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## Melodrama, Masochism, and Biopolitical Encounters in *The Fosters*

Jaime Brunton

Since the television drama *The Fosters*, which centers on the daily struggles of two lesbian moms (Stef Foster and Lena Adams) and their multi-ethnic family of foster and adoptive children, debuted on ABC Family in 2013, the show has garnered numerous awards and nominations, including honors from the Teen Choice Awards, the Television Academy, and the Television Critics Association. More notably, the show has been nominated for three awards by the Imagen Foundation (whose mission is “To encourage the positive portrayals of Latinos in all forms of the entertainment media”) and has one win and two nominations from the Gay & Lesbian Alliance Against Defamation (GLAAD) Media Awards for Outstanding Drama series as well as a GLAAD Vanguard Award for its executive producer, Jennifer Lopez.<sup>1</sup> Add to this acclaim the show’s popularity, and it is clear that *The Fosters* has struck a chord with American television audiences and critics. While part of the show’s appeal no doubt rests in its representations of LGBTQ people and people of color (as its awards suggest) and its dealing with topical issues such as gay marriage and racial profiling, it also worth noting that the specific ways in which these issues are handled are also perhaps part of the attraction for audiences. Working against simplistic victim-perpetrator narratives, the show instead presents characters who work the biopolitical system from the inside—in ways that, in typical melodramatic fashion, are masochistic and self-destructive, and yet ultimately result in a complicated form of agency and power. In doing so, *The Fosters* offers a not-so-subtle critique of the biopolitical state as well as of traditional models of “resistance” to power.

The plot of *The Fosters* is driven by the challenges its main characters face while navigating the legal dimensions of the foster care system. These challenges are primarily *biopolitical* in nature—that is, they have to do with the state’s definition of what counts as a valid and desirable way of *living* and the subsequent promotion of particular modes of

living to the detriment of other modes (or even of other lives). This promotion by state power operates through extensive tabulation and management of the “population” via “intervention” at the level of “the birth rate, the mortality rate, various biological disabilities, and the effects of the environment.”<sup>2</sup> The Adams-Fosters are beset at turns by the court’s preference for the biological parents of their foster and adoptive children who seek custody; by the racial profiling and hyper-criminalization of their would-be foster children and those children’s peers; the sometimes fatal shortcomings of both government-regulated and for-profit foster care programs; and by the illogical constraints imposed on two of their children’s biological father (with whom the children are trying to forge a bond) because of his unjust placement on the national sex offender registry. As the Adams-Fosters try to build and maintain a far-reaching network of support and love across lines of race, class, gender, and sexuality, the state is constantly poised to interfere with these connections. Importantly, as the show highlights, the state’s use of *biopower* (Foucault’s term for “power over life”) gives force to these interferences, which take the form of laws and institutions built on the death (political or actual) of those citizens whom the state has deemed undesirable or abject.<sup>3</sup> In *The Fosters*, these abjected groups include people of color, LGBTQ youth, and children without legitimate parents. Nearly every episode displays some form of negative encounter between a member of one of these groups and a state institution. These encounters highlight both the biopolitical operations of the state and the masochistic, melodramatic responses of those trying to carve out a “livable life” within the state’s constraints.<sup>4</sup>

Masochism, and aggression more generally, are central components to melodrama. Film scholars in the 1970s and 1980s were interested in how gendered, heterosexual relationships generated particular aggressions, and analyses centered essentialist notions of male and female spectators<sup>5</sup> (see especially Laura Mulvey’s “Notes on Sirk and Melodrama,” which focuses on male and female points of view) and foregrounded the coincidence between the development of the melodrama and the rise of capitalism, as described by Thomas Elsaesser.<sup>6</sup> Today, however, in the context of biopolitics and new family and economic structures, new anxieties must be negotiated within the melodrama. These anxieties and aggressions are, by necessity, foregrounded in *The Fosters*, as the main characters, Lena, who is African American, and Stef, who is white, face challenges specific to their statuses as an interracial lesbian couple and as foster parents. These statuses place Stef, Lena, and their children in a uniquely heightened relationship to biopolitics. Because they are a lesbian couple living in California at a particular historical moment (pre-*Obergefell v. Hodges*), they are not legally married when the series begins, and their adoption of a foster child coincides with a legal marriage ceremony (in an episode that aired less than two months after the U.S. Supreme Court’s overruling of California’s Proposition 8 finally went into effect in 2013). Furthermore, their relationship to their foster and adoptive children, shaped by the workings of biopolitics (in the form of governmental red tape that aims to produce and reproduce particular family structures), is the central focus of the series. The characters’ constant negotiation of biopolitics is necessitated by their non-heteronormativity and their insistence on nonbiological affiliation. As the characters attempt to extend the boundaries of kinship beyond the reach of biopolitical documentation, the primary mood is anxiety and internalized aggression, which drives the central female foster child to

repetitive self-destructive, masochistic behaviors common to melodrama.<sup>7</sup> This article aims, first, to show how such representations as this one, with its focus on particular marginalized/politicized identities, may offer insights about how biopolitics works on us at a psychical level, and, second, to show how the masochistic aggressions foregrounded in a biopolitical melodrama can help us theorize notions of power, freedom, and resistance within the context of biopolitics—especially with regard to marginalized sexual and racial identities. This article offers insights about political representation within a biopolitical framework through consideration of the following question: What might the popularity of fictional representations that highlight the operations of the biopolitical state within the context of families tell us about how broader concepts such as “the political” and “freedom” are figured in our current moment?

### **Masochism as biopolitical self-preservation**

*The Fosters* has been called a “soap opera,” and it is true that the narrative turns are almost too much to believe: love triangles, car crashes, addictions, accidental shootings, murders, a cliffhanger to close nearly every episode. The show’s description on the Freeform (formerly ABC Family) website gives some indication of how the drama is spread out among a panoply of characters:

*The Fosters* is a compelling, one-hour drama about a multi-ethnic family mix of foster and biological kids being raised by two moms. Stef Foster, a dedicated police officer, and her partner Lena Adams, a school vice principal, have built a close-knit, loving family with Stef’s biological son from a previous marriage, Brandon, and their adopted twins, Mariana and Jesus. Their lives are disrupted in unexpected ways when Lena meets Callie, a hardened teen with an abusive past who has spent her life in and out of foster homes. Lena and Stef welcome Callie and her brother, Jude, into their home thinking it’s just for a few weeks, until a more permanent placement can be found. But life has something else in store for the Fosters.<sup>8</sup>

Clearly, much of the entertainment value of the show rests on the inevitable drama that comes with the complicated family structure it presents. And this is precisely the point that differentiates *The Fosters* from soaps and places it squarely in the genre of melodrama: its excesses are the direct result of the social and political forces within which the main characters are caught up.<sup>9</sup> While narrative excess is a key component of the show’s appeal, these excesses are more than shock devices: they are, in fact, necessitated by the social and political position of the main characters and by the fact that the protagonists are, by virtue of their role within the foster and adoption system, constantly expanding their circle of kinship and care. There is not only an excess of action but also an excess of concern as their family grows to accommodate foster and adoptive children, the biological families of those children, their children’s friends and romantic partners, and other children and caregivers with whom the protagonists must interact as they navigate their children’s psychological and emotional needs as adoptive children and the legal processes related to securing

custody. True to the message laid out in the show's theme song ("Where You Belong" by Kari Kimmel), the protagonists are constantly engaged in the process of building a home around the key tenet that "home" is defined as the place where one "belongs." It is this feeling of belonging—rooted in an acceptance of differences within families (e.g., race, class, sexuality) and even within the individual family members themselves—that defines (or ought to define) "family," quite apart from definitions rooted in blood relationship or legality. To belong in this sense is to have the capacity to care—to provide love and emotional support. This central tension between two competing versions of "family"—one based on care, the other based on legal rights via biological ties and/or economic ability—is what drives the action of the series, and this tension would not be so starkly apparent were it not for the facts that the family is entrenched in the foster care system, is multi-ethnic, and is led by two moms.

*The Fosters* tackles a number of issues that are directly tied to the characters' unique relationship to biopower given their respective statuses as sexual minorities, racial minorities, and foster children/parents. Moreover, the show highlights the specific ways in which these identity categories necessitate interactions with the biopolitical state that threaten the stability of the family and even criminalize some of its members. While other shows have certainly portrayed the themes of troubled, delinquent youths, *The Fosters* is careful to link aggressive, destructive, and even masochistic behaviors of the foster children directly back to these interactions with the state. An important example of this behavior comes midway through season one, when Stef and Lena have a legal marriage ceremony and celebration at their home. Significantly, this event, which legitimizes Stef and Lena's lesbian relationship in the eyes of the state, coincides with Callie's relapse into delinquency. Callie (the straight, white, cisgender young woman whose narrative is centralized in the show) and Brandon (also straight, white, and cisgender), her potential adoptive brother, have been harboring romantic feelings for one another, and on the evening of the wedding, they share a kiss. Callie, wishing both to shield Jude from further pain based on her actions and to avoid hurting Jude's chances of getting adopted, runs away from home. After confronting a series of biopolitical challenges to making it on her own (she cannot get a job because she is underage and has no parents to vouch for her), she realizes she will be able to survive only if she goes back in "the system"—a term the show uses frequently to refer to foster care and, by extension, the routes that lead from foster care to other state-sanctioned entities: juvenile detention, group homes, and jail. Callie thus purposely gets caught shoplifting and defies the store clerk to have her arrested, which he does. Callie's behavior, while in one regard is irrationally self-destructive insofar as it cuts her ties to love, safety, and a potential home, is also quite reasonable given her knowledge of how the system works. She knows that a perceived sexual relationship with a foster sibling would result in her being removed from Stef and Lena's home and being placed back in a group home to await another foster parent. She also knows that she would put Jude at risk if this action were to happen, and that if he were removed, there would be no guarantee that Callie and Jude would be able to stay in contact with one another. Faced with a forced choice, Callie opts for the one that offers her the greatest deal of individual pain but also the one that gives her the greatest power over the situation. She will certainly face repercussions, first in the form of disappointment from Stef and Lena, then in being placed with an abusive foster

parent, and finally in a group home. But by harboring her secret about Brandon and by removing herself from the home, she maintains a degree of control over Jude's safety and her access to him. It is this unspoken masochistic contract (in Gilles Deleuze's formulation, the contract whose terms are set by the victim to dictate to the persecutor the pains s/he will inflict) that enables us to see precisely how Callie's life is constrained by the operations of the state.<sup>10</sup>

Ultimately, it is the biopolitical state's goal of promoting a particular model of life and kinship—modeled on the heteronormative family unit—that forces Callie's hand. Despite the fact that both Callie and Brandon consent to the kiss, for them to cohabit is unacceptable to the state's definition of a family-like cohabitating unit. This condition is made all the more ironic later when we learn that Callie had been removed from another foster home when her foster brother raped her and claimed that it was an act of consensual sex. That Callie's repetition of this trauma (her reenactment of the scene of leaving the home) coincides with the same-sex marriage ceremony is telling: as one identity group (gays and lesbians) is granted rights within the liberal biopolitical state, the disenfranchisement of other groups (in this case children, and more specifically, female children without state-sanctioned guardians) is thrown into relief.

### **Rethinking the social threat to the family**

Importantly, *The Fosters*, even in all its melodramatic sensationalism, works against a particular kind of fantasy that other family dramas and comedies trade in: the fantasied threat of an individualized outside force. In heterosexual narratives that foreground obstacles to family formation, the fantasied threat is threefold: homosexuality, nonbiological family affiliation, and the absence of a biological father. In a move that suggests the internalization of social tensions of the first decade of the 21st century (e.g., rising support for gay marriage and increased visibility of assisted reproductive technologies), films such as *Baby Mama* (Dir. Michael McCullers 2008), *The Backup Plan* (Dir. Alan Poul 2010), and *The Switch* (Dir. Michael McCullers 2010), and television shows such as *Sex and the City* and its movie follow-up (Dir. Michael Patrick King 2008), homosexuality and nonbiological family formations are posited as threats to the ultimate goal of the narrative: a heterosexual, two-parent family unit with children biologically related to both parents. In these narratives, all of which were produced in the eight years leading up to the U.S. Supreme Court's 2015 ruling in *Obergefell v. Hodges* that legalized same-sex marriage, the links between heterosexual sex, reproduction, and family-making are, for one unlucky heterosexual woman, broken in order to drive the plot, which, after a comedic detour, ultimately brings all of these elements back together into heteronormativity. Similarly, *The Kids Are All Right* (2010), which centers on two lesbian parents and their children, also individualizes the threat to the same-sex parent-led family. In this film, it is not the state's reluctance to grant rights of marriage to same-sex couples or custody rights to nonbiological parents in gay relationships that constitutes the threat; rather, the threat is the individual straight male (the sperm donor) who is symbolically and *de facto* left out of the family equation and limited to the role of supplier of biological material. The rejection of heterosexuality in the lesbian family is in this film spun into a fantasy of *repressed* heterosexuality when one of

the mothers and her sperm donor have an affair. The film realizes the repressed fantasy of heterosexual coupling between lesbian bio-mom and straight bio-donor<sup>11</sup> and then, when he tries to become too involved in their family, expels the straight male from the family unit by unanimous decision.

Two complementary fantasies take place in these heterosexual/homosexual narratives. In both, there is a *social* threat to the desired family formation: the straight/bio family *perceives* a threat from the existence of alternatives while the lesbian/adoptive family is *actually* threatened by legal obstacles and social ostracism. And in both cases, these social threats, perceived or actual, take the form of an *individualized* threat whereby cultural debates are played out on the level of individual choices, often in fantastical modes (e.g., a woman inseminates on the same day she meets the man of her dreams! Monogamous lesbian decides to sow her wild oats . . . *with her sperm donor!*). What makes *The Fosters* an important case study, then, is precisely its ability to thematize social antagonisms without relying (at least not entirely) on narratives of individual choice and responsibility.

In a post-gay marriage context, *The Fosters* leaves aside, to some extent, the narrative of the threat of biology to focus on arguably more realistic, pragmatic concerns of keeping a family together within the constraints of biopolitical institutions that scrutinize and define a legitimate family. Even when biological parents of the adoptive/foster children are introduced into the narrative, the show has consistently highlighted not only the ambivalent feelings of the children to their bio-parents but, more importantly, the material threat posed to the family by a legal system that constructs normative family life around biological relation and that thus threatens to break up the Adams-Foster family by granting custody rights to a biological parent. The threat in *The Fosters*, time and again, is the *State* with a capital "S" and the private corporatized institutions that operate with the state's blessing. True to the form of the melodrama, what gets externalized in the form of extreme psychic states (in this case, aggression, compulsive repetition, and masochism) are precisely those anxiety-producing social tensions that have been internalized by the central characters. Thus, the generic conventions of melodrama that the show adheres to can provide a window into the specific social threats that are most keenly felt by those characters who share the spotlight as protagonists—variously, young women, people of color, and sexual minorities. These threats often take the guise of an individual person as the state's representative but always, in the end, these individuals come to be seen as harbingers of the real danger: state power and capitalist interests.

### **Masochistic subjects before the law: Biopower and abjection**

In this sense, *The Fosters* reflects Wendy Brown's claims about the relationship between freedom and "anxiety."<sup>12</sup> In *States of Injury*, Brown critiques the liberal concept of freedom, which manifests in laws protecting marginalized individuals from other individuals (e.g., hate speech laws). Liberal rights claims that take the form of legislating individual actions, argues Brown, cast "social injury" as "unacceptable and 'individually culpable' rather than that which symptomizes deep political distress in a culture."<sup>13</sup> When matters of social injury are cast as individual antagonisms, the deeper political tensions that such injury suggests and the logic by which state institutions function to tacitly allow such injury at a

structural level are elided. In short, focusing on the individual takes our gaze away from the state's role in producing social identities that are in need of protection. Furthermore, such claims, according to Brown, have the effect of solidifying into permanent "highly specified identities and the injuries contingently constitutive of them."<sup>14</sup> Against this model of freedom as something that must be won from the very state that is built on the primary marginalization of certain subjects, Brown asserts that "Freedom is a project suffused . . . with anxiety," and argues that "[freedom] is a permanent struggle against what will otherwise be done to and for us."<sup>15</sup>

We see this mentality in the constant, anxious struggle that the adoptive parents and children in *The Fosters* must mount in order to remain together as a family and to allow others into their circle of intimacy and affiliation, especially when these others are not state-sanctioned. Perhaps one of the starkest examples of the family's struggles for a kind of freedom with the constraints of biopower comes in season three, when Callie meets an African-American teen named A.J. We learn over the course of several episodes that A.J. has run away from his foster home to be with his brother Ty, who has aged out of the foster system and has a criminal record. Mike (Stef's ex-husband and her son Brandon's biological father) eventually becomes A.J.'s foster parent. When it comes to light that Ty was responsible for a hit-and-run accident in which Callie's adoptive siblings, Mariana and Jesus, and their biological mother, Ana, were injured, Stef convinces Mike that they must issue a warrant for Ty's arrest. A.J. learns of the accident from Ty (who did not know it was Mariana and Jesus he hit) and, when the two put the pieces together, they decide to run away together—Ty to avoid arrest and A.J. because he is afraid he will never see Ty again if he does not follow. Mirroring Callie's runaway narrative in season one, A.J. makes a forced choice between two forms of suffering: he gives up the potential for a permanent home (with Mike) and submits to the possibility of going into juvenile detention all for the sake of maintaining contact with Ty. However, while Callie, as a young white woman, is able to move freely and avoid the law until she chooses to submit to it, A.J. and Ty must hide out with the shades of their motel room drawn.

A.J., Stef points out, is, by virtue of going with Ty and concealing their location, aiding and abetting a criminal, and so must also be arrested. When Mike explains to Brandon what is going to happen as a result of A.J. and Ty's action, Brandon points out that if not for the fact that his dad and mom were cops, Brandon would be in jail right now for making fake IDs, and urges Mike to go easy on A.J. for this mistake. Stef, still struggling with the trauma of the car accident, is less prone to lenience, and insists on issuing an arrest warrant for Ty, although she finally gives in and drops the aiding and abetting charges against A.J. After they are both taken into custody, Mike informs Stef that Ty is not only being charged with reckless operation and leaving the scene of an accident but also with a trumped-up charge of grand theft auto, which could come with a five-year prison sentence, and urges Stef to speak on Ty's behalf in order to remove this latter charge. Stef refuses, and overhearing this conversation, Callie, already angry with Stef for taking A.J. into custody, confronts her. Callie says to Stef: "You told me when I first came to live here that I wasn't disposable. So why is Ty?" The question is a pointed one; the unspoken answer is that Ty is black.



The charge of “disposability” has obvious resonances with Giorgio Agamben’s notion of “bare life,” which operates as the condition on which sovereign power is founded: the excluded element that is, by virtue of existing in a relationship of exclusion to the state, thereby *included* as a form of life that enables the “good life” to exist.<sup>16</sup> In Agamben’s formulation of the modern Western biopolitical state, this excluded/included life (the exemplar being the lives of those in the Nazi concentration camps) is disposable only insofar as it serves to fill the role of disposability as such; that is, bare life remains necessary to the functioning of the state precisely in order to maintain the figurative and actualized boundaries between the desirable population and the disposable population. While Agamben satisfactorily describes a general structuring element of biopolitical sovereignty, I (and others)<sup>17</sup> would add that attention to how the logic of bare life becomes operational with regard to specific abjected identity formations is necessary to adequately diagnose the problem of biopower. In particular, Iris Marion Young charts how abjection functions to relegate certain political subjects to positions outside of legitimate venues for public discourse and how such exclusion serves to shore up the identities of the dominant (e.g., white, male, heterosexual, upper class, able-bodied, adult) political group. Specifically, this delegitimization functions through the classification of certain types of speech, bodily comportment, style of dress, and so forth as abject/belonging to abject bodies (i.e., the black body or the homosexual body). This type of “scaling of bodies” and the delegitimizing of speech is foregrounded again and again in *The Fosters* as adult, and primarily white, authority figures are shown dismissing young people of color who are attempting to defend or advocate for themselves in institutional settings.<sup>18</sup>

Foucault’s account of biopower also gives a nuanced picture of how race and racism function within a biopolitical state; in short, racism is the practice that allows the sovereign to exercise deadly force even within a “technology of power” whose primary function is to maintain and manage life.<sup>19</sup> Importantly, in Foucault’s formulation, with the emergence of biopower, “racism is inscribed as the basic mechanism of power, as it is exercised in modern States.”<sup>20</sup> Racism in the modern biopolitical state serves two functions, according to Foucault. First, racism serves to demarcate divisions within the biological field of human life (races as subspecies), thereby allowing some members to be treated as part of the legitimate population and to treat others quite differently. Second, racism establishes a biological relationship between two races such that victory of one over the other does not imply mere political victory or even that the death of the other race safeguards the survival of the one race; rather killing the “bad race” is actually the guarantor of a “healthier and purer” “life in general” under the logic of biopower.<sup>21</sup> What is disposable in the biopolitical state is that which is expelled from the realm of “life in general” — from what counts as population. Foucault is careful to point out as well that killing “the bad race” does not only mean “murder as such” (although that is certainly part of it) but that this killing also implies “every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection, and so on.”<sup>22</sup>

As a young black man in the United States, Ty is subject to political death and expulsion at every turn. Callie’s question about his disposability points to the very obvious fact that he has been figured as disposable by the state — from the foster care system to the criminal

justice system—until this point. If Stef was willing to extend care to Callie, her white foster child who had also been in juvenile detention, then she must admit that to withhold care from Ty would be to collude with the state's practice of abjecting and expelling certain members of its population in order to function. The fact that Ty's expulsion is related to his race is an even more damning accusation for Stef, given her wife Lena's African-American heritage. Not surprisingly, then, Stef does make an appearance at Ty's hearing, narrating for the judge how the state laid out a path for Ty, from his entry into the foster care system as a young boy and his arrest at the age of 11 for the petty crime of breaking a window to the current offense. In the end, the charge of grand theft auto is dropped, and Ty is sentenced to 18 months in prison rather than the five years he would have faced otherwise. Stef has intervened based on her personal ethics and has saved Ty from a worse fate; the fact remains, however, that he must still go to prison, and that Stef's intervention has ramifications only at the level of the individual case rather than at the level of the state and its population, that is, at the level of biopower.

As Foucault makes clear in his elaboration of the distinction between the biopolitical and disciplinary mechanisms, in biopower:

There is absolutely no question relating to an individual body, in the way that discipline does. It is therefore not a matter of taking the individual at the level of individuality but, on the contrary, or using overall mechanisms and acting in such a way as to achieve overall states of equilibration or regularity.<sup>23</sup>

Stef's position in speaking on behalf of Ty, then, is complicated in this regard. While she speaks on behalf of an individual, she does so by appealing to a broader "justice system," which she says has never given him a "fair shake." Indeed, her speech and Ty's presence in the courtroom is foreshadowed by an episode in which A.J., on a ride-along with Mike, is racially profiled by a white police officer who body slams A.J. and handcuffs him. When Mike arrives, the officer says, "I just thought . . .", to which Mike replies, "Yeah, I know what you thought." This scene marks an individual instance of racial profiling, the kind of exceptional yet common practice on which the larger criminal justice system rests, and as such it prefigures the courtroom scene in a critical way. In another regard, and more crucially, as a police officer, Stef speaks from the position of representative of the very system that is founded on Ty's exclusion, expulsion, and political death. And, it is worth noting, Stef never once makes reference to Ty's race in her speech to the judge. Stef's character thus represents what Chandan Reddy identifies as an odd contemporary collusion between queerness and state power.<sup>24</sup> By situating its two main adult protagonists as firmly entrenched representatives of ideological state apparatuses (a police officer and a school principal), the show could arguably be read as colluding with those apparatuses, or, at the very least, of using these apparatuses to lend an air of legitimacy that white and/or straight audiences might otherwise withhold from an interracial homosexual relationship. At the same time, it is also true that by placing its protagonists in such close proximity to the inner workings of the legal and educational systems, the show forces a reckoning with issues of race and sexuality within and alongside these systems.

Furthermore, it is important to note that this is not the only time Stef uses her power as a police officer to act in accordance with her personal ethics. On several occasions, Stef takes advantage of her access to criminal records and of her social status as police officer to gain entry to spaces otherwise off limits—always under the guise of protecting her children. These actions could fall under the rubric of what David Ray Papke identifies (in popular Hollywood cinema) as “anti-legalism.” While Papke’s study is specific to film rather than American television, his observation that popular American films present the law as, among other things, “an obstacle” or “an instrument” ring true in *The Fosters*.<sup>25</sup> However, *The Fosters* also deviates from the Hollywood critique of the law as observed by Papke, who finds that “Most Hollywood movies are optimistic and believe in progress. Many incorporate the liberal belief that we can make things better.”<sup>26</sup> Stef’s use of the law is certainly instrumental and meant to overcome obstacles, but the biopolitical nature of many of the obstacles she and her family face means that “progress” is a problematic term at best. Real progress in the form of a complete overhaul of the neoliberal capitalist forces that have created a corrupt and dangerous foster system or the dismantling of structural racism in the criminal justice system is slow, painful, and not possible to obtain by one heroic protagonist.

We find, to some extent, in *The Fosters* an acknowledgment of the complex network of power relations within which each individual finds herself or himself in an age of neoliberal biopolitics: one is always already inside the system, subject to its pleasures and its injustices, and in collusion with the production of both. Furthermore, resistance cannot be a simple act of pointing to an individual antagonist that can be vanquished by an individual hero. When, in Season 3, Callie wants to sue the CEO of a for-profit foster program (a program affiliated with one Callie is currently working for) for the murder of a friend (Jack) by a foster parent, Stef explains to her that “when the banks went under, not a single CEO went to jail,” and concludes “I don’t think we’re going to be able to hold one person responsible for what happened to Jack.” While one’s role as victim or victimizer certainly depends on social stratification (to which Stef and Lena’s middle-class existence mostly certainly attests), the larger point here is that there is no magical “outside” to the system as such from which to mount the kind of heroic David versus Goliath attack that would bring the “inside” crumbling down.<sup>27</sup>

## Conclusion

In a stable political and economic system there is a great deal of apparent liberty and opportunity to fulfill our own needs, and we do not as a rule feel our dependence on the organization in which we live—unless, for instance, there is an earthquake or a strike!”<sup>28</sup>

*The Fosters* is problematic in several respects: most notably, the legitimization of a gay relationship by linking its gay characters to positions of state authority and by its privileging of a white, heterosexual, cisgender viewpoint despite its inclusion of African-American, Latin(x) queer/questioning, and trans protagonists. At the same time, an analysis of the show helps to bring into focus a key point that is often missing from theoretical discussions of

the operations of biopower: that in order to properly diagnose the underlying operations of the biopolitical state, it is necessary to be specific about how biopower rests upon certain assumptions about the population that state policies promote. What constitutes the ideal subject of biopower? What does a healthy and desirable population look like in terms of race, sexuality, and kinship structure? What are the varying functions that the state's subjects must fulfill according to their age, gender, race, sexuality, class, and so forth? And what kind of psychical constitution does biopower foster in its subjects and depend upon in order to ensure that those subjects fulfill the roles deemed most beneficial to the population? *The Fosters* highlights the fact that certain identities and subject positions (among them, racial and sexual minorities and young people without 'legitimate' parents) are brought into closer proximity to the state on a more regular basis and in a manner that, rather than promoting a good life, imposes greater limits on their freedom of movement and their bodily autonomy than the rest of the population.

Finally, *The Fosters* presents us with two models of masochistic relation to the biopolitical state. In the figures of Stef and Lena—comfortable middle-class homeowners who now have full access to the economic privileges of marriage—we find the kind of politicized identity that Brown describes in *States of Injury*.<sup>29</sup> Their politicized gay identity is motivated in large part by a belief in the project of capitalism, and their claims of injury have mainly to do with the state withholding some of the economic benefits that it has bestowed on heterosexual citizens. This troubling dependency on the state is masochistic insofar as it produces identities that rely on, as Brown points out, a sustained sense of pain and of having suffered an injury. Alongside this representation of identity in relation to the state, we have a host of other characters whose trials and tribulations share screen time and drive the narrative forward: young people of color, transgender and queer youths, foster children, all of whom are in closer daily proximity to the workings of biopower because their bodies, which are forced to bear the markers of difference, are precisely the bodies abjected from the population in order to sustain the biopolitical functioning of the state. The melodramatic suffering of these characters in the form of self-destructive and aggressive behaviors, is masochism of a different order. It reveals the role of the biopolitical state in producing subjects who cannot escape dependency upon the state and for whom the comforts of dependency (which Stef and Lena enjoy) are forever foreclosed. To say that "we" can only see our dependence on the state when something goes wrong excludes from that collectivity of "we" those subjects for whom the state has never been a source of stability and for whom things been gone wrong from the start. These two forms of masochism, viewed side by side in *The Fosters*, bring these operations of the biopolitical state—founded on the production and abjection of masochistic subjects—into sharper focus.

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## Notes

1. About. *Imagen Foundation*.
2. Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975–1976*, p. 245.
3. Foucault, *The History of Sexuality, Volume 1*, p. 139.
4. Butler, *Undoing Gender*, p. 226.
5. See Mulvey, “Notes on Sirk and Melodrama (Updated),” in *Home Is Where the Heart Is: Studies in Melodrama and the Woman’s Film*.
6. See Elsaesser (“Tales of Sound and Fury: Observations on the Family Melodrama,” in *Imitations of Life: A Reader on Film and Television Drama*) and Gledhill, *Home Is Where the Heart Is: Studies in Melodrama and the Woman’s Film*.
7. See Elsaesser (“Tales of Sound and Fury”) who argues that social tension rooted in moralism comes to be expressed through the personal, and Gledhill (*Stardom: The Industry of Desire*) who points out how internalizing social tensions results in an externalization of psychic states in the melodrama.
8. About *The Fosters. Freeform*.
9. See Gledhill (*Home Is Where*) on excessive focus on family tensions in the melodrama, specifically resulting from the internalization of social tensions that then must be expressed within the enclosed space of the family.
10. Deleuze, “Coldness and Cruelty,” in *Masochism*.
11. The discomfort expressed by parents, both gay and straight, about their erotic fantasies involving their egg/sperm donors and surrogates is explored in *Mommies, Daddies, Donors, Surrogates: Answering Tough Questions and Building Strong Families* by clinical psychologist Diane Ehrensaft.
12. Brown, *States of Injury: Power and Freedom in Late Modernity*, p. 25.
13. *Ibid.*, p. 27.
14. *Ibid.*, p. 28.
15. *Ibid.*, p. 25.
16. Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p. 7.
17. Ziarek (“Bare Life,” in *Impasses of the Post-Global: Theory in the Era of Climate Change*) charges that Agamben’s work does not sufficiently address the ways in which bare life cannot be thought universally as apart from its specific formations along gendered, raced, and classed lines. She argues, “bare life cannot be regarded in a complete separation from all cultural/political characteristics. If bare life emerges as the remnant of a destroyed human form of life, then, according to Agamben’s own emphasis on its inclusive exclusion in the political, its formulation has to refer, in a negative way, to the racial/sexual/ethnic/class differences that used to characterize its form of life. In other words, bare life has to be defined as the remnant of a specific form of life that is not yet, or no longer, is” (n.p.).
18. Young, *Justice and the Politics of Difference*, p. 122.
19. Foucault, *Society*, p. 254.
20. *Ibid.*
21. *Ibid.*, p. 255.
22. *Ibid.*, p. 256.
23. *Ibid.*, p. 246.
24. See Chandan Reddy, *Freedom with Violence: Race, Sexuality, and the US State*.

25. Papke, "Cinematic Anti-Legalism: Recent Hollywood Movies' Rejection of the Belief in Law" in *Journal of Popular Film and Television*, p. 73.
26. *Ibid.*, p. 75.
27. Indeed, this is precisely Foucault's point when he writes, "Power is everywhere; not because it embraces everything, but because it comes from everywhere. . . . It is the name that one attributes to a complex strategical situation in a particular society" (*History*, p. 93). For a thorough discussion of Foucault's theory of resistance in relation to biopower, see Abel and Végső, "Biopolitical Education: *The Edukators* and the Politics of the Immanent Outside," in *Studies in 20th and 21st Century Literature*, which states that under the conditions of biopower "life is this immanent force of resistance whose relation to force can no longer be understood on the model of a simple exteriority" (p. 4).
28. Riviere, "Hate Greed, Aggression" in *Love, Hate and Reparation*, p. 7.
29. See Brown's "Wounded Attachments" in *States of Injury* (p. 59), where she discusses "a formulation of justice that reinscribes a bourgeois (masculinist) ideal as its measure." Also relevant here is Brown's discussion of Nietzschean *ressentiment* and her claim that in an increasingly globalized and disciplinary world, the conditions are ripe for increased "experiences of impotence, dependence, and gratitude" in relation to the State (p. 68). Similar to Brown's linkage between disciplinarity and *ressentiment*, then, my claim is that we can observe a relationship between the biopolitical control society and masochism.

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