Gender Trouble Judith Butler

“WOMEN” AS THE SUBJECT OF FEMINISM

For the most part, feminist theory has assumed that there is some existing identity, understood through the category of women, who not only initiates feminist interests and goals within discourse, but constitutes the subject for whom political representation is pursued. But politics and representation are controversial terms. On the one hand, representation serves as the operative term within a political process that seeks to extend visibility and legitimacy to women as political subjects; on the other hand, representation is the normative function of a language which is said either to reveal or to distort what is assumed to be true about the category of women. For feminist theory, the development of a language that fully or adequately represents women has seemed necessary to foster the political visibility of women. This has seemed obviously important considering the pervasive cultural condition in which women’s lives were either misrepresented or not represented at all. Recently, this prevailing conception of the relation between feminist theory and politics has come under challenge from within feminist discourse. The very subject of women is no longer understood in stable or abiding terms. There is a great deal of material that not only questions the viability of “the subject” as the ultimate candidate for representation or, indeed, liberation, but there is very little agreement after all on what it is that constitutes, or ought to constitute, the category of women. The domains of political and linguistic “representation” set out in advance the criterion by which subjects themselves are formed, with the result that representation is extended only to what can be acknowledged as a subject. In other words, the qualifications for being a subject must first be met before representation can be extended. Foucault points out that juridical systems of power produce the subjects they subsequently come to represent.1 Juridical notions of power appear to regulate political life in purely negative terms—that is, through the limitation, prohibition, regulation, control, and even “protection” of individuals related to that political structure through the contingent and retractable operation of choice. But the subjects regulated by such structures are, by virtue of being subjected to them, formed, defined, and reproduced in accordance with the requirements of those structures. If this analysis is right, then the juridical formation of language and politics that represents women as “the subject” of feminism is itself a discursive formation and effect of a given version of representational politics. And the feminist subject turns out to be discursively constituted by the very political system that is supposed to facilitate its emancipation. This becomes politically problematic if that system can be shown to produce gendered subjects along a differential axis of domination or to produce subjects who are presumed to be masculine. In such cases, an uncritical appeal to such a system for the emancipation of “women” will be clearly self-defeating. The question of “the subject” is crucial for politics, and for feminist politics in particular, because juridical subjects are invariably produced through certain exclusionary practices that do not “show” once the juridical structure of politics has been established. In other words, the political construction of the subject proceeds with certain legitimating and exclusionary aims, and these political operations are effectively concealed and naturalized by a political analysis that takes juridical structures as their foundation. Juridical power inevitably “produces” what it claims merely to represent; hence, politics must be concerned with this dual function of power: the juridical and the productive. In effect, the law produces and then conceals the notion of “a subject before the law”2 in order to invoke that discursive formation as a naturalized foundational premise that subsequently legitimates that law’s own regulatory hegemony. It is not enough to inquire into how women might become more fully represented in language and politics. Feminist critique ought also to understand how the category of “women,” the subject of feminism, is produced and restrained by the very structures of power through which emancipation is sought. Indeed, the question of women as the subject of feminism raises the possibility that there may not be a subject who stands “before” the law, awaiting representation in or by the law. Perhaps the subject, as well as the invocation of a temporal “before,” is constituted by the law as the fictive foundation of its own claim to legitimacy. The prevailing assumption of the ontological integrity of the subject before the law might be understood as the contemporary trace of the state of nature hypothesis, that foundationalist fable constitutive of the juridical structures of classical liberalism. The performative invocation of a nonhistorical “before” becomes the foundational premise that guarantees a presocial ontology of persons who freely consent to be governed and, thereby, constitute the legitimacy of the social contract. Apart from the foundationalist fictions that support the notion of the subject, however, there is the political problem that feminism encounters in the assumption that the term women denotes a common identity. Rather than a stable signifier that commands the assent of those whom it purports to describe and represent, women, even in the plural, has become a troublesome term, a site of contest, a cause for anxiety. As Denise Riley’s title suggests, Am I That Name? is a question produced by the very possibility of the name’s multiple significations.3 If one “is” a woman, that is surely not all one is; the term fails to be exhaustive, not because a pregendered “person” transcends the specific paraphernalia of its gender, but because gender is not always constituted coherently or consistently in different historical contexts, and because gender intersects with racial, class, ethnic, sexual, and regional modalities of discursively constituted identities. As a result, it becomes impossible to separate out “gender” from the political and cultural intersections in which it is invariably produced and maintained. The political assumption that there must be a universal basis for feminism, one which must be found in an identity assumed to exist cross-culturally, often accompanies the notion that the oppression of women has some singular form discernible in the universal or hegemonic structure of patriarchy or masculine domination. The notion of a universal patriarchy has been widely criticized in recent years for its failure to account for the workings of gender oppression in the concrete cultural contexts in which it exists. Where those various contexts have been consulted within such theories, it has been to find “examples” or “illustrations” of a universal principle that is assumed from the start. That form of feminist theorizing has come under criticism for its efforts to colonize and appropriate non-Western cultures to support highly Western notions of oppression, but because they tend as well to construct a “Third World” or even an “Orient” in which gender oppression is subtly explained as symptomatic of an essential, non-Western barbarism. The urgency of feminism to establish a universal status for patriarchy in order to strengthen the appearance of feminism’s own claims to be representative has occasionally motivated the shortcut to a categorial or fictive universality of the structure of domination, held to produce women’s common subjugated experience. Although the claim of universal patriarchy no longer enjoys the kind of credibility it once did, the notion of a generally shared conception of “women,” the corollary to that framework, has been much more difficult to displace. Certainly, there have been plenty of debates: Is there some commonality among “women” that preexists their oppression, or do “women” have a bond by virtue of their oppression alone? Is there a specificity to women’s cultures that is independent of their subordination by hegemonic, masculinist cultures? Are the specificity and integrity of women’s cultural or linguistic practices always specified against and, hence, within the terms of some more dominant cultural formation? If there is a region of the “specifically feminine,” one that is both differentiated from the masculine as such and recognizable in its difference by an unmarked and, hence, presumed universality of “women”? The masculine/feminine binary constitutes not only the exclusive framework in which that specificity can be recognized, but in every other way the “specificity” of the feminine is once again fully decontextualized and separated off analytically and politically from the constitution of class, race, ethnicity, and other axes of power relations that both constitute “identity” and make the singular notion of identity a misnomer.4 My suggestion is that the presumed universality and unity of the subject of feminism is effectively undermined by the constraints of the representational discourse in which it functions. Indeed, the premature insistence on a stable subject of feminism, understood as a seamless category of women, inevitably generates multiple refusals to accept the category. These domains of exclusion reveal the coercive and regulatory consequences of that construction, even when the construction has been elaborated for emancipatory purposes. Indeed, the fragmentation within feminism and the paradoxical opposition to feminism from “women” whom feminism claims to represent suggest the necessary limits of identity politics. The suggestion that feminism can seek wider representation for a subject that it itself constructs has the ironic consequence that feminist goals risk failure by refusing to take account of the constitutive powers of their own representational claims. This problem is not ameliorated through an appeal to the category of women for merely “strategic” purposes, for strategies always have meanings that exceed the purposes for which they are intended. In this case, exclusion itself might qualify as such an unintended yet consequential meaning. By conforming to a requirement of representational politics that feminism articulate a stable subject, feminism thus opens itself to charges of gross misrepresentation. Obviously, the political task is not to refuse representational politics—as if we could. The juridical structures of language and politics constitute the contemporary field of power; hence, there is no position outside this field, but only a critical genealogy of its own legitimating practices. As such, the critical point of departure is the historical present, as Marx put it. And the task is to formulate within this constituted frame a critique of the categories of identity that contemporary juridical structures engender, naturalize, and immobilize. Perhaps there is an opportunity at this juncture of cultural politics, a period that some would call “postfeminist,” to reflect from within a feminist perspective on the injunction to construct a subject of feminism. Within feminist political practice, a radical rethinking of the ontological constructions of identity appears to be necessary in order to formulate a representational politics that might revive feminism on other grounds. On the other hand, it may be time to entertain a radical critique that seeks to free feminist theory from the necessity of having to construct a single or abiding ground which is invariably contested by those identity positions or anti-identity positions that it invariably excludes. Do the exclusionary practices that ground feminist theory in a notion of “women” as subject paradoxically undercut feminist goals to extend its claims to “representation”?5 Perhaps the problem is even more serious. Is the construction of the category of women as a coherent and stable subject an unwitting regulation and reification of gender relations? And is not such a reification precisely contrary to feminist aims? To what extent does the category of women achieve stability and coherence only in the context of the heterosexual matrix?6 If a stable notion of gender no longer proves to be the foundational premise of feminist politics, perhaps a new sort of feminist politics is now desirable to contest the very reifications of gender and identity, one that will take the variable construction of identity as both a methodological and normative prerequisite, if not a political goal. To trace the political operations that produce and conceal what qualifies as the juridical subject of feminism is precisely the task of a feminist genealogy of the category of women. In the course of this effort to question “women” as the subject of feminism, the unproblematic invocation of that category may prove to preclude the possibility of feminism as a representational politics. What sense does it make to extend representation to subjects who are constructed through the exclusion of those who fail to conform to unspoken normative requirements of the subject? What relations of domination and exclusion are inadvertently sustained when representation becomes the sole focus of politics? The identity of the feminist subject ought not to be the foundation of feminist politics, if the formation of the subject takes place within a field of power regularly buried through the assertion of that foundation. Perhaps, paradoxically, “representation” will be shown to make sense for feminism only when the subject of “women” is nowhere presumed. THE COMPULSORY ORDER OF SEX/GENDER/DESIRE Although the unproblematic unity of “women” is often invoked to construct a solidarity of identity, a split is introduced in the feminist subject by the distinction between sex and gender. Originally intended to dispute the biology-is-destiny formulation, the distinction between sex and gender serves the argument that whatever biological intractability sex appears to have, gender is culturally constructed: hence, gender is neither the causal result of sex nor as seemingly fixed as sex. The unity of the subject is thus already potentially contested by the distinction that permits of gender as a multiple interpretation of sex.7 If gender is the cultural meanings that the sexed body assumes, then a gender cannot be said to follow from a sex in any one way. Taken to its logical limit, the sex/gender distinction suggests a radical discontinuity between sexed bodies and culturally constructed genders. Assuming for the moment the stability of binary sex, it does not follow that the construction of “men” will accrue exclusively to the bodies of males or that “women” will interpret only female bodies. Further, even if the sexes appear to be unproblematically binary in their morphology and constitution (which will become a question), there is no reason to assume that genders ought also to remain as two.8 The presumption of a binary gender system implicitly retains the belief in a mimetic relation of gender to sex whereby gender mirrors sex or is otherwise restricted by it. When the constructed status of gender is theorized as radically independent of sex, gender itself becomes a free-floating artifice, with the consequence that man and masculine might just as easily signify a female body as a male one, and woman and feminine a male body as easily as a female one. This radical splitting of the gendered subject poses yet another set of problems. Can we refer to a “given” sex or a “given” gender without first inquiring into how sex and/or gender is given, through what means? And what is “sex” anyway? Is it natural, anatomical, chromosomal, or hormonal, and how is a feminist critic to assess the scientific discourses which purport to establish such “facts” for us?9 Does sex have a history?10 Does each sex have a different history, or histories? Is there a history of how the duality of sex was established, a genealogy that might expose the binary options as a variable construction? Are the ostensibly natural facts of sex discursively produced by various scientific discourses in the service of other political and social interests? If the immutable character of sex is contested, perhaps this construct called “sex” is as culturally constructed as gender; indeed, perhaps it was always already gender, with the consequence that the distinction between sex and gender turns out to be no distinction at all.11 It would make no sense, then, to define gender as the cultural interpretation of sex, if sex itself is a gendered category. Gender ought not to be conceived merely as the cultural inscription of meaning on a pregiven sex (a juridical conception); gender must also designate the very apparatus of production whereby the sexes themselves are established. As a result, gender is not to culture as sex is to nature; gender is also the discursive/cultural means by which “sexed nature” or “a natural sex” is produced and established as “prediscursive,” prior to culture, a politically neutral surface on which culture acts. This construction of “sex” as the radically unconstructed will concern us again in the discussion of Lévi-Strauss and structuralism in chapter 2. At this juncture it is already clear that one way the internal stability and binary frame for sex is effectively secured is by casting the duality of sex in a prediscursive domain. This production of sex as the prediscursive ought to be understood as the effect of the apparatus of cultural construction designated by gender. How, then, does gender need to be reformulated to encompass the power relations that produce the effect of a prediscursive sex and so conceal that very operation of discursive production? GENDER: THE CIRCULAR RUINS OF CONTEMPORARY DEBATE Is there “a” gender which persons are said to have, or is it an essential attribute that a person is said to be, as implied in the question “What gender are you?” When feminist theorists claim that gender is the cultural interpretation of sex or that gender is culturally constructed, what is the manner or mechanism of this construction? If gender is constructed, could it be constructed differently, or does its constructedness imply some form of social determinism, foreclosing the possibility of agency and transformation? Does “construction” suggest that certain laws generate gender differences along universal axes of sexual difference? How and where does the construction of gender take place? What sense can we make of a construction that cannot assume a human constructor prior to that construction? On some accounts, the notion that gender is constructed suggests a certain determinism of gender meanings inscribed on anatomically differentiated bodies, where those bodies are understood as passive recipients of an inexorable cultural law. When the relevant “culture” that “constructs” gender is understood in terms of such a law or set of laws, then it seems that gender is as determined and fixed as it was under the biology-is-destiny formulation. In such a case, not biology, but culture, becomes destiny. On the other hand, Simone de Beauvoir suggests in The Second Sex that “one is not born a woman, but, rather, becomes one.”12 For Beauvoir, gender is “constructed,” but implied in her formulation is an agent, a cogito, who somehow takes on or appropriates that gender and could, in principle, take on some other gender. Is gender as variable and volitional as Beauvoir’s account seems to suggest? Can “construction” in such a case be reduced to a form of choice? Beauvoir is clear that one “becomes” a woman, but always under a cultural compulsion to become one. And clearly, the compulsion does not come from “sex.” There is nothing in her account that guarantees that the “one” who becomes a woman is necessarily female. If “the body is a situation,”13 as she claims, there is no recourse to a body that has not always already been interpreted by cultural meanings; hence, sex could not qualify as a prediscursive anatomical facticity. Indeed, sex, by definition, will be shown to have been gender all along.14 The controversy over the meaning of construction appears to founder on the conventional philosophical polarity between free will and determinism. As a consequence, one might reasonably suspect that some common linguistic restriction on thought both forms and limits the terms of the debate. Within those terms, “the body” appears as a passive medium on which cultural meanings are inscribed or as the instrument through which an appropriative and interpretive will determines a cultural meaning for itself. In either case, the body is figured as a mere instrument or medium for which a set of cultural meanings are only externally related. But “the body” is itself a construction, as are the myriad “bodies” that constitute the domain of gendered subjects. Bodies cannot be said to have a signifiable existence prior to the mark of their gender; the question then emerges: To what extent does the body come into being in and through the mark(s) of gender? How do we reconceive the body no longer as a passive medium or instrument awaiting the enlivening capacity of a distinctly immaterial will?15 Whether gender or sex is fixed or free is a function of a discourse which, it will be suggested, seeks to set certain limits to analysis or to safeguard certain tenets of humanism as pre-suppositional to any analysis of gender. The locus of intractability, whether in “sex” or “gender” or in the very meaning of “construction,” provides a clue to what cultural possibilities can and cannot become mobilized through any further analysis. The limits of the discursive analysis of gender presuppose and preempt the possibilities of imaginable and realizable gender configurations within culture. This is not to say that any and all gendered possibilities are open, but that the boundaries of analysis suggest the limits of a discursively conditioned experience. These limits are always set within the terms of a hegemonic cultural discourse predicated on binary structures that appear as the language of universal rationality. Constraint is thus built into what that language constitutes as the imaginable domain of gender. Although social scientists refer to gender as a “factor” or a “dimension” of an analysis, it is also applied to embodied persons as “a mark” of biological, linguistic, and/or cultural difference. In these latter cases, gender can be understood as a signification that an (already) sexually differentiated body assumes, but even then that signification exists only in relation to another, opposing signification. Some feminist theorists claim that gender is “a relation,” indeed, a set of relations, and not an individual attribute. Others, following Beauvoir, would argue that only the feminine gender is marked, that the universal person and the masculine gender are conflated, thereby defining women in terms of their sex and extolling men as the bearers of a body-transcendent universal personhood. In a move that complicates the discussion further, Luce Irigaray argues that women constitute a paradox, if not a contradiction, within the discourse of identity itself. Women are the “sex” which is not “one.” Within a language pervasively masculinist, a phallogocentric language, women constitute the unrepresentable. In other words, women represent the sex that cannot be thought, a linguistic absence and opacity. Within a language that rests on univocal signification, the female sex constitutes the unconstrainable and undesignatable. In this sense, women are the sex which is not “one,” but multiple.16 In opposition to Beauvoir, for whom women are designated as the Other, Irigaray argues that both the subject and the Other are masculine mainstays of a closed phallogocentric signifying economy that achieves its totalizing goal through the exclusion of the feminine altogether. For Beauvoir, women are the negative of men, the lack against which masculine identity differentiates itself; for Irigaray, that particular dialectic constitutes a system that excludes an entirely different economy of signification. Women are not only represented falsely within the Sartrian frame of signifying-subject and signified-Other, but the falsity of the signification points out the entire structure of representation as inadequate. The sex which is not one, then, provides a point of departure for a criticism of hegemonic Western representation and of the metaphysics of substance that structures the very notion of the subject. What is the metaphysics of substance, and how does it inform thinking about the categories of sex? In the first instance, humanist conceptions of the subject tend to assume a substantive person who is the bearer of various essential and nonessential attributes. A humanist feminist position might understand gender as an attribute of a person who is characterized essentially as a pregendered substance or “core,” called the person, denoting a universal capacity for reason, moral deliberation, or language. The universal conception of the person, however, is displaced as a point of departure for a social theory of gender by those historical and anthropological positions that understand gender as a relation among socially constituted subjects in specifiable contexts. This relational or contextual point of view suggests that what the person “is,” and, indeed, what gender “is,” is always relative to the constructed relations in which it is determined.17 As a shifting and contextual phenomenon, gender does not denote a substantive being, but a relative point of convergence among culturally and historically specific sets of relations. Irigaray would maintain, however, that the feminine “sex” is a point of linguistic absence, the impossibility of a grammatically denoted substance, and, hence, the point of view that exposes that substance as an abiding and foundational illusion of a masculinist discourse. This absence is not marked as such within the masculine signifying economy—a contention that reverses Beauvoir’s argument (and Wittig’s) that the female sex is marked, while the male sex is not. For Irigaray, the female sex is not a “lack” or an “Other” that immanently and negatively defines the subject in its masculinity. On the contrary, the female sex eludes the very requirements of representation, for she is neither “Other” nor the “lack,” those categories remaining relative to the Sartrian subject, immanent to that phallogocentric scheme. Hence, for Irigaray, the feminine could never be the mark of a subject, as Beauvoir would suggest. Further, the feminine could not be theorized in terms of a determinate relation between the masculine and the feminine within any given discourse, for discourse is not a relevant notion here. Even in their variety, discourses constitute so many modalities of phallogocentric language. The female sex is thus also the subject that is not one. The relation between masculine and feminine cannot be represented in a signifying economy in which the masculine constitutes the closed circle of signifier and signified. Paradoxically enough, Beauvoir prefigured this impossibility in The Second Sex when she argued that men could not settle the question of women because they would then be acting as both judge and party to the case.18 The distinctions among the above positions are far from discrete; each of them can be understood to problematize the locality and meaning of both the “subject” and “gender” within the context of socially instituted gender asymmetry. The interpretive possibilities of gender are in no sense exhausted by the alternatives suggested above. The problematic circularity of a feminist inquiry into gender is underscored by the presence of positions which, on the one hand, presume that gender is a secondary characteristic of persons and those which, on the other hand, argue that the very notion of the person, positioned within language as a “subject,” is a masculinist construction and prerogative which effectively excludes the structural and semantic possibility of a feminine gender. The consequence of such sharp disagreements about the meaning of gender (indeed, whether gender is the term to be argued about at all, or whether the discursive construction of sex is, indeed, more fundamental, or perhaps women or woman and/or men and man) establishes the need for a radical rethinking of the categories of identity within the context of relations of radical gender asymmetry. For Beauvoir, the “subject” within the existential analytic of misogyny is always already masculine, conflated with the universal, differentiating itself from a feminine “Other” outside the universalizing norms of personhood, hopelessly “particular,” embodied, condemned to immanence. Although Beauvoir is often understood to be calling for the right of women, in effect, to become existential subjects and, hence, for inclusion within the terms of an abstract universality, her position also implies a fundamental critique of the very disembodiment of the abstract masculine epistemological subject.19 That subject is abstract to the extent that it disavows its socially marked embodiment and, further, projects that disavowed and disparaged embodiment on to the feminine sphere, effectively renaming the body as female. This association of the body with the female works along magical relations of reciprocity whereby the female sex becomes restricted to its body, and the male body, fully disavowed, becomes, paradoxically, the incorporeal instrument of an ostensibly radical freedom. Beauvoir’s analysis implicitly poses the question: Through what act of negation and disavowal does the masculine pose as a disembodied universality and the feminine get constructed as a disavowed corporeality? The dialectic of master–slave, here fully reformulated within the non-reciprocal terms of gender asymmetry, prefigures what Irigaray will later describe as the masculine signifying economy that includes both the existential subject and its Other. Beauvoir proposes that the female body ought to be the situation and instrumentality of women’s freedom, not a defining and limiting essence.20 The theory of embodiment informing Beauvoir’s analysis is clearly limited by the uncritical reproduction of the Cartesian distinction between freedom and the body. Despite my own previous efforts to argue the contrary, it appears that Beauvoir maintains the mind/body dualism, even as she proposes a synthesis of those terms.21 The preservation of that very distinction can be read as symptomatic of the very phallogocentrism that Beauvoir underestimates. In the philosophical tradition that begins with Plato and continues through Descartes, Husserl, and Sartre, the ontological distinction between soul (consciousness, mind) and body invariably supports relations of political and psychic subordination and hierarchy. The mind not only subjugates the body, but occasionally entertains the fantasy of fleeing its embodiment altogether. The cultural associations of mind with masculinity and body with femininity are well documented within the field of philosophy and feminism.22 As a result, any uncritical reproduction of the mind/body distinction ought to be rethought for the implicit gender hierarchy that the distinction has conventionally produced, maintained, and rationalized. The discursive construction of “the body” and its separation from “freedom” in Beauvoir fails to mark along the axis of gender the very mind-body distinction that is supposed to illuminate the persistence of gender asymmetry. Officially, Beauvoir contends that the female body is marked within masculinist discourse, whereby the masculine body, in its conflation with the universal, remains unmarked. Irigaray clearly suggests that both marker and marked are maintained within a masculinist mode of signification in which the female body is “marked off,” as it were, from the domain of the signifiable. In post-Hegelian terms, she is “cancelled,” but not preserved. On Irigaray’s reading, Beauvoir’s claim that woman “is sex” is reversed to mean that she is not the sex she is designated to be, but, rather, the masculine sex encore (and en corps) parading in the mode of otherness. For Irigaray, that phallogocentric mode of signifying the female sex perpetually reproduces phantasms of its own self-amplifying desire. Instead of a self-limiting linguistic gesture that grants alterity or difference to women, phallogocentrism offers a name to eclipse the feminine and take its place.