated with procreation and women's reproductive rights, particularly the permissibility of abortion, belong to a set of concerns that remain historically and comparatively vital and that often become the topic of impassioned public debate at times of crisis or societal transformation».<sup>10</sup>

This statement could be a general description of abortion law in Poland and its historical changes.

The current abortion law in Poland (*Law on family planning, protection of the human fetus and conditions for legal abortion* from 7th January 1993) is a compromise between the two camps. According to this act, abortion is banned except in the following three circumstances (and only possible up to the 12<sup>th</sup> week of pregnancy):

- 1) when the woman's life or health is endangered by the continuation of pregnancy;
- 2) when the pregnancy is a result of a criminal act;
- 3) when the fetus is seriously malformed.<sup>11</sup>

In circumstances (1) and (3) the testimony of a qualified physician is required, and in circumstance (2) abortion must be certified by a prosecutor.

<sup>8</sup> J. HEYDECKER - J. LEEB, *Trzecia rzesza w świetle Norymbergi. Bilans tysiąca lat*, Warszawa 1979, p. 391.

<sup>9</sup> *Act on Conditions of Permissibility of Abortion*, dated April 27, 1956, <http://isap.sejm.gov.pl/DetailsServlet?id=WDU19560120061>

<sup>10</sup> E. ZIELIŃSKA, *Between Ideology, Politics, and Common Sense: The Discourse of Reproductive Rights in Poland*, in S. GAL - G. KLIGMAN (eds) *Reproducing Gender, Politics, Publics, and Everyday Life after Socialism*, Princeton (NJ) 2000, p. 23.

<sup>11</sup> *Law on Family Planning, Protection of the Human Fetus, and Conditions for Legal Abortion*, dated January 7, 1993, <http://isap.sejm.gov.pl/DetailsServlet?id=WDU19930170078>, Art. 4a.

Women in Poland are not penalized for illegal termination of pregnancy, but persuading a woman to carry out an illegal abortion is a criminal act. The right to life is guaranteed by this law, including the prenatal state in a phase defined by this act (from the 12<sup>th</sup> week of pregnancy).<sup>12</sup> The act also regulates access to prenatal diagnostics and medical care for pregnant women, and assures unconstrained access to contraception and sexual education.<sup>13</sup> Sexual education was only introduced into schools in 2009, as part of the subject called «Education for family life» (in the curriculum from grade 5 of elementary school upwards). While on paper this subject is «obligatory», in reality, parents need to provide written permission to approve of their children taking these classes. To compound that, the strong influence of the Catholic Church in the country means that parenting courses and educational syllabi in schools are extremely biased, usually prohibiting contraception rather than providing information about it.

One could ask, why should the case of Polish law on abortion be studied, and why should it serve as any kind of paradigm? By bringing up this example, I am aware of my responsibility in representing this example as paradigmatic. Does discussing abortion law in a Central-Eastern European country make it universal for this specific region? What is a paradigm?

In a lecture given in 2002, entitled like my last question, Giorgio Agamben was reflecting on this issue, trying to see what it means to use a paradigm in philosophy, in human sciences, or in arts. His notion of a paradigm makes it an ontological tool that creates new contexts, being neither universal nor particular, neither general nor individual. Agamben writes:

«The paradigm is a part, a fragment of the whole, excluded from the whole in order to show its belonging to it. In a way the fragment could be as a kind of paradigm for the whole. When a fragment pretends to be more than itself, hints to a more general, infinite dimension, perhaps the fragment could act as a kind of paradigm for the whole».<sup>14</sup>

A paradigm understood as an example of something sets up a special kind of relationship between a single phenomenon and its intelligibility. But at the same time an example is somehow excluded from the universal, because it is made visible through its belonging to the norm. Agamben calls this case an «exclusive inclusion» – «... if we define the exception as an inclusive exclusion, in which something is included by means of its exclusion, the example functions as an exclusive inclusion. Something is excluded by means of its very inclusion».<sup>15</sup> I propose to treat my analysis of Polish law on abortion as this kind of relation – one that as an example of abortion politics is paradigmatic for the reflection on the thin

<sup>12</sup> *Ibidem*, Art. 1.

<sup>13</sup> *Ibidem*, Art. 2.

<sup>14</sup> G. AGAMBEN, *What is a Paradigm?*, August 2002, <http://www.egs.edu/faculty/giorgio-agamben/articles/what-is-a-paradigm/>, retrieved 23.03.2011.

<sup>15</sup> *Ibidem*.

line separating life from death, and the clash of biopolitics of the modern state and its opposite – thanatopolitics.

### 3. *Politics of life or politics of death?*

The changes in politics on abortion that I have presented above are not merely historical facts; rather, they reflect a special kind of control over life – biopower. This phenomenon has been described by Michel Foucault as a truly modern mode of government, both individualizing and totalizing, because it operates on the level of individual «anatomy-politics of the human body»<sup>16</sup> and at the large-scale level of populations as the species-bodies. In *The History of Sexuality* (1976) Foucault writes that:

«... for the first time in history, no doubt, biological existence was reflected in political existence; the fact of living was no longer an inaccessible substrate that only emerged from time to time, amid the randomness of death and its fatality; part of it passed into knowledge's field of control and power's sphere of intervention. Power would no longer be dealing simply with legal subjects over whom the ultimate dominion was death, but with living beings, and the mastery it would be able to exercise over them would have to be applied at the level of life itself; it was the taking charge of life, no more than the threat of death, that gave power its access even to the body».<sup>17</sup>

By recognizing a shift from the sovereign's right to kill, to the modern biopower controls over life through tools and practices of science-knowledge, Foucault makes it explicit that reproduction and sexuality are crucial to the new mode of power. In this sense disciplining and controlling individual women's bodies through legislation on abortion means shaping the population and even creating the biological existence of a population. When biology enters politics, birth rates, mortality, the level of health, life expectancy and other factors, which define a population start to become significant, and the calculated management of life becomes even more important than the administration of certain bodies.<sup>18</sup> The new life-centered politics has its own dispersed microphysics of power apparatus and set of practices that are aimed at preserving only certain species-bodies. In this sense, power is exercised on bodies through political institutions and measurements like demography as part of a deliberate strategy to preserve the integrity of the community or the body politic. Biopolitics is distinct from the traditional power of the sovereign in a way that it is the right «to make live and let die». Foucault claims that there was a shift from «a symbolics of blood» to «an analytics of sexuality». The traditional mode of power where the sovereign's sword was the main tool of exercising power

<sup>16</sup> M. FOUCAULT, *Right of Death and Power over Life*, in P. RABINOW (ed), *The Foucault Reader*, New York 1984, p. 262.

<sup>17</sup> M. FOUCAULT, *The History of Sexuality: An Introduction*, New York 1990, pp. 142-143.

<sup>18</sup> *Ibidem*, p. 140.

through death, has been transformed into modern biopower that protects life through control over sexuality. One could metaphorically say that the modern state avoids having blood on its hands, or at least, visible blood. Instead, it regulates the family, «well-being», health, and most importantly, reproductive practices. In its extreme, it can take the form of state racism and radical eugenics.<sup>19</sup> According to Foucault, the technology of power is now centered on life.

Giorgio Agamben provides an interesting interpretation of biopolitics, giving centrality to the nature of law and sovereignty in his analysis and proposing a rather pessimist view on biopolitics. In the beginning of his book *Homo Sacer: Sovereign Power and Bare Life* (1998), he reminds us of the ancient Greek distinction between two kinds of life: *zoē* and *bios*. The first one was used to express «... the simple fact of living common to all living beings (animals, men, or gods)»<sup>20</sup> and the latter to indicate «... the form or way of living proper to an individual or a group».<sup>21</sup> For example, when Aristotle defines man as *politikon zoon* he refers to humans as a race, not as individuals. What is remarkable, Foucault argues, is that «for millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question».<sup>22</sup>

Following Hannah Arendt's notion of «naked lives», of the refugees from the *The Origins of Totalitarianism* (1951), Agamben develops a concept of *homo sacer*, a sacred man who may be killed and yet not sacrificed. It is an individual reduced to bare life without any political significance and thus totally stripped of her humanity and citizenship. Living a naked life means to be reduced to a biological existence, being just one ray from the stream of life expressed by *zoē*, and being submitted to the sovereign's state of exception. According to Agamben, «it can be even said that the production of the biopolitical body is the original activity of sovereign power ... Placing biological life at the centre of its calculations, the modern State therefore does nothing other than bring to light the secret tie uniting power and bare life».<sup>23</sup>

Whose body is a biopolitical one in the case of abortion? The body of a pregnant woman, or the fetus? Agamben writes:

«The 'body' is always already a biopolitical body and bare life, and nothing in it or the economy of its pleasure seems to allow us to find solid ground on which to oppose the demands of sovereign power. In its extreme form, the biopolitical body of the West (this last incarnation of *homo sacer*) appears as a threshold of absolute indistinction between law and fact, juridical rule and biological life».<sup>24</sup>

<sup>19</sup> Although one could argue that any policies regulating reproduction are eugenics.

<sup>20</sup> G. AGAMBEN, *Homo Sacer: Sovereign Power and Bare Life*, Stanford (CA) 1998, p. 1.

<sup>21</sup> *Ibidem*, p. 1.

<sup>22</sup> M. FOUCAULT, *Right of Death*, p. 265.

<sup>23</sup> G. AGAMBEN, *Homo Sacer*, p. 11.

<sup>24</sup> *Ibidem*, p. 105.

With this logic and the concept of *homo sacer* it is still very hard to abandon the classical pro-choice and anti-abortion argumentation split, because this kind of discourse can easily serve both sides. Therefore, it is much more interesting to point out that in the case of abortion regulation, a certain type of *life* is being governed. Modern biopower that focuses on the life of the species and that accomplishes its goals through making the population its key subject refers more to *zoē*, the simple natural life that is merely reproductive. It doesn't matter which individual body is precisely at stake in political strategies. In fact, «biological modernity» needs a form of life that has no definite shape or boundaries – the more ambiguous it is ... the better for the sovereign. The politicization of bare life does not require concrete actors of the biopolitical relation; it only needs bodies and flesh that can be subjected. In this understanding, both the lives of a woman and of a fetus in her womb are being governed through the law on abortion. It is significant that for Agamben, the ban is the original political relation, so that Polish law, which in certain cases makes abortion (originally a banned practice) permissible as an exception from the norm, reflects the logic of inclusive exclusion. The norm is a ban on abortion. Bare life as *zoē* is therefore included in politics as an exception, creating in fact a blurry zone of indefinite «in-between», bursting dichotomies – exclusion/inclusion, inside/outside, private/public. According to Agamben, «the fundamental activity of sovereign power is the production of bare life as originary political element and as threshold of articulation between nature and culture, *zoē* and *bios*».<sup>25</sup>

Foucault diagnosed a radical transformation of politics after the Enlightenment that, since then, focuses on life. This shift from the rhetoric of death, to a discourse of life remains unclear and even oversimplified in Foucault's works. However, with the new protagonist, *homo sacer*, the embodiment of biological simple and anonymous existence of *zoē*, it is not only life that is significant and important for the biopolitical state. The sovereign's sword is still held in the air, ready to terminate the stream of insignificant bare life, in the name of the protection of politically qualified life, exercising its power also through thanatopolitics – the politics of death. Agamben argues that «if there is a line in every modern state marking the point at which the decision on life becomes a decision on death, and biopolitics can turn into thanatopolitics, this line no longer appears today as a stable border dividing two clearly distinct zones».<sup>26</sup> Although the Italian philosopher focuses rather on the practice of euthanasia, especially as a termination of «life unworthy of being lived» in Nazi Germany, in my opinion abortion is a much more interesting paradigmatic case of the intersection between biopolitics and thanatopolitics.

Agamben claims that there is material space, where biopolitics can be predominantly exercised, producing bare life that can be exterminated.

<sup>25</sup> *Ibidem*, p. 102.

<sup>26</sup> *Ibidem*, p. 72.



For him, following Hannah Arendt's works, such a paradigmatic biopolitical space is the concentration camp. After Ruth A. Miller I propose to treat the womb (not the Nazi *lager*) as the biopolitical paradigm of the modern state.

The main thesis of Miller's book *The Limits of Bodily Integrity* (2007) is that «it is the citizen with the womb who has become the political neutral – and rather than grudgingly granting women the artificial phalluses assumed by liberal theory, one can in fact advance an argument that men instead have been granted the artificial wombs assumed by its biopolitical counterpart».<sup>27</sup> Women's bodies became the biopolitical universal as political identities not by the fact of their reproductive powers but because women represent «bare life» – the biologically passive, vulnerable political ideal. For Miller, women as womb-owning citizens are the norm, because they can accomplish the basic purpose of the modern biopolitical state – production of populations. That is why female reproductive bodies are constantly regulated. For example, abortion might be regarded as necessary in a case where a Bosnian woman is raped by a Serbian soldier (rape as a crime/fetus as an enemy) while at the same time be banned as racial suicide in the national context of Poland. The boundaries of women's bodies are the boundaries of a nation state, and their role is to preserve the race and the nation. For Miller the womb is an ideal biopolitical space, because it is hidden – private and public are meaningless there. It remains a secret, it is inaccessible – and through the criminalization of abortion, the sovereign's power enters this excluded space, in the name of «protecting the population's rights».

Bearing in mind Foucault's abandonment of the traditional juridico-institutional model of power – it is not only the law that has an impact on the bodies of «naked» citizens. Modern biopower requires new optics that can make naked life visible, thus controllable. The law on abortion is nothing without the magnifying glass of modern technoscience that enables the creation of new taxonomies of the unborn.

#### 4. *The power-knowledge of the clinical gaze*

As Rosi Braidotti notes in her article *Bio-Power and Necro-Politics. Reflections on an ethics of sustainability*, «contemporary debates in the fields of social theory and cultural analysis have been concentrating on the politics of life itself, with special emphasis on the shifting boundaries between life and death».<sup>28</sup> The most interesting boundary is the one separating life from death and the inside from the outside. In my example

<sup>27</sup> R.A. MILLER, *The Limits of Bodily Integrity. Abortion, Adultery and Rape Legislation in Comparative Perspective*, London 2007, p. 149.

<sup>28</sup> R. BRAIDOTTI, *Bio-Power and Necro-Politics. Reflections on an Ethics of Sustainability*, in [http://www.springerlin.at/dyn/heft\\_text.php?textid=1928=en#fussnoten](http://www.springerlin.at/dyn/heft_text.php?textid=1928=en#fussnoten), retrieved 25.03.2011.

from the beginning of this essay, reproduction is directly linked to building the idea of nationhood, and breeding is performed as a «woman's civil duty». Moreover, new technologies allow us to see what was previously obscured or known only to the experts and specialists, who were able to «cross» the boundaries of human bodies. The ultrasonographing technique is not only limited to medical use and discourse; it also creates a kind of collective social imaginary. «Life» that we can observe on the screen of the sonograph is technologically mediated. This visualized life is used in medical practices, advertising and political debates. Biopower is in this sense a form of power-knowledge, because it is supported by the proliferation of scientific discourses.

In *Birth of the Clinic*, a detailed study of 18<sup>th</sup> and 19<sup>th</sup> century French medical thought and practice, Foucault draws a parallel between seeing and knowing. What he calls a «clinical gaze» reflects a shift from the medicine of tissue surfaces to the medicine of depth, that finally in the later centuries found a way to «open» not only the corpse, but the living body. As Foucault writes: «The clinical gaze is a gaze that burns things to their furthest truth. The attention with which it observes and the movement by which it states are in the last resort taken up again in this paradoxical act of consuming».<sup>29</sup>

Although Foucault describes a universe of medical technology that no longer exists, it is interesting that he uses the word «consumption». In the era of molecular vision and genetic citizenship, the visualization of «life itself» which is embodied by the embryo has been turned into an effective metaphor for the new beginning and the future. This has become a branch of bio-capitalist business, which means that functioning well in the free market economy allows one to create new family albums with ultrasound images of «descendants-to-be». Birth does not mark the beginning of the new citizen anymore. Even though life inside the womb is a transitional and liminal entity, because it can be seen in a more or less human form on the screen of ultrasonographic machinery it starts to exist as a child for its parents. In fact, parenthood is created in relation to the image on the screen and the «nuclear family» constitutes of a grainy image and the audience watching this theatre of life that inhabits the woman's womb. This performativity of parenthood is possible since the child is now the centre of focus in the family. Foucault dates the emergence of this phenomenon to the eighteenth century. In a short essay entitled *The Abnormals*, he enumerates the consequences of the new economy of intrafamilial relations, among them:

«... a solidification and intensification of father-mother-children relations (at the expense of the multiple relations that characterized the large 'household'); a reversal of the system of family obligations (which formerly went from children to parents but now

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<sup>29</sup> M. FOUCAULT, *The Birth of the Clinic. An Archaeology of Medical Perception*, London 1973, p. 120.

tend to make the child the primary and ceaseless object of duties of the parents, who are assigned complete moral and medical responsibility for their progeny); emergence of the health principle as a basic law governing family ties; the distribution of the family cell around the body – and the sexual body – of the child; ... the necessity, finally, for a control and an external medical knowledge to arbitrate and regulate these new relations between the parents' obligatory vigilance and the children's ever so fragile, irritable, and excitable body».<sup>30</sup>

The fragile body of the child-to-be can now be detected and observed before it is born, creating new kinship structures. Moreover, as Nikolas Rose notes, «the focus of organizations terming themselves 'pro-life' directs our attention to one set of those troubling liminal entities at stake in new reproductive technologies – sperm, unfertilized and fertilized ova, blastocysts, embryos at various stages of development within and outside the womb ...».<sup>31</sup> In the new biological epistemology technologically assisted and visualized life with human characteristics has greater ideological power than an obscure, undefined, unnamed inhabitant of the womb.

Thanks to the life-giving machinery of reproductive technologies a nuclear family can be produced during a visit in a medical consulting room, where new relations emerge while observing life on the screen. Donna Haraway depicts this new story of origin: «proving herself to be a literate citizen of technoscience, the pregnant woman interprets the moving gray, white, and black blobs on the televised sonogram as visually obvious, differentiated fetus».<sup>32</sup> The image being produced in that situation is also a miniature of «the sacred life» – it is a visual icon that can be kept as evidence of both the naturalization and technocization of the medical gaze, that sets up new familial, national, racial, gendered, class, and ethical contexts of life. Haraway argues that «... a secular terrain has never been more explicitly sacred, embedded in the narratives of God's first Creation, which is repeated in miniature with each new life. Secular, scientific visual culture is in the immediate service of the narratives of Christian realism».<sup>33</sup> It is especially obvious in the rhetoric of anti-abortion movements, which portray the life of the unborn as a miracle, a gift. However, while the fetus is given a status of a human being, the mother is dehumanized – her uterus just serves as a «natural environment» for the new life. Whoever notices the woman on an ultrasound picture? But she is there, reduced to the background for the child-to-be.

In this sense, the sonogram is like the Agambenesque «anthropological machine». This truly modern machine functions by establishing a zone of in-between and indifference, in which the human is meticulously separated from the non-human – as a person can be constructed only in opposition

<sup>30</sup> M. FOUCAULT, *The Abnormals*, in P. RABINOW - J.D. FAUBION (edd) *Ethics: Subjectivity and Truth: The Essential Works of Foucault, 1954-1984*, 1, New York 2006, p. 54.

<sup>31</sup> N. ROSE, *The Politics of Life Itself: Biomedicine, Power, and Subjectivity in the Twenty-First Century*, Princeton (NJ) 2007, p. 48.

<sup>32</sup> D.J. HARAWAY, *Modest Witness@Second Millenium*, pp. 176-177.

<sup>33</sup> *Ibidem*, p. 178.

to an animal. This dichotomy is actually a division within the category of the human itself, making the production of the boundary between humanity and animality a reflection of the difference between qualified life and bare life. The anthropological machine functions based on the mechanism of the inclusive exclusion – it classifies and distinguishes human from animal through a dual process of exclusion/inclusion. According to Agamben, «indeed, precisely because the human is already presupposed every time, the machine actually produces a kind of state of exception, a zone of indeterminacy in which the outside is nothing but the exclusion of an inside and the inside is in turn only the inclusion of an outside».<sup>34</sup> Thus, the «ultrasonographic-anthropological machine» recognizes a human being in an image of the fetus. This ambivalent entity – which inhabits the dark, liquid environment of the uterus, and which, as some claim, goes through the evolutionary phases of animal species – can be ultimately prescribed to *homo sapiens*. The fetus becomes an actor of this social drama and the womb becomes the sacred «temple of life».

It is worth noticing that the by-product of the anthropological machine is always an in-between space, where decisions have to be made constantly, such that it becomes not simply scientific or ontological matter, but a deeply political and ethical one. Will the mother be bare life as a womb-owning citizen, preserving the race of her nation, or will the unwanted fetus embody the life that can be killed but not sacrificed? While one form of life is acknowledged as *bios*, the other has to become *zoē*. The sonographically monitored biopolitical space of the uterus has the potency to become the temple of life for a public fetus, or an empty vessel in the background.

The new reproductive technology is optical machinery that might be even connected to the Foucauldian system of the Panopticon. It is important to notice the contradictions in this conglomerate of technology, which assists life, because its proximity to the modern biopolitical state and capitalist system makes the «scientific eye» blind to certain spheres and actors. Donna Haraway points out that «for those people who are excluded from the visualizing apparatuses of the disciplinary regimes of modern power-knowledge networks, the *averted gaze* can be deadly as the all-seeing panopticon that surveys the subjects of the biopolitical state».<sup>35</sup> Is every claim to so called «reproductive freedom» constrained by the possibilities of the technological anthropological machines, with its selective vision? A decision about who can be granted this right to reproductive freedom is also a biopolitical one. The law regulates what counts as family, so that in the case of Poland only certain people have access to supported reproduction technologies (i.e. heterosexual, legally married couples).

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<sup>34</sup> G. AGAMBEN, *The Open: Man and Animal*, Stanford (CA) 2004, p. 37.

<sup>35</sup> D.J. HARAWAY, *Modest Witness@Second Millenium*, p. 202.

## 5. Resistance

I began this article with an example of a visual representation of liminal life, and I would like to end with another one, demonstrating the usage of visual tools as a resistance strategy. My decision to not reproduce anti-abortion rhetoric in this article was a wholly intentional, political, and ideological choice. However, I would like to briefly present an example of an underground action that reveals how biopower is always productive, in the sense that it can also produce resistance. In March 2010 in Łódź (a city in central Poland) posters appeared at bus stops, mimicking the MasterCard advertisements, but with a somewhat different message. A clandestine feminist organization called SROM decided to draw public attention to the burning problem of abortion tourism that is extremely popular among Polish women. (SROM stand for Separatist Revolutionary Uterus Squads; in Polish «srom» is also the medical term for «vagina».) The poster shows a woman with the words «My choice» written in English on her belly. There is also text stating: «Plane ticket to England - 300 zloty; Accommodation - 240 zloty; Abortion in a public clinic - 0 zloty; Relief after a procedure carried out in decent conditions – priceless», and finally a slogan: «For everything, you pay less than you would for an underground abortion in Poland».<sup>36</sup>



Fig. 1. The poster of SROM (Separatist Revolutionary Uterus Squads).

Source: <http://lesmisja.blogspot.com/>

<sup>36</sup> The organization, whose members remain anonymous, has been accused of promoting abortion, which is penalized with up to 3 years of imprisonment [http://wyborcza.pl/1,75478,7648654,Reklamowali\\_aborcje\\_.html](http://wyborcza.pl/1,75478,7648654,Reklamowali_aborcje_.html) (in Polish), retrieved 23.03.2011.

I view this guerilla street action as a continuation of the «revolutionary tradition» of 1989: it uses absurd language, it engages with everyday consumerism, and it takes place in the streets, reclaiming the public space. The aesthetics, provocative style and feminist content of the A3 format poster – which in fact also mocks the multinational credit card company – refers also to Polish punk zine culture.

As I have placed emphasis on the importance of visual technologies in shaping abortion debates, I have argued that the visualization of «life» is crucial in its effect on the politics of reproduction. What is interesting here is that strategies, which resist the biopolitical regime utilize visual, means as well. One might think it unnecessary that the organization responsible for the posters chose to remain anonymous. Unfortunately, this turned out not to be just a paranoid precautionary move on their part, because a Catholic organization later pressed charges against SROM for encouraging women to carry out abortions.

## 6. Conclusions

Finally, I argue that with all the machinery that currently sustains the visibility of life, fetuses are «cyborg» creatures – truly post human figures. According to Donna Haraway's definition from the famous *Cyborg Manifesto* (1985):

«a cyborg is a cybernetic organism, a hybrid of machine and organism, a creature of social reality as well as a creature of fiction. Social reality is lived social relations, our most important political construction, a world-changing fiction ... This is a struggle over life and death, but the boundary between science fiction and social reality is an optical illusion».<sup>37</sup>

The body of the fetus, the assisted vision of the audience through the «ultrasonographic spectacle», are all fusions of nature, culture, and technoscience. However, the network of relations that are included in the web of this posthuman universe is much broader, and both human and nonhuman actors are involved in the production of life and death metaphors. Thanatopolitics intersects with biopolitics in the sense that their totalizing techniques go beyond medical clinics, incorporating patterns of consumption, marketing systems, laboratories, and factories, the production of contraceptives and artificial milk, tables of fertility and morbidity, as well as the new taxonomies of fetal bodies visualized as white and grey noise on the screen. This intersection of biopolitics and thanatopolitics is clearly illustrated in the example that I began with, where the technosci-

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<sup>37</sup> D.J. HARAWAY, *A Cyborg Manifesto: Science, Technology, and Socialist-Feminism in the Late Twentieth Century*, in D.J. HARAWAY, *SIMIANS, CYBORGS, AND WOMEN: THE REINVENTION OF NATURE*, NEW YORK 1991, p. 149.

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entific frame of scales and indexes in the images form a strange collection of liminality.

I argue that the new cyborg identities may open up an alternative redistribution of power in the debate on abortion. Observing a shift from the «right to choose» to the «right to know» enabled by the access to prenatal diagnostics, power-knowledge can be used to create new forms of social and political belonging. New technologies can dive deep into our flesh, touching even the molecular structure of our increasingly transparent bodies. New forms of ethics have, and can emerge from this network of multiple relations. I argue that it is necessary to jam the anthropological machine, so that chimerical entities can become allies for women, who do not want to live as bare life. *Zoē* can be a generative life-force that creates new biopolitical genealogies. It is no longer only about the relation between *bios* and *zoē* alone, but about their relation with the third component that needs to be included – *technē*.