

I, Pierre Riviere, having slaughtered my mother, my sister and my brother. [Foreword]

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We had in mind a study of the practical aspects of the relations between psychiatry and criminal justice. In the course of our research we came across Pierre Riviere's case.

It was reported in the *Annales d'hygiene publique et de medicine legale* in 1836. Like all other reports published in that journal, this comprised a summary of the facts and the medico-legal experts' reports. There were, however, a number of unusual features about it.

A series of three medical reports which did not reach similar conclusions and did not use exactly the same kind of analysis, each coming from a different source and each with a different status within the medical institution: a report by a country general practitioner, a report by an urban physician in charge of a large asylum, and a report signed by the leading figures in contemporary psychiatry and forensic medicine (Esquirol, Marc, Orfila, etc.).

A fairly large collection of court exhibits including statements by witnesses - all of them from a small village in Normandy - when questioned about the life, behavior, character, madness or idiocy of the author of the crime.

Lastly, and most notably, a memoir, or rather the fragment of a memoir, written by the accused himself, a peasant some twenty years of age who claimed that he could "only barely read and write" and who had undertaken during his detention on remand to give "particulars and an explanation" of his crime, the premeditated murder of his mother, his sister, and his brother.

A collection of this sort seemed to us unique among the contemporary printed documentation. To what do we owe it?

Almost certainly not to the sensation caused by the case itself. Cases of parricide were fairly common in the assize courts in that period (ten to fifteen yearly, sometimes more). Moreover, Fieschi's attempted assassination of the king and his trial and his sentencing and execution of Lacenaire and the publication of his memoirs practically monopolized the space devoted to criminal cases in the press at the time. The *Gazette des Tribunaux* never gave the Riviere case more than a brief mention, in the main producing the *Pilote du Calvados*. The Riviere case never became a classic of criminal psychiatry like those of Henriette Cornier, Papavoine, or Leger. Apart from the article in the *Annales d'hygiene*, we have found practically no references to Riviere. And Riviere's counsel, Berthauld, who was later to become fairly well known, seems never to have alluded to his former client in his writings.

Riviere's case was not, then, a "notable crime." The unusually full treatment in the *Annales* may be accounted for by a combination of chance circumstances and general considerations. Probably a doctor or some local notable in the Caen area drew the contemporary Paris experts' attention to the sentencing to death on November 12, 1835, of a parricide considered by many to be a madman. They must have agreed to intervene when the petition of mercy was presented, on the basis of the records compiled for the purpose; in any event, they drew up their certificate on the basis of the material evidence without ever seeing Pierre Riviere. And once the commutation of the sentence had been granted, what they published in the *Annales d'hygiene* was the whole or part of the dossier on the case.

Over and above these circumstances, however, a more general debate emerges, in which the publication of this dossier by Esquirol and his colleagues was to have its effect. In 1836 they were in the very midst of the debate on the use of psychiatric concepts in criminal justice. To be more precise, they were at a specific point in this debate, for lawyers such as Collard de Montigny, doctors such as Urbain Coste, and more especially the judges and the courts had been very strongly resisting (especially since 1827) the concept of "monomania" advanced by Esquirol (in 1808). So much so that medical experts and counsel for the defense hesitated to use a concept which had somewhat dubious connotation of "materialism" in the minds of the courts and some juries. Around 1835 it looks as if doctors rather tended to produce medical reports based less directly on the concept of monomania, as if they wished to show simultaneously that reluctance to use it might lead to serious miscarriages of justice and that mental illness could be manifested through a far wider symptomatology. In any case, the Riviere dossier as published by the Annales is extremely discreet in its references to "monomania"; on the other hand, it makes very considerable use of signs, symptoms, and the dispositions of witnesses, and very diverse types of evidence.

There is, however, one fact about all this that is truly surprising, that while "local" or general circumstances led to the publication of a remarkably full documentation, full not only for that period, but even our own, on it and on the unique document that is Riviere's memoir, an immediate and complete silence ensued. What could have disconcerted the doctors and their knowledge after so strongly eliciting their attention?

To be frank, however, it was not this, perhaps, that led us to spend more than a year on these documents. It was simply the beauty of Riviere's memoir. The utter astonishment it produced in us was the starting point.

But we were still faced with the question of publication. I think that what committed us to the work, despite our differences of interests and approaches, was that it was a "dossier", that is to say, a case, an affair, an event that provided the intersection of discourses that differed in origin, form, organization and function - the discourses of the contional judge, the prosecutor, the presiding judge of the assize court, and the Minister of Justice; those too of the country general practitioner and of Esquirol; and those of the villagers, with their mayor and parish priest; and, last but not least, that of the murderer himself. All of them speak, or appear to be speaking, of one and the same thing; at any rate, the burden of all these discourses is the occurrence on June 3. But in their totality and their variety they form neither a composite work nor an exemplary text, but rather a strange contest, a confrontation, a power relation, a battle among discourses and through discourses. And yet, it cannot simply be described as a single battle; for several separate combats were being fought out at the same time and intersected each other: The doctors were engaged in a combat, among themselves, with the judges and prosecution, and with Riviere himself (who had trapped them by saying that he had feigned madness); the crown lawyers had their own separate combat as regards the testimony of the medical experts, the comparatively novel use of extenuating circumstances, and a range of cases of parricide that had been coupled with regicide (Fieschi and Louis-Philippe stand in the wings); the villagers of Aunay had their own combat to diffuse the terror of a crime committed in their midst and to "preserve the honor of a family" by ascribing the crime to bizarre behavior or singularity; and, lastly, at the very center, there was Pierre Riviere, with his innumerable and complicated engines of war; his crime, made to be written and talked about and thereby to secure him glory in death, his narrative, prepared in advance and for the purpose of leading on to the crime, his oral explanations to obtain credence for his madness, his text, written to dispel this lie, to explain, and to summon death, a text in whose beauty some were to see as a proof of rationality (and hence grounds for condemning him to death) and others a sign of madness (and hence grounds for shutting him up for life).

I think the reason we decided to publish these documents was to draw a map, so to speak, of

those combats, to reconstruct these confrontations and battles, to rediscover the interaction of those discourses as weapons of attack and defense in the relations of power and knowledge.

More specifically, we thought that the publication of the dossier might furnish an example of existing records that are available for potential analysis.

(a) Since the principle governing their existence and coherence is neither that of a composite work nor a legal text, the outdated academic methods of textual analysis and all the concepts which are the appanage of the dreary and scholastic prestige of writing can very well be eschewed in studying them.

(b) Documents like those in the Riviere case should provide material for a thorough examination of the way in which a particular kind of knowledge (e.g. medicine, psychiatry, psychology) is formed and acts in relation to institutions and the roles prescribed in them (e.g., the law with respect to the expert, the accused, the criminally insane, and so on).

(c) They give us a key to the relations of power, domination, and conflict within which discourses emerge and function, and hence provide material for a potential analysis of discourse (even of scientific discourses) which may be both tactical and political, and therefore strategic.

(d) Lastly, they furnish a means for grasping the power of derangement peculiar to a discourse such as Riviere's and the whole range of tactics by which we can try to reconstitute it, situate it, and give it its status as the discourse of either a madman or a criminal.

Our approach to this publication can be explained as follows:

1. We tried to discover all the material evidence in the case, and by this we mean not only the exhibits in evidence (only some were published in the *Annales d'hygiene publique*), but also newspaper articles and especially Riviere's memoir in its entirety. (The *Annales* reprinted only the second part of it.) Most of these documents were to be found in the Departmental Archives at Caen; Jean-Pierre Peter did most of the research. (With the exception of a few documents of minor interest, we are therefore publishing everything we could find written by or about Pierre Riviere, whether in print or in manuscript.)

2. In presenting the documents, we have refrained from employing a typological method (the court file followed by the medical file). We have rearranged them more or less in chronological order around the events they are bound up with - the crime, the examining judge's investigation, the proceedings in the assize court, and the commutation of the sentence. This throws a good deal of light on the confrontation of various types of discourse and the rules and results of this confrontation.

And, placed as it is at the time of its writing, Riviere's memoir comes to assume a central position which is in its due, as a mechanism which holds the whole together; triggered secretly beforehand, it leads on to all the earlier episodes; then, once it comes into the open, it lays a trap for everyone, including contriver, since it is first taken as proof that Riviere is not mad and then becomes, in the hands of Esquirol, Marc, and Orfila, a means of averting that death penalty which Riviere had gone to such lengths to call down upon himself.

3. As to Riviere's discourse, we decided not to interpret it and not to subject it to any psychiatric or psychoanalytic commentary. In the first place because it was what we used as the zero benchmark to gauge the distance between the other discourses and the relations arising among them. Secondly, because we could hardly speak of it without involving it in one of the discourses (medical, legal, psychological, criminological) which we wished to use as our starting point in talking about it. If we had done so, we should have brought it within the power relation whose reductive effect we wished to show, and we ourselves should have fallen into the trap it set.

Thirdly, and most importantly, owing to a sort of reverence and perhaps, too, terror for a text which was to carry off four corpses along with it, we are unwilling to superimpose our own text on Riviere's memoir. We fell under the spell of the parricide with the reddish-brown eyes.

4. We have assembled a number of notes at the end of the volume, some on the psychiatric knowledge at work in the doctors' reports, others on the legal aspects of the case (extenuating circumstances, the jurisprudence of parricide), yet others on the relations between the documentary levels (despositions, records, expert opinions), and others again on the narrative of the crimes.

We are aware that we have neglected many major aspects. We could have gone into the marvellous document of peasant ethnology provided by the first part of Riviere's narrative. Or we could have brought out the popular knowledge and definition of madness whose outlines emerge through the villager's testimony.

But the main point was for us to have the documents published.

This work is the outcome of a joint research project by a team engaged in a seminar at the College de France. The authors are Blandine Barret-Kriegel, Gilbert Burlet-Tovic, Robert Castel, Jeanne Favret, Alexandre Fontana, Georgette Legee, Patricia Moulin, Jean-Pierre Peter, Philippe Riot, Maryvonne Saison, and myself.

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Pierre Riviere's memoir was published in pamphlet form in the same year as the trial. There is no copy in the Bibliotheque Nationale. The pamphlet contains the version published in the Annales d'hygiene publique, but published there only in part and with some errors.

The whole file is to be found in the Archives du Calvados, 2 U 907, Assises Calvados, Proces criminels, 4th quarter 1835.

Michel Foucault

