

Corporate personhood : notes toward an architectural genealogy

Autor(en): **Martin, Reinhold**

Objektyp: **Article**

Zeitschrift: **gta papers**

Band (Jahr): **1 (2017)**

PDF erstellt am: **03.07.2024**

Persistenter Link: <https://doi.org/10.5169/seals-791256>

Nutzungsbedingungen

Die ETH-Bibliothek ist Anbieterin der digitalisierten Zeitschriften. Sie besitzt keine Urheberrechte an den Inhalten der Zeitschriften. Die Rechte liegen in der Regel bei den Herausgebern.

Die auf der Plattform e-periodica veröffentlichten Dokumente stehen für nicht-kommerzielle Zwecke in Lehre und Forschung sowie für die private Nutzung frei zur Verfügung. Einzelne Dateien oder Ausdrucke aus diesem Angebot können zusammen mit diesen Nutzungsbedingungen und den korrekten Herkunftsbezeichnungen weitergegeben werden.

Das Veröffentlichen von Bildern in Print- und Online-Publikationen ist nur mit vorheriger Genehmigung der Rechteinhaber erlaubt. Die systematische Speicherung von Teilen des elektronischen Angebots auf anderen Servern bedarf ebenfalls des schriftlichen Einverständnisses der Rechteinhaber.

Haftungsausschluss

Alle Angaben erfolgen ohne Gewähr für Vollständigkeit oder Richtigkeit. Es wird keine Haftung übernommen für Schäden durch die Verwendung von Informationen aus diesem Online-Angebot oder durch das Fehlen von Informationen. Dies gilt auch für Inhalte Dritter, die über dieses Angebot zugänglich sind.

Corporate Personhood: Notes Toward an Architectural Genealogy Reinhold Martin

Reinhold Martin is Professor of Architecture at the Graduate School of Architecture, Planning, and Preservation at Columbia University.

Note: I am grateful to Stefan Andriopoulos for his comments on an earlier draft of this text.

1 On the protean flux of the "machinic phylum," see Gilles Deleuze and Félix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*. Trans. Brian Massumi (Minneapolis: University of Minnesota Press, 1987), pp. 409–10.

2 Lewis Mumford, *The Golden Day: A Study in American Experience and Culture* (New York: Boni and Liveright, 1926), p. 76.

3 Ibid.

Thinking with precision about the architecture-machine relation requires that both terms be de-ontologized. Not only has the category of architecture repeatedly been defined, since the eighteenth century, by comparison to different types of machines; at least one branch of the "machinic phylum" has been consolidated through the acquisition of traits commonly attached to architecture. ¹ Principal among these traits is a non-contradictory if somewhat counterintuitive humanity, which accounts for the otherwise mysterious workings of certain machine-like social organizations, including corporations.

This tendency runs contrary to accounts that emphasize the allegedly inhuman character of machines, which was a matter of philosophical, aesthetic, and political controversy throughout the period of European and North American industrialization. The list of voices raised against machinic inhumanity is too long to assemble here, but among the most articulate was that of the American cultural critic Lewis Mumford. Beginning in the 1920s, Mumford sought to secularize what he later called the "myth of the machine," by placing industrial technology into larger, longer historical contexts and subordinating mechanization's instrumentalities to trans-historical humanist values, often by way of a conciliatory architecture. Architectural historians sometimes forget that Mumford quickly followed up his first effort in this regard, *Sticks and Stones: A Study of American Architecture and Civilization* (1924), with a companion treatise on literature and philosophy, *The Golden Day: A Study in American Experience and Culture* (1926). Both treat culture as a dimension of the socio-technological order. In the latter book, Edgar Allan Poe, whom he called "the literary equivalent of the industrialist and the pioneer," was among Mumford's exemplars. ² Here, for example, is Mumford on Poe's metallic melancholy: "In him [Poe], the springs of human desire had not so much frozen up as turned to metal: his world was, in one of his favorite words, plutonian, like that of Watt and Fulton and Gradgrind [a Dickens character]: the tears that he dropped were steel beads, and his mind worked like a mechanical hopper, even when there were no appropriate materials to throw into it." ³

From 1826 to early 1827, Poe studied at and lived in Thomas Jefferson's newly constructed University of Virginia, to which we will eventually return. For now, it is enough to note that, in *Sticks and Stones*, Mumford celebrated Jefferson's neo-Palladian design for the Virginia campus as "perhaps [the] most perfect

consummation” of the “classical order” in the early American republic, an order that, according to Mumford, rapidly disintegrated “under the combined influence of pioneer enterprise, mechanical invention, overseas commerce, and the almost religious cult of utilitarianism.”⁴ Writing a few pages later about the partnership of neo-Gothic romanticism and utilitarianism in the new instruments of industrialized disintegration, Mumford observed that:

⁴ Lewis Mumford, *Sticks and Stones: A Study of American Architecture and Civilization* (New York: Boni and Liveright, 1924), p. 68.

*“The erection of factories, the digging of canals, the location of furnaces, the building of roads, the devising of inventions, not merely exhausted a great part of the available capital; even more, it occupied the energy and imagination of the more vigorous spirits. Two generations before, Thomas Jefferson could lay out and develop the estate of Monticello; now, with many of Jefferson’s capacities, Poe could only dream about the fantastic Domain of Arnheim. The society around Poe had no more use for an architectural imagination than the Puritans had for decorative images; the smoke of the factory chimney was incense, the scars on the landscape were as the lacerations of a saint, and the mere multiplication of gaunt sheds and barracks was a sign of progress.”*⁵

⁵ *Ibid.*, pp. 82–3.

The “Domain of Arnheim” to which Mumford contrasts Jefferson’s Monticello plantation refers to an eponymous short story in which Poe conjures a picturesque landscape garden engulfing “a mass of semi-Gothic, semi-Saracenic architecture” (Poe’s words) built to gratify his wealthy protagonist’s aesthetico-erotic dreams.⁶ “Desire is real!” exclaimed Mumford, who associated earthly desires, honestly expressed – rather than illusory, alienated dreams of the sort he found in Poe – with a full-fledged humanity able to confront the despairing nullity of machines, and asked, “But if sexual desire, why not every human desire?”⁷ Mumford failed to recognize, however, the many channels through which machines elicit desire, and in the process acquire indelibly human characteristics. He was therefore unable to shed the grounding distinction between the mechanized, routinized utilitarianism of finance capitalism and its infrastructures that had grown up around him (and before him, Poe), and the “golden day” of human, American “experience” manifest in the naturalist philosophies of Ralph Waldo Emerson and Henry David Thoreau, mapped in the literary cartographies of Herman Melville, and built in the rough-hewn stone castles of Henry Hobson Richardson.

⁶ Edgar Allan Poe, “The Domain of Arnheim” (1847), in Poe, *Selected Tales* (New York: Oxford University Press, 1998), pp. 296–310; here p. 309.

⁷ Mumford, *Golden Day* (see note 2), pp. 280–1.

Ranged against this minority alongside Poe’s Arnheim was also, according to Mumford, the stylized eclecticism of John Haviland’s “Tombs” prison in New York (1838), the nickname of

8 Mumford, *Sticks and Stones* (see note 4), p. 90.

9 Michel Foucault, *Discipline and Punish: The Birth of the Prison*. Trans. Alan Sheridan (New York: Vintage Books, 1995), esp. part IV, chap. 3, "The Carceral," pp. 293–308. On Haviland's prison designs, see Norman B. Johnston, "John Haviland, Jailor to the World," *Journal of the Society of Architectural Historians*, 23, no. 2 (1964), pp. 101–5.

10 My reassessment of the Foucauldian legacy differs slightly from that advanced by recent interpreters, such as Giorgio Agamben or Roberto Esposito, who are also concerned with what Esposito has called the "dispositif of the person." See esp. Giorgio Agamben, "What Is an Apparatus?" in Agamben, *What Is an Apparatus and Other Essays*. Trans. David Kishik and Stefan Pedatella (Stanford: Stanford University Press, 2009), pp. 1–24; and Roberto Esposito, "The Dispositif of the Person," *Law, Culture, and the Humanities*, 8, no. 1 (2012), pp. 17–30.

which derives, Mumford explains, from "the Egyptian character of its façade." 8 The Tombs, to which Melville's intransigent scrivener Bartleby was ultimately dispatched, was the very epitome of the Benthamite utilitarianism by which Mumford felt overwhelmed. It was also an exemplary instance of what Michel Foucault referred to as the apparatus, or *dispositif*, of "carcerality." 9 As readers of Foucault well know, machines, when understood as components of larger socio-technical apparatuses, participate in what Foucault called "subjectification." Apparatuses, or networks of institutions, technologies, laws, practices, and knowledge shape and reshape human subjectivity. Put more instrumentally, apparatuses produce subjects, but not without remainder, or the interplay of subjectivities through desire and other "arts of living," as Foucault made clear in his later work. Traditionally, this is taken to mean that apparatuses produce human subjects, in the sense that they, and the "grids" of power-knowledge that they lay out, including the human sciences themselves, render the human knowable and manageable as a historical construction rather than as a biological or metaphysical a priori. In short, in Foucault's works, subjects and subjectivities — disciplined, mad, visible, and so on — are recognizably human. The apparatuses, and the "human sciences" to which they are attached, only render their presupposed humanity contingent rather than absolute.

But subjects also produce apparatuses. What happens, then, when the impersonal apparatuses themselves begin acquiring human attributes? Does this not trouble the types of human-machine entanglements that Foucault so brilliantly analyzed? We are not speaking about mere personification, or about biological analogies common in the eighteenth century that persist to today. Nor do I refer to latter-day cyborgs, or cybernetic organisms. I am speaking instead about performative attributes. Attributes that certain systems or apparatuses began to acquire during the opening decades of the nineteenth century, at exactly that moment when Foucault situates the various "births" — of the carceral, of the clinic, of a certain type of madness, and of a certain way of ordering the world — by way of which a new type of "human" entered the historical, if mainly European, stage. 10

More specifically, the becoming-human of modern apparatuses took the form of a "personhood" attained by those apparatuses, or by those elements of apparatuses, that had been known for centuries under the British crown as corporations. By 1800, especially in the newly independent United States, corporations were regularly formed to enable collective action like building roads or establishing cities semi-independently from the national state,

which was viewed by many with suspicion. Hence, the decades immediately following U.S. independence saw the proliferating incorporation of towns, turnpike authorities, bridge companies, religious associations, colleges, schools, and many other institutions.¹¹ During the long nineteenth century, these corporations shifted under the law from being conceived as mere vehicles for collective activity, to being recognized as active agents with rights and responsibilities of their own. The basis of this agency is the “legal fiction” known as corporate personhood. Today, among such legal persons is the research university; but the strange logic of corporate personhood may be most visible in the university’s precursor, the residential college.

In 1819, in a case known as “Trustees of Dartmouth College v. Woodward,” the United States Supreme Court ruled that privately chartered institutions held contract rights comparable to those of private persons. Dartmouth College had been incorporated in 1769 (that is, prior to U.S. independence) by means of a charter granted by Britain’s King George III, as was typical at the time.¹² In 1816, in order to resolve a long-running conflict between the College’s ousted president, John Wheelock, and its board of trustees, the State of New Hampshire, where Dartmouth is located, sought to revise the College’s charter in order to render its trustees answerable to state government. The Trustees objected, arguing that this violated the contract clause of the U.S. Constitution, which prevents the state from impairing “the Obligations of Contracts” among private individuals, or among individuals and the state. In 1819, the Court found that the charter amounted to such a contract, and hence the actions of the State were in violation of this constitutional clause.¹³

From there, it was but a few steps to the conclusion that privately held corporations were, in a legal sense, persons capable of entering into contracts and possessed of many if not all of the rights and obligations held by their biological or “natural” counterparts. Most of these steps were taken in the later nineteenth century, and in 1886, in “Santa Clara County v. Southern Pacific Railroad Co.,” the Supreme Court ruled that corporations were entitled to equal protection under the law as provided to natural persons under the Fourteenth Amendment, which had been ratified in 1868 largely to secure equal treatment for freed slaves. This last fact is not incidental; even in the north, slavery was present on many college campuses and underpinned the antebellum political economy in which corporate personhood arose.¹⁴ Finally, in 1910, in “Southern Railway Co. v. Greene,” the Court concluded “[t]hat a corporation is a person, within the meaning of the Fourteenth Amendment,

11 Pauline Maier, “The Revolutionary Origins of the American Corporation,” *The William and Mary Quarterly*, 50, no. 1 (1993), pp. 53–8.

12 Ibid., pp. 56–7. On the history of the corporate charter, see Oscar Handlin and Mary F. Handlin, “Origins of the American Business Corporation,” *The Journal of Economic History*, 5, no. 1 (1945), pp. 1–23.

13 For a detailed study of the Dartmouth case, see Francis N. Stites, *Private Interest and Public Gain: The Dartmouth College Case, 1819* (Amherst: University of Massachusetts Press, 1972). The “contracts clause” is to be found in Article I, Section 10 of the U.S. Constitution.

14 On slavery in the early American colleges and universities, see Craig Steven Wilder, *Ebony and Ivy: Race, Slavery, and the Troubled History of America’s Universities* (New York: Bloomsbury Press, 2013).

15 "Southern Railway Co. v. Greene," 216 US 400 (1910). <http://case-law.findlaw.com/us-supreme-court/216/400.html> (accessed March 8, 2016). For a summary of this history, see Joshua Barkan, *Corporate Sovereignty: Law and Government under Capitalism* (Minneapolis: University of Minnesota Press, 2013), chap. 3, "Personhood," pp. 65–86; and Martin J. Sklar, *The Corporate Reconstruction of American Capitalism, 1890–1916: The Market, The Law, and Politics* (New York: Cambridge University Press, 1988), pp. 49–53.

16 Barkan refuses this distinction, arguing instead that corporate personhood constitutes a *dispositif* or apparatus critical to "corporate sovereignty," which, like the *dispositif* of the "person" more generally, as theorized by the philosopher Roberto Esposito after Giorgio Agamben, operates a "ban" whereby the corporate entity is granted exceptional legal status or rights in the name, paradoxically, of fulfilling its societal obligations under the law. Barkan, *Corporate Sovereignty* (see note 15), pp. 76–86.

f.1 Dartmouth Hall, Dartmouth College, 1784–1791. Photograph, 1865.

17 Kenneth E. Shewmaker (ed.), *Daniel Webster: "The Completest Man"* (Hanover, NH: Dartmouth College/University Press of New England, 1990), pp. 168–9. Emphasis in original.

18 Francis Lane Childs, "A Dartmouth History Lesson for Freshmen," *Dartmouth Alumni Magazine* (December 1957). http://www.dartmouth.edu/~library/rauner/dartmouth/dartmouth_history.html (accessed March 8, 2016). On the Dartmouth student body during Webster's time, which consisted of 150 students taught by a "handful" of faculty, see Robert V. Remini, *Daniel Webster: The Man and His Time* (New York: W.W. Norton, 1997), p. 44.

19 The College also made use of the top story of another building, since demolished, known as Rowley Hall, below which the building's owner ran a general store. John King Lord, *A History of Dartmouth College* (Concord, NH: Rumford Press, 1913), p. 122; and Bryant Franklin Tolles, *Architecture and Academe: College Buildings in New England before 1860* (Hanover, NH: University Press of New England, 2011), pp. 51–8.

is no longer open to discussion." 15 And in 1926, no less a figure than John Dewey theorized "corporate personality" as, essentially, a concrete performative. Legal historians have supplied partial explanations as to how this came about, but most of these presuppose (unlike Dewey) an ontological distinction between natural and artificial persons that is abrogated by force of law. 16 Moreover, nearly all such accounts are purely discursive, giving little sense of how the corporate person was or is materially constituted. For this, architectural analysis offers some clues.

In his closing argument before the Supreme Court on behalf of Dartmouth College, the lawyer and orator Daniel Webster, who was a Dartmouth alumnus, exclaimed of his Alma Mater to the presiding justice, John Marshall, that it is "a small college. And yet *there are those who love it.*" At which point Webster reportedly choked up, tears filling his eyes. 17 Strategically successful as it was, Webster's declaration of familial love for Dartmouth College was genuine. Not because his apparent spontaneity testified to true feeling rather than calculation — that, we cannot know — but because, as the Court's decision bore out, the abstraction called Dartmouth was well on its way to becoming worthy of a singularly human emotion. In other words, understood as a speech act, Webster's avowal of "love" for Dartmouth helped performatively to call its object into being as a corporate person.



At the time Dartmouth was indeed small, consisting of about 95 students taught by a handful of faculty overseen by a president and a board of twelve trustees. 18 Its campus comprised a single building, Dartmouth Hall, which was an early example of the all-purpose, double-loaded phalanx- or phalanstery-like residential and educational hall typical of American colonial colleges. 19/f.1 It is unknown who designed the original Dartmouth Hall, which was constructed between 1784 and 1791,

burned in a fire in 1904, and was rebuilt in brick as an enlarged quasi-replica that stands today. ²⁰ Webster's love for Dartmouth was likely consummated in that hall (if only in the Platonic sense) where he lived for three years, from 1797 to 1800, and where he and his 30 classmates performed regular recitations of classical verse. ²¹ That love would likely have been further secured in the after-hours antics in which he and his cohabitants no doubt indulged, as well as in his enthusiasm for public speaking, which on one occasion included a funeral oration for a classmate, although the young Webster was duly slighted by not being chosen to deliver the valedictory oration at the commencement ceremony. ²²

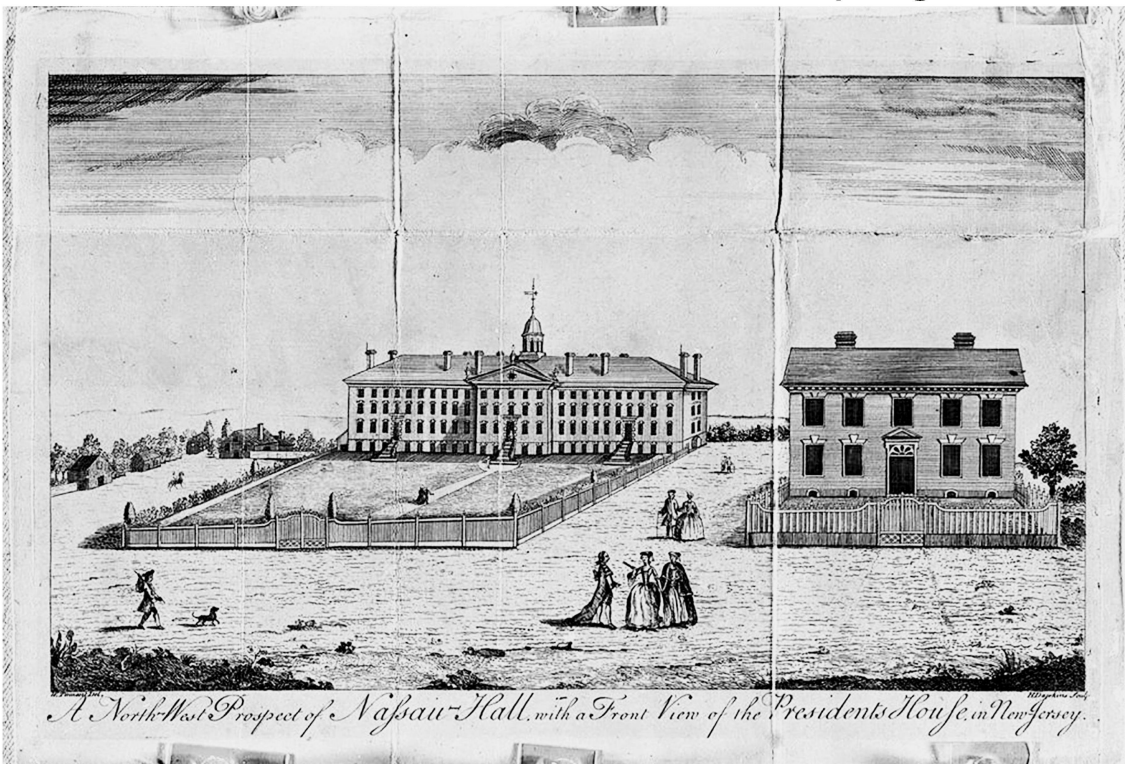
Scattered accounts of college life in the early republic remind us not only of the relative youth of the exclusively male students like Webster, who was not from a family of great means,

²⁰ The entirely wooden original, which contained 16 dormitory rooms, plus a kitchen and a meeting room, and was completed in 1791, was most likely designed by Bezaleel Woodward, a college official, with the aid of drawings by carpenters Comfort Sever and William Gamble. Bryant F. Tolles Jr. and Carolyn K. Tolles, *New Hampshire Architecture: An Illustrated Guide* (Hanover, NH: New Hampshire Historical Society/University Press of New England, 1979), p. 287.

²¹ Remini, *Daniel Webster* (see note 18), p. 46.

²² *Ibid.*, pp. 55–6.

f.2 Robert Smith and Dr. William Shippen, Nassau Hall (left), College of New Jersey (later Princeton University), 1757. Engraving by Henry Dawkins, 1764.



but also the relative lack of discipline that reigned over collegiate life. Probably the most infamous instance of indiscipline — which shows the disciplinary apparatus at its most functional rather than in dysfunction — is life at Princeton's Nassau Hall from about 1800 to 1820. ^{f.2} Nassau Hall, a long, three-story phalanx-like building, was probably designed by Robert Smith, a Philadelphia builder, together with Dr. William Shippen, between 1755 and 1757, and was likely a model for Dartmouth Hall and many others. In 1802, Nassau Hall burned, leaving only the stone exterior walls. Immediately thereafter, the Hall was entirely rebuilt within these walls, with sturdier construction, a larger cupola, and small classicizing details, to designs by Benjamin Henry Latrobe. ²³ Although it was

²³ This version of the building lasted until another fire, in 1855, necessitated another total reconstruction within the original walls. On Latrobe's designs, see Paul Norton, "Benjamin Henry Latrobe's Nassau Hall," in Henry Lyttleton Savage (ed.), *Nassau Hall, 1756–1956* (Princeton: Princeton University Press, 1956), pp. 27–38.

not one of his most distinguished works, Latrobe's Nassau Hall elicited a number of incidents that exhibit what we can call the performativity of misbehavior.

Foucault suggests that delinquency is a product of the carceral system rather than its antithesis; failure is therefore among that system's prerequisites for proper functioning. In the sphere of education, a principal instrument for the proper distribution of failure is the examination, the inaugural instance of which is the entrance examination. Upon arriving in Hanover, New Hampshire, in 1797, the 15-year old Daniel Webster had his knowledge of English, Greek, Latin, and arithmetic tested before being allowed to enroll at Dartmouth. Such on-the-spot exams were common practice at the time. And so, during those years, young men coming from throughout the northeast and from parts of the south had to do the same upon arrival in Princeton, as they sought admission to what was still called (until 1896) the College of New Jersey.

In the early decades of the nineteenth century, the Princeton grounds – the country's first "campus" – consisted of five buildings: the President's House, a Professor's House, Geological Hall (now Stanhope, also designed by Latrobe), Philosophical Hall (also Latrobe, now demolished), and Nassau Hall. Originally, Nassau Hall comprised approximately 40 living chambers (some of which were used as recitation rooms), a prayer hall, library, and basement kitchen and dining room. ²⁴ The edifice had virtually all of the attributes of Foucault's disciplinary apparatus: enclosure, or confinement; a system of cellular partitioning; distinctly marked "functional sites;" and "ranks," both within rooms (rows of beds, or desks) and among them (by year, etc.). ²⁵ Likewise class schedules, daily recitations, the teaching of proper handwriting, with proper posture, the student-pen-paper-chair-desk interface, various prohibitions on time wasting, and so on. ²⁶

Foucault argues that when joined together into a disciplinary system, these properties combine to produce supple, trainable, "docile bodies." ²⁷ But the bodies trained in Nassau Hall were hardly docile. On the contrary, the presidency of Ashbel Green in particular, which began in 1812 after a period of severely declining enrollments and what some considered a decline in piety, was punctuated by what Green called "every kind of insubordination." ²⁸ During Green's first term, three students were expelled after gunpowder exploded in Nassau Hall; another was expelled for climbing the belfry and ringing the bell at three o'clock in the morning, while yet another broke into the Prayer Hall and vandalized a Bible by cutting a deck of playing cards into its leaves. The following year, 1813 to 1814, saw firecrackers set

²⁴ Paul Norton, "Robert Smith's Nassau Hall and President's House," in Savage, *Nassau Hall* (see note 23), pp. 3–26; here p. 16.

²⁵ Foucault, *Discipline and Punish* (see note 9), pp. 141–9.

²⁶ *Ibid.*, pp. 149–54.

²⁷ *Ibid.*, p. 155.

²⁸ Thomas Jefferson Wertenbaker, *Princeton, 1746–1896* (Princeton: Princeton University Press, 1946), p. 155.

off in the Hall and graffiti scrawled on its walls. Then, on the night of January 9, 1814, in the words of one historian, “a cracker, consisting of a hollow log charged with two pounds of gunpowder, was set off behind the central door of Nassau Hall.” Windows shattered, walls cracked, and a piece of the log crashed through the Prayer Hall door. ²⁹

²⁹ Ibid., p. 156.

One of the two former students was brought to civil trial and other miscreants were later expelled. Still, further mayhem ensued, particularly in the building’s long hallways before and after evening meals. One evening President Green, who referred in his memoir to the giant firecracker (or bomb) as an “infernal machine,” performed the duly panoptic ritual of standing outside the refectory with a lit candle. He recalls: “They passed me in perfect silence and respect, but as soon as they had got out of sight” some “began the usual yell.” ³⁰ Exasperated, the faculty voted to dismiss two students. On April 6, Green wrote in his diary: “I took the examination of the senior class on belles lettres and wrote letters to the parents of the two dismissed students. The Faculty met in the evening and a pistol was fired at the door of one of the tutors.” And then again, on April 7: “Attended examination. We had a cracker in the college today and in the evening a company of students in front of the campus behaved in a very improper manner.” ³¹ If that was not enough, in 1817 students nailed shut all the building’s entry doors, broke windows, and generally ran amok, shouting “Rebellion!” and “Fire!” ³²

³⁰ Ibid., pp. 156–7.

³¹ Ibid., p. 157.

³² Ibid., p. 167.

The College of New Jersey was far from alone in its troubles. Dartmouth and Yale experienced similar disturbances, and in 1823, there were explosions in Harvard Yard, with 43 students expelled just prior to commencement. ³³ A widely circulated 1828 report by the Yale Corporation and its faculty responded to the pervasive indiscipline, as well as to the devaluing of classical learning and declining religious piety to which many attributed it, by calling for the “*discipline and furniture* [or furnishing] of the mind,” dedicated to “the art of fixing the attention, directing the train of thought.” ³⁴ Among the requirements for this discipline was “a substitute ... for *parental superintendence*.” That is, according to the Yale faculty, “The parental character of college government requires that the students should be so collected together, as to constitute one family; that the intercourse between them and their instructors may be frequent and familiar. This renders it necessary that suitable *buildings* be provided, for the residence of the students.” ³⁵ The buildings to which we have been referring provided the diagram: Nassau Hall and Dartmouth Hall, but also, at Yale, Connecticut

³³ Ibid., p. 158.

³⁴ *Reports on the Course of Instruction in Yale College* (New Haven: Hezekiah Howe, 1828), p. 7.

³⁵ Ibid., p. 9.

Hall (1750), at Harvard, Massachusetts Hall (1718–1720), and at the College of Rhode Island (later Brown University), University Hall (1770), among many others. But my argument has also been that, although they fit neatly into the encompassing grids of Foucault's apparatuses, the acts of indiscipline, and of love, called forth in the halls of these institutions were among the conditions necessary for corporate personhood. Not only, as Foucault would have it, because disciplinary failure inscribed a vicious circle of subjectification for which docility and delinquency were two sides of a coin, but because the apparatus itself directly elicited familial as well as libidinal affect.

A final scene: In 1825 there was a masked, drunken, 14-person "riot" on the Lawn of Thomas Jefferson's recently opened – public but still incorporated – University of Virginia. ^{36/f.3} The following year, a 17-year-old Edgar Allan Poe enrolled at the university and took up residence on the Lawn, moving shortly thereafter to a room on the Western Range, in a section known as "Rowdy Row." ³⁷ From his perfectly carceral cell, Poe witnessed fights (including the biting of an arm, which led to an expulsion), ³⁸ gambled away what little he had, and read classics. ^{f.4}

³⁶ Wertenbaker, *Princeton* (see note 28), p. 158.

³⁷ Charles W. Kent, "Poe's Student Days at the University of Virginia," *Bookman*, 44, no. 5 (1917), pp. 517–25; here p. 520.

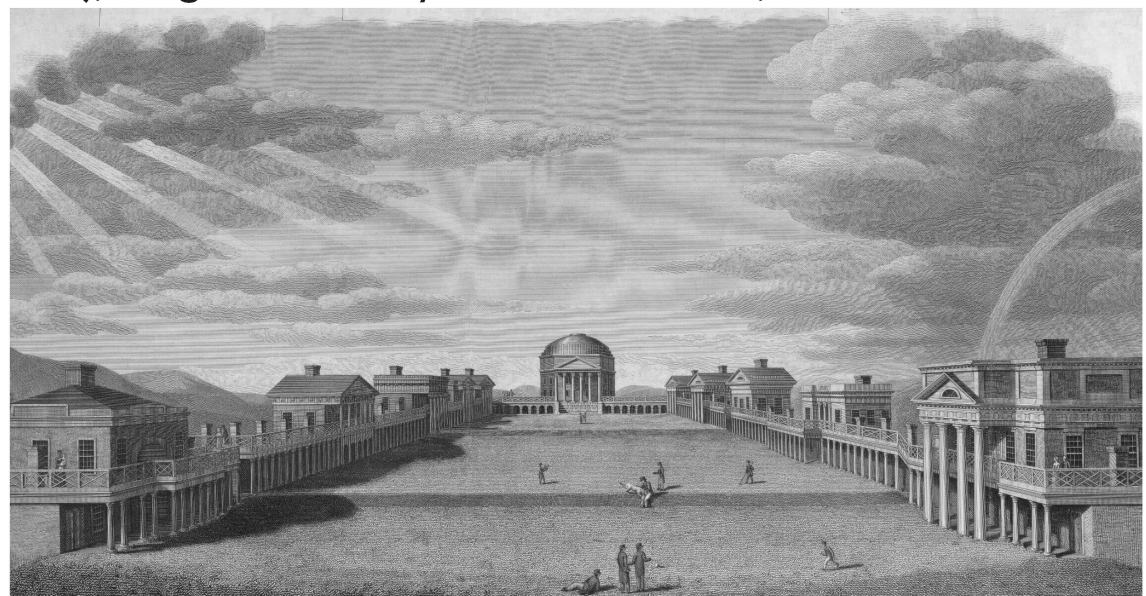
³⁸ Edgar Allan Poe to John Allan, September 21, 1826. <http://www.eapoe.org/works/letters/p2609210.htm> (accessed March 8, 2016).

^{f.3} Thomas Jefferson, University of Virginia, Rotunda and Lawn, 1826. Engraving by Benjamin Tanner from Boye's Map of Virginia, 1827.

³⁹ Arthur Hobson Quinn, *Edgar Allan Poe: A Critical Biography* (Baltimore: Johns Hopkins University Press, 1998 [1941]), pp. 110–111. See also Kenneth Silverman, *Edgar A. Poe: Mournful and Never-Ending Remembrance* (New York: Harper Collins, 1991), pp. 29–36.

⁴⁰ Edgar Allan Poe, "To Helen," in Poe, *Poems* (New York: Elam Bliss, 1831), p. 39. By 1841, Poe had changed these lines to read: "To the glory that was Greece / And the grandeur that was Rome." For a contextualization of the changes, see Quinn, *Edgar Allan Poe* (see note 39), pp. 177–9.

⁴¹ See, for example, Darlene Harbour Unrue, "Edgar Allan Poe: The Romantic as Classicist," *International Journal of the Classical Tradition*, 1, no. 4 (1995), pp. 112–9.



Although not himself a troublemaker, Poe was indigent, and he withdrew after only a year, resentful of the wealthier, drunken classmates to whose company he was condemned. ³⁹ A few years later, he eulogized, in the persona of Helen, "The beauty of fair Greece / And the grandeur of old Rome." ⁴⁰ Some speculate that Poe's classical gaze in this ode to antique beauty was still fixed on Jefferson's neo-Palladian, though not exactly Roman, and certainly not Hellenic, campus architecture. ⁴¹ Regardless, we must remember that *its* gaze, like that of Bentham's panopticon, was fixed upon *him*. It is therefore tempting to ascribe the near madness that stalked Poe – and the hallucinatory explosiveness

of his writings—to the implacable, inversely productive logic of the apparatus: a lifelong rage against the machine. But I want to risk instead another suggestion: that Poe’s “Helen” is one name for the corporate person whose birth we have been witnessing, a figure shaped by the insubordinate love of those subjected to its iron will, even as it shaped them.

It is easy, then, to add the college or university campus to Foucault’s list of “other spaces,” or heterotopias, such as asylums, prisons, landscape gardens, and colonies, where social norms are both reproduced and inverted, as in a mirror. ⁴² More



difficult is to diagram the economy of desire, love, and power that coursed through Poe’s body, and that of his university, as he gazed upon the lineaments of “Helen,” or, in only apparent contradistinction, as his hand later drew the textual lines of a picturesque, mytho-colonial, “neo-Saracenic” Arnheim. Or, for that matter,

as his literary compatriot and successor Melville conjured the colonnaded (and again, mytho-colonial) “Egyptian character” of the old Tombs prison as he documented Bartleby’s fate. ⁴³ Mumford and many others could not have arrived at the problem of distinguishing human experience from machine experience if the two had not already been entangled. For, the confusion he and his poets may have felt was and remains an effect of machines having become embodied, soulful beings, beautiful and terrible, to be addressed with fear, love, and awe. From these beings, and not before them, the problem of distinguishing humans and their architecture from machines and their architecture was born.

⁴² Michel Foucault, “Different Spaces,” in Foucault, *Aesthetics, Method, and Epistemology*. Ed. James D. Faubion. Trans. Robert Hurley et al. (New York: New Press, 1998), pp. 175–85.

⁴⁴ Edgar Allan Poe Room, University of Virginia. Photograph by Rufus W. Holsinger, 1915.

⁴³ Herman Melville, “Bartleby, the Scrivener: A Story of Wall-street,” *Putnam’s Monthly*, 2, no. 11 (1853), pp. 546–57, and 2, no. 12 (1853), pp. 609–15. Melville refers to the prison’s “Egyptian character” in describing Bartleby’s death there in the story’s concluding lines, p. 614.